

## REGULAR MEETING

June 10, 2013

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 10<sup>th</sup> day of June 2013.

Town Officer's Present: Peter J. Keys, Supervisor  
David L. Becker, Councilman  
Matthew E. Bush, Councilman  
Ralph L. Bush, Councilman  
Susan J. Sauer, Councilwoman  
Ralph H. Hall, Highway Superintendent - Absent  
Elizabeth B. Jones, Clerk  
Errol A. Aucter, Justice  
Aimee L. Murphy, Deputy Clerk/Court Clerk

Attended by: Approximately 11 people

Supervisor Keys called the meeting to order at 6:03 p.m. with the Pledge to the Flag.

### **RESOLUTION NO. 70 OF 2013 APPROVAL OF MINUTES**

On a motion of Councilman Becker, seconded by Councilman M. Bush, the following resolution was  
ADOPTED Ayes 5 Becker, M. Bush, R. Bush, Sauer, Keys Nays 0

Resolved the minutes of the May 13, 2013 meeting are approved.

### **PRIVILEGE OF FLOOR**

Arlatha Zehr, 8326 State Rte. 812, Lowville, proposed to the Board to consider purchasing "Welcome to New Bremen" signs. She received a quote from Peebles Signs and Graphics for \$1000 for two signs. The Board asked if she would help work on the design, etc. After discussion the following resolution was presented.

### **RESOLUTION NO. 71 OF 2013 APPROVAL OF TOWN SIGNS**

On a motion of Councilman M. Bush, seconded by Councilman R. Bush, the following resolution was  
ADOPTED Ayes 5 Becker, M. Bush, R. Bush, Sauer, Keys Nays 0

Resolved to approve the purchase of two "Welcome to New Bremen" signs.

### **ZONING VARIANCE**

Robert J. Turck Jr. submitted a mobile home permit application to Zoning Officer, Ward Dailey to replace an existing mobile home with a new one. The new mobile home would not meet the side setbacks of 25 feet to each lot line and would require the granting of a variance in accordance to Section 870 of Local Law #1 of 1996. Therefore, Mr. Turck submitted an application for a variance for the Boards consideration. Property location is at 8317 State Rte. 812, New Bremen, Tax Map #179.02-01-14.000. A public hearing must be held before a variance can be granted. After discussion the following resolution was presented.

(Regular Meeting of June 10, 2013 con't.)

**RESOLUTION NO. 72 OF 2013  
PUBLIC HEARING SET**

On a motion of Councilman M. Bush, seconded by Councilman Becker, the following resolution was  
ADOPTED Ayes 5 Becker, M. Bush, R. Bush, Sauer, Keys Nays 0

Resolved that the Town Board of the Town of New Bremen will hold a Public Hearing on July 8, 2013 at 6 p.m. to consider granting or denying the variance request submitted by Robert J. Turck, Jr. Property location - 8317 State Route 812, Town of New Bremen, Tax Map #179.02-01-14.000. To be advertised in the Journal and Republican at least 10 days prior to hearing.

**SITE PLAN REVIEW**

Vincent Purpura applied for a Site Plan Review and Zoning Permit to establish a proposed recycling facility for metals to be located at 8409 State Rte. 812, Town of New Bremen, Tax Map #163.00-01-10.100. The application was denied by Zoning Officer, Ward Dailey due to nonconformance with article 3 section 350 of Local Law No. 2 of 1996, that recycling facilities are prohibited. Mr. Dailey stated a variance could be granted by the Board with the required Public Hearing and must be referred to the County Planning Board. After discussion it was agreed to ask Mr. Purpura to attend the next Board meeting to explain his intentions fully. It was suggested to contact Attorney Farley to have him research the law for an opinion as to whether a variance can be granted.

**COUNCIL MEMBER REPORTS**

Councilman Becker reported his street light is fixed.

Councilman R. Bush reported that he has been in contact with a NYMIR insurance representative. Supervisor Keys has also been in contact with the same person. He would like a copy of the existing policy and will pick it up from the Town Clerk in the future.

Councilman M. Bush suggested that a letter of appreciation be sent to Richard Schneider for aiding in the Workplace Violence training for Town employees.

Councilwoman Sauer reported on the order placement of the Fit Trail Stations, scheduled to arrive the end of June. Supervisor Keys suggested asking Danny Grunert and possibly Cody O'Donnell if they would be interested in starting the installation of the Fit Trail Stations during Highway Department shutdown in early July. No further discussion.

**RESOLUTION NO. 73 OF 2013  
TOWN CLERK'S MONTHLY REPORT**

On a motion of Councilman M. Bush, seconded by Councilman R. Bush, the following resolution was  
ADOPTED Ayes 5 Becker, M. Bush, R. Bush, Sauer, Keys Nays 0

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

(Regular Meeting of June 10, 2013 con't.)

