

REGULAR MEETING
FEBRUARY 13, 2017

DRAFT

The Regular Meeting of the Town Board of the Town of New Bremen, County of Lewis and the State of New York was held at the Town Municipal Office Building, 8420 State Rte. 812, New Bremen, New York on the 13th day of February 2017.

Town Officer's Present: Joseph E. Aucter, Deputy Supervisor
David L. Becker, Councilman
Steven Brooks, Councilman
Marcus Bush, Councilman
Jonathan M. Bush, Highway Superintendent
Elizabeth B. Jones, Clerk
Errol A. Aucter, Justice

Peter J. Keys, Supervisor - Absent

Attended by: Approximately 1 person

Deputy Supervisor Aucter called the meeting to order at 6:01 p.m. with the Pledge to the Flag.

**RESOLUTION NO. 16 OF 2017
APPROVAL OF MINUTES**

On a motion of Councilman Becker, seconded by Councilman Bush, the following resolution was
ADOPTED Ayes 4 Becker, Aucter, Brooks, Bush Nays 0

RESOLVED, the minutes of the January 9, 2017 meeting are approved.

**RESOLUTION NO. 17 OF 2017
TOWN CLERK'S MONTHLY REPORT**

On a motion of Councilman Becker, seconded by Councilman Bush, the following resolution was
ADOPTED Ayes 4 Becker, Aucter, Brooks, Bush Nays 0

RESOLVED, the Town Clerk's monthly report is approved as submitted.

HIGHWAY

Superintendent Bush asked for permission to advertise for bank run gravel for bid. After discussion, the following resolution was presented.

**RESOLUTION NO. 18 OF 2017
ADVERTISE FOR BANK RUN GRAVEL**

On a motion of Deputy Supervisor Aucter, seconded by Councilman Brooks, the following resolution was
ADOPTED Ayes 4 Becker, Aucter, Brooks, Bush Nays 0

RESOLVED, that Highway Superintendent Bush is authorized to advertise for bids for bank run gravel in the Journal and Republican for 1 week. Bid opening is set for March 13, 2017 at 6:00 p.m. at the Town Municipal Office Building.



SHARED SERVICES FUNDS

Deputy Supervisor Aucter received a check for \$5,000.00 from the County of Lewis for shared services “credit” with the County Highway Department. Highway Superintendent Bush asked that the funds be transferred to the Highway Equipment Reserve Fund. He also noted that he has a \$3,000.00 balance with the County Highway for future highway work. After discussion, the following resolution was presented.

**RESOLUTION NO. 19 OF 2017
APPROVAL OF TRANSFER OF FUNDS**

On a motion of Deputy Supervisor Aucter, seconded by Councilman Bush, the following resolution was
ADOPTED Ayes 4 Becker, Aucter, Brooks, Bush Nays 0

RESOLVED, that Deputy Supervisor Aucter is authorized to transfer the funds received from the County of Lewis for shared services “credit” in the amount of \$5,000.00 to the Highway Equipment Reserve Fund.

**RESOLUTION NO. 20 OF 2017
AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONEYS**

On a motion of Deputy Supervisor Aucter, seconded by Councilman Bush, the following resolution was
ADOPTED Ayes 4 Becker, Aucter, Brooks, Bush Nays 0

RESOLVED, Pursuant to the provisions of Section 284 of the Highway Law we agree that moneys levied and collected in the Town for the repair and improvement of highways, shall be expended as follows:

General Repairs. The sum of \$431,000.00 shall be set aside to be expended for primary work and general repairs upon 63.24 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

**RESOLUTION NO. 21 OF 2017
JUSTICES MONTHLY REPORTS**

On a motion of Deputy Supervisor Aucter, seconded by Councilman Brooks, the following resolution was
ADOPTED Ayes 4 Becker, Aucter, Brooks, Bush Nays 0

RESOLVED, the Justices monthly reports are approved as submitted.

