SPECIAL MEETING December 28, 2020



The Special 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 28th day of December 2020.

Town Officer's Present: Peter J. Keys, Supervisor

David L. Becker, Councilman Joseph E. Aucter, Councilman

Casandra M. Buell, Councilwoman – (via face time due to quarantine)

Alexis L. Lyndaker, Councilwoman

Douglas E. Herzig II, Hwy. Superintendent

Elizabeth B. Jones, Clerk

Supervisor Keys called the meeting to order at 6:30 p.m. with the Pledge to the Flag.

This meeting was called to conduct end of the year business and other that comes forth.

RESOLUTION NO. 151 OF 2020 APPROVAL OF MINUTES

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

RESOLVED, the minutes of the December 14, 2020 meeting are approved.

SITE PLANS - SOLAR PROJECTS

Tabled until January meeting – awaiting response from NYS Department of Ag & Markets.

CLERK

Clerks computer crashed on December 16th - contacted Tim Munn of Pixamation Inc. in Lyons Falls. He was able to repair the hard drive temporarily and did backups of all files in case it crashes again, but recommended purchasing a new computer soon as the hard drive is failing; was purchased in July of 2015. Clerk Jones spoke with Supervisor Keys about purchasing a new one. Mr. Munn ordered a new computer through Dell for \$1,380.11. Will use remaining balance in Collector and Clerk contractual accounts and remaining balance from the Contingent account to cover the cost.

FUEL BIDS

Bids were tabled at the December 14th meeting to get clarification on the bids submitted by Simpson Fuels and Christman Fuel Service. Bids listed below. After review, the following resolution was presented.

Simpson Fuels: ULS Diesel Plus – \$1.8883 plus .145 cents above invoice

Unleaded Gasoline – \$1.5973 plus .145 cents above invoice

Christman Fuel Service: Diesel – \$1.529 plus .12 cents over their rack cost

Gasoline – \$1.372 plus .30 cents over their rack cost

RESOLUTION NO. 152 OF 2020 FUEL PURCHASE FOR 2021 YEAR

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

RESOLVED, the Town Board accepts the fuel bid from Christman Fuel Service for the year 2021 and rejects the bid from Simpson Fuels.



HIGHWAY

Highway Superintendent Herzig reported on the following:

- 1. Updating the break room and bathroom in highway garage. Discussed painting, new cabinets and possibly insulating the outside wall of the break room due to draft. Majority of the work will be done by the highway crew.
- 2. Discussed hiring someone to witch for a new well to be drilled behind the highway garage. Having issues with the current well and original water line, possibly a hole in it; and current well being located directly next to a farmer's field where they spread manure, fertilizer etc.

RESOLUTION NO. 153 OF 2020 AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONEYS

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

RESOLVED, Pursuant to the provisions of Section 284 of the Highway Law we agree that moneys levied and collected in the Town for the repair and improvement of highways, shall be expended as follows:

General Repairs. The sum of \$447,000.00 shall be set aside to be expended for primary work and general repairs upon 63.21 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

ASSESSOR

Gov. Cuomo passed an executive order waiving the renewal for the Senior Citizens Exemption for the 2021 Assessment Roll. This is by local option. Assessor Ball requested the Town Board consider passing a resolution adopting the executive order and sent a copy of a sample resolution. After review, the following resolution was presented.

RESOLUTION NO. 154 OF 2020 GRANTING OF SENIOR CITIZENS EXEMPTIONS FOR 2021 ASSESSMENT ROLL

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

WHEREAS, on March 7, 2020, Governor Andrew M. Cuomo issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York, and

WHEREAS, on December 18, 2020 said declaration was extended to include: Subdivisions 7, 7-a and 8 of section 459-c of the Real Property Tax Law, and subdivisions 5, 5-a, 5-b, 5-c and 6 of section 467 of the Real Property Tax Law, which permits the governing body of an assessing unit to adopt a resolution directing the assessor to grant exemptions pursuant to such section on the 2021 assessment roll to all property owners who received that exemption on the 2020 assessment roll, thereby dispensing with the need for renewal applications from such persons, and further dispensing with the requirement for assessors to mail renewal applications to such persons, and

WHEREAS, the Town is desirous in adopting such resolution while also allowing the assessor to require a renewal application to be filed when he or she has reason to believe that an owner who qualified for the exemption on the 2020 assessment roll may have since changed his or her primary residence, added another owner to the deed, transferred the property to a new owner, or died, now, therefore, be it

RESOLVED, that the Town Board is authorized to pass such resolution, and that the assessor is instructed to take any such necessary actions in the above-described directives.



ASSESSOR

Councilwoman Buell received a complaint from Candy Akin, Lewis Co. Real Property Tax Director – a tax payer filed a law suit on their assessment, but Assessor Ball did not show up to the hearing. Judge threw the case out and the property owner will have to start the process all over again due to incorrect paperwork he was issued/submitted. Board is concerned. Supervisor Keys will contact Assessor Ball to discuss further.

RESOLUTION NO. 155 OF 2020 APPOINTMENT OF COURT CLERK

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

RESOLVED, that Emily J. Zehr is hereby appointed as Court Clerk for the term of 1/1/21 to 12/31/21.

RESOLUTION NO. 156 OF 2020 APPOINTMENT OF DCO & DEPUTY DCO

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

RESOLVED, that Nicholas Astafan is hereby appointed as Dog Control Officer and John Young appointed as Deputy Dog Control Officer. Terms of office - 1/1/21 to 12/31/21.