**RESOLUTION NO. 74 OF 2013  
COLLECTOR'S END OF COLLECTION PERIOD REPORT**

On a motion of Councilwoman Sauer, seconded by Councilman M. Bush, the following resolution was  
ADOPTED Ayes 5 Becker, M. Bush, R. Bush, Sauer, Keys Nays 0

Resolved the Collector's report is approved as submitted.

**NYS DEPARTMENT OF LABOR**

Clerk Jones reported that Elizabeth Getman of the NYS Department of Labor did a final inspection in the Highway Department and Municipal Building on June 4, 2013 and found all "Notice of Violations and Orders to Comply" were corrected and no fines/penalties will be assessed. Their office does not issue a "notice of completion" but Ms. Getman stated if the Board would like a "case closed" letter she could do so by email. She was very pleased with the effort put forward by the Town Officials to comply in a timely manner. Clerk Jones will email Ms. Getman to obtain a notice of case closed/completion for the Towns records.

**SOLE ASSESSOR**

Clerk Jones received a notice that appointed assessor terms expire September 30, 2013 from the NYS Office of Real Property Tax Services and Ms. Gratch can be reappointed at any time. Supervisor Keys feels the Board should look at other interested parties before an appointment is made. It was noted that the Rules for Real Property Tax Administration require individuals to meet minimum qualification standards and be approved by the State before appointment to the office of assessor can be made. After discussion the issue was tabled.

**RESOLUTION NO. 75 OF 2013  
JUSTICES MONTHLY REPORTS**

On a motion of Councilman M. Bush, seconded by Councilman R. Bush, the following resolution was  
ADOPTED Ayes 5 Becker, M. Bush, R. Bush, Sauer, Keys Nays 0

Resolved the Justices monthly reports are approved as submitted.

**RESOLUTION NO. 76 OF 2013  
DOG CONTROL OFFICER'S QUARTERLY REPORT**

On a motion of Councilman M. Bush, seconded by Councilman Becker, the following resolution was  
ADOPTED Ayes 5 Becker, M. Bush, R. Bush, Sauer, Keys Nays 0

Resolved the DCO's quarterly report is approved as submitted.

**COUNTY UPDATE**

Legislator Boyd gave an update of happenings at the County level.

**ZONING BOARD OF APPEALS**

Sheila Buckingham submitted her resignation as a member of the Zoning Board of Appeals and stated her interest in serving on the Planning Board instead. After discussion the following resolution was presented.

(Regular Meeting of June 10, 2013 con't.)

**RESOLUTION NO. 77 OF 2013  
PLANNING BOARD APPOINTMENT**

On a motion of Councilwoman Sauer, seconded by Councilman R. Bush, the following resolution was  
ADOPTED Ayes 5 Becker, M. Bush, R. Bush, Sauer, Keys Nays 0

Whereas there are two vacancies on the Planning Board for the Town of New Bremen, and be it

Resolved that Sheila Buckingham is hereby appointed to fill one vacancy on the Planning Board. Term of Office June 10, 2013 thru December 31, 2016.

**ATTORNEY**

Councilwoman Sauer received a letter from Attorney Farley in response to her concerns pertaining to correspondence addressed to the Board by Robin Grunert at the April 8, 2013 meeting. The Board read the letter and addressed the issue. As per Attorney Farley's recommendation the document will be treated as any other Town correspondence.

**RESOLUTION NO. 78 OF 2013  
SUPERVISOR'S MONTHLY REPORT**

On a motion of Councilman M. Bush, seconded by Councilman Becker, the following resolution was  
ADOPTED Ayes 5 Becker, M. Bush, R. Bush, Sauer, Keys Nays 0

Resolved the Supervisor's monthly report is approved as submitted.

**RESOLUTION NO. 79 OF 2013  
AUDIT OF CLAIMS**

On a motion of Councilman M. Bush, seconded by Councilman R. Bush, the following resolution was  
ADOPTED Ayes 5 Becker, M. Bush, R. Bush, Sauer, Keys Nays 0

Resolved that Supervisor Keys is authorized and directed to pay the following amounts on Abstract #3 & #6 of 2013 in the following amounts and complete the transfers.

General	Voucher #77 thru #90	\$2,239.89
Highway T-Wide	Voucher #89 thru #99	\$2,864.21
Highway T-Outside	Voucher #6 thru #10	\$104,904.42

The next meeting of the Town Board of the Town of New Bremen will be held on July 8, 2013 at 6:00 p.m. at the Town Municipal Office Building.

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

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Elizabeth B. Jones, RMC  
Town Clerk/Tax Collector