

REGULAR MEETING  
FEBRUARY 8, 2021

**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 8<sup>th</sup> day of February 2021.

Town Officer's Present: Peter J. Keys, Supervisor  
Joseph E. Aucter, Councilman  
David L. Becker, Councilman  
Casandra M. Buell, Councilwoman  
Alexis L. Lyndaker, Councilwoman  
Douglas E. Herzig II, Hwy. Superintendent  
Elizabeth B. Jones, Clerk

Attended by: Joseph Beyer

Supervisor Keys called the meeting to order at 6:31 p.m. with the Pledge to the Flag.

**RESOLUTION NO. 16 OF 2021**  
**APPROVAL OF MINUTES**

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 minutes of the January 11, 2021 meeting are approved.

**FLOOR**

Supervisor Keys opened the floor to Joseph Beyer, 4861 Peebles Rd., Lowville, NY, who has been a land owner in the Town of New Bremen for the past three (3) years. Mr. Beyer is unhappy with his property assessment and is having difficulty communicating with the Assessor. He filed a grievance with the Board of Review along with a small claims lawsuit, but has gotten nowhere and is asking the Board for their assistance. Supervisor Keys explained it is not the Board's job to assess properties, which Mr. Beyer fully understands, but would appreciate the Assessor taking the time to sit down with him to discuss how he arrived at his assessment. The Board understands his frustration and will discuss the situation further with Assessor Ball. Mr. Beyer thanked the Board for their time and left at 6:43 p.m.

**COUNCIL REPORTS**

Councilwoman Buell - Discussed the possibility of forming a co-op for the Zoning Board of Appeals, which would involve two (2) other Towns – possibly Croghan and Diana as they are in the same situation and unable to find members to fill their ZBA seats. The Board likes the idea and asked Councilwoman Buell to contact the Town of Croghan and Diana to see if they are interested. She will also repost to the public the need for Planning Board and ZBA members.

Councilwoman Buell also mentioned a Community Choice Aggregation grant - giving the applicant the possibility of receiving \$10,000.00 for completing the necessary requirements. Such as upgrading lights to more efficient LED bulbs in lighting districts, which New Bremen has done, selling solar power generated from within the township to companies that would sell back to the grid, etc. Joule Energy is a company that has voiced such interest.

**HIGHWAY**

Highway Superintendent Herzig reported on the following – resolution listed after.

1. Gravel Bid - asked for permission to advertise for bank run gravel for the 2021 year.
2. Water Test - reviewed results – bacteria but no E coli.
3. Water Line - continued issues, readjusted the water pump for the last time. Needs to be resolved.
4. Shared Service Agreement signed with NYSDOT which allows them to assist in case of a disaster.
5. CHIPS Funding – looking good for this year, the 20% they took last year is supposed to be reduced to 5%.
6. Break Room – renovations are coming along, painting walls is next and waiting on cupboards.
7. Salt – ordered 175 ton of road salt for 2021-22 winter.
8. Pickup – what's the replacement plan for the Hwy. Superintendent's F350 pickup, which has 33,000 miles on it now. He feels it's unnecessary to have an F350 and that an F150 with crew cab would be more cost effective.

Discussion followed - Board asked Mr. Herzig to obtain a quote for a new pickup and get resale value of the F350. To be reviewed at the next meeting.

**RESOLUTION NO. 17 OF 2021  
ADVERTISE FOR BANK RUN GRAVEL**

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

RESOLVED, that Highway Superintendent Herzig is authorized to advertise for bids for bank run gravel in the Journal and Republican for 1 week. Bid opening is set for March 8, 2021 at 6:30 p.m. at the Town Municipal Office Building.

**HEALTH EMERGENCY PLAN**

Councilwoman Lyndaker presented an updated draft of the proposed Health Emergency Plan for the Boards review, which needs to be in place by April 1, 2021.

**RESOLUTION NO. 18 OF 2021  
PUBLIC EMPLOYER HEALTH EMERGENCY PLAN**

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

WHEREAS, this plan has been developed in accordance with NYS legislation S8617B/A10832, and now therefore be it

RESOLVED, the Town Board of the Town of New Bremen hereby adopts the Public Employer Health Emergency Plan for the Town of New Bremen, and be it further

RESOLVED, that copies of said plan are distributed to each department head and posted in designated areas.

