

REGULAR MEETING
MARCH 14, 2016

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 14th day of March 2016.

Town Officer's Present: Joseph E. Aucter, Deputy Supervisor/Councilman
Steven Brooks, Councilman
Marcus Bush, Councilman
Jonathan M. Bush, Highway Superintendent
Elizabeth B. Jones, Clerk
Aimee L. Murphy, Court Clerk
Absent: Peter J. Keys, Supervisor and David L. Becker, Councilman

Attended by: Approximately 3 people

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

**RESOLUTION NO. 23 OF 2016
APPROVAL OF MINUTES**

On a motion of Councilman Aucter, seconded by Councilman Bush, the following resolution was
ADOPTED Ayes 3 Aucter, Brooks, Bush Nays 0

RESOLVED, the minutes of the February 8, 2016 meeting are approved.

PRIVILEGE OF FLOOR

Deputy Supervisor Aucter opened the floor for comment. Stanley Jantzi, 6974 Kirschnerville Road, Town of New Bremen, submitted a request for variance form, resident approval of variance letter, along with a letter of referral from Ward Dailey, Zoning Officer. Mr. Jantzi would like to install a 14 x 60 manufactured home on a lot located at 7007 William Street. Due to the size of the lot and the size of the mobile home he lacks set back by 11.5 feet. Section 510 (A) of the Towns Mobile Home Law #1 of 1996 – requires a 25' side set back. After discussion/review, the following resolution was presented.

**RESOLUTION NO. 24 OF 2016
SET PUBLIC HEARING DATE**

On a motion of Councilman Aucter, seconded by Councilman Bush, the following resolution was
ADOPTED Ayes 3 Aucter, Brooks, Bush Nays 0

WHEREAS, that the Town Board of the Town of New Bremen did review/discuss the request for variance submitted by Stanley Jantzi, be it

RESOLVED, that a public hearing will be held on April 11, 2016 at 6:00 p.m. at the Town Municipal Office Building to consider the request for variance submitted by Stanley Jantzi, 6974 Kirschnerville Road, New Bremen, New York, for the installation of a manufactured home with a setback of 18' from the property line, to be located on property located at 7007 William Street, Tax Map No. 130.03-01-16.000. Notice of the public hearing to be published for 1 week in the Journal & Republican.

OPEN PUBLIC HEARING

The Public Hearing for proposed Local Law No. 1 of 2016 – To Change the Meeting Date of the Board of Assessment Review of the Town of New Bremen Superseding Local Law #1 of 2014, was declared open at 6:13 p.m. by Deputy Supervisor Aucter with proof of Publication in the Journal & Republican being acknowledged.

CLOSE OF PUBLIC HEARING

There were no questions or comments by the public; therefore, the public hearing was hereby closed at 6:14 p.m. After discussion, the following resolution was presented.

**RESOLUTION NO. 25 OF 2016
ADOPTING LOCAL LAW NO. 1 OF 2016
TO CHANGE THE MEETING DATE OF THE BAR**

On a motion of Councilman Bush, seconded by Councilman Brooks, the following resolution was
ADOPTED Ayes 3 Aucter, Brooks, Bush Nays 0

RESOLVED, that the Board of the Town of New Bremen hereby adopts Local Law No. 1 of 2016 – To Change the Meeting Date of the Board of Assessment Review of the Town of New Bremen Superseding Local Law #1 of 2014.

COUNCIL REPORTS

Councilman Brooks presented a request from Mohawk Networks, LLC to engage in securing grant funding through Governor Cuomo’s Broadband Initiative for improved broadband services for Lewis County. They are asking for a letter of support. After discussion, the Board would like a little more time to look in to this further.

**RESOLUTION NO. 26 OF 2016
TOWN CLERK’S MONTHLY REPORT**

On a motion of Councilman Aucter, seconded by Councilman Brooks, the following resolution was
ADOPTED Ayes 3 Aucter, Brooks, Bush Nays 0

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

NYSTCA CONFERENCE

Clerk Jones asked the Board for permission to attend the NYSTCA Conference in Saratoga Springs, NY on April 17th thru 20th. A motion was made by Councilman Brooks, seconded by Councilman Bush, permitting Town Clerk Jones to attend the NYSTCA Conference on April 17th thru 20th. Ayes: All Nays: None

GRAVEL BIDS

Received two (2) sealed bids for bank run gravel. After discussion, the following resolution was presented.

