

REGULAR MEETING
July 10, 2023

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 July 2023.

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

Absent: Joseph E. Aucter, Councilman

Attended by: Nicholas Astafan – DCO, Timothy Farley – Attorney and Barry Lyndaker

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

RESOLUTION NO. 52 OF 2023
APPROVAL OF MINUTES

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

RESOLVED, the minutes of the June 12, 2023 meeting are approved.

DCO

DCO Astafan reported on the following:

1. Submitted his monthly and 6 month reports to the board.
2. Ag & Markets inspection – passed – supervisor received notice of passing inspection.
3. Temporary shelter – Ag & Markets is now allowing municipalities to have a “temporary shelter” for dogs picked up by the DCO. Requirements: cage, water dish, to be located in a climate controlled building with the dog being held no more than 24 hours. The board could set certain rules such as: dog must be licensed, no repeat runners etc., before the DCO considers the “temporary shelter” option over taking the dog directly to the shelter. He doesn't feel this is something that would be often, but could save time, mileage expense and could help the owner save time and money also. Ran the idea by Highway Superintendent Herzig to see if the highway garage would have an area to be used for said temporary shelter. After their initial conversation, Mr. Herzig now has concerns, as does the board, as they routinely are welding, painting, making loud noises that may bother the dog along with access to the building. Mr. Astafan will be discussing this with the Town of Lowville also, who seem to be in favor of the idea, and stated there could be a possibility for the two towns to work together and share a temporary shelter, but this would need to be a discussed between the towns and draw up an agreement. The board would like more time to think it over.

RESOLUTION NO. 53 OF 2023
DCO'S MONTHLY REPORT

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

RESOLVED, the DCO's monthly report and six (6) month report are approved as submitted.

ATTORNEY FARLEY

NBCIA – Discussed the ongoing issues with the NBCIA and what the board or community members could do to remedy the situation. Attorney Farley stated there is nothing the board can do, but not fund it. It is a 501c3 not-for-profit organization and the Attorney General would need to be petitioned to dissolve it, then a “new” organization could be started up with a new board that is willing to step up and do the work that is needed for it to be run properly and efficiently. If this were to occur, the “new” organization would not be held accountable for the prior years of negligence

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from the current NBCIA, according to Attorney Farley. He gave the board several actions they could take; and recommends not taking the lead on it, but community members could. Due to the extensive work involved in the transition, he suggested the town board could start the process by assisting with filing a petition to have the current NBCIA dissolved and staff a new board. This process could take approximately a year. Will work on finding interested community members to serve on the board and go from there.

Damaged Road Surface – Attorney Farley received notice from Dryden Mutual Insurance Company with an offer of \$5,000 to cover the costs accrued by the Town for repair of the damaged road surface to sections of the Bush and Soft Maple roads. Town repair costs - \$19,008.19. Discussion followed with the Board agreeing Attorney Farley go back to them requesting \$15,000.

Attorney Farley left the meeting at 7:02 p.m.

COUNCIL REPORTS

Councilwoman Buell reported on the following:

1. Continuing to work on updating the towns local solar law.

Councilwoman Lyndaker reported on the following:

1. Village of Croghan recreation will be doing swim lessons this summer but with a different take. They will be holding “story time swim lessons”.
2. Community Mural – almost finalized with the design and size and it will now be located on the Crystal View building instead of the New Bremen General Store.

RESOLUTION NO. 54 OF 2023 TOWN CLERK’S MONTHLY REPORT

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

ADOPTED Ayes 4 Buell, Lyndaker, Schantz, Keys Nays 0

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

CLERK

Clerk Jones reported on the following:

1. Final Assessment Roll has been filed in her office and uploaded to the towns website.
2. Updated additional items on the towns website.
3. Village of Croghan sent a thank you for the towns donation to their summer youth recreation program and will submit a report at the end of the year as requested by the board.
4. Issue with people dumping garbage and diapers in the dog waste station near the entrance of the park. Animals have been pulling the garbage through the holes on the front of the station. Cleaned up the area along with other litter. Discussed moving the dog waste station to the other end of the park or remove the canister from the station in hopes people will use the garbage located near the playground instead.

