

REGULAR MEETING
JANUARY 10, 2022

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 10th day of January 2022.

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

Absent – Thomas Schantz, Councilman

Attended by: Nicholas Astafan – DCO, Ian Gilbert – Co. Legislator

Supervisor Keys called the meeting to order at 6:35 p.m. with the Pledge to the Flag.

RESOLUTION NO. 1 OF 2022
APPROVAL OF MINUTES

On a motion of Councilwoman Lyndaker, seconded by Councilman Aucter, the following resolution was
ADOPTED Ayes 4 Aucter, Buell, Lyndaker, Keys Nays 0

RESOLVED, the minutes of the December 27, 2021 special meeting are approved.

COUNCIL REPORTS

Councilman Aucter reported on the following:

1. Received a phone call from a concerned taxpayer who tried to pay his taxes online via our link, which is supplied through the County Real Property Tax Office and Systems East. He felt that it was not a secure site. Collector Jones assures it is a secured site and states in the lower left-hand corner on the site "secured by SECTIGO".

Councilwoman Buell

1. ClearPath Energy - working on obtaining lights for in the park.
2. RACOG – interested in starting a Lewis County RACOG.

Councilwoman Lyndaker

1. ARPA Funds – Created a flyer and letter of interest for nonprofit organizations and small businesses to apply for COVID-19 relief funding from ARPA. Will be putting on the County's website and Clerk Jones will upload to the Town's website. Deadline is February 28, 2022.
2. Audits – will be performing in house audits on January 24th with Councilman Schantz.

RESOLUTION NO. 2 OF 2022
TOWN CLERK'S MONTHLY & ANNUAL REPORTS

On a motion of Councilman Aucter, seconded by Councilwoman Lyndaker, the following resolution was
ADOPTED Ayes 4 Aucter, Buell, Lyndaker, Keys Nays 0

RESOLVED, the Town Clerk's monthly and annual reports are approved as submitted.

RESOLUTION NO. 3 OF 2022
TAX COLLECTOR'S ANNUAL REPORT

On a motion of Councilman Aucter, seconded by Councilwoman Buell, the following resolution was
ADOPTED Ayes 4 Aucter, Buell, Lyndaker, Keys Nays 0

RESOLVED, the Tax Collector's annual report is approved as submitted.

CLERK/COLLECTOR

Tax Collection is going well thus far. Submitted first payment of real property tax collected to Supervisor Keys.

HIGHWAY

Highway Superintendent Herzig reported on the following:

1. New Tractor – Delivery looks to be in the fall.
2. New Pickup – No delivery date as of yet. Mr. Nortz is getting frustrated as is the Board. Discussed the possibility of leasing in the future. Mr. Herzig will look into the Towns commitment with Nortz & Virkler and also contact Caskinette Ford to see what they have to offer.
3. Tom Gray Water Issue – spoke with Paul Denise, Village of Lowville DPW who is reviewing blue prints to locate the water line and curb stop, with work to be completed in the spring, even though it will not change the PSI level according to Mr. Denise and DOH. Discussion followed as there may be other possible short term solutions. Councilman Aucter to contact the Water Commissioner’s in that district to discuss further.
4. Crosswalk - BRCSO would like to move forward with the crosswalk, approximately ten (10) students and teachers would utilize it with the custodians keeping it clear in the winter months. Next step would be to contact the NYS DOT and the County Highway to see how we proceed from here, more than likely a study will need to be completed. Highway Superintendent Herzig will contact the state and county.
5. Building Updates – Discussed upgrades and improvements to the municipal building and highway garage. The highway garage upgrades would be bid out as the highway men will not have the time. Looking to utilize ARPA funds to cover the cost of upgrades in the highway garage.

**RESOLUTION NO. 4 OF 2022
JUSTICES MONTHLY AND ANNUAL REPORTS**

On a motion of Councilwoman Buell, seconded by Councilwoman Lyndaker, the following resolution was ADOPTED Ayes 4 Aucter, Buell, Lyndaker, Keys Nays 0

RESOLVED, the Justices monthly and annual reports are approved as submitted.