JCAP GRANT

Judge Aucter was pleased to advise the Board that the Court received the JCAP Grant, in the amount of \$6,000.00; they applied to offset costs to purchase a new justice bench. Judge Aucter contacted Ron Roes who will be doing the construction.

DCO

Deputy Supervisor Aucter spoke with Justin Hall asking him to remain on as our DCO and stated that Supervisor Keys suggested a \$600.00 increase in his salary understanding his 24/7 on call duties of the position. Mr. Hall is willing to stay on as DCO on a month by month basis until the Town can find a replacement. It has been very difficult in the past to maintain a DCO as is the same for other Towns in the County.

Councilman Brooks suggested that the Board require a monthly report of activities from Mr. Hall and have him also note on the report whether or not he is willing to stay on as DCO for the following month. After discussion, the following resolutions were presented.

**RESOLUTION NO. 22 OF 2017
APPOINTMENT OF DOG CONTROL OFFICER**

On a motion of Deputy Supervisor Aucter, seconded by Councilman Brooks, the following resolution was
ADOPTED Ayes 4 Becker, Aucter, Brooks, Bush Nays 0

RESOLVED, that Justin Hall is appointed to a one (1) month term as DCO for the Town of New Bremen, and be it further

RESOLVED, that he is required to submit a report of monthly activities to the Board.

**RESOLUTION NO. 23 OF 2017
BUDGET ADJUSTMENT**

On a motion of Councilman Becker, seconded by Councilman Bush, the following resolution was
ADOPTED Ayes 4 Becker, Aucter, Brooks, Bush Nays 0

RESOLVED, that Deputy Supervisor Aucter is authorized to transfer \$600.00 from Contingent Fund – A1990.4 to DCO Personal Services – A3510.1.

AUDIT OF BOOKS

Councilman Brooks reported that the audit of the Supervisor, Town Clerk, Tax Collector and Town Justices 2016 records is complete and they looked to be in good order. After discussion, the following resolution was presented.

**RESOLUTION NO. 24 OF 2017
AUDIT OF ALL BOOKS**

On a motion of Councilman Bush, seconded by Deputy Supervisor Aucter, the following resolution was
ADOPTED Ayes 4 Becker, Aucter, Brooks, Bush Nays 0

RESOLVED, that the Town Board of the Town of New Bremen, Lewis County, did audit and approve all books of accounts of all Town Officers for the 2016 year and found them to be in good order, correct and true.

PROCUREMENT POLICY

At the January meeting the Board reviewed and made changes to section 4 of the towns Procurement Policy & Procedure with an amended draft being submitted to the Board by Clerk Jones. A question was posed by Town resident Sue Sauer pertaining to whether the General Municipal Law, Section 104-b is being met when it comes to the Town leasing equipment. The Board tabled for further review and to contact Attorney Farley, etc. on the due process for leasing equipment. They also tabled the budget adjustment /transfer of \$50,000.00 for the down payment on the new 2017 tandem for further review.



CEMETERY

The Board reviewed and made changes to the New Bremen Rural Cemetery Policy/Rules pertaining to grave openings/burials. Clerk Jones submitted an amended draft to the Board. Also discussed grave digging personnel. Supervisor Keys contacted Zachary Virkler, whom is interested if Joel Kloster does not want to or is not available, Joel Kloster and Bruce Altmire did not return his calls. Deputy Supervisor Aucter recommended appointing all three as grave diggers in case one or the other is not available. After discussion, the following resolutions were presented.

**RESOLUTION NO. 25 OF 2017
CEMETERY POLICY/RULES**

On a motion of Deputy Supervisor Aucter, seconded by Councilman Brooks, the following resolution was
ADOPTED Ayes 4 Becker, Aucter, Brooks, Bush Nays 0

RESOLVED, that the Town Board hereby adopts said amendment to the New Bremen Rural Cemetery Policy/Rules.

*Copy of said policy is incorporated at the end of these minutes.

