REGULAR MEETING June 12, 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 12th day of June 2023.

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

Joseph E. Aucter, Councilman Casandra M. Buell, Councilwoman Alexis L. Lyndaker, Councilwoman Thomas J. Schantz, Councilman

Douglas E. Herzig II, Hwy. Superintendent

Elizabeth B. Jones, Clerk

Also present: Robert Boliver, BFWC, Bill Mueller, Joanne Dicob

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

RESOLUTION NO. 43 OF 2023 APPROVAL OF MINUTES

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 minutes of the May 8, 2023 meeting are approved.

FLOOR

Supervisor Keys opened the floor to Robert Boliver, Water Commissioner for the Beaver Falls Water Corporation (BFWC). The BFWC is looking for \$40,000 of the ARPA funding the Town of New Bremen received, to help offset the cost of replacing the water main on the Cut Off Road.

Project Description: Replacing approximately 900' of aged 2" diameter main with a new 6" HDPE main capable of fire protection and 9 service laterals to feed the residents. The 2" main was originally installed by a private homeowner and fed half as many homes as it does currently. The main is drastically undersized and without replacement any further development would be prohibited. Low bid came in at \$224,087 and 30% over their projected construction budget. They will be rebidding the project in hopes of receiving a lower bid for the project.

Discussion – Supervisor Keys stated there are some ARPA funds left after the towns building upgrade project, but recently discovered that the garage/municipal building is in need of a new roof due to leaks and rusted nails pulling through the tin. He feels our building upgrades and repairs should take precedence.

Mr. Boliver stated the water corporation feels slighted in not receiving any ARPA funds from the federal government. Town of Croghan offered \$10,000 towards the project, but they have not asked the county for assistance.

The Board would like a month to research our funds and get an approximate cost for a new roof, wait for new bid pricing for the BFWC water main project and will discuss further at that time.

Mr. Boliver left the meeting at 6:47 p.m.

BRAC 1

Don Mooney formally submitted his resignation as our representative on the Beaver River Advisory Council. He also represented Croghan and Watson. Bill Mueller is interested in filling that council seat and representing the three towns. He gave a brief overview of what the council assists with and the available funding for projects located along the river such as docks, playgrounds, culverts etc. After discussion, the following resolution was presented.

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RESOLUTION NO. 44 OF 2023 BEAVER RIVER ADVISORY COUNCIL

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, to accept the resignation of Donald A. Mooney on the Beaver River Advisory Council (BRAC 1), and to appoint Bill Mueller as our member designee and otherwise act on our behalf and represent us on the Council from June 12, 2023 until replaced.

Mr. Mueller left the meeting at 6:58 p.m.

COUNCIL REPORTS

Councilman Aucter reported on the following:

- 1. Court article on newzjunky pertaining to possible changes to town justice requirements, and would like the board to read the article.
- 2. State Real Property Tax Law discussed the real property tax exemption for volunteer firefighters and volunteer ambulance service workers; effective in December of 2022. More information is needed before proceeding with granting said exemption.

Councilwoman Buell reported on the following:

- 1. Children at Play Sign received several complaints within the last few weeks, requesting the highway department install children at play signs/flashing lights on a section of the Wagner road due to high volumes of traffic at high speeds and children playing in the area. Highway Superintendent Herzig contacted the county highway department raising the question of liability with such signs. Mr. Herzig will research further and report to the board with his findings.
- 2. NBCIA reached out to Robin Houppert with no response; no further developments. Discussion followed how to proceed. The Board would like Attorney Farley to attend the meeting in July to discuss further. Councilman Aucter will try contacting President Houppert also.
- 3. Solar working on updating some language in the towns solar law to protect against upcoming solar developments which could have severe negative impacts on the land and our environment.

RESOLUTION NO. 45 OF 2023 TOWN CLERK MONTHLY REPORT

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

RESOLUTION NO. 46 OF 2023 TAX COLLECTOR MONTHLY REPORT

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 Tax Collector's monthly report is approved as submitted.

CLERK SUMMER HOURS

Clerk Jones stated her summer office hours are now in effect as follows: Monday through Thursday 10 am to 4 pm, closed Friday.

HIGHWAY SUPERINTENDENT

Highway Superintendent Herzig reported on the following:

- 1. Fire Alarm Inspection completed with all in good order.
- 2. Brandon Atwood back to work with some restrictions.
- 3. Power Line Projects seeing some road damage from their heavy equipment. Spoke with a project representative and they will cover damages on all roads effected.

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- 4. Road Damage still no response on the claim for damage on the Bush Road. Attorney Farley sent a follow up asking where it stands. The Board would like Attorney Farley to attend the July meeting to discuss the towns options.
- 5. Screening Sand Town of Croghan is opting to contract with Paul Lyndaker to screen their winter sand this year. Mr. Herzig would like to stay with Billy King as he is cheaper. Working on contacting him to reserve a date.
- 6. Radios discussed purchasing county radios and the use of their frequency in order to reach the end of town that are in dead zone areas. Cost for five (5) radios with two (2) base stations would be \$12,000. Will contact Wells Communications to get an estimate on installing the additional 20' section to our current tower in hopes it will reach the dead zone areas and then possibly get one (1) base and a couple handhelds from the county. Will discuss further.

RESOLUTION NO. 47 OF 2023 JUSTICES MONTHLY REPORTS

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

RESOLVED, the Justices monthly reports are approved as submitted.

RESOLUTION NO. 48 OF 2023 DCO'S MONTHLY REPORT

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 DCO's monthly report is approved as submitted.

RESOLUTION NO. 49 OF 2023 YOUTH RECREATION PROGRAMS

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, that the Town Board of the Town of New Bremen does hereby enter into a contract with the Beaver River Recreation Association to provide instructional and recreational swim and structured recreational activities for the youth of the Town of New Bremen for the 2023 Summer Youth Recreation Program, and that the Town of New Bremen will expend to the Beaver River Recreation Association the sum of \$4,000.00, and be it further

RESOLVED, that the Town Board of the Town of New Bremen does hereby enter into a contract with the Village of Croghan to provide instructional and recreational swim and structured recreational activities for the youth of the Town of New Bremen for the 2023 Summer Youth Recreation Program, and that the said Town of New Bremen will expend to the Village of Croghan the sum of \$5,000.00, and be it further

RESOLVED, said funding is contingent upon said programs providing instructional swim. Complete contracts to be on file in the Town Clerk's Office.

FACILITY UPGRADE

Contractors made a final count and measurement of windows being replaced in the municipal buildings and will be working on the back side of the garage building next week.

RESOLUTION NO. 50 OF 2023 SUPERVISOR'S FINANCIAL REPORT

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 Supervisor's monthly financial report is approved as submitted.

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RESOLUTION NO. 51 OF 2023 AUDIT OF CLAIMS

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, that the bills contained on Abstract #6 have been reviewed by the Town Board and are authorized for 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 #71 thru #85
 \$14,497.18

 Highway T-Wide
 Voucher #61 thru #70
 \$5,865.26

 Highway T-Outside
 Voucher #9 thru #11
 \$23,405.40

H. Insurance - \$10,269.77 Utilities - \$1,221.80 Comptroller - \$1,055.00

The next meeting of the Town Board of the Town of New Bremen will be held on July 10, 2023 at 6:30 p.m. at the Town Municipal Office Building.

With no further business, on a motion of Councilman Aucter, seconded by Councilwoman Lyndaker, the meeting was adjourned at 8:47 p.m. Carried unanimously.

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