**RESOLUTION NO. 5 OF 2022
DCO MONTHLY & ANNUAL REPORTS**

On a motion of Councilwoman Lyndaker, seconded by Councilman Aucter, the following resolution was ADOPTED Ayes 4 Aucter, Buell, Lyndaker, Keys Nays 0

RESOLVED, the Dog Control Officer’s monthly and annual reports are approved as submitted.

HUMANE SOCIETY

DCO Astafan submitted a copy of the “current” shelter agreement with the Lewis County Humane Society, which was last done in 2016. He is recommending the Board review and consider the following updates to the contract:

1. Section 8. Redemption Periods – change the holding period from ten (10) days to five (5). This is allowed according to Ag & Markets. LCHS has been doing the 5 day holding period with other organizations and feels they should do the same for Towns.
2. Include a section stating that a dog is not to be released back to the owner unless proof of a current license is provided.
3. Include language that a dog may also be released if there is a medical reason that the dog cannot be licensed and will be euthanized, a letter from a licensed vet must be submitted including owner’s information.

Councilman Aucter stated he would send a letter to LCHS to discuss these issues.

COUNTY

Ian Gilbert, Legislator for District No. 4 gave a brief report to the Board on happenings at the County level.

1. Three local fire departments are distribution sites for COVID test kits and masks.
2. State is now running the COVID test site at Maple Ridge.
3. Conboy law firm is dissolving. Jim Burrows and Mr. Gilbert will continue to represent the Town in the New Bremen Solar LLC project, unless the Town decides differently.

VOLUNTEER TRANSPORTATION

Reviewed the contract submitted by the Volunteer Transportation Center, Inc. which provides transportation services to New Bremen citizens who are in need of transportation services. After review, the following resolution was presented.

**RESOLUTION NO. 6 OF 2022
VOLUNTEER TRANSPORTATION CONTRACT**

On a motion of Councilwoman Buell, seconded by Councilman Aucter, the following resolution was
ADOPTED Ayes 4 Aucter, Buell, Lyndaker, Keys Nays 0

RESOLVED, the New Bremen Town Board hereby agrees to the Volunteer Transportation Center, Inc. contract for 2022 and agrees to expend \$1500 for rendering of services to the citizens of the Town of New Bremen, as budgeted for 2022.

*Copy of full contract is incorporated at the end of these minutes.

**RESOLUTION NO. 7 OF 2022
APPROVAL OF OFFICIAL UNDERTAKING**

On a motion of Councilwoman Buell, seconded by Councilwoman Lyndaker, the following resolution was
ADOPTED Ayes 4 Aucter, Buell, Lyndaker, Keys Nays 0

WHEREAS, Joseph E. Aucter, of the Town of New Bremen, County of Lewis, New York, has been appointed to the Office of the Deputy Supervisor of the Town of New Bremen, and

WHEREAS, Aimee L. Murphy, of the Town of New Bremen, County of Lewis, New York, has been elected to the Office of Town Justice of the Town of New Bremen, and

NOW, THEREFORE, we as respective officers above, do hereby undertake with the Town of New Bremen that we will faithfully perform and discharge the duties of our office, and will promptly account for and pay over all moneys or property received as a Town Officer, in accordance with the law; and

This undertaking of the Town Deputy Supervisor is further conditioned upon that he will well and truly keep, pay over and account for all moneys and property coming into his hands as such Deputy Supervisor; and

This undertaking of the Town Justice is further conditioned that he will well and truly keep, pay over and account for all moneys and property coming into his hands as such Town Justice; and

The Town does and shall maintain insurance coverage, presently with the National Union Fire Insurance Company of Pittsburgh, in the sum of \$225,000.00 for the Supervisor, Deputy Supervisor, Town Clerk/Tax Collector and \$25,000.00 for the Judges and Highway Superintendent, to indemnify against losses through the failure of the officers, clerks and employees covered thereunder faithfully to perform their duties or to account properly for all monies or property received by virtue of their positions or employment, and through fraudulent or dishonest acts committed by the officers, clerks and employees covered thereunder.

**RESOLUTION NO. 8 OF 2022
AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONEYS**

On a motion of Councilwoman Lyndaker, seconded by Councilman Aucter, the following resolution was
ADOPTED Ayes 4 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 \$500,000.00 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.

TOWN POLICIES

Supervisor Keys asked the Board to review all Town policies and bring any changes to the February meeting. Highway Superintendent Herzig has a few changes he would like the Board to consider when updating the Employee Guidelines. The Board asked him to submit them for their review, they also plan to discuss with the highway employee's.

**RESOLUTION NO. 9 OF 2022
SPECIAL DISTRICTS AND SERVICES**

On a motion of Councilwoman Lyndaker, seconded by Councilman Aucter, the following resolution was
ADOPTED Ayes 4 Aucter, Buell, Lyndaker, Keys Nays 0

RESOLVED, Supervisor Keys is authorized and directed to pay amounts as specified below, to the Special Districts and Services, as money becomes available thru taxation.

- Beaver Falls Fire District - \$45,294.37
- New Bremen Fire Protection - \$17,088.00
- LCSR Ambulance Service - \$6,442.30
- Beaver Falls Library - \$2,700.00
- American Legion Post 1663 - \$200.00
- Water Relevy - Beaver Falls Water District - \$2,996.83
- Water Relevy - Village of Croghan - Brewery Hill Water District - \$1,083.03
- New Bremen Light District - \$10,799.36 (billed monthly)
- New Bremen Fire District - \$78,000.00
- Beaver Falls Fire Dept. Ambulance Svc. - \$8,000.00
- Volunteer Transportation Center - \$1,500.00
- Croghan Free Library - \$2,500.00
- Beaver River Senior Citizens - \$450.00

ASSESSOR

Assessor Ball submitted his letter of resignation effective March 31, 2022. He will be out of state April through November 1st for personal reasons. Clerk Jones informed the Board and Mr. Ball she cannot accept his resignation as the effective date is more than thirty (30) days past the date submitted. Discussion followed concerning advertising the position in anticipation of the need to hire.

A Motion was made by Councilwoman Lyndaker, seconded by Councilwoman Buell, to contact Real Property Tax Office Director, Candy Akin to discuss and proceed off of her recommendation.

Ayes 4 Aucter, Buell, Lyndaker, Keys Nays 0

**RESOLUTION NO. 10 OF 2022
SUPERVISOR'S ANNUAL FINANCIAL REPORT**

On a motion of Councilwoman Buell, seconded by Councilwoman Lyndaker, the following resolution was
ADOPTED Ayes 4 Aucter, Buell, Lyndaker, Keys Nays 0

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

*Copy of all annual reports are incorporated at the end of these minute proceedings.

**RESOLUTION NO. 11 OF 2022
BUDGET TRANSFERS FOR 2021**

On a motion of Councilman Aucter, seconded by Councilwoman Buell, the following resolution was
ADOPTED Ayes 4 Aucter, Buell, Lyndaker, Keys Nays 0

RESOLVED, the New Bremen Town Board hereby approves the following budget transfers, as recommended and submitted by Supervisor Keys and the Accountants, from A1990.4 – Contingent to the following line items that were overspent based on the 2021 budget.

- A1620.4 - \$883.13
- A1670.4 - \$.43



**RESOLUTION NO. 12 OF 2022
AUDIT OF CLAIMS**

On a motion of Councilman Aucter, seconded by Councilwoman Lyndaker, the following resolution was
ADOPTED Ayes 4 Aucter, Buell, Lyndaker, Keys Nays 0

RESOLVED, that Supervisor Keys is authorized and directed to pay the following amounts on Abstract #1 of 2022 in the following amounts and also approved the report of prior to audit payments for insurance, utility, comptroller.

General	Voucher #1 thru #11	\$26,385.45
Highway T-Wide	Voucher #1 thru #9	\$12,858.23
Highway T-Outside	Voucher #1 thru #3	\$6,085.00
Insurance - \$10,194.38		
Utilities - \$1,829.74		
Comptroller - \$2,011.00		

NEW BUSINESS

Councilwoman Buell – Lewis County Search and Rescue are in need of ambulances, staff, etc. Looking at the possibility of how to help fund them with ARPA funds.

The next meeting of the Town Board of the Town of New Bremen will be held on February 14, 2022 at 6:30 p.m. at the Town Municipal Office Building.

With no further business, on a motion of Councilman Aucter, seconded by Councilwoman Buell, the meeting was adjourned at 8:49 p.m. Carried unanimously.

Respectfully Submitted
Elizabeth B. Jones, RMC
Town Clerk/Tax Collector