

## REGULAR MEETING

May 14, 2012

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 14<sup>th</sup> day of May 2012.

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  
Charles Stevens, Justice  
Aimee L. Murphy, Deputy Clerk/Court Clerk

Attended by: Approximately 25 people

Supervisor Keys called the meeting to order at 5:15 p.m. with the Pledge to the Flag.

Councilwoman Sauer made comments on the April 9, 2012 minutes regarding the wording of Councilman M. Bush's comment about timely payment of bills and the number of complaints received. She also stated it should be noted that Supervisor Keys requested new W4 forms from the Town employee's. After discussion the following resolution was adopted.

### **RESOLUTION NO. 61 OF 2012 APPROVAL OF MINUTES**

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

Resolved the minutes of the April 9, 2012 meetings are approved.

### **PRIVILEGE OF FLOOR**

Don Mooney member of the Beaver River Advisory Council reported that the council is accepting proposals for recreation fund and environmental improvements. He suggested anyone with ideas bring them to the Town Board members so they may be presented to the BRAC for review and possible action. Mr. Mooney then left the meeting.

Scott Lawrence and Nate Carroll of Nagy & Croniser accounting firm voiced their concern with the difference in opinions between the Town Board and the Supervisor. They are asking for full support of the Board. They briefed the Board on their experience and some new accounting requirements. Due to the complexity of managing town finances, they encouraged the Town to update to a new system and continue utilizing their services.

Attorney Farley reviewed his letter pertaining to the appointment of the Accountants made by Supervisor Keys. In his opinion, the Board authorized and funded the positions upon adoption of the budget with line items in it. Therefore the Supervisor has the authority to make the appointment. After discussion Attorney Farley suggested Nagy & Croniser submit a proposal and put it in the minutes of the next regular meeting. No further action by the Board.

(Regular Meeting of May 14, 2012 con't.)

## **COUNCIL MEMBER REPORTS**

Councilman M. Bush asked Supervisor Keys about the IRS quarterly report for 2011. Supervisor Keys stated he researched the records and can't find the issue, therefore he paid the money owed the IRS.

### **RESOLUTION NO. 62 OF 2012 TOWN CLERK'S MONTHLY REPORT**

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

### **RESOLUTION NO. 63 OF 2012 NEW BREMEN COMMUNITY IMPROVEMENT ASSOCIATION YOUTH RECREATION PROGRAM**

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 of the Town of New Bremen does hereby enter into a contract with the New Bremen Community Improvement Association to provide structured educational activities for the youth of the Town of New Bremen for the 2012 Summer Youth Recreation Program, and that the said Town of New Bremen will expend to the New Bremen Community Improvement Association the sum of \$2,000.00. The complete contract is on file in the Town Clerk's Office.

### **RESOLUTION NO. 64 OF 2012 VILLAGE OF CROGHAN YOUTH RECREATION PROGRAM**

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 that the Town Board of the Town of New Bremen does hereby enter into a contract with the Village of Croghan to provide structured educational activities for the youth of the Town of New Bremen for the 2012 Summer Youth Recreation Program, and that the said Town of New Bremen will expend to the Village of Croghan the sum of \$2,000.00. The complete contract is on file in the Town Clerk's Office.

### **RESOLUTION NO. 65 OF 2012 BEAVER RIVER RECREATION ASSOCIATION YOUTH RECREATION PROGRAM**

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 Town Board of the Town of New Bremen does hereby enter into a contract with the Beaver River Recreation Association to provide instructional and recreational swim and structured recreational activities for the youth of the Town of New Bremen for the 2012 Summer Youth Recreation Program, and that the Town of New Bremen will expend to the Beaver River Recreation Association the sum of \$1,250.00. The complete contract is on file in the Town Clerk's Office.

(Regular Meeting of May 14, 2012 con't.)

## **SITE PLAN REVIEW**

Russell Prashaw submitted a Site Plan Review Application to open a convenient store/deli to be located at 9725 State Rte. 126, Beaver Falls (formerly Beaver Falls Mini Mart), Town of New Bremen, New York, Tax Map #129.17-02-06.000. After review/discussion the following resolution was adopted.

### **RESOLUTION NO. 66 OF 2012 APPROVAL OF SITE PLAN REVIEW APPLICATION**

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

Whereas the Town Board reviewed Site Plan Review Application No. 2 of 2012, submitted by Russell Prashaw, 7619 Number Four Rd., Lowville, New York, to open a convenient store/deli, to be located at 9725 State Route 126, Beaver Falls, Town of New Bremen, New York, Tax Map #129.17-02-06.000, now therefore

Resolved the Town Board of the Town of New Bremen hereby approves the aforementioned Site Plan Review Application pending the recommendation of the Lewis County Planning Department.

