

REGULAR MEETING  
May 9, 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 9<sup>th</sup> day of May 2022.

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

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

**RESOLUTION NO. 46 OF 2022**  
**APPROVAL OF MINUTES**

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 minutes of the April 11, 2022 meeting are approved.

**COUCIL REPORTS**

Councilwoman Buell reported on the following:

1. AED – The Town was approved to receive funding of up to \$1800, from the Larry Virkler Memorial Fund for the purchase of an AED for the Town Municipal Building. Clerk Jones placed the order according to the recommendation made by Steven Virkler. The unit is on delay due to high demand, but they will ship it as soon as possible. Councilwoman Buell forwarded the invoice proving purchase/payment by the Town and Mr. Virkler informed her that we should receive the check shortly.
2. Crystal Pond – Still interested in finding funding for the construction of a dock/pier to be located at Crystal Pond. DEC informed her they have no funding available, but the Beaver River Advisory Council does and Councilwoman Buell and Lyndaker would like permission to proceed with applying for funding to fully cover the cost of the project. The Board would like more information on parking, access to the property (property lines) and a plan of the type and size of the dock/pier.
3. AIS – There is an apparent dispute between Mr. Lyndaker and Ms. Windsor pertaining to the ownership. Clerk Jones forwarded a letter and emails received from both parties to Attorney Farley for his review and input. He stated, "I am not sure there is anything for the Town to do or whether the Town has any particular interest and needs to be protected". Highway Superintendent Herzig reported issues with beaver dams on that property that may cause issues with the sluice pipe and ditch along Artz Road overflowing. He and the Board agreed to stay clear for now unless an issue occurs.

Councilwoman Lyndaker reported on the following:

1. ARPA Funds – Contacted Bernadine Schwartztruber, President of the Adirondack Mennonite Heritage Association, she will forward their financials/profit, etc. after their Z-Fest in July.

**RESOLUTION NO. 47 OF 2022**

**TOWN CLERK & TAX COLLECTOR'S MONTHLY REPORTS**

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 Town Clerk and Tax Collector's monthly reports are approved as submitted.

**PICKUP BID**

Two bids were received for the sale of the 2019 F350 pickup truck, as advertised in the Journal & Republican with proof of publication noted. Bids are as follows: \$26,600 – Jim Dicob \$34,567.89 – Scott Sauer

After review and discussion, a Motion was made by Councilman Aucter, seconded by Councilman Schantz, to reject both bids submitted. Ayes 5 Aucter, Buell, Lyndaker, Schantz, Keys Nays 0

**RESOLUTION NO. 48 OF 2022  
PERMISSION TO READVERTISE FOR BID FOR SALE**

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

RESOLVED, to advertise for bid for sale, 1 - 2019 Ford F350 Pickup, with a minimum bid set at \$37,500. Bids to be opened at the June 13, 2022 meeting with the Board reserving the right to reject any or all bids. Bid "flyer" notice to be placed on linkinglewiscounty.com and town website.

**FUEL SHED**

Reviewed the quote from S&W Services, Inc. for labor and materials for the installation of the equipment, which includes 1 – 520 gal. dual wall tank and 1 – 1000 gal. dual wall tank for \$15,197.75. Discussed the need for RFP's according to our procurement policy, unless it is state contract. The Board agreed that the existing fuel shed is to be removed while we await more information on the status of state contracts for the project, as the deadline to comply is June 17<sup>th</sup> and Mr. Herzig needs to request an extension for the project by June 1<sup>st</sup>. PESH completed their inspection on April 20, 2022, everything is in compliance accept for the fuel shed, no fines received. Mr. Herzig will continue to work on.

**DRIVEWAYS**

Highway Superintendent Herzig would like to update a resolution passed by the New Bremen Board on April 14<sup>th</sup> of 1980 addressing installation of driveways for town residents. He has been having issues with a resident that wants more stone, etc. for his logging operation, log landing on the Soft Maple Rd. After discussion, the following resolution was presented.

**RESOLUTION NO. 49 OF 2022  
DRIVEWAYS**

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 as of this date of May 9, 2022, the Town of New Bremen Highway Department, will only furnish residential property owners with two (2) sluice pipes, up to 40' total in length and two (2) loads of limestone, for their driveways; size of the sluice pipe is up to the discretion of the Highway Superintendent.

**CHIPS**

The Town will be receiving a total of \$481,312.37 in funding this year. Planning to pave Turck, Auctor, River and possibly 7/10 of Adams Hill and Hoffman Roads depending on expense and time.

**ARTZ RD CLAIM**

Reviewed and discussed correspondence from Seth Hightman of Glatfelter Claims Management Inc. and Attorney Farley, pertaining to the claim filed by Michael and Lisa Bush, Artz Road. The Board is not interested in settling and feels the highway department was in the Towns right of way. Supervisor Keys will notify Mr. Hightman of the Board's decision.

**NEW TANDEM**

Reviewed the quote from Stadium International Trucks for a new 2023 HX620 6x4 chassis with Viking plow package, via state contract for \$236,707.00. Would not arrive until the early part of 2023. Financing would be through Sun First Equipment Finance for five years at 3.59%. After discussion, the following resolution was presented.

**RESOLUTION NO. 50 OF 2022  
PURCHASE OF NEW TANDEM**

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

RESOLVED, the Town Board hereby authorizes the purchase of 1 - 2023 HX620 6x4 Chassis with Viking Plow Package per quote from Stadium International Trucks for \$236,707.00 via Onondaga County Contract #8996.

**WATER DISTRICT**

Councilman Aucter asked if there has been any information when the Village of Lowville and Town may be completing the water line project in the #3 Water District, to rectify the water pressure issue at Tom Gray’s residence. Highway Superintendent Herzig will contact Paul Denise at the Village of Lowville DPW to set up a date to complete the project.

**RESOLUTION NO. 51 OF 2022  
JUSTICES MONTHLY REPORTS**

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 Justices monthly reports are approved as submitted.

**RESOLUTION NO. 52 OF 2022  
DCO 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 monthly report is approved as submitted.

**SUPERVISOR**

- 1. Joule Energy Proposal – Discussion followed with continued mixed feelings about the program amongst the Board. Councilwoman Buell will notify Joule and ask whether they have any other options.

**RESOLUTION NO. 53 OF 2022  
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.

**RESOLUTION NO. 54 OF 2022  
AUDIT OF CLAIMS**

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, that Supervisor Keys is authorized and directed to pay the following amounts on Abstract #4 & #5 of 2022 and also approved the report of prior to audit payments for insurance, utilities, comptroller fees for justice court.

General	Voucher #59 thru #71	\$3,077.41
Highway T-Wide	Voucher #43 thru #50	\$2,010.04
Highway T-Outside	Voucher #9 thru #10	\$6,387.40
H. Insurance - \$10,347.36	Utilities - \$2,076.91	
Comptroller - \$1,938.00		

The next meeting of the Town Board of the Town of New Bremen will be held on June 13, 2022 at 6:30 p.m. at the Town Municipal Office Building.

With no further business, on a motion of Councilman Aucter, seconded by Councilman Schantz, the meeting was adjourned at 8:45 p.m. Carried unanimously.

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