

REGULAR MEETING
MARCH 11, 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 11th day of March 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
Elizabeth B. Jones, Clerk
Aimee Murphy, Court Clerk/Deputy Town Clerk

Attended by: Approximately 12 people

Supervisor Keys called the meeting to order at 6:02 p.m. with the Pledge to the Flag.

**RESOLUTION NO. 39 OF 2013
APPROVAL OF MINUTES**

On a motion of Councilman R. Bush, seconded by Councilman M. Bush, the following resolution was
ADOPTED Ayes 5 Becker, M. Bush, R. Bush, Keys Abstained 1 Sauer

Resolved the minutes of the February 11, 2013 meeting are approved with a change to be made to Resolution No. 24 of 2013 Audit of All Books – that recommendations were made for improvements and that the auditing report be attached to the minutes. Request made by Councilwoman Sauer, and be it further

Resolved the minutes of the March 7, 2013 special meeting are also approved.

PRIVILEGE OF FLOOR

Supervisor Keys opened the floor for questions from the public. Robin Grunert, Tillman Road, Town of New Bremen, heard the Town Board had a special meeting pertaining to her husband Danny Grunert and asked the reason as to why he was not invited.

Supervisor Keys stated the meeting was called to figure out what is the Towns responsibility in the matter and that the Board would be going in to executive session later on in the meeting to further discuss the situation.

Mrs. Grunert asked that she and her husband be allowed to attend along with Mr. Hall. Supervisor Keys agreed.

**RESOLUTION NO. 40 OF 2013
TOWN CLERK'S MONTHLY REPORT**

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 Town Clerk's monthly report is approved as submitted.

HIGHWAY SUPERINTENDENT

Received three (3) sealed bids for bank run gravel. After discussion the following resolution was presented.

**RESOLUTION NO. 41 OF 2013
BANK RUN GRAVEL BIDS**

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

Resolved that the Clerk presented Proof of Advertising to bid for bank run gravel in the Journal & Republican.

The following bids were received:

Thomas Schneider	-	1.00 per yard
Brad Lyndaker	-	1.00 per yard
Michael Grunert	-	1.00 per yard

Be It Further Resolved that all bids for bank run gravel be accepted at \$1.00 per yard; and that the Highway Superintendent is authorized to draw from the closest available pit as needed.

Mr. Hall reported replacing ten (10) 2-way radios with new radios from Wells Communication that comply with the lower bandwidth required by the Federal Communications Commission. The old radios operated on a bandwidth of 25 kHz. FCC requires a bandwidth of 12.5 kHz or less beginning January 1, 2013. Also, advertised the old radios for sale on the internet.

REQUEST FOR TRANSFER

Superintendent Hall asked the Board to approve transferring \$20,000 in to the Equipment Reserve Fund for future purchases. After discussion the following resolution was presented.

**RESOLUTION NO. 42 OF 2013
APPROVING TRANSFER OF FUNDS**

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 Ralph H. Hall, Highway Superintendent of the Town of New Bremen requested a transfer of funds in the amount of \$20,000.00 to be placed in the Equipment Reserve Fund, and now therefore be it

Resolved the Town Board approves the transfer of \$20,000.00 from the Highway Reserve Fund to the Equipment Reserve Fund and that Supervisor Keys is authorized to make the transfer.

Superintendent Hall asked for approval to advertise for bid for sale the 2009 Ford F150 Pickup for a minimum bid of \$8200. After discussion the following resolution was presented.

(Regular Meeting of March 11, 2013 cont'd.)

**RESOLUTION NO. 43 OF 2013
ADVERTISE FOR BID FOR SALE 1 – 2009 FORD F-150 PICKUP TRUCK**

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

Resolved the Highway Superintendent is authorized to advertise for bid for sale 1-2009 Ford F-150 pickup truck, minimum bid set at \$8200.00. To be advertised for one (1) week in the Journal & Republican with bid opening at the April 8, 2013 meeting at 6:00 p.m.