## **SITE PLAN REVIEW**

Joseph Briot submitted a Site Plan Review Application to install 2 self storage units to be located on the same lot as his Try A Wash car wash, at 6957 Kirschnerville Road, Town of New Bremen, New York, Tax Map #130.03-01-02.300. After review/discussion the following resolution was adopted.

### **RESOLUTION NO. 67 OF 2012 APPROVAL OF SITE PLAN REVIEW APPLICATION**

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

Whereas the Town Board reviewed Site Plan Review Application No. 3 of 2012, submitted by Joseph Briot, 7086 Black Creek Rd., Croghan, New York, to install 2 self-storage units to be located adjacent to the Try A Wash Car Wash, located at 6957 Kirschnerville Road, Croghan, Town of New Bremen, New York, Tax Map #130.03-01-02.300, now therefore

Resolved the Town Board of the Town of New Bremen hereby approves the aforementioned Site Plan Review Application pending the recommendation of the Lewis County Planning Department.

## **HIGHWAY SUPERINTENDENT**

Mr. Hall gave a brief report of work completed. Upon request of the Village of Croghan, the Highway crew will assist in the paving of George Street. He also reported that the 2006 Tandem blew a front tire while traveling down State Rte. 812 fully loaded and did damage to the hood and passenger side. The insurance company has been informed and a claim has been started. Mr. Hall asked for permission to advertise for bid to sell the 2003 938 CAT Loader for a minimum bid of \$49,800. After discussion the following resolution was adopted.

(Regular Meeting of May 14, 2012 con't.)

**RESOLUTION NO. 68 OF 2012  
ADVERTISE FOR BID FOR SALE**

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 that Highway Superintendent Hall is authorized to advertise for bids for sale 1 – used 2003 938G CAT Loader, minimum bid set at \$49,800. To be advertised in the Journal & Republican, Watertown Times and Clerk is to notify the neighboring towns. Bid opening is set for June 11, 2012 at 5:15 p.m. at the Town Municipal Office Building.

**RESOLUTION NO. 69 OF 2012  
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.

**BROWNFIELD PROJECT**

Attorney Farley reported that the transfer of the Croghan Candy Kitchen can now be finalized. After discussion Supervisor Keys signed paperwork transferring ownership of the property to Jeff & Rise Roose as per previous agreement with the Town Board. Attorney Farley left the meeting at 6:10 p.m.

**RETIREMENT**

The NYS Retirement System sent notice of non-payment of \$31.01 for August of 2011 that wasn't paid on one of the Highway Employees. Supervisor Keys researched and discovered payments were made but is unsure for whom it was paid.

**RESOLUTION NO. 70 OF 2012  
AUTHORIZATION OF PAYMENT**

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 to pay the \$31.01 owed to the NYS Retirement System.

**INSURANCE**

Supervisor Keys submitted copies of health insurance bills for review. Discussion followed. The accountants asked Supervisor Keys which fund the health insurance premiums should be paid out of. He would like a policy drawn up stating such. Supervisor Keys asked Councilman R. Bush to develop a "policy" instructing accountants as to what fund insurance premiums should be paid out of.

**UNEMPLOYMENT**

Supervisor Keys contacted the NYS Unemployment Office referencing a claim filed by a part-time Highway employee. The issue is resolved and the charge has been eliminated.

(Regular Meeting of May 14, 2012 con't.)

**RESOLUTION NO. 71 OF 2012  
AUDIT OF CLAIMS**

On a motion of Councilman M. Bush, seconded by Councilwoman Sauer, 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 #4 & #5 of 2012 in the following amounts and complete the transfers.

General	Voucher #71 thru #80	\$6,381.09
Highway T-Wide	Voucher #71 thru #83	\$1,977.27
Highway T-Outside	Voucher #4 thru #5	\$6,170.76

**RESOLUTION NO. 72 OF 2012  
SUPERVISOR'S MONTHLY REPORT**

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

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

**ASSESSOR**

The Board received a written request from the Assessor's Office to be paid on a bi-weekly basis instead of monthly. After discussion the following resolution was adopted.

**RESOLUTION NO. 73 OF 2012  
BI-WEEKLY PAYROLL REQUEST DENIED**

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 employee's of the Assessor's office remain on a monthly payroll schedule.

**AIS**

Supervisor Keys stated he would like to set a date for the 3<sup>rd</sup> AIS meeting. Following discussion meeting is set for June 4, 2012 at 7 p.m. at the New Bremen Fire Hall. Supervisor Keys also stated that invitations would be extended to Attorneys on both sides of suit and Assessor Gratch.

The next meeting of the Town Board of the Town of New Bremen will be held on June 11, 2012 at 5:15 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 7:00 p.m. Carried unanimously.

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Elizabeth B. Jones, RMC  
Town Clerk/Tax Collector