**RESOLUTION NO. 27 OF 2016
BANK RUN GRAVEL BIDS**

On a motion of Councilman Brooks, seconded by Councilman Aucter, the following resolution was
ADOPTED Ayes 3 Aucter, Brooks, Bush 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:

Matt Bush	-	\$1.25 per yard
Tom Schneider	-	\$1.05 per yard

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

HIGHWAY SUPERINTENDENT

Superintendent Bush asked the Board for permission to advertise for bid for sale old surplus parts that are obsolete and no longer needed that have accumulated over the years. He would like to advertise on the Auctions International website. After discussion, the following resolution was presented.

**RESOLUTION NO. 28 OF 2016
PERMISSION TO ADVERTISE FOR BID FOR SALE**

On a motion of Councilman Aucter, seconded by Councilman Brooks following resolution was
ADOPTED Ayes 3 Aucter, Brooks, Bush Nays 0

RESOLVED, that Highway Superintendent Bush has permission to advertise for bid for sale "old surplus parts that are obsolete and no longer needed", on the Auctions International Website, with the Board reserving the right to reject any or all bids.

Superintendent Bush gave a brief report on the Highway Superintendent's Advocacy Day in Albany he attended. Also, presented a resolution to the Board for their review/consideration pertaining to "Local Transportation Funding". After discussion, the following resolution was presented.

**RESOLUTION NO. 29 OF 2016
LOCAL TRANSPORTATION FUNDING**

On a motion of Councilman Brooks, seconded by Councilman Aucter following resolution was
ADOPTED Ayes 3 Aucter, Brooks, Bush Nays 0

WHEREAS, a reliable transportation infrastructure is vital for the safety of New York's travelling public and its economy; and

WHEREAS, 85 percent of New York's roads and bridges are maintained by local governments; and

WHEREAS, despite well-timed and targeted preventative maintenance treatments, the age and condition of many of our locally-owned transportation assets means that they are beyond preservation and in need of much more costly rehabilitation and reconstruction; and

WHEREAS, estimates by the State Comptroller, DOT and independent studies show a large number of road mileage is deteriorating and many bridges in the state are rated structurally deficient and functionally obsolete; and

WHEREAS, the State Comptroller estimates that there will be \$89 billion in unmet local infrastructure needs over the next 20 years; and

WHEREAS, the New York State Association of Town Superintendents of Highways commissioned its own fifteen year analysis that indicates an annual funding gap of \$1.3 billion for the local system (excluding NYC) alone; and

WHEREAS, funding for our local system has been far short of what is needed and we've fallen further and further behind in maintaining the vast and aging transportation infrastructure over this long period with severe consequences for conditions ratings; and

WHEREAS, the New York State Consolidated Local Street and Highway Program (CHIPS) provides essential funding for every municipality in the state and is part of the New York State Department of Transportation (NYSDOT) Capital Program; and

WHEREAS, we urge the Governor and Legislature to make additional state funding and resources available at levels that accurately reflect the critical needs of local roads and bridges; and

WHEREAS, in the early 1990's the Governor and Legislature created the Dedicated Highway and Bridge Trust Fund (DHBTF) to pay for the NYSDOT capital program and the Dedicated Mass Transit Trust Fund (DMTTF) to assist with the Metropolitan Transportation Authority (MTA) and other transit systems' capital programs; and

WHEREAS, when created it was agreed that the NYSDOT and MTA five-year capital programs would be similar in size and would be negotiated concurrently; and

WHEREAS, through 2005-09, both five-year capital programs were similar in size and adopted within months of each other; and

WHEREAS, in 2010 the Executive and Legislature broke traditional parity and enacted a five-year capital program for the MTA but not the DOT; NOW THEREFORE BE IT

RESOLVED, that the Town of New Bremen calls upon the Governor and the state Legislature to increase CHIPS funding in the 2016-17 state budget; and BE IT FURTHER

RESOLVED, that the Town of New Bremen calls upon the Governor and members of the state Legislature to fully fund and submit a new NYSDOT five-year transportation capital plan; and BE IT FURTHER

RESOLVED, that the Town of New Bremen calls upon the Governor and members of the state Legislature to recognize the equality of roads, bridges and transit by restoring funding equality between the MTA and NYSDOT five-year programs and by voting on the plans simultaneously.

**RESOLUTION NO. 30 OF 2016
JUSTICES MONTHLY REPORTS**

On a motion of Councilman Aucter, seconded by Councilman Bush, the following resolution was
ADOPTED Ayes 3 Aucter, Brooks, Bush Nays 0

RESOLVED, the Justices monthly reports are approved as submitted.

**RESOLUTION NO. 31 OF 2016
DOG CONTROL OFFICER'S MILEAGE/MONTHLY REPORT**

On a motion of Councilman Aucter, seconded by Councilman Brooks, the following resolution was
ADOPTED Ayes 3 Aucter, Brooks, Bush Nays 0

RESOLVED, the DCO's monthly report is approved as submitted, with the understanding that he attend the April 11th meeting.

SNOW BELT HOUSING

Cheryl Shenle-O'Neill, Ex. Director of Snow Belt Housing sent a letter of request for the Boards support in Snow Belt Housing's application to the Development Authority of the North Country, for funds to continue its successful owner-occupied rehabilitation program which would benefit low and moderate income residents of the Town of New Bremen. After discussion, the following resolution was presented.

**RESOLUTION NO. 32 OF 2016
SUPPORT OF SNOW BELT HOUSING'S APPLICATION**

On a motion of Councilman Brooks, seconded by Councilman Bush, the following resolution was
ADOPTED Ayes 3 Aucter, Brooks, Bush Nays 0

WHEREAS, the Town Board of the Town of New Bremen supports Snow Belt Housing's application to the Development Authority of the North Country for funds to continue its successful owner-occupied rehabilitation program to benefit our Town, now, therefore be it

RESOLVED, that the Town Board of the Town of New Bremen authorizes Snow Belt Housing Company, Inc. to submit an application on behalf of the Town of New Bremen for grant funding through the Development Authority of the North Country.

ZONING

The Board will review the information on both the Halko and Cady properties and discuss further action at the next regular board meeting after conferring with Attorney Farley.

NBCIA

Robin Houppert, 9188 Deveines Road has taken over as President of the New Bremen Community Improvement Association (NBCIA). She will be responsible for the scheduling of the New Bremen Ball Field, the accounts payable and accounts receivable for the Association. The Board would like more information on

the other Board members. Councilman Aucter will contact Mrs. Houppert and report back to the Board at the next meeting.

YOUTH BUREAU

Deputy Supervisor Aucter reported the Town does “not” qualify for the grant funding for summer youth recreation through the Lewis County Youth Bureau because they are “not” Town run programs.

SEARCH & RESCUE

Justin Astafan, Chief of Operations for the Lewis County Search and Rescue, Inc., sent a letter in reference to the Croghan Ambulance and Lewis County Search and Rescue talks regarding EMS coverage for Croghan’s area and the merging of services effective April 3rd with the Lewis County Search and Rescue and Croghan Ambulance. They have received a county wide Certificate of need to operate and be able to bill for calls outside of their current authority which will allow them to operate in Croghan Ambulance’s area. To help offset the costs and help provide the best service possible they are requesting a contract with the Town. They calculate the contract price by population in the response area. They are requesting a rate of \$5 a resident which would equate to \$5,835 for 2016, but due to the time starting they deducted the first quarter. The total contract for 2016 is \$4,376.25. They submitted a contract for the Boards consideration after a public hearing is held by the Town Board. After discussion, the following resolution was presented and request that representatives from the S &R attend along with someone from the Croghan ambulance also.

RESOLUTION NO. 33 OF 2016 SET PUBLIC HEARING DATE

On a motion of Councilman Brooks, seconded by Councilman Aucter, the following resolution was
ADOPTED Ayes 3 Aucter, Brooks, Bush Nays 0

RESOLVED, that a public hearing will be held on April 11, 2016 at 6:00 p.m. at the Town Municipal Office Building for the purpose of considering a contract with Lewis County Search and Rescue, Inc. for ambulance services for the Town of New Bremen and its residents, with compensation to be set at \$4,376.25. Notice of the Public Hearing is to be published for 1 week in the Journal & Republican.

RESOLUTION NO. 34 OF 2016 SUPERVISOR’S FINANCIAL REPORT

On a motion of Councilman Brooks, seconded by Councilman Bush, the following resolution was
ADOPTED Ayes 3 Aucter, Brooks, Bush Nays 0

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

RESOLUTION NO. 35 OF 2016 AUDIT OF CLAIMS

On a motion of Councilman Brooks, seconded by Councilman Bush, the following resolution was
ADOPTED Ayes 3 Aucter, Brooks, Bush Nays 0

RESOLVED, that Deputy Supervisor Aucter is authorized and directed to pay the following amounts on



Abstract #3 of 2016 in the following amounts.

General	Voucher #26 thru #44	\$12,015.40
Highway T-Wide	Voucher #32 thru #47	\$13,017.28

The next regular meeting of the Town Board of the Town of New Bremen will be held on April 11, 2016 at 6:00 p.m. at the Town Municipal Office Building.

With no further business, on a motion of Councilman Aucter, seconded by Councilman Brooks, the meeting was adjourned at 7:02 p.m. Carried unanimously.

Elizabeth B. Jones, RMC
Town Clerk/Tax Collector