**RESOLUTION NO. 44 OF 2013
JUSTICES MONTHLY REPORTS**

On a motion of Councilman R. Bush, seconded by Councilwoman Sauer, 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.

DCO

Lindsay Burriss, DCO, submitted her quarterly report along with a letter that updated her contact numbers. She stated that a phone call from Supervisor Keys left her uneasy and asked the Board if they are happy with her services. She clarified the procedures associated with a Public Health dog quarantine, as developed at a Lewis County Town Supervisor's Association meeting. Public Health contacts the Supervisor and makes a request to have the DCO follow up on the quarantine.

**RESOLUTION NO. 45 OF 2013
DOG CONTROL OFFICER'S QUARTERLY 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 DCO's quarterly report is approved as submitted.

COUNTY UPDATE

Legislator Boyd gave an update of happenings at the County level. The date for the replacement of the Naumburg Bridge may be moved up to 2014.

AIS

Supervisor Keys read a letter from Attorney James Burrows to keep the Board apprised to the status of the 2012 Assessment Challenge by Adirondack Int'l. Speedway, LLC. The settlement remains pending, but not finalized, at this time. He stated the Petitioner Paul Lyndaker will not settle the tax assessment case absent him settling a difference case, "Adirondack International Speedway, LLC v. the County of Lewis, Lewis County Opportunities Inc., and the State of New York" and the efforts to settle this second case remain ongoing. He will contact the Board as progress warrants.

(Regular Meeting of March 11, 2013 cont'd.)

Joanne Dicob doesn't like the fact that the Town is paying for continued attorney services while the proceedings are being delayed due to Mr. Lyndaker's inactivity and feels the Town should discontinue Mr. Burrows representation until further action occurs. Supervisor Keys will contact Mr. Lyndaker and Attorney Burrows.

**RESOLUTION NO. 46 OF 2013
SUPERVISOR'S MONTHLY REPORT**

On a motion of Councilman R. Bush, seconded by Councilman M. Bush, 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 and that Councilman M. Bush is still looking for a more complete supervisor's monthly report with balances for each budget code.

FLOORS

Supervisor Keys asked Clerk Jones to get estimates from several vendors for stripping and waxing the floors in the Municipal Office Building. Clerk Jones will have them for the April meeting.

**RESOLUTION NO. 47 OF 2013
AUDIT OF CLAIMS**

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 Supervisor Keys is authorized and directed to pay the following amounts on Abstract #3 of 2013 in the following amounts.

General	Voucher #31 thru #45	\$5,895.68
Highway T-Wide	Voucher #35 thru #52	\$16,530.08

EMPLOYMENT & LIABILITY GUIDELINES

The Board reviewed the "draft" amendment to the Towns Employment & Liability Guidelines for Appointed Employees. Supervisor Keys suggested adding to "sub-section A" Health Insurance Policy in the stipulation section: To be eligible for post retirement health insurance at the time of retirement from the Town the employee must have ten (10) consecutive years of service with the Town. After discussion the following resolution was presented.

**RESOLUTION NO. 48 OF 2013
AMENDMENT TO THE EMPLOYMENT & LIABILITY GUIDELINES
FOR APPOINTED EMPLOYEES**

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 that the Town Board reviewed and amended the Employment & Liability Guidelines for Appointed Employees for the Town of New Bremen and that new copies be issued to all employees and Board members.

INSURANCE

Aimee Murphy notified the Board that Judge Aucter received a letter from the Department of Social Services that Paul Aucter (retiree) is required to maintain his current health insurance coverage. Copy of said letter was given to Councilwoman Sauer.

**RESOLUTION NO. 49 OF 2013
EXECUTIVE SESSION**

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 move into Executive Session at 7:14 p.m. to discuss personnel issues.

**RESOLUTION NO. 50 OF 2013
REGULAR SESSION**

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 to return to regular session at 7:55 p.m.

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

With no further business, on a motion of Supervisor Keys, seconded by Councilman M. Bush, the meeting was adjourned at 7:55 p.m. Carried unanimously.

Elizabeth B. Jones, RMC
Town Clerk/Tax Collector