

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 8<sup>th</sup> day of June 2020.

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

Supervisor Keys called the meeting to order at 6:38 p.m. with the Pledge to the Flag.

**RESOLUTION NO. 51 OF 2020  
APPROVAL OF MINUTES**

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 minutes of the May 11, 2020 meeting are approved.

**COUNCIL REPORTS**

Councilwoman Buell – Under the “proposed” local law to regulate solar energy systems in the Town, the Board will need to set an application fee for Site Plan Review and Zoning Permit applications submitted for solar energy systems under 25 mega watts. After discussion, the following resolution was presented.

**RESOLUTION NO. 52 OF 2020  
SOLAR ENERGY SYSTEM APPLICATION FEE SCHEDULE**

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, that the Town Board of the Town of New Bremen hereby sets a fee of \$200 for Site Plan Review and Zoning Permit applications submitted for solar energy systems fewer than 25 mega watts, and be it further

RESOLVED, payment is to be submitted by the applicant to the Town Clerk prior to final approval of the proposed site plan application, and be it further

**RESOLUTION NO. 53 OF 2020  
TOWN CLERK MONTHLY REPORT**

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

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

No Tax Collector report until after settlement with the County Treasurer. Most Collectors' are having issues with their final reports and numbers in the TCS program this year.

**HIGHWAY SUPERINTENDENT**

Highway Superintendent Herzig reported on the following:

1. Formal resolution approving sale and posting for bid for sale of the 2015 F-350 on Auctions International.
2. CHIPS funding notification tonight. Looking to start paving Artz Road and possibly start on Erie Canal Road.

(Regular Meeting of June 8, 2020 con't.)

- 3. Lloyd Richardson from BRCS asked about the possibility of putting a cross walk from school parking lot to Addison Ave. Spoke with Donny Mattimore at NYSDOT – he will check with the traffic and safety law department. The Board is concerned of student safety as there is no sidewalk along Addison Ave. and feels it would be best the state handle it. On hold at this time.
- 4. Billed school for sand they got over the winter. Councilman Aucter suggested having a shared services agreement with the school for sand, snow removal etc.
- 5. Issue between Frontier and Tom Marriott concerning placement of utility poles on his property, within Town right of way. Out of the Boards hands.
- 6. Summer Youth program still on hold.
- 7. Upcoming projects – finish River Road project, driveway culverts, road culvert replacements, clean up of trees on roadside and start mowing. Councilman Aucter would like Mr. Herzig to draw up an agreement once work is complete on the River Road and have all parties sign off.
- 8. Seasonal roadside parking resolution – need to check with Attorney Farley on proper procedure.

**RESOLUTION NO. 54 OF 2020  
AUTHORIZING BID FOR SALE**

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

RESOLVED, authorizing Highway Superintendent Herzig to list the 2015 F-350 dually pick-up for bid on Auctions International website; bid acceptance by Board via email/phone once bidding has ceased with the Board reserving the right to reject any or all bids.

**RESOLUTION NO. 55 OF 2020  
HIGHWAY SUPERINTENDENT REPORT**

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

RESOLVED, the Highway Superintendent’s monthly report is approved as submitted.

**RESOLUTION NO. 56 OF 2020  
JUSTICES MONTHLY REPORTS**

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

RESOLVED, the Justices monthly reports for March, April and May are approved as submitted.

**RESOLUTION NO. 57 OF 2020  
DCO’S MONTHLY REPORT**

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 DCO’s monthly report is approved as submitted.

**COUNTY**

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



**SOLAR PROJECT – DISCUSSION**

1. Board reviewed the retainer agreement sent by CMBK law firm along with a bill received for services, which the Board is confused with as they have only prepared their proposal for retainer agreement. Councilwoman Buell would like the legal representation contract to state it is “contingent on the availability and amount of Intervener funds issued by the State of New York”. The Board is not comfortable signing the agreement at this time. Supervisor Keys will contact CMBK for clarification on both documents.

**SOLAR LAW**

Board reviewed “proposed” Local Law No. 1 of 2020 – Regulation of Solar Energy Systems in the Town of New Bremen and completed the FEAF parts 1, 2 and 3. Said proposed local law is to be referred to the County Planning Board for their review and recommendations. After review and discussion, the following resolutions were presented.

**RESOLUTION NO. 58 OF 2020  
COMPLETION OF FEAF AND REFERRAL OF “PROPOSED”  
LOCAL LAW NO. 1 OF 2020**

On a motion of Supervisor Keys, seconded by Councilman Aucter, the following resolution was  
ADOPTED    Ayes 4    Becker, Aucter, Lyndaker, Keys                      Recusal 1    Buell                      Nays 0

WHEREAS, the Town Board of the Town of New Bremen did review and complete FEAF parts 1, 2 and 3 for the “proposed” Local Law No. 1 of 2020 – Regulation of Solar Energy Systems in the Town of New Bremen, and now therefore be it

RESOLVED, the Town Board determined this project will result in no significant adverse impacts on the environment, and therefore, an environmental impact statement need not be prepared and accordingly, this negative declaration is issued, and be it further

RESOLVED, the Town of New Bremen accepts Lead Agency for said project and hereby refers said “proposed” local law with all documentation to the Lewis County Planning Board for their review and recommendations.

**RESOLUTION NO. 59 OF 2020  
PUBLIC HEARING SET FOR “PROPOSED” LOCAL LAW NO. 1 OF 2020**

On a motion of Councilwoman Lyndaker, seconded by Councilman Aucter, the following resolution was  
ADOPTED    Ayes 4    Becker, Aucter, Lyndaker, Keys                      Recusal 1    Buell                      Nays 0

RESOLVED, that a Public Hearing will be held by the Town Board of the Town of New Bremen on July 13, 2020, at 6:30 p.m. located at 8420 State Route 812, Lowville, New York 13367 to consider the adoption of “proposed” Local Law No. 1 of 2020 - Regulation of Solar Energy Systems in the Town of New Bremen and it may be known as the “Solar Energy System Law of the Town of New Bremen”.

**SITE PLAN REVIEW APP**

Thomas Schneider, 6716 Buckingham Rd., Lowville, New York, submitted Site Plan Review and Zoning Permit Application No. 1-2020 for the construction of a 15’ x 90’ self-storage unit on property located at 9062 State Rte 812, Town of New Bremen, NY, Tax Map No. 147.00-01-03.120, owned by Chris Schneider. The Board reviewed said application and completed SEAF parts 2 and 3. After review and discussion, the following resolution was presented.

**RESOLUTION NO. 60 OF 2020  
ACCEPTANCE/REFERRAL OF SITE PLAN REVIEW APPLICATION NO. 1-2020**

On a motion of Councilman Aucter, seconded by Councilwoman Lyndaker, the following resolution was  
ADOPTED Ayes 4 Becker, Aucter, Lyndaker, Keys Recusal 1 Buell Nays 0

WHEREAS, the Town Board of the Town of New Bremen reviewed Site Plan Review and Zoning Permit Application No. 1-2020, submitted by Thomas Schneider, for the construction of a 15' x 90' self-storage unit on property located at 9062 State Rte 812, Town of New Bremen, NY, Tax Map No. 147.00-01-03.120, owned by Chris Schneider, now therefore be it

RESOLVED, the Town of New Bremen accepts said application, designation as Lead Agency for said project and determined, based on the information and analysis of all supporting documentation, that the proposed action will not result in any significant adverse environmental impacts and issued a negative declaration of the Type II action in accordance with 6 NYCRR Part 617; and hereby refers SPRZPA No. 1-2020 with all documentation to the Lewis County Planning Board for their review and recommendations, and be it further

RESOLVED, the Town Board of the Town of New Bremen will hold a public hearing on July 13, 2020 at 6:30 p.m. at the Town Municipal Office Building to hear all interested parties for or against said application.

**SITE PLAN REVIEW APP**

Jason Roggie, 7456 Kirschnerville Rd., Croghan, New York, submitted Site Plan Review and Zoning Permit Application No. 2-2020 requesting change of occupancy from residential garage to commercial for automotive repair shop, located on said premises, Tax Map No. 130.00-02-09.000. The Board reviewed said application and completed SEAF parts 2 and 3. After review and discussion, the following resolution was presented.

**RESOLUTION NO. 61 OF 2020  
ACCEPTANCE/REFERRAL OF SITE PLAN REVIEW APPLICATION NO. 2-2020**

On a motion of Councilman Aucter, seconded by Councilwoman Lyndaker, the following resolution was  
ADOPTED Ayes 4 Becker, Aucter, Lyndaker, Keys Recusal 1 Buell Nays 0

WHEREAS, the Town Board of the Town of New Bremen reviewed Site Plan Review and Zoning Permit Application No. 2-2020 submitted by Jason Roggie, requesting change of occupancy from residential garage to commercial for automotive repair shop, located at 7456 Kirschnerville Road, Town of New Bremen, NY, Tax Map No. 130.00-02-09.000, now therefore be it

RESOLVED, the Town of New Bremen accepts said application, designation as Lead Agency for said project and determined, based on the information and analysis of all supporting documentation, that the proposed action will not result in any significant adverse environmental impacts and issued a negative declaration of the Type II action in accordance with 6 NYCRR Part 617; and hereby refers SPRZPA No. 2-2020 with all documentation to the Lewis County Planning Board for their review and recommendations, and be it further

RESOLVED, the Town Board of the Town of New Bremen will hold a public hearing on July 13, 2020 at 6:30 p.m. at the Town Municipal Office Building to hear all interested parties for or against said application.

**RESOLUTION NO. 62 OF 2020  
SUPERVISOR'S FINANCIAL REPORT**

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

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

