

STATE OF NEW YORK
COUNTY OF LEWIS
TOWN OF NEW BREMEN

The regular meeting of the Town Board of the Town of New Bremen was called to order at 4:00 p.m. on November 14, 2011 by Supervisor Schneider at the Town Municipal Office Building.

Roll call found the following Town Officers present:

Supervisor	Frederick J. Schneider
Councilmen	David Becker, Milton Monnat, Matthew Bush, Ralph Bush
Highway Supt.	Ralph H. Hall
Town Clerk	Elizabeth B. Jones

Also Present: Tim Farley – Attorney, John Boyd – Legislator, Peter Keys, Val & Don Getman, Aimee Murphy – Court Clerk, Judge Stevens, Sue Sauer, Sheila Buckingham, Randy & Cathy Aucter and Patty Flint

Councilman Becker led the Pledge of Allegiance.

RESOLUTION NO. 95 OF 2011

APPROVAL OF MINUTES

On a motion of Councilman Becker, seconded by Councilman Monnat, the following resolution was adopted,

Be It Resolved; that the minutes of the October 10 & 17, 2011 meetings be approved.

Ayes: Becker, Monnat, M. Bush, R. Bush, Schneider
Nays: None

OPENING OF PUBLIC HEARING

The Public Hearing for the Preliminary Budget for 2012 was declared open at 4:01 p.m. with Proof of Publication in the Journal & Republican being acknowledged.

PRIVILEGE OF FLOOR

Supervisor Schneider opened the floor to the public for comments.

Councilman M. Bush suggested lowering the “new” councilman salaries to \$2500 and lowering the Supervisor’s salary to \$12,000. Attorney Farley affirmed that the Board cannot reduce only two of the four councilman salaries. All four must be equal.

(Regular Meeting of November 14, 2011 con't.)

RESOLUTION NO. 96 OF 2011

**NYS DEPARTMENT OF TRANSPORTATION
HIGHWAY WORK PERMITS**

On a motion of Councilman M. Bush, seconded by Councilman Monnat, the following resolution was adopted,

Whereas; the Town of New Bremen from time to time receives permits from the Department of Transportation (DOT) to temporarily obstruct, install, construct, maintain, operate or replace any facilities within the bounds of a State highway right-of-way, and

Whereas; the Town is required by NYS DOT to indemnify or hold harmless agencies and/or officials of the State of New York for such temporary obstructions, installations, construction or maintenance, now, therefore be it

Resolved; that Frederick J. Schneider, in his capacity as Supervisor of the Town of New Bremen, is authorized to execute the Undertaking in Connection With Highway Permits Issued by NYS DOT agreement.

Ayes: Becker, Monnat, M. Bush, R. Bush, Schneider

Nays: None

HUMANE SOCIETY

Supervisor Schneider reviewed the "proposed" Lease Agreement with the Lewis County Humane Society for shelter of dogs. The main change to the agreement is the fee for the sheltering of a dog for the Town from \$5 per day to \$10 per day. The Board suggested that section 11. Medical Treatment has a fee cap of \$50. Supervisor Schneider will contact Ned Merrell pertaining to the fee cap and will look at final adoption at our next regular board meeting.

CLOSE OF PUBLIC HEARING

All comments and/or questions by the public pertaining to the 2012 Preliminary Budget were addressed. Therefore, the public hearing was hereby closed at 4:29 p.m. by Supervisor Schneider.

RESOLUTION NO. 97 OF 2011

EXECUTIVE SESSION

On a motion of Councilman R. Bush, seconded by Councilman M. Bush, the following resolution was adopted,

Be It Resolved; that this Board moves into Executive Session at 4:30 p.m. to discuss pending litigation.

Ayes: Becker, Monnat, M. Bush, R. Bush, Schneider

Nays: None

(Regular Meeting of November 14, 2011 con't.)

RESOLUTION NO. 98 OF 2011

RETURN TO REGULAR SESSION

On a motion of Councilman Becker, seconded by Councilman M. Bush, the following resolution was adopted,

Be It Resolved; that the Board return to Regular Session at 4:50 p.m.

Ayes: Becker, Monnat, M. Bush, R. Bush, Schneider

Nays: None

BUDGET

Supervisor Schneider suggested reducing the Supervisor's salary to \$10,000.00 and increase the Supervisor's contractual fund to \$5,500.00 to cover the cost of an audit of his records before the newly elect Supervisor takes office in January. The Board agreed to \$12,000.00 for Supervisor's salary and \$3,500.00 for the Supervisor's contractual fund. After discussion the following resolution was adopted.

