## REGULAR MEETING November 13, 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 13<sup>th</sup> day of November 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

Attended by: Joanne Dicob, Tim Lee – ZBA, Barry Lyndaker, 6 Members of New Bremen Fire Department, Jordan Brandt

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

## RESOLUTION NO. 92 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 October 9<sup>th</sup> and 23<sup>rd</sup>, 2023 meetings are approved.

#### **FLOOR**

Supervisor Keys opened the floor to the public.

- Patrick Morse, President of the New Bremen Fire Department asked the board to consider the real property tax exemption for volunteer firefighters and volunteer ambulance service workers. He and the other members in attendance feel the burden to the town would be minimal and would greatly appreciate the board's support and consideration of the exemption. Discussion followed. Some members of the board feel further details are needed to determine the full impact on the town before considering the exemption. NBFD members thanked the board for their time and left the meeting at 6:42 p.m.
- Jordan Brandt owner of Red Barn Meats presented plans for expansion of his meat cutting business located at 9095 Briot Road. Construction will consist of a 4800 sq. foot addition to the existing building along with demolition of the home located on the property. His previous site plan and zoning permit submitted in June of 2021 for a more significant expansion, expired due to no construction occurring. Therefore, a new site plan and zoning permit application and fee is required. Discussion followed. Clerk Jones gave him a new application for submission to the Town Board for the proposed project. Mr. Brandt thanked the board for their time and left the meeting at 6:51 p.m.

#### **OPEN PUBLIC HEARING**

The Public Hearing for proposed Local Law No. 1 of 2023 entitled "Repealing Local Law No. 2 of 2021 – Solar Energy System Law and Local Law No. 1 of 2001 – Site Plan Review Zoning Law and replacing it with Local Law No. 1 of 2023, to be known as "The Town of New Bremen Zoning Law", was declared open at 6:51 p.m. by Supervisor Keys, with proof of publication in the Journal & Republican noted.

Discussion followed. Clerk Jones sent the referral to the County Planning Board for their November 16<sup>th</sup> meeting. After receipt of their recommendations the town board will formally adopt said local law at their next regular meeting on December 11<sup>th</sup>.

#### **CLOSE PUBLIC HEARING**

All questions and comments by the public were addressed; the public hearing was hereby closed at 6:59 p.m. by Supervisor Keys.



#### **OPEN PUBLIC HEARING**

The Public Hearing for the Preliminary Budget for 2024 was declared open at 6:59 p.m. with Proof of Publication in the J&R noted.

Supervisor Keys reviewed a list of proposed changes to reflect the \$1.50 per hour rate increase for the highway men as previously discussed. With the proposed changes we will still be under the 2% tax cap.

## **CLOSE PUBLIC HEARING**

There were no questions or concerns from the public. Therefore, the public hearing was hereby closed at 7:05 p.m. by Supervisor Keys. After discussion, the following resolution was presented.

# RESOLUTION NO. 93 OF 2023 ADOPTION OF THE 2024 BUDGET

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

WHEREAS, the Town Board of the Town of New Bremen did meet at the time and place as advertised, and 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 2024 with the following line item changes:

- Line 89 decrease to \$25,000.00 (A9902.9 Transfer to Reserve Account)
- Line 274 increase to \$167,000.00 (DA5142.1 Personal Services)
- Line 280 increase to \$19,503.00 (DA9030.8 Social Security)
- Line 312 increase to \$151,000.00 (DB5110.1 Personal Services)
- Line 318 increase to \$15,700.00 (DB9030.8 Social Security)
- Total to be raised by taxes \$1,147,377.00

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 1 copy to the Supervisor for submission to the Board of Legislators. Budget to be attached to the proceedings of these minutes.

#### **COUNCIL REPORTS**

Councilman Aucter reported on the following:

- Apologized for not contacting Assessor Smith for his attendance at this month's meeting. As previously discussed the board would like a monthly report for their review to help provide oversight of the assessor's office and to include set office hours. Will ask Assessor Smith to attend the December meeting.
- Town of Croghan's Green Waste Objectives discussed and will wait to see if the shared services program is to include the purchase of a drum chipper by the County.

Councilwoman Buell reported on the following:

- Shared Services Plan waiting on responses from town supervisor's and mayor's concerning the proposed shared services plan which consists of ideas such as: septic waste cleaning, green waste drum chipper purchase, shared mechanics, street sweeper, assessor and data collector.
- NationalGrid been brought to our attention that NationalGrid is working to upgrade and rebuild the electric transmission lines near property of certain town residents, called the Smart Path Connect Project. Landowners affected by the project were sent notices. Many seem to be quite concerned due to the proposed location of the new transmission lines being so close to their homes. Joanne Dicob is one of those very concerned and voiced her disapproval of the project. An email was forwarded to the town board for our awareness of the project.
- Solar/Wind Lawsuit meeting was held at the Town of Lowville on October 24, 2023 pertaining with RPTL §575.B which created the model to value solar & wind projects in the state. Several towns and counties across the state are banding together to fight NYS challenging said law as it will vastly reflect assessments of solar & wind projects. Lewis County stated they will set aside \$10,000 to assist with the suit.
- Planning Board still looking for one member to have a full board.



- NBCIA 2 – filed the certificate for the non-profit organization, next will be filing for the new 501c3 certificate through the IRS. Filing fees are looking to be approximately \$1700. Will keep the board updated.

Councilwoman Lyndaker reported on the following:

- County budget did reflect the creation of county assessor and data collector positions. Unsure exactly how it will work, but assuming those towns in dire need of an assessor due to upcoming retirements will be addressed first.

# RESOLUTION NO. 94 OF 2023 TOWN CLERK'S MONTHLY 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 Town Clerk's monthly report is approved as submitted.

#### **CLERK**

Clerk Jones reported on the following correspondence:

- Street Light Pole 4-9 located on William Street has been reported several times for outage with no resolve. After extensive investigation, Jennifer Egeberg at the Watertown NationalGrid office phoned/emailed Clerk Jones with her findings stating that said pole was installed years back, but does not show in their records or billing inventory. The pole is located in the Town of New Bremen. Ms. Egeberg needs a decision from the town board whether or not they wish to add the pole to our billing inventory. If not she will contact the Village of Croghan to see if they will, as they have an existing lighting district on William Street. If the Village rejects the request, the light will be removed altogether. Discussion followed with the board opting not to take responsibility for said light in hopes the Village of Croghan will. This would save the town creating a lighting district for this one pole. Clerk Jones will notify Ms. Egeberg of the board's decision.
- Training newly elected officials training through Association of Towns will be held in Albany and Rochester in January. Tug Hill Commission will be having training also. Councilwoman Lyndaker or Buell will forward that information on to Clerk Jones.

#### **HIGHWAY SUPERINTENDENT**

Highway Superintendent Herzig reported on the following with resolutions to follow:

- Auction closes November 15<sup>th</sup>. Will forward information of auction results once received from Tyler McDonald of Adirondack Asset Auctions.
- Fuel need to advertise for bid for fuel for the 2024 year.
- Road Damage Dryden Mutual Insurance Company offered a settlement of \$8500 for the road damage claim. Attorney Farley feels the offer is sufficient as a lawsuit would cause additional expenses incurred by the Town. The board agreed and will accept their offer to settle for \$8500. Supervisor Keys will inform Attorney Farley to accept said offer on behalf of the Town.
- Speed Radar Signs received the 2 new signs, working on installing them and should have them up and running by weeks' end.
- Culvert Replacements costs to the town will be significantly higher for the replacement of culverts that are
  located on certain designated trout streams, due to new requirements by the NYS DEC. If not done per their
  requirements, daily fines will be imposed.

## RESOLUTION NO. 95 OF 2023 ADVERTISE FOR FUEL BIDS

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

RESOLVED, to advertise for bid unleaded gas and diesel fuel for the 2024 year, with a start date for the delivery of winter blend diesel fuel, for 1 week in the Journal & Republican and on linkinglewiscounty.com. Bids will be opened on December 11, 2023 at 6:30 p.m. at the Town Municipal Office Building.

#### **BUILDING UPGRADES**

All upgrades are mostly complete now accept for the sealing of the garage floor. It is too late for it to be done this year due to drying time. Supervisor Keys spoke with Jantzi Construction to order the product and seal the floor in the spring.



Supervisor Keys would like to start the process for obtaining RFP's for a new roof for the garage/municipal office building. Councilman Aucter agreed to work on it.

# RESOLUTION NO. 96 OF 2023 JUSTICES MONTHLY 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 Justices monthly reports are approved as submitted.

## RESOLUTION NO. 97 OF 2023 DCO MONTHLY REPORT

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

#### **SUPERVISOR**

Supervisor Keys – reported on the following correspondence:

- Croghan Free Library submitted their annual report, to be filed in the Town Clerk's office.
  - Senator Walczyk sent a letter stating his opposition to bill S139-B which would require judges in town and village courts be licensed to practice law. Said bill did not make it to the Assembly floor for a vote, and therefore will not become law this year.
- BFWD discussed the \$10,000 ARPA funds the town designated for their water line improvement project. No funds will be distributed until receipt of required documentation of completion of the project by the BFWD.
- Renew Contracts need to set public hearings to renew contracts with Lewis County Search and Rescue for 2024 for ambulance services, along with the New Bremen Fire Protection Contract. After review, the following resolutions were presented.

# RESOLUTION NO. 98 OF 2023 NEW BREMEN FIRE PROTECTION CONTRACT

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, that a public hearing will be held on December 11, 2023 at 6:30 p.m. at the Town Municipal Office Building for the purpose of renewing a contract with the Croghan Volunteer Fire Department, Inc. 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 on linkinglewiscounty.com.

# RESOLUTION NO. 99 OF 2023 AMBULANCE SERVICE CONTRACT - LCSR

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, that a public hearing will be held on December 11, 2023 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 2024 with compensation to be set at \$6,899.71. Notice of the Public Hearing is to be published for 1 week in the Journal & Republican and on linkinglewiscounty.com.

# RESOLUTION NO. 100 OF 2023 SUPERVISOR'S MONTHLY FINANCIAL REPORT

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 Supervisor's monthly financial report is approved as submitted.



## RESOLUTION NO. 101 OF 2023 AUDIT OF CLAIMS

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

RESOLVED, that the bills contained on Abstract #11 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 #120 thru #134
 \$6,434.64

 Highway T-Wide
 Voucher #96 thru #104
 \$7,042.64

 Highway T-Outside
 Voucher #34 thru #37
 \$12,921.56

Insurance - \$9,672.68 Utilities - \$1,705.95 Comptroller - \$1,092.00

The next meeting of the Town Board of the Town of New Bremen will be held on December 11, 2023 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 8:30 p.m. Carried unanimously.

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