

REGULAR MEETING
JANUARY 9, 2023

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 January 2023.

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

Attended by: Joanne Dicob

Supervisor Keys called the meeting to order at 6:33 p.m. with the Pledge to the Flag.

RESOLUTION NO. 1 OF 2023
APPROVAL OF MINUTES

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

RESOLVED, the minutes of the December 26, 2022 special meeting are approved.

COUNCIL REPORTS

Councilwoman Buell

1. AES Grant – asked if the funds were received. Supervisor Keys stated he did receive the \$35,000 check from AES for the grant she applied for and deposited the check.

Councilwoman Lyndaker

1. Community Mural – spoke with Brittney Duflo about putting the community mural on the barn at the airport. She will discuss it with her father, Jeff Duflo and get back to her.
2. Trout Unlimited – culvert replacement on the Brewery Rd. was approved.

RESOLUTION NO. 2 OF 2023
TOWN CLERK'S MONTHLY & ANNUAL REPORTS

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

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

RESOLUTION NO. 3 OF 2023
TAX COLLECTOR'S ANNUAL REPORT

On a motion of Councilwoman Lyndaker, seconded by Councilman Aucter, the following resolution was
ADOPTED Ayes 5 Aucter, Buell, Lyndaker, Schantz, 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 with a motion listed hereafter:

1. New Tractor – received the invoice and is on tonight's abstract for payment. Once the check has been cashed by John Deere, Highway Superintendent Herzig will submit \$76,711.55 for CHIPS funding reimbursement once the check has been cashed by John Deere.

- 2. Damaged Road – Attorney Farley sent a letter to Daniel Edick, 8314 Bush Road, asking for reimbursement of the \$18,993.81 incurred from the damage sustained by the loader with tracks he operated on the Bush and Soft Maple Roads on May 10, 2022. No payment or response has been received from Mr. Edick as of yet.
- 3. Fuel Tanks – Docteur is looking at the end of January for installation.
- 4. Miscellaneous Items to Sell – would like to bid out miscellaneous items for sale come spring time. Will work on getting a list of items together for advertising.
- 5. CHIPS – received full reimbursement of funds submitted.
- 6. Thomas Lee – submitted his verbal announcement for retirement come spring. He will work until March 1st and use his accumulated vacation and comp time. Mr. Herzig asked for approval to advertise the MEO position when the time gets closer.

Upon a Motion of Councilwoman Buell, seconded by Councilwoman Lyndaker, Highway Superintendent Herzig is authorized to advertise the position of MEO.

Ayes 5 Aucter, Buell, Lyndaker, Schantz, Keys

Nays 0

**RESOLUTION NO. 4 OF 2023
JUSTICES MONTHLY REPORTS**

On a motion of Councilman Aucter, seconded by Councilwoman Lyndaker, the following resolution was

ADOPTED Ayes 5 Aucter, Buell, Lyndaker, Schantz, Keys

Nays 0

RESOLVED, the Justices monthly reports are approved as submitted.

JUSTICE

Did not receive annual reports from the Justice’s office yet.

**RESOLUTION NO. 5 OF 2023
DCO MONTHLY & ANNUAL REPORTS**

On a motion of Councilwoman Buell, seconded by Councilman Schantz, the following resolution was

ADOPTED Ayes 5 Aucter, Buell, Lyndaker, Schantz, Keys

Nays 0

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

TOWN POLICIES

Supervisor Keys asked the Board to review all Town policies and bring any changes to the February meeting.

**RESOLUTION NO. 6 OF 2023
SPECIAL DISTRICTS AND SERVICES**

On a motion of Councilman Aucter, seconded by Councilman Schantz, the following resolution was

ADOPTED Ayes 5 Aucter, Buell, Lyndaker, Schantz, 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 - \$53,762.74

New Bremen Fire District - \$78,629.00

Water Relevy - Beaver Falls Water District - \$1,834.00

Water Relevy - Village of Croghan - Brewery Hill Water District - \$2,346.01

COUNTY SEQR

Received notice from County Attorney McNichol, designating the county as lead agency for the Rail Corridor Acquisition. Involved agencies have 30 days within which the Lewis County’s lead agency designation can be disputed. Deadline is January 31, 2023. The Town Board has no dispute and concurs with Lewis County being lead agency. Supervisor Keys is authorized to sign the bottom of the letter and return to the county on behalf of the Town of New Bremen.

BUDGET CODE

Accountants, NCCPAS, recommend changing the Historian Personal Services budget code from A7510.1 to A7510.4 as there is no need for it to be on payroll. A 1099 will be issued at the end of the year. After discussion, the following resolution was presented.

**RESOLUTION NO. 7 OF 2023
BUDGET CODE AMENDMENT**

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

RESOLVED, that the following amendments be made to the 2023 Town Budget:

- A7510.1 - \$0
- A7510.4 (personal services) - \$300
- A7510.41 (contractual) - \$100

**RESOLUTION NO. 8 OF 2023
EXPENDITURE OF FUNDS FROM THE EQUIPMENT RESERVE FUND
SUBJECT TO PERMISSIVE REFERENDUM**

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

WHEREAS, the Town of New Bremen has previously established an equipment reserve fund for the purpose of funding certain capital expenses that may from time to time be required; and

WHEREAS, the Town of New Bremen approved the purchase of 1 – John Deere 6105E Cab Tractor with attachments per Resolution No. 104 of 2021 adopted on November 8, 2021; NOW, THEREFORE, BE IT

RESOLVED, that the Town Board authorizes the expenditure/transfer of seventy-five thousand dollars (\$75,000.00) from the Equipment Reserve Fund to DA5130.2 Machinery Equipment Fund, to replenish funds used to pay for said tractor; and be it further

RESOLVED, that this resolution and the authorization set forth herein is subject to a permissive referendum; and be it further

RESOLVED, that should a petition for a permissive referendum be filed under the terms of Article 7 of the Town Law then this resolution shall take effect only if it is approved by the majority of the votes cast in such referendum, but if no such petition is filed, then this resolution shall take effect thirty days after its adoption.

NYCLASS

All paperwork has been completed, submitted and approved for the New York Cooperative Liquid Assets Securities System (NYCLASS) program. The accountants will maintain and perform all transfers etc. for all the accounts involved and will maintain a \$100,000 balance in them to cover bills. The current percentage is just under 4% earned for the Town.

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. 9 OF 2023
VOLUNTEER TRANSPORTATION CONTRACT**

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

RESOLVED, the New Bremen Town Board hereby agrees to the Volunteer Transportation Center, Inc. contract for 2023 and agrees to expend \$1500 for rendering of services to the citizens of the Town of New Bremen, as budgeted for 2023.