**AUDIT OF BOOKS**

Auditing Committee reported that the audit of the Clerk, Tax Collector, Justices and Supervisor 2020 records are complete and they looked to be in good order. After discussion, the following resolution was presented.

**RESOLUTION NO. 19 OF 2021  
AUDIT OF BOOKS**

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 the Town Board of the Town of New Bremen, Lewis County, did audit and approve books of accounts for the Town Clerk, Tax Collector, Town Justices and Town Supervisor for the 2020 year and found them to be in good order, correct and true.

\*Copy of said audits are incorporated at the end of these minute proceedings.

**RESOLUTION NO. 20 OF 2021  
TOWN CLERKS MONTHLY REPORT**

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

RESOLVED, the Town Clerks monthly report is approved as submitted.

**TAX COLLECTION**

Collector Jones – paid Supervisor in full per warrant for collection of taxes for the year 2020 in the amount of \$1,169,634.50.

(Regular Meeting of February 8, 2021 con't.)

**RESOLUTION NO. 21 OF 2021  
TAX COLLECTORS MONTHLY REPORT**

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 Tax Collectors monthly report is approved as submitted.

**BEAVER FALLS WATER DISTRICT**

Reviewed the 2021 Agreement for Water Service between the Village of Croghan and the Beaver Falls Water District. After discussion, the following resolution was presented.

**RESOLUTION NO. 22 OF 2021  
WATER SERVICE AGREEMENT**

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

RESOLVED, that Supervisor Keys is authorized to sign the 2021 Agreement for Water Service between the Village of Croghan and the Beaver Falls Water District; and that a copy of said contract be on file in the Clerk's office.

**COURT**

No monthly report received from Judge Murphy as she is under quarantine.

**RESOLUTION NO. 23 OF 2021  
JUSTICE MONTHLY REPORT**

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

RESOLVED, the monthly report submitted by Judge Aucter is hereby approved.

**RESOLUTION NO. 24 OF 2021  
DCO MONTHLY REPORT**

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 DCO monthly report is approved as submitted.

**SUPERVISOR**

Supervisor Keys reported on the following – resolution listed after.

1. Asked for approval to pay the remainder \$100 to the American Legion as per 2021 budget account A6510.41 – was hereby approved by the Board.
2. Asked for permission to transfer \$2500 from A6510.42 to the Cemetery account to cover mowing expenses, etc.
3. Report of all tax revenues collected and deposited in the appropriate money market accounts for 2021.
4. Bob Montgomery of the EPA phoned concerning the cheese plant on 812 in hopes of recovering money from equipment sold and to clean up the property. Councilwoman Buell stated that the County is looking at the site as a cleanup project also.
5. QuickBooks program needs to be upgraded, therefore was unable to produce a monthly financial report.

**RESOLUTION NO. 25 OF 2021  
TRANSFER**

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

RESOLVED, to transfer \$2500.00 from A6510.42 to the Cemetery account.

**TOWN POLICIES**

The Board reviewed the following Town policies – Code of Ethics, Credit Card Use, Cyber, Employment and Liability Guidelines, Fund Balance, Investment, Mileage Reimbursement, Procurement Policy and Procedure, Sexual Harassment and Work Place Violence. No revisions were made. After review/discussion, the following resolution was presented.

**RESOLUTION NO. 26 OF 2021**

**TOWN POLICIES**

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

RESOLVED, the Town Board hereby approves all Town policies with no revisions.

**RESOLUTION NO. 27 OF 2021**

**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 #2 of 2021 and also approved the report of prior to audit payments for health insurance, utilities and Nationwide Insurance.

General	Voucher #10 thru #27	\$4,092.25
Highway T-Wide	Voucher #9 thru #15	\$8,602.52
H. Insurance - \$10,122.40	Utilities - \$2,404.06	Nationwide Insurance - \$6,466.00

The next meeting of the Town Board of the Town of New Bremen will be held on March 8, 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 8:20 p.m. Carried unanimously.

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Elizabeth B. Jones, RMC  
Town Clerk/Tax Collector