

REGULAR MEETING
November 9, 2015

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 9th day of November 2015.

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

Attended by: Approximately 8 people

Supervisor Keys called the meeting to order at 6:02 p.m. with the Pledge to the Flag lead by Veterans David Becker and John Boyd. Supervisor Keys also thanked all Veterans' for their service.

**RESOLUTION NO. 108 OF 2015
APPROVAL OF MINUTES**

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

RESOLVED, the minutes of the October 12th and 19th, 2015 meetings are approved.

PRIVILEGE OF FLOOR

Supervisor Keys opened the floor to the public for comments. Peter McLane spoke on behalf of the Beaver Falls Fire Department pertaining to the ambulance contract with the Town. They are satisfied and are not asking for any additional funds. The BFFD has elected not to opt with the Search & Rescue and take a "neutral stand" on the issue of the CON. They were told if they take a neutral stand the Search & Rescue would not go after their CON. At this time the BFFD has an agreement with the Croghan Fire Department that they would support each other when either is short. Search & Rescue has agreed to do the same. There are concerns that Search & Rescue is growing too rapidly. After discussion, the Board thanked Mr. McLane and he then left the meeting at 6:19 p.m.

SEARCH & RESCUE MEETING

Supervisor Keys stated that the Lewis Co. Search & Rescue will be holding a meeting on November 10, 2015 at 7 p.m. at the Croghan Fire Hall to discuss/explain their proposal for taking over ambulance coverage within the county and encouraged the Boards attendance.

OPEN PUBLIC HEARING

The Public Hearing for the Preliminary Budget for 2016 was declared open at 6:24 p.m. with Proof of Publication in the Journal & Republican being acknowledged.

PUBLIC COMMENT

Supervisor Keys opened the floor for comments on the budget. Sheila Buckingham, Beech Hill Road, is concerned with regard to employee raises. Additional comments were expressed.

CLOSE PUBLIC HEARING

All comments and/or questions by the public pertaining to the 2016 Preliminary Budget were addressed. Therefore, the public hearing was hereby closed at 6:47 p.m. by Supervisor Keys. After discussion, the following resolution was presented.

**RESOLUTION NO. 109 OF 2015
ADOPTION OF THE 2016 BUDGET**

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

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 2016 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 2 copies to the Supervisor for submission to the Board of Legislators.

RESCIND LOCAL LAW FOR TAX CAP

Clerk Jones contacted Attorney Farley to get more information on the proper procedures for rescinding Local Law No. 1 of 2015 – Override Tax Levy, but he did not get back to her before this meeting. After discussion, the following resolution was presented.

**RESOLUTION NO. 110 OF 2015
RESCIND LOCAL LAW NO. 1 OF 2015 – TO OVERRIDE THE TAX LEVY
LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C**

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

WHEREAS, the Town Board of the Town of New Bremen did not go over the Tax Cap on the 2016 Adopted Budget, therefore be it

RESOLVED, that the Town Board of the Town of New Bremen hereby rescinds Local Law No. 1 of 2015 – To Override the Tax Levy Limit Established in General Municipal Law 3-c.



COUNCIL REPORTS

Supervisor Keys asked if there was any progress with the Planning Board situation. Discussed advertising for new members before any further steps are taken. To be advertised for two (2) weeks in the Journal & Republican.

**RESOLUTION NO. 111 OF 2015
TOWN CLERK'S MONTHLY REPORT**

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

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

HIGHWAY

Superintendent Bush asked the Board for permission to advertise for Diesel Fuel and Unleaded Gas for the 2016 year. Mr. Bush stated he took delivery of the new 2016 Tandem Dump Truck on November 6th. He asked for permission to advertise for bid for sale the 1984 Tandem Dump Truck, once the new tandem is road ready. Highway Superintendent Bush asked the Board to approve transferring money collected from the sale of the pickup and the cab and chassis to the equipment reserve fund. Supervisor Keys will look in to this. After discussion, the following resolutions were presented.

**RESOLUTION NO. 112 OF 2015
ADVERTISE FOR FUEL BIDS**

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

RESOLVED, that unleaded gas and diesel fuel for the 2016 year be advertised for bid for 1 week in the Journal & Republican. Bids will be opened on December 14, 2015 at 6:00 p.m. at the Town Municipal Office Building.

**RESOLUTION NO. 113 OF 2015
ADVERTISE FOR BID FOR SALE**

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

RESOLVED, that Highway Superintendent Bush is hereby authorized to advertise for bid for sale the 1984 Tandem Dump Truck once the new 2016 Tandem Dump Truck is road ready.

NCC SYSTEMS

NCC Systems did a fire inspection of the office building and the highway garage. Their report stated the heat detectors in the highway garage are out dated and recommend they be replaced. Superintendent Bush obtained a quote for their replacement from NCC Systems for \$1,990.00. There were questions raised by the Board whether the replacement is necessary due to possible malfunction or just precautionary. The Board asked Mr. Bush to get more information and get back to the Board.

**RESOLUTION NO. 114 OF 2015
JUSTICES MONTHLY REPORTS**

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

RESOLVED, the Justices monthly reports are approved as submitted.

**RESOLUTION NO. 115 OF 2015
DOG CONTROL OFFICER'S MONTHLY REPORT**

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

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

**RESOLUTION NO. 116 OF 2015
NEW BREMEN FIRE PROTECTION CONTRACT**

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

RESOLVED, that a public hearing will be held on December 14, 2015 at 6:00 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.

SUPERVISOR

Supervisor Keys received a letter from the Lewis Co. Attorney, Joan McNichol, referencing the Iroquois Gas litigation and a breakdown of each party's legal expenses. The Town of New Bremen share is \$466.98. After discussion, the following resolution was presented.

**RESOLUTION NO. 117 OF 2015
AUTHORIZATION TO PAY LEGAL FEES FOR IROQUOIS GAS LITIGATION**

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

RESOLVED, that Supervisor Keys is hereby authorized to pay to Lewis County, the Towns share of the legal expenses acquired from the Iroquois Gas Law Suit, in the amount of \$466.98.

**RESOLUTION NO. 118 OF 2015
SUPERVISOR'S MONTHLY FINANCIAL REPORT**

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

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



**RESOLUTION NO. 119 OF 2015
AUDIT OF CLAIMS**

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

RESOLVED, that Supervisor Keys is authorized and directed to pay the following amounts on Abstract #10 & #11 of 2015 in the following amounts.

General	Voucher #132 thru #148	\$3,223.43
Highway T-Wide	Voucher #103 thru #111	\$11,463.79
Highway T-Outside	Voucher #24 thru #28	\$7,110.65

2016 TANDEM DUMP TRUCK

Supervisor Keys sent a copy of the 2014 Financial Report for the Town to the First Niagara Bank for final preparation of the lease agreement for the purchase of the 2016 Tandem Dump Truck. He asked the Board for permission to make the first payment on the lease agreement when paperwork is received. After discussion, the following resolution was presented.

**RESOLUTION NO. 120 OF 2015
AUTHORIZATION OF PAYMENT**

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

RESOLVED, that Supervisor Keys is hereby authorized to make the first lease payment to First Niagara Leasing for – one (1) 2016 International 7600 Tandem Dump Truck in the amount of \$45,000.00.

The next meeting of the Town Board of the Town of New Bremen will be held on December 14, 2015 at 6:00 p.m. at the Town Municipal Office Building.

With no further business, on a motion of Councilman Becker, seconded by Councilman Brooks, the meeting was adjourned at 7:25 p.m. Carried unanimously.

Elizabeth B. Jones, RMC
Town Clerk/Tax Collector