RESOLUTION #99 OF 2011

ADOPTION OF THE 2012 BUDGET

On a motion by Councilman R. Bush, seconded by Councilman Monnat, the following resolution was adopted,

Whereas; the Town Board of the Town of New Bremen did meet at the time and place as advertised in the Journal & Republican, now therefore

Be It Resolved; that the Town Board of the Town of New Bremen does hereby adopt such Preliminary Budget of the Town of New Bremen for fiscal year 2012 and said budget will be attached to the proceedings of this meeting, and be it

Further Resolved; that the Town Clerk shall prepare and certify a copy of the annual budget as adopted by the Town Board pursuant to Town Law and within 5 days thereof deliver 1 copy to the Supervisor for submission to the Board of Legislators.

Ayes: Becker, Monnat, M. Bush, R. Bush, Schneider

Nays: None

(Regular Meeting of November 14, 2011 con't.)

RESOLUTION NO. 100 OF 2011

TOWN CLERK'S MONTHLY REPORT

On a motion of Councilman R. Bush, seconded by Councilman M. Bush, the following resolution was adopted,

Be It Resolved; that the Town Clerk's monthly report be approved as submitted.

Ayes: Becker, Monnat, M. Bush, R. Bush, Schneider

Nays: None

RESOLUTION NO. 101 OF 2011

NEW BREMEN FIRE PROTECTION CONTRACT

On a motion of Councilman Becker, seconded by Councilman R. Bush, the following resolution was adopted,

Be It Resolved; that a public hearing will be held on December 12, 2011 at 4:00 p.m. at the Town Municipal Office Building for the purpose of renewing a contract with the Croghan Fire Department for fire protection under the New Bremen Fire Protection District with compensation to be set at \$16,275.00. Notice of the Public Hearing is to be published for 1 week in the Journal & Republican.

Ayes: Becker, Monnat, M. Bush, R. Bush, Schneider

Nays: None

RESOLUTION NO. 102 OF 2011

ADVERTISE FOR FUEL BIDS

On a motion of Councilman Monnat, seconded by Councilman R. Bush, the following resolution was adopted,

Be It Resolved; that unleaded gas and diesel fuel for the 2012 year, be advertised for bid for 1 week in the Journal & Republican. Bids will be opened on December 12, 2011 at 4:00 p.m. at the Town Municipal Office Building.

Ayes: Becker, Monnat, M. Bush, R. Bush, Schneider

Nays: None

(Regular Meeting of November 14, 2011 con't.)

RESOLUTION NO. 103 OF 2011

JUSTICES MONTHLY REPORTS

On a motion of Councilman M. Bush, seconded by Councilman R. Bush, the following resolution was adopted,

Be It Resolved; that the Justices monthly reports be approved as submitted.

Ayes: Becker, Monnat, M. Bush, R. Bush, Schneider

Nays: None

RESOLUTION NO. 104 OF 2011

DOG CONTROL OFFICER'S MONTHLY REPORT

On a motion of Councilman Becker, seconded by Councilman Monnat, the following resolution was adopted,

Be It Resolved; that the Dog Control Officer's monthly report be approved as submitted.

Ayes: Becker, Monnat, M. Bush, R. Bush, Schneider

Nays: None

RESOLUTION NO. 105 OF 2011

SUPERVISOR'S MONTHLY REPORT

On a motion of Councilman Becker, seconded by Councilman Monnat, the following resolution was adopted,

Be It Resolved; that the Supervisor's monthly report be approved as submitted.

Ayes: Becker, Monnat, M. Bush, R. Bush, Schneider

Nays: None

HIGHWAY

Mr. Hall reported he sold the 10' airflow hopper sander (put up for sale in October 2010) for \$1800 to Kennel Farms in Copenhagen, NY.

(Regular Meeting of November 14, 2011 con't.)

OTHER BUSINESS

Supervisor Schneider received a letter from the Town of Croghan pertaining to the Croghan Transfer Station site. They have decided they are “not” interested in obtaining the facility from the County, but are interested in extending operation hours and would be willing to compensate the employees who work the extra hours. If the program is successful the Town of Croghan would also like the Town of New Bremen and Diana to also take part in the program and help compensate it.

RESOLUTION NO. 106 OF 2011

AUDIT OF CLAIMS & TRANSFER OF FUNDS

On a motion of Councilman Monnat, seconded by Councilman R. Bush, the following resolution was adopted,

Be It Resolved; that Supervisor Schneider is authorized and directed to pay the following amounts on Abstract #9 & #11 of 2011 in the following amounts and approving the transfer:

General	Voucher #123 thru #139	\$2,883.68
Highway T-Wide	Voucher #122 thru #134	\$8,492.14
Highway T-Outside	Voucher #37 thru #38	\$411.86

\$1,324.52 from DB5110.1 to DB5112.4 Highway Fund Town Outside

Ayes: Becker, Monnat, M. Bush, R. Bush, Schneider

Nays: None

The next regular meeting of the Town Board of the Town of New Bremen will be held on December 12, 2011 at 4:00 p.m. at the Town Municipal Office Building.

With no further business, on a motion of Councilman Becker, seconded by Councilman R. Bush, the meeting was adjourned at 5:10 p.m. Carried unanimously.

Elizabeth B. Jones, Town Clerk