**RESOLUTION NO. 26 OF 2017
GRAVE DIGGERS**

On a motion of Councilman Brooks, seconded by Councilman Becker, the following resolution was
ADOPTED Ayes 4 Becker, Aucter, Brooks, Bush Nays 0

RESOLVED, that the Town Board hereby appoints the following as grave diggers for the New Bremen Rural Cemetery – Zachary Virkler, Joel Kloster and Bruce Altmire.

**RESOLUTION NO. 27 OF 2017
SUPERVISOR’S FINANCIAL REPORT**

On a motion of Councilman Becker, seconded by Councilman Brooks, the following resolution was
ADOPTED Ayes 4 Becker, Aucter, Brooks, Bush Nays 0

RESOLVED, the Supervisor’s monthly financial report is approved as submitted.

ZONING

Ward Dailey, Zoning Officer submitted a report and recommendations pertaining to a written complaint he received of an alleged abandoned, neglected and deteriorated structure located at 6619 Tillman Road, Town of New Bremen, owned by Andi-son Enterprises Ltd. The report states that Mr. Dailey found the structure to be unsafe and unfit for human occupancy and further states it be condemned. Notice was mailed to the owner notifying them of said status. Deputy Supervisor Aucter will contact Ward Dailey and Attorney Farley for more information on the next step the Board needs to take. After discussion/review, the following resolution was presented.



**RESOLUTION NO. 28 OF 2017
ACCEPTANCE OF REPORT**

On a motion of Deputy Supervisor Aucter, seconded by Councilman Brooks, the following resolution was
ADOPTED Ayes 4 Becker, Aucter, Brooks, Bush Nays 0

RESOLVED, that the Town Board hereby accepts the report and recommendations, submitted by Ward Dailey, Zoning Officer, pertaining to a complaint filed on property located at 6619 Tillman Road, New Bremen, owned by Andi-Son Enterprises Ltd.

*Copy of said report is incorporated at the end of these minutes.

**RESOLUTION NO. 29 OF 2017
AUDIT OF CLAIMS**

On a motion of Councilman Becker, seconded by Councilman Brooks, the following resolution was
ADOPTED Ayes 4 Becker, Aucter, Brooks, Bush Nays 0

RESOLVED, that Deputy Supervisor Aucter is authorized and directed to pay the following amounts on Abstract #2 of 2017 in the following amounts.

General	Voucher #14 thru #27	\$2,665.42
Highway T-Wide	Voucher #10 thru #32	\$22,380.31

UNIFORMS

Deputy Supervisor Aucter contacted Cintas pertaining to the ongoing service for the highway department uniforms. The Board agreed to end their services effective 1/31/17. Cintas states that the Town is under contract until 2020. Supervisor Keys notified them in writing that the Town no longer wishes to do business with them effective 1/31/17. Mr. Aucter will contact them tomorrow to discuss it further.

WATER CONTRACT

Review of the 2017 Addendum to Agreement for Water Service between the Village of Croghan and the Beaver Falls Water District and after discussion, the following resolution was presented.

**RESOLUTION NO. 30 OF 2017
WATER SERVICE CONTRACT**

On a motion of Councilman Bush, seconded by Councilman Brooks, the following resolution was
ADOPTED Ayes 4 Becker, Aucter, Brooks, Bush Nays 0

RESOLVED, that Deputy Supervisor Aucter is authorized to sign the 2017 Addendum to Agreement for Water Service between the Village of Croghan and the Beaver Falls Water District; and that a copy of said contract be on file in the Clerk's office.

The next meeting of the Town Board of the Town of New Bremen will be held on March 13, 2017 at 6:00 p.m. at the Town Municipal Office Building.

(Regular Meeting of February 13, 2017 con't.)

DRAFT

With no further business, on a motion of Councilman Becker, seconded by Councilman Brooks, the meeting was adjourned at 7:17p.m. Carried unanimously.

Elizabeth B. Jones, RMC
Town Clerk/Tax Collector