HIGHWAY SUPERINTENDENT

Highway Superintendent Herzig reported on the following:

1. Flooding - rain storm that occurred on July 9th related in major flooding and wash out on River Road where the road was closed until repairs were made and reopened to traffic this evening. 7News was live on the scene reporting. There were additional washouts on Deveines, Hoffman and Benton roads. All have now been repaired. Keeping a log of overtime, costs for repair in case it’s declared an emergency. Will be in contact with Bob McKenzie at Emergency Management Services for more information.
2. Paved – Hoffman road and sections of the Adams Hill and Buckingham roads.
3. Screening Sand – screening plant will be available starting the 31st through R. G. King General Construction. Should be finished before Croghan comes in to do theirs.
4. Bridge NY Program – received notice that the county’s application for replacement of one of the twin bridges located on the Erie Canal road, Town of New Bremen was accepted and will be 100% funded - \$1.97 million and will be spear headed by the county. County Superintendent Hunt will be discussing the project with the board in the near future.

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**RESOLUTION NO. 55 OF 2023
JUSTICES MONTHLY REPORTS**

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

RESOLVED, the Justices monthly reports are approved as submitted.

ARTICLE RE: COURT REFORM

Judge Murphy submitted an article for the boards review. “The Daily Record” did a commentary: Magistrates face the future – the case for local justice in New York; as state legislature considers requiring that all local judges be lawyers.

SUPERVISOR

Supervisor Keys reported on the following, with resolution to follow:

1. Invite to Bridge Lewis County graduation.
2. Building Upgrades – overhead doors ordered and steel siding. Jantzi Construction to start work soon removing steel siding, insulating and installing new steel siding.
3. Community Bank - reached out to discuss more competitive interest rates to entice the return of town funds to their bank. NYCLASS has earned over \$35,000 in interest for the town since the beginning of the year. They will be sending more information on their interest rates soon.
4. Roof Estimate – received an estimate of \$40,000 for new roof for the municipal office/garage building. Will need to be bid out before moving forward. Estimate was to get an idea of remaining ARPA funds in order to consider distributing to the water main replacement project by the BFWC. Discussion and resolution to follow.

ARPA FUNDS

Discussed disbursing ARPA Funds to the Beaver Falls Water Corporation to help cover cost for their water main replacement project on Cut Off road. They are requesting \$40,000 and have received \$10,000 from the Town of Croghan. After discussion, the following resolution was presented.

**RESOLUTION NO. 56 OF 2023
DISTRIBUTION OF ARPA FUNDS**

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

RESOLVED, the New Bremen Town Board hereby approves disbursing \$10,000.00 of the American Rescue Plan Act Funding (ARPA) the Town received from NYS, to the Beaver Falls Water Corporation (BFWC) to help fund their water main replacement project on Cut Off road, and be it further

RESOLVED, that the Beaver Falls Water Corporation is to follow Federal Procurement Requirements along with any other requirements for the use of ARPA Funds.

**RESOLUTION NO. 57 OF 2023
SUPERVISOR’S FINANCIAL REPORT**

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

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

**RESOLUTION NO. 58 OF 2023
AUDIT OF CLAIMS**

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

RESOLVED, that the bills contained on Abstract #7 have been reviewed by the Town Board and are authorized for

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payment in the following amounts. The report of prior to audit payments for insurance, utilities and comptroller fees for justice court was also reviewed and approved.

General	Voucher #86 thru #94	\$1,696.15
Highway T-Wide	Voucher #71 thru #77	\$2,860.30
Highway T-Outside	Voucher #12 thru #13	\$13,192.02
H. Insurance - \$10,269.77		
Utilities - \$1,758.64		
Comptroller - \$2,563.00		

The next regular meeting of the Town Board of the Town of New Bremen will be held on August 14, 2023 at 6:30 p.m. at the Town Municipal Office Building.

With no further business, on a motion of Councilwoman Lyndaker, seconded by Councilwoman Buell, the meeting was adjourned at 7:55 p.m. Carried unanimously.

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