

REGULAR MEETING
MARCH 10, 2014

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 10th day of March 2014.

Town Officer's Present: Peter J. Keys, Supervisor
David L. Becker, Councilman
Susan J. Sauer, Councilwoman
Joseph E. Aucter, Councilman
Donald W. Getman, Councilman
Jonathan M. Bush, Highway Superintendent
Elizabeth B. Jones, Clerk
Errol A. Aucter, Justice
Aimee Murphy, Court Clerk/Deputy Town Clerk

Attended by: Approximately 8 people

Supervisor Keys called the meeting to order at 6:00 p.m. with the Pledge to the Flag.

RESOLUTION NO. 43 OF 2014
APPROVAL OF MINUTES

On a motion of Councilman Becker, seconded by Councilwoman Sauer, the following resolution was
ADOPTED Ayes 4 Becker, Sauer, Aucter, Keys Nays 0

RESOLVED, the minutes of the February 10th and 18th, 2014 meetings are approved.

SWEARING IN OF COUNCILMAN

Judge Aucter swore in newly appointed Councilman, Donald W. Getman. Councilman Getman joined the Town Board for the rest of the meeting.

PRIVILEGE OF FLOOR

Supervisor Keys opened the floor for questions from the public. Joanne Dicob shared information she had received pertaining to a Supreme Court ruling in a Wyoming land dispute. This situation is similar to the proposed "Rails to Trails" program in Lewis County.

PLANNING BOARD

Councilman Becker stated that Steven Brooks, resident, is interested in serving on the Planning Board. After discussion the following resolution was presented.

(Regular Meeting of March 10, 2014 cont'd.)

**RESOLUTION NO. 44 OF 2014
APPOINTMENT TO PLANNING BOARD**

On a motion of Councilman Becker, seconded by Councilwoman Sauer, the following resolution was
ADOPTED Ayes 5 Becker, Sauer, Aucter, Getman, Keys Nays 0

RESOLVED, that Steven Brooks is hereby appointed to the Planning Board for the Town of New Bremen.
Following are the terms of office for all members.

Samuel Yancey – 9/9/13 to 12/31/14
Sheila Buckingham – 6/10/13 to 12/31/16
Steven Brooks – 3/10/14 to 12/31/18

Randy Aucter – 6/1/10 to 12/31/15
Thomas Schantz – 9/9/13 to 12/31/17

AIS

Councilwoman Sauer spoke with Attorney James Burrows regarding the billing of the Town of New Bremen for continued legal services regarding the AIS Tax Assessment Challenge. She questioned him as to why the case was on-going when a proposed settlement had been approved by the Board and Mr. Lyndaker. Attorney Burrows explained to her that while the settlement was reached and approved by both parties, a Judge must also approve it before it can be considered closed. Attorney Burrows updated the proposed stipulation of settlement and order for the Board's approval. After discussion, the following resolution was presented.

**RESOLUTION NO. 45 OF 2014
AMENDED STIPULATION OF SETTLEMENT AND ORDER**

On a motion of Councilwoman Sauer, seconded by Councilman Getman, the following resolution was
ADOPTED Ayes 5 Becker, Sauer, Aucter, Getman, Keys Nays 0

RESOLVED, that the Town Board of the Town of New Bremen hereby enters into a formal Stipulation of Settlement and Order with Adirondack International Speedway and Paul Lyndaker on the terms and conditions as specified in said agreement attached at the end of these minutes.

EMPLOYMENT & LIABILITY GUIDELINES

Councilman Aucter presented proposed changes to the Towns Employment & Liability Guidelines for Appointed Employees. After review and discussion by the Board, the following resolution was presented.

**RESOLUTION NO. 46 OF 2014
AMENDMENT TO THE EMPLOYMENT & LIABILITY GUIDELINES
FOR APPOINTED EMPLOYEES**

On a motion of Councilman Aucter, seconded by Councilman Becker, the following resolution was
ADOPTED Ayes 5 Becker, Sauer, Aucter, Getman, 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.

(Regular Meeting of March 10, 2014 cont'd.)

**RESOLUTION NO. 47 OF 2014
TOWN CLERK'S MONTHLY REPORT**

On a motion of Councilman Becker, seconded by Councilwoman Sauer, the following resolution was
ADOPTED Ayes 5 Becker, Sauer, Aucter, Getman, Keys Nays 0

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

GRAVEL BIDS

Received five (5) sealed bids for bank run gravel. After discussion the following resolution was presented.

**RESOLUTION NO. 48 OF 2014
BANK RUN GRAVEL BIDS**

On a motion of Councilman Becker, seconded by Councilman Aucter, the following resolution was
ADOPTED Ayes 5 Becker, Sauer, Aucter, Getman, 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:

Jill Bush	-	\$1.25 per yard
Brad Lyndaker	-	\$1.00 per yard
Jason Moser	-	\$1.00 per yard
Paul Lyndaker	-	\$3.50 per ton
Tom Schneider	-	\$1.00 per yard

BE IT FURTHER RESOLVED, that all bids for bank run gravel be accepted and that the Highway Superintendent is authorized to draw from the closest available pit as needed.

HIGHWAY SUPERINTENDENT

Superintendent Bush reported on recent events of the Highway Department. He also submitted a quote to the Board for a new Ford F350 crew cab 4x4 pickup truck with plow and dump box for consideration. To defer costs of the new pickup truck, Mr. Bush would sell the 2007 2-wheel drive pickup and the 1980 Sander/Water Truck. Councilwoman Sauer suggested waiting to purchase a new truck until later in the year. Tabled at this time.

**RESOLUTION NO. 49 OF 2014
JUSTICES MONTHLY REPORTS**

On a motion of Councilwoman Sauer, seconded by Councilman Getman, the following resolution was
ADOPTED Ayes 5 Becker, Sauer, Aucter, Getman, Keys Nays 0

RESOLVED, the Justices monthly reports are approved as submitted.

JUSTICE GRANT

Supervisor Keys reported receiving the Justice Court Grant funds of \$1,564.99 to purchase a new photocopier and television (for jury trials) for the court.

(Regular Meeting of March 10, 2014 cont'd.)

**RESOLUTION NO. 50 OF 2014
SUPERVISOR'S MONTHLY REPORT**

On a motion of Councilman Becker, seconded by Councilman Aucter, the following resolution was
ADOPTED Ayes 5 Becker, Sauer, Aucter, Getman, Keys Nays 0

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

**RESOLUTION NO. 51 OF 2014
AUDIT OF CLAIMS**

On a motion of Councilman Aucter, seconded by Councilman Getman, the following resolution was
ADOPTED Ayes 5 Becker, Sauer, Aucter, Getman, Keys Nays 0

RESOLVED, that Supervisor Keys is authorized and directed to pay the following amounts on Abstract #3 of 2014 in the following amounts.

General	Voucher #32 thru #56	\$8,990.45
Highway T-Wide	Voucher #27 thru #39	\$10,091.05

MILEAGE

Councilwoman Sauer expressed her concern that Judge Stevens is possibly charging mileage from his home to the bank for making Court deposits. She questioned the Board on previous discussions of paying mileage only from the Town office building to the place Town business is being conducted. Supervisor Keys will speak with Judge Stevens regarding this situation.

The next regular meeting of the Town Board of the Town of New Bremen will be held on April 14, 2014 at 6:00 p.m. at the Town Municipal Office Building.

With no further business, on a motion of Councilman Becker, seconded by Councilman Getman, the meeting was adjourned at 7:40 p.m. Carried unanimously.

Elizabeth B. Jones, RMC
Town Clerk/Tax Collector