

REGULAR MEETING
May 10, 2021

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 10th day of May 2021.

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

Also present: Nick Astafan – DCO, Ian Gilbert – Legislator, Zac & McKenzie Lehman, Michelle Watkins, Patrice Puddington

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

RESOLUTION NO. 44 OF 2021
APPROVAL OF MINUTES

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

RESOLVED, the minutes of the April 12, 2021 meeting are approved.

FLOOR – NEW BREMEN SOLAR PROJECT – DISCUSSION

Several town residents that participated in the virtual community meeting held by AES, voiced their concerns with the proposed New Bremen Solar Project.

1. Environmental and animal habitat impact?
2. Access roads to the sites, battery storage building, noise, glare, decommissioning of the project?
3. Road lease agreement to cover damage to town roads?
4. Fencing/Buffering between the project and home owners?
5. Benefit to the town or our community if any?
6. Property or property owners involved in the project?
7. Affects it could have on our ag district, value of their property and assessments?
8. Preservation of our local farm lands is important and should include possible growth of new farming ideas.

Town Board - Town adopted Solar Energy System Law No. 1 of 2020 to help regulate such projects to protect the health, safety, and welfare of the community; which is to be followed and all requirements set forth by said law to be met. It is the Boards understanding that a PILOT plan for the project will be established along with a "Community Host Agreement" where funds are to be disbursed into and out of to support improvements within the community and is to be regulated by a board consisting of local community members.

Legislator Gilbert also with CMB&K legal representative for the Town for the solar project - this proposed solar project falls under New York State's 94-c permitting process, which the state oversees. Detailed information of the project is supplied in the 94-c application, which gives the Town a discovery period. The Town Board could also request that more information on the project be disclosed and made readily available to the community. The company, AES, will be required to furnish bonds for decommissioning of the project. They also signed a nondisclosure notice which protects the landowners involved.

The Board encourages the community to continue their interest and input on the project. AES who is in charge of the project has a website for updates and more information on the project and also encourages the communities input. A link will be posted on the Town's website. Also, made note that the town is seeking to reactivate the Planning Board and the Zoning Board of Appeals if any were interested in serving on these boards.

The residents thanked the Board for their time and left the meeting at 7:29 p.m.

COUCIL REPORTS

Councilman Aucter

1. Stimulus Funds - ARPA (American Rescue Plan Act) - Still waiting to receive more information from the Department of Treasury on regulations on funding. Legislator Gilbert ran through a few ideas the County is considering and are continuing to work on ideas for projects and possible joint projects with other towns and villages for infrastructure improvements. Board to brain storm and come up with a list of proposed projects.

RESOLUTION NO. 45 OF 2021

TOWN CLERK & TAX COLLECTOR'S MONTHLY REPORTS

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

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

NEW PICKUP

No other quotes for a new pickup were received, board went over the quotes from Nortz & Virkler again. After discussion, the following resolution was presented.

RESOLUTION NO. 46 OF 2021

PICKUP PURCHASE APPROVAL

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

RESOLVED, to purchase 1 – 2022 F250 XLT Crew Cab 4 x 4 Pickup through Nortz & Virkler, Inc.

Superintendent Herzig is to obtain updated pricing to finalize the purchase with a permissive referendum at next meeting.

HIGHWAY - DISCUSSIONS

1. Maintenance of playground, walking trails, park, "proposed" bath area if established – His department does not have the man power or time and small equipment to handle it all along with all the other highway department duties, roadwork, etc. May need to hire an individual to take care of the playground/park maintenance.
2. NBCIA – removed the broken picnic tables from the dugout areas to avoid anyone getting injured. Is concerned with the cleanliness of the kitchen area in the building and health of those eating food prepared there. The town budgets money for the NBCIA for its upkeep, etc., and feels we should be concerned with the situation. NBCIA is a 5103C program, President of the association is Robin Houppert. According to Councilman Becker, when the association was formed years ago, all residents of the Town were considered members.
3. MEO position – Superintendent Herzig is reviewing the applications received and preparing to do interviews. Several applicants live outside of the township and he asked the Board for their guidance whether it is acceptable to hire someone that does not reside within the town. There is nothing in writing stating so. Supervisor Keys feels the goal is to pick the right person for the position and is ultimately Mr. Herzig's decision.
4. 2017 International tandem is paid off.
5. Sweeping – finished.
6. Water Line – installation and connection this week.

RESOLUTION NO. 47 OF 2021

JUSTICES MONTHLY REPORTS

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

RESOLVED, the Justices monthly reports are approved as submitted.

DCO

Nicholas Astafan submitted his monthly report and briefed on the following:

1. Annual Ag & Markets Inspection – May 13th for DCO's equipment, vehicle, etc. Does not foresee any issues.
2. Catch Pole – ordered new catch pole as the old one was broken.



**RESOLUTION NO. 48 OF 2021
DCO MONTHLY REPORT**

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

RESOLVED, the DCO monthly report is approved as submitted.

**RESOLUTION NO. 49 OF 2021
WATER COMMISSIONER APPOINTMENT FOR
BEAVER FALLS WATER DISTRICT**

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

WHEREAS, the office of Water Commissioner for the Beaver Falls Water District held by Brian LaChausse, expires May 31, 2021, now therefore be it

RESOLVED, that Brian LaChausse is hereby reappointed as Commissioner of the Beaver Falls Water District for a 5-year term effective 6/01/21 thru 05/31/2026.

SUPERVISOR

1. Croghan Volunteer Fire Dept. – sent request for a 5% increase for 2022 budget.
2. Cannabis – Attorney Farley advised they are still researching on a local law for “opting out” of allowing retail dispensaries within the towns jurisdiction.

**RESOLUTION NO. 50 OF 2021
SUPERVISOR’S FINANCIAL REPORT**

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

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

**RESOLUTION NO. 51 OF 2021
AUDIT OF CLAIMS**

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

RESOLVED, that Supervisor Keys is authorized and directed to pay the following amounts on Abstract #3 & #5 of 2021 and also approved the report of prior to audit payments for insurance, utilities, comptroller fees for justice court and equipment payment.

General	Voucher #54 thru #61	\$1,448.90
Highway T-Wide	Voucher #49 thru #55	\$4,554.54
Highway T-Outside	Voucher #6 thru #8	\$5,122.24
H. Insurance - \$10,122.40	Utilities - \$2,410.45	
Comptroller - \$1,365.00	Key Finance - \$35,385.36	

The next meeting of the Town Board of the Town of New Bremen will be held on June 14, 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 8:53 p.m. Carried unanimously.