

REGULAR MEETING
November 8, 2021

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 8th day of November 2021.

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

Attended by: Ian Gilbert – Legislator, John Jones and Michael Baker – BFW, Jessica Clemons, Andrew Mattison

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

RESOLUTION NO. 97 OF 2021
APPROVAL OF MINUTES

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

RESOLVED, the minutes of the October 11, 2021 meeting are approved.

FLOOR

Supervisor Keys opened the floor for public comment. John Jones and Michael Baker, Beaver Falls Water District Commissioners expressed that they are still seeking any ARPA funds the Town of New Bremen is willing to give to help cover the cost of replacing an old water line on the Cut Off Road with a new 6" line, to better the water flow for the nine (9) residents on that line with an additional home being built soon. The Board would like to see quotes for the project before considering issuing any funds. Also discussed metering in the future, as only businesses are currently metered. Mr. Jones stated they looked into it in the past and it is very expensive. Councilwoman Buell suggested looking into grants and offered her assistance through the County Planning Department.

Jessica Clemons, River Road expressed her interest in serving on the Town Planning Board. She recently moved here and is very interested in serving the Town of New Bremen and its residents. The Towns planning board is currently vacant due to lack of interested members and would need a total of five (5) new members for it to become active again. Councilwoman Buell has two other interested people. The Board thanked her for her interest and hopes to be in touch in the near future.

OPEN PUBLIC HEARING

The Public Hearing for the Preliminary Budget for 2022 was declared open at 6:47 p.m. with Proof of Publication in the J&R noted.

Supervisor Keys suggested increasing A8010.4 – Planning Contractual for solar legal fees and A8090.4 – Environmental Contractual for solar engineering fees from \$17,500.00 to \$50,000.00 for each line item.

CLOSE PUBLIC HEARING

There were no questions or concerns from the public. Therefore, the public hearing was hereby closed at 6:50 p.m. by Supervisor Keys. After discussion, the following resolution was presented.

RESOLUTION NO. 98 OF 2021
ADOPTION OF THE 2022 BUDGET

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

WHEREAS, the Town Board of the Town of New Bremen did meet at the time and place as advertised, now therefore

BE IT RESOLVED, that the Town Board of the Town of New Bremen does hereby adopt such Preliminary Budget of the Town of New Bremen for fiscal year 2022 with changes made to A8010.4 and A8090.4 as discussed. Budget will be attached to the proceedings of this meeting, and be it

FURTHER RESOLVED, that the Town Clerk shall prepare and certify a copy of the annual budget as adopted by the Town Board pursuant to Town Law and within 5 days thereof deliver 2 copies to the Supervisor for submission to the Board of Legislators.

COUNCIL REPORTS

Councilwoman Buell

1. RACOG – membership request needs to be submitted if we are interested in becoming a member. Yearly membership is \$450 and \$650 year to participate in the cooperative ZBA. Will need to supply them with one (1) member from the Town of New Bremen to serve on the ZBA.
2. Pratt Northam – would like to request grant funding to purchase equipment for our recreational area and playground facility – trash receptacles and recycling centers, pet waste station, picnic tables and wood chips.
3. AES – received phone call from Eric Will on their solar project, it is still moving forward.

After discussion, the following resolutions were presented.

RESOLUTION NO. 99 OF 2021 RACOG MEMBERSHIP REQUEST

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

ADOPTED Ayes 5 Becker, Aucter, Buell, Lyndaker, Keys Nays 0

RESOLVED, that Supervisor Keys is hereby authorized to send a letter requesting membership for the Town of New Bremen to the River Area Council of Governments (RACOG), to include membership to the cooperative ZBA.

RESOLUTION NO. 100 OF 2021 PRATT NORTHAM GRANT APPROVAL

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

ADOPTED Ayes 5 Becker, Aucter, Buell, Lyndaker, Keys Nays 0

RESOLVED, that Councilwoman Buell is authorized to apply for grant funding through Pratt Northam Foundation to purchase several pieces of equipment for our recreational area and playground facility.

Councilwoman Lyndaker

1. Attended the Tug Hill Commission webinar on the American Rescue Plan Act. Important to note that there is no preapproved process, so we need to be diligent in documenting everything.

RESOLUTION NO. 101 OF 2021 TOWN CLERK'S MONTHLY REPORT

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

ADOPTED Ayes 5 Becker, Aucter, Buell, Lyndaker, Keys Nays 0

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

WEBSITE

Clerk Jones made updates to the Towns website adding a page for the Ralph "Bub" Hall Memorial Playground and its dedication, pictures of the playground, walking trails and the mural donated by the Chamber of Commerce and artist ARCY along with other town information.

HIGHWAY SUPERINTENDENT

Highway Superintendent Herzig reported on the following:

1. Fuel Bids – Advertise. Discussed if there was a need to advertise for unleaded gas. Still awaiting official notice of violations from OSHA.
2. Welder – Need to replace the old welder. Received three quotes and reviewed with the Board
3. CHIPS – have a balance left of \$152,000.
4. New Tractor – Reviewed two (2) quotes which included trade in value of the 2008 New Holland with attachments.
5. New Tandem – has arrived and would like to advertise for bid for sale the 2003 Sterling with plow/wing with no minimum bid.
6. Crosswalk – BRCS sent a letter stating they are interested in having a crosswalk installed on the Artz Road between the school and Addison Ave. Mr. Herzig questioned who pays for it and who is responsible for maintaining it? After discussion, the Board asked Superintendent Herzig to contact the NYS Department of Transportation for more information and their assistance in the matter.
7. Notice of Claim – Received a Notice of Claim on November 5, 2021 from Michael and Lisa Bush, Artz Road. Clerk Jones forwarded to Attorney Farley for his review along with Bill Schaab, North Country Estates per Attorney Farley's request.

After discussion, the following resolutions were presented.

(Regular Meeting of November 8, 2021 con't.)

**RESOLUTION NO. 102 OF 2021
ADVERTISE FOR FUEL BIDS**

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

RESOLVED, to advertise for bid unleaded gas and diesel fuel for the 2022 year, with a start date for the delivery of winter blend diesel fuel, for 1 week in the Journal & Republican and posted on linkinglewiscounty.com. Bids will be opened on December 13, 2021 at 6:30 p.m. at the Town Municipal Office Building.

**RESOLUTION NO. 103 OF 2021
PURCHASE OF NEW WELDER**

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

WHEREAS, per the Towns Procurement Policy, Highway Superintendent Herzig obtained three (3) quotes for the Boards review, and now, therefore be it

RESOLVED, that Highway Superintendent Herzig is authorized to purchase 1 – Millermatic 255 PKG w/Cart, includes setup and training, per quote submitted by Haun Welding Supply Inc. for \$3,700.00.

**RESOLUTION NO. 104 OF 2021
APPROVAL OF INTENT TO PURCHASE NEW TRACTOR**

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

RESOLVED, to purchase 1 – John Deere 6105E Cab Tractor (87 PTO hp) with the following attachments – Diamond 21' boom mower with 50" HD rotor head with deck rotary with 60" side flail mowing system and MB 8' power angle broom; Contract: Sourcewell Ag Tractors 110719-JDC (PG 1P CG70), and be it further

RESOLVED, that the quote included trade-in of the Towns 2008 New Holland TL90A tractor, with Alamo 60" side mower and boom mower, now be it further

RESOLVED, the Town of New Bremen hereby intends to purchase the aforementioned equipment for \$152,778.88 per quote received from the following vendor via state contract:

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580; DUNS#: 60-7690989

**RESOLUTION NO. 105 OF 2021
PERMISSION TO ADVERTISE FOR BID FOR SALE**

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

RESOLVED, that Highway Superintendent Herzig is authorized to advertise for bid for sale, 1 - 2003 Sterling LT9500 dump truck, w/plow and wing, with no minimum bid set. Bids to be opened at the December 13, 2021 meeting with the Board reserving the right to reject any or all bids.

**RESOLUTION NO. 106 OF 2021
JUSTICES MONTHLY REPORTS**

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

RESOLVED, the Justices monthly reports are approved as submitted.

(Regular Meeting of November 8, 2021 con't.)

**RESOLUTION NO. 107 OF 2021
DCO MONTHLY REPORT**

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

RESOLVED, the Dog Control Officer's monthly report is approved as submitted.

COUNTY

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

1. County budget public hearing on November 18th at 5 p.m.
2. Rails to Trails on the Lowville to Croghan rail line – Legislator Gilbert is looking for the Boards input on what the rail line should be used for, ex. bikes, walking, ATV, running, cross country skiing. Councilwoman Buell - feels it would be best used for non-motorized activities. Councilman Aucler is unsure of the economic advantage of such a project. Legislator Gilbert stated it could increase environmental recreational activities within the local communities. Said project is theoretical at this time.

**RESOLUTION NO. 108 OF 2021
NEW BREMEN FIRE PROTECTION CONTRACT**

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

RESOLVED, that a public hearing will be held on December 13, 2021 at 6:30 p.m. at the Town Municipal Office Building for the purpose of renewing a contract with the Croghan Fire Department for fire protection under the New Bremen Fire Protection District with compensation to be set at \$17,088.00 per year. Notice of the Public Hearing is to be published for 1 week in the Journal & Republican and posted on linkinglewiscounty.com.

**RESOLUTION NO. 109 OF 2021
AMBULANCE SERVICE CONTRACT - LCSR**

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

RESOLVED, that a public hearing will be held on December 13, 2021 at 6:30 p.m. at the Town Municipal Office Building for the purpose of renewing a 1-year contract with Lewis County Search and Rescue, Inc. for Ambulance Service for the residents of the Town of New Bremen for 2022 with compensation to be set at \$6,442.30. Notice of the Public Hearing is to be published for 1 week in the Journal & Republican and posted on linkinglewiscounty.com.

SUPERVISOR

Supervisor Keys – reported on the following items:

1. OSC Tax Cap Review - received a request from the NYS Comptroller's office for documents to complete a tax cap review through their office. Sent the documents they requested.
2. New Tandem – received the new tandem and currently working on completing the financial documents to finalize the loan.
3. Village of Croghan – received a thank you for the funds from the Town for the summer youth recreation program.
4. Employment and Liability Guidelines for Employees – asked the Board to consider changing the employee's contribution rate for 2022 due to the increased health insurance premiums. Discussed at the October 11th meeting.
5. Accountants – 2 budget line items overdrawn, A1620.4 and A1910.4, need to transfer funds.

After discussion, the following resolutions were presented.

**RESOLUTION NO. 110 OF 2021
AMENDMENT TO EMPLOYMENT AND LIABILITY GUIDELINES**

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

RESOLVED, that Health Insurance Section 2.0 - Contribution Rates, of the Town of New Bremen Employment and Liability Guidelines be amended as follows: 2022 - 25% employee contribution rate for those employees enrolled in the Towns health insurance plan.

(Regular Meeting of November 8, 2021 con't.)

**RESOLUTION NO. 111 OF 2021
SUPERVISOR'S MONTHLY FINANCIAL REPORT**

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

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

**RESOLUTION NO. 112 OF 2021
APPROVAL FOR TRANSFER OF FUNDS**

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

RESOLVED, that Supervisor Keys is authorized to make the following transfers: \$918.36 from A1990.4 - Contingent fund to A1620.4 - Buildings fund and \$524.19 from A9060.8 to A1910.4 - Unallocated Insurance fund.

**RESOLUTION NO. 113 OF 2021
AUDIT OF CLAIMS**

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

RESOLVED, that Supervisor Keys is authorized and directed to pay the following amounts on Abstract #9 & #11 of 2021 and also approved the report of prior to audit payments for insurance, utility and comptroller.

General	Voucher #114 thru #129	\$7,479.64
Highway T-Wide	Voucher #87 thru #101	\$29,870.32
Highway T-Outside	Voucher #30 thru #36	\$32,012.02
Insurance - \$9,493.10		
Utilities - \$1,644.52		
Comptroller - \$680.00		

The next meeting of the Town Board of the Town of New Bremen will be held on December 13, 2021 at 6:30 p.m. at the Town Municipal Office Building.

With no further business, on a motion of Councilman Becker, seconded by Councilwoman Lyndaker, the meeting was adjourned at 8:22 p.m. Carried unanimously.

Elizabeth B. Jones, RMC
Town Clerk/Tax Collector