RESOLUTION NO. 157 OF 2020 APPROVAL FOR PAYMENT OF BILLS PRIOR TO AUDIT

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

RESOLVED, Supervisor Keys has permission to pay certain utility bills (ex: health insurance, communications, electric, natural gas) prior to audit to avoid late fee charges.

RESOLUTION NO. 158 OF 2020 RETURN CHECK FEE AND NIGHT DROP DEPOSITS

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

RESOLVED, the Town Clerk/Tax Collector is hereby authorized to collect a return check fee of \$20 for checks returned for insufficient funds, and be it further

RESOLVED, the Town Clerk/Tax Collector, Town Supervisor and Town Justices are hereby authorized to use the night drop for deposits at Community Bank in Lowville for 2021.

RESOLUTION NO. 159 OF 2020 OFFICIAL NEWSPAPER

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

RESOLVED, the Official Newspaper will be the Journal & Republican, and be it further

RESOLVED, to also post to the linkinglewiscounty website.

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RESOLUTION NO. 160 OF 2020 BANK DESIGNATION

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

RESOLVED, the Bank Designation will be Community Bank in Lowville.

RESOLUTION NO. 161 OF 2020 MEETING DATES, TIME & PLACE SET

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

RESOLVED, the regular Town Board Meetings for 2021 will be held on the second Monday of the Month at 6:30 p.m. at the Town Municipal Office Building.

RESOLUTION NO. 162 OF 2020 MILEAGE REIMBURSEMENT RATE

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

RESOLVED, the mileage reimbursement rate will be the same rate as the federal/state government, which is currently set at .56 cents per mile for 2021.

HRA AMENDMENT

Lifetime Benefit Solutions sent an amendment and summary of material modification (SMM) for the Towns HRA plan that provides coverage for over-the-counter medications without a prescription and certain menstrual care products. The amendment/SMM also includes a provision for the tolling of certain timeframes due to the national emergency. LBS is providing this amendment/SMM as a courtesy, free of charge. After review, the following resolution was presented.

RESOLUTION NO. 163 OF 2020 APPROVAL OF HRA AMENDMENT

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

RESOLVED, the Town Board hereby approves the Amendment to the Town of New Bremen Health Reimbursement Account (HRA).

*Copy of said amendment attached to the conclusion of these minutes.

SUPERVISOR

Supervisor Keys reported on the following:

- 1. Opened a new account general fund money market per recommendation from our accountant Scott Lawrence and Laird Petrie from the Comptroller's Office. Supervisor Keys asked to transfer \$350,000.00 from the current joint money market account to the general fund money market account. Moneys will be deposited in the proper account according to the regulations of the Comptroller's Office. This will facilitate the separation of highway and general fund monies.
- 2. Discussed transferring unexpended highway moneys left from the 2020 budget and move to Equipment Reserve fund \$50,000.00 to possibly be used for a future payment on equipment.

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- 3. Discussed the COVID response plan Highway Superintendent Herzig is working on one for the highway department. Councilwoman Lyndaker is participating in a webinar through Tug Hill Commission and will work on drafting a plan for the Boards review.
- 4. Discussed doing away with the Unemployment Reserve fund as it is no longer needed. Can be done by Board resolution. Move the balance of approximately \$4,806.73 to the Building Reserve fund.
- 5. Retirement Reserve account is also no longer used and has a balance which can be used to pay next year's retirement insurance bill for 2022 and must be done by public referendum to spend out of it according to Laird Petrie. Start process in August of 2021.
- 6. Discussed transferring budgeted monies to reserve (A9902.9) from 2020 budget to Equipment Reserve and Building Reserve funds \$20,000 to ER and \$10,000 to BR.

After discussion, the following resolutions were presented.

RESOLUTION NO. 164 OF 2020 APPROVAL FOR TRANSFER OF FUNDS

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

RESOLVED, that Supervisor Keys is authorized to transfer \$350,000.00 from the current joint money market account to the general fund money market account.

RESOLUTION NO. 165 OF 2020 APPROVAL FOR TRANSFER OF FUNDS

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

RESOLVED, that Supervisor Keys is authorized to transfer \$50,000.00 of unexpended highway moneys left from the 2020 budget to the Equipment Reserve Fund.

RESOLUTION NO. 166 OF 2020 APPROVAL TO CLOSE UNEMPLOYMENT RESERVE FUND

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

RESOLVED, that Supervisor Keys is authorized to close the Unemployment Reserve Fund and transfer the balance of said account to the Building Reserve Fund.

RESOLUTION NO. 167 OF 2020 APPROVAL FOR TRANSFER OF FUNDS

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

RESOLVED, that Supervisor Keys is authorized to transfer \$20,000.00 from A9902.9 from 2020 budget to Equipment Reserve Fund and \$10,000.00 from A9902.9 from 2020 budget to Building Reserve Fund.

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RESOLUTION NO. 168 OF 2020 AUDIT OF CLAIMS

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

RESOLVED, that Supervisor Keys is authorized and directed to pay the following amounts on Abstract #13 of 2020 in the following amounts and also approved the report of prior to audit payments for insurance, utilities, comptroller for justice court.

General Voucher #136 thru #142 \$4,014.68 Highway T-Wide Voucher #122 thru #126 \$7,420.08 Insurance - \$10,121.90

Insurance - \$10,121.90 Utilities - \$1,727.79 Comptroller - \$1,912.00

The next meeting of the Town Board of the Town of New Bremen will be held on January 11, 2021 at 6:30 p.m. at the Town Municipal Office Building.

With no further business, on a motion of Councilman Becker, seconded by Councilwoman Lyndaker, the meeting was adjourned at 7:46 p.m. Carried unanimously.

Elizabeth B. Jones, RMC

Town Clerk/Tax Collector