

REGULAR MEETING
October 12, 2020

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 12th day of October 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

Attended by: John Young, Deputy DCO

Supervisor Keys called the meeting to order at 6:34 p.m. with the Pledge to the Flag.

**RESOLUTION NO. 108 OF 2020
APPROVAL OF MINUTES**

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

RESOLVED, the minutes of the September 14th and 28th, 2020 meetings are approved.

DCO

The Board reviewed the DCO's monthly report. Deputy Young stated all is quiet and going well. After review, the following resolution was presented.

**RESOLUTION NO. 109 OF 2020
DCO MONTHLY REPORT**

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

OPEN PUBLIC HEARING

The Public Hearing for "proposed" Local Law No. 2 of 2020 – Amending Local Law No. 3 of the year 2000 related to Flood Damage Control and Amending Local Law No. 2 of the year 2018; was declared open at 6:37 p.m. by Supervisor Keys, with proof of publication in the Journal & Republican noted. Purpose of the law is for the inclusion of additional section for "Interpretation of FHBM, Firm or FBFM boundaries" to give authority to the Local Administrator to make interpretations when there appears to be a conflict between the limits of the federally identified area of special flood hazard and actual field conditions.

CLOSE PUBLIC HEARING

There were no comments by the public; therefore, the public hearing was hereby closed at 6:40 p.m. by Supervisor Keys.

**RESOLUTION NO. 110 OF 2020
ADOPTING LOCAL LAW NO. 2 OF 2020
FLOOD DAMAGE CONTROL**

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

WHEREAS, the Town Board of the Town of New Bremen held a public hearing on the 12th day of October 2020 as advertised in the J & R, now therefore be it

RESOLVED, that the New Bremen Town Board hereby adopts Local Law No. 2 of 2020 – Amending Local Law No. 3 of the year 2000 related to "Flood Damage Control" and Amending Local Law No. 2 of the year 2018.

*Copy of said local law is incorporated at the end of these minutes.

OPEN PUBLIC HEARING

The Public Hearing for Site Plan Review & Zoning Permit Application No. 3-2020 submitted by Lori and Randall Turck to reopen and operate Pond Effects Bar & Grill, located at 7575 Snell Road, Town of New Bremen, NY, Tax Map No. 179.00-04-14.200, was declared open at 6:41 p.m. Proof of publication in the J&R noted.

CLOSE OF PUBLIC HEARING

There were no comments by the public; therefore, the public hearing was hereby closed at 6:44 p.m. The Board to formally move on said site plan at the November 9th meeting once we've received a response and recommendations from the Lewis County Planning Board on the project.

ZONING

A hearing date was set for this meeting by the Town Board to discuss the unsafe building on the property located at 8352 State Rte. 812 Town of New Bremen owned by Stanley and Alice Mathys. Zoning Officer Dailey was to serve notices as directed in section 7 of the Towns Unsafe Buildings & Collapsed Structures local law. Being no parties appeared before the Board and confirmation of service of the notices couldn't be confirmed, the Board decided to table until further information from Mr. Dailey is received.

SITE PLAN REVIEW APP

Skyler Farney, 8685 State Rte. 812, Town of New Bremen, submitted Site Plan Review and Zoning Permit application No. 4-2020; proposed development - CNF Repair LLC, requesting a use change from commercial storage to repair shop, to be located on said premises, Tax Map No. 163.00-02-45.000. Application fee is \$50 for use change. The Board reviewed said application and requires an updated SEAF part 1 form be filled out by the applicant; the Board will complete SEAF parts 2 and 3 after receiving recommendations from the Lewis County Planning Department on the project. After review and discussion, the following resolution was presented.

**RESOLUTION NO. 111 OF 2020
ACCEPTANCE/REFERRAL OF SITE PLAN REVIEW APPLICATION NO. 4-2020**

On a motion of Councilman Aucter, seconded by Councilman Becker, 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. 4-2020, submitted by Skyler Farney, 8685 State Rte. 812, Town of New Bremen; proposed development - CNF Repair LLC, requesting a use change from commercial storage to repair shop, to be located on said premises, Tax Map No. 163.00-02-45.000, now therefore be it

RESOLVED, the Town of New Bremen accepts said application, designation as Lead Agency for said project and hereby refers SPRZPA No. 4-2020 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 November 9, 2020 at 6:30 p.m. at the Town Municipal Office Building to hear all interested parties for or against said application.

COUNCIL REPORTS

Councilwoman Buell

- Cemetery mapping of NBRC on Patty Street – received a quote on ground penetrating radar for \$14,000 and waiting on another quote.

**RESOLUTION NO. 112 OF 2020
TