# REGULAR MEETING October 10, 2022



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 10<sup>th</sup> day of October 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

Attended by: Tom and Nancy Kovach, Joanne Dicob, Lillia Campeau

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

# RESOLUTION NO. 91 OF 2022 APPROVAL OF MINUTES

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 minutes of the September 12, 2022 meeting are approved.

#### **FLOOR**

Supervisor Keys opened the floor for public comment. Tom and Nancy Kovach, 7548 Snell Road own the land adjacent to the New Bremen Community Improvement Association (NBCIA) along the beach of Crystal Pond and recently discovered that the equipment (swing set and shed) are located on their property and feel it could be a liability issue for them if someone was injured. They are interested in selling that section of land or at least having the equipment removed. The Town Board believes the equipment belongs to the NBCIA (a 501c3 organization), and that Robin Houppert is the President. The Board has been trying to contact Mrs. Houppert concerning other issues with the organization. Discussion followed whether to contact the Department of State to look into our concerns along with Attorney Farley for guidance. Supervisor Keys will send a letter to Attorney Farley. It was also suggested that the Town put up no trespassing signs, etc., until things are resolved.

## **COUNCIL REPORTS**

Councilman Aucter

1. Tom Gray water issue – discussed emails between him and the board. Work has been completed by the Village DPW and it is now up to Mr. Gray to contract out the remainder of the work to be completed. As far as the type of water line to be used is up to the VDPW and/or the water district.

#### Councilwoman Buell

- 1. Planning Board has two (2) additional members interested in serving along with one potential. Will know more by the November meeting. Mr. Kovach stated he is also willing to serve on the planning board.
- 2. Splash Pad the Village of Croghan is interested in a splash pad to be located at the village park. Councilwoman Buell sent grant applications for them to apply for funding.

# RESOLUTION NO. 92 OF 2022 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.



# **HIGHWAY SUPERINTENDENT**

Highway Superintendent Herzig reported on the following, with resolution to follow:

- 1. Fuel Tanks RFP for new fuel tanks is complete with an October 21<sup>st</sup> deadline. Sent out to several contractors and have received one proposal thus far.
- 2. MEO Received several applications to fill the position. Hired Brandon Atwood with a start date of October 24<sup>th</sup>. Mr. Atwood does have his CDL.
- 3. Damaged Road chip sealed the Bush Road. Cost was more than the original estimate. Waiting to hear from the insurance company on the road damage claim.
- 4. New Slide-In Sander researched cost difference between building it ourselves or buying it already built and it is cheaper to buy it already built. Wrote up an RFP and sent out to three (3) companies and received three quotes. Board reviewed/discussed with resolution to follow.
- 5. New Tractor missing a bracket which they are expediting. Should have by the end of the year.

# RESOLUTION NO. 93 OF 2022 ACCEPTANCE OF QUOTATION TO PURCHASE NEW CARBON STEEL SLIDE-IN SPREADER

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 Town Board hereby accepts the quote from TENCO Industries for one (1) Harder Spreader Model E144 Carbon Steel Slide-In Spreader – total unit price: \$8,512.00, and be it further

RESOLVED, that Highway Superintendent Herzig is authorized to sign the aforementioned quotation and accept on behalf of the Town of New Bremen.

# RESOLUTION NO. 94 OF 2022 JUSTICES MONTHLY REPORTS

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 Justices monthly reports are approved as submitted.

# RESOLUTION NO. 95 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 Dog Control Officer's monthly report is approved as submitted.

## **COUNTY**

The County adopted Local Law No. 3 of 2022 entitled "The Amended Local Law Regulating and Permitting Special Events On County Roads, Trails or Other County Property And On Any Towns And Property Where the Town Has Opted In". Each Town that "opts" into the permitting and regulating procedures of special events as set forth in the local law, will be entitled to participate in the road damage reimbursement fund (as a result of permitted motorized recreational activities) established by the County pursuant to an Inter-Municipal Agreement, and must do so by resolution. The Board reviewed said local law. No action taken.

County distributed excess funds to municipalities to help cover increased fuel costs – New Bremen received \$38,646.

## **FACILITY UPGRADE**

Supervisor Keys presented an updated proposal for upgrades/maintenance to the highway and municipal buildings. It is projected to use some funds allocated for building repairs from the 2022 budget along with ARPA funding received. Discussed drawing up an RFP for the proposed project to be advertised, posted and sent out to contractors interested in attending an open walk-through of the buildings and submission of a bid/proposal. After discussion, the following resolution was presented.

(Regular Meeting of October 10, 2022 con't.)



# RESOLUTION NO. 96 OF 2022 ADVERTISE REQUEST FOR PROPOSALS FOR MUNICIPAL BUILDING UPGRADES

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, that the Town Board of the Town of New Bremen hereby authorizes the posting of notice requesting proposals for a qualified, fully-insured contractor to complete the identified improvements within the scope of work listed in the RFP, to be posted on the Towns website, Clerks board and available at the Clerk's office, and be it further

RESOLVED, that all proposals must be received on or before 4 p.m. on Friday, December 9, 2022 with bid opening set for Monday, December 12, 2022 at 6:30 p.m., and be it further

RESOLVED, that a mandatory site visit is scheduled for November 18, 2022 at 3 p.m. All questions and answers will be addressed at that time.

#### BUDGET

Supervisor Keys submitted an updated 2023 Tentative Budget for review at the budget workshop meeting on Monday, October 17, 2022 at 6:30 p.m.

# RESOLUTION NO. 97 OF 2022 SUPERVISOR'S FINANCIAL 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 Supervisor's monthly financial report is approved as submitted.

### TRANSFER OF FUNDS

Supervisor Keys presented the following recommended budget amendments per accountants, to correct over expenditures:

- 1. Transfer \$256 from A1990.4 Contingent to A1320.4 Accounting Services
- 2. Transfer \$6164.22 from Playground Account (acct # 0112147376) to A7180.4 Playground Equipment
- 3. Transfer \$6000 from ARPA Account (acct# 0112153184) to A7989.41 ARPA Account
- 4. Transfer earned interest from ARPA Account (0112153184) to A7989.41 -ARPA Account

After discussion, the following resolution was presented.

# RESOLUTION NO. 98 OF 2022 TRANSFER OF FUNDS

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 following budget amendments/transfers are hereby approved:

- 1. Transfer \$256 from A1990.4 Contingent to A1320.4 Accounting Services
- 2. Transfer \$6164.22 from Playground Account (acct # 0112147376) to A7180.4 Playground Equipment
- 3. Transfer \$6000 from ARPA Account (acct# 0112153184) to A7989.41 ARPA Account
- 4. Transfer earned interest from ARPA Account (0112153184) to A7989.41 –ARPA Account

# RESOLUTION NO. 99 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 #9 & #10 of 2022 and also approved the report of prior to audit payments for insurance, utility, comptroller and miscellaneous payments as listed below.

## (Regular Meeting of October 10, 2022 con't.)



 General
 Voucher #115 thru #126
 \$2,409.96

 Highway T-Wide
 Voucher #85 thru #90
 \$11,889.75

 Highway T-Outside
 Voucher #23 thru #29
 \$181,749.98

Insurance - \$9,876.62 Utilities - \$1,585.51 Comptroller - \$1,233.00

Mennonite Heritage Farm (ARPA Account – ARPA Funds Received) \$6,000.00

Superior Rec (Playground Account - Grant Funds Received) \$6,164.22

KS State Bank (Loader Payment #4 – paid in full) \$34,727.82

The next regular meeting of the Town Board of the Town of New Bremen will be held on November 14, 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 8:06 p.m. Carried unanimously.

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