

REGULAR MEETING
MARCH 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 March 2017.

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

Attended by: Approximately 2 people

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

**RESOLUTION NO. 31 OF 2017
APPROVAL OF MINUTES**

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

RESOLVED, the minutes of the February 13, 2017 meeting are approved.

PRIVILEGE OF FLOOR

Deputy Supervisor Aucter opened the floor to the public. Samantha Widrick, of Van Amber Road, submitted/reviewed her Site Plan Review Application along with a business plan to construct a garden center with offices and greenhouses on property located at 8484 Van Amber Road. She addressed all questions from the Board. After review and discussion, the following resolution was presented.

**RESOLUTION NO. 32 OF 2017
ACCEPTANCE OF SITE PLAN REVIEW APPLICATION**

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

WHEREAS, the Town Board of the Town of New Bremen reviewed Site Plan Review Application No. 1 of 2017, submitted by Samantha Widrick and Timothy Widrick, 8484 Van Amber Road, Town of New Bremen, to construct a garden center with offices and greenhouses at 8484 Van Amber Road, Town of New Bremen, New York, Tax Map #145.00-01-13.400, now therefore be it

RESOLVED, the Town Board of the Town of New Bremen hereby accepts said application and will hold a Public Hearing on April 10, 2017 at 6 p.m. at the Town Municipal Office Building.



AMBULANCE SERVICE

Jason Aucter of the Beaver Falls Ambulance squad is concerned about ambulance services for our local residents that are being provided by Lewis County Search and Rescue. LCSR does not keep an ambulance at the Croghan Fire Department site full time and they do not notify the Sheriff's department where their ambulances are located throughout the county, therefore resulting in timely calls that could be remedied if the dispatchers would send out the closest available ambulance. He feels the Beaver Falls Ambulance is not being utilized as much as it should be. There have been many calls where they are in service and could have responded quicker than the LCSR because they were closer to the scene. Mr. Aucter feels it is not acceptable to jeopardize people's lives. He is asking the Board for their support in this matter. It was suggested to send a letter to Robert Mackenzie, Lewis County Emergency Management Director/Fire Coordinator stating the Boards concerns. After discussion, the following resolution was presented.

**RESOLUTION NO. 33 OF 2017
LETTER OF CONCERN**

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

RESOLVED, that a letter be sent from the Town Board to Robert Mackenzie, Lewis County Emergency Management Director/Fire Coordinator, stating the Boards concern regarding dispatch of the closest available ambulance to ensure the residents are receiving the timeliest service possible from both contracted ambulance services within the town.

**RESOLUTION NO. 34 OF 2017
TOWN CLERK'S MONTHLY REPORT**

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

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

GRAVEL BIDS

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

**RESOLUTION NO. 35 OF 2017
BANK RUN GRAVEL BIDS**

On a motion of Councilman Becker, seconded by Deputy Supervisor Aucter, the following resolution was
ADOPTED Ayes 3 Becker, Aucter, 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	-	\$1.10 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.

(Regular Meeting of March 13, 2017 cont'd.)

**RESOLUTION NO. 36 OF 2017
JUSTICES MONTHLY REPORTS**

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

RESOLVED, the Justices monthly reports are approved as submitted.

DCO

Deputy Supervisor Aucter spoke with Justin Hall asking him to remain on as the Towns DCO. He agreed to remain on as our DCO for the remainder of the year. After discussion, the following resolution was presented.

**RESOLUTION NO. 37 OF 2017
APPOINTMENT OF DOG CONTROL OFFICER**

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

RESOLVED, that Justin Hall is appointed as DCO for the Town of New Bremen for the remainder of the 2017 year.

PROCUREMENT POLICY

At the January and February meetings the Board discussed changes to be made to section 4 of the towns Procurement Policy & Procedure. A question arose whether the General Municipal Law, Section 104-b is being met when it comes to the Town leasing equipment. Councilman Aucter contacted Attorney Farley for his recommendation but he has not received a response yet. Highway Superintendent Bush stated he spoke with the County Attorney and County Manager, both said there is no need for a public hearing per Town Law. After discussion, the following resolution was presented.

**RESOLUTION NO. 38 OF 2017
PROCUREMENT POLICY & PROCEDURE**

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

RESOLVED, that the Town Board hereby adopts the Procurement Policy & Procedure as amended pending Attorney Farley's recommendation or opinion. *Copy of said policy is incorporated at the end of these minutes.

**RESOLUTION NO. 39 OF 2017
BUDGET ADJUSTMENT**

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

RESOLVED, that Deputy Supervisor Aucter is authorized to transfer \$50,000.00 from the Equipment Reserve Fund (Act #0119081743) to Equipment Line - DA5130.2; for down payment on the 2017 Tandem Dump Truck.

**RESOLUTION NO. 40 OF 2017
SUPERVISOR'S FINANCIAL REPORT**

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

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

**RESOLUTION NO. 41 OF 2017
AUDIT OF CLAIMS**

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

RESOLVED, that Deputy Supervisor Aucter is authorized and directed to pay the following amounts on
Abstract #3 of 2017 in the following amounts.

General	Voucher #28 thru #40	\$6,787.03
Highway T-Wide	Voucher #33 thru #45	\$8,955.54

CABLE TV FRANCHISE AGREEMENT

Charter Communications, owners of Time Warner Cable Northeast LLC, sent a draft franchise agreement to provide cable television service to the Town of New Bremen. It's a 10 year contract with an annual franchise fee in an amount equal to three percent (3%) of the annual gross revenue which is paid quarterly to the Town. After discussion, the following resolution was presented.

**RESOLUTION NO. 42 OF 2017
SET PUBLIC HEARING FOR FRANCHISE AGREEMENT**

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

RESOLVED, that the Town Board of the Town of New Bremen will hold a public hearing on April 10, 2017 at 6:00 p.m. at the Town Municipal Office Building, to hear public comment regarding renewal of the cable television franchise agreement by and between the Town of New Bremen and Time Warner Cable Northeast LLC, l/k/a Charter Communications.

The next regular meeting of the Town Board of the Town of New Bremen will be held on April 10, 2017 at 6:00 p.m. at the Town Municipal Office Building.

With no further business, on a motion of Councilman Becker, seconded by Deputy Supervisor Aucter, the meeting was adjourned at 7:07 p.m. Carried unanimously.

Elizabeth B. Jones, RMC
Town Clerk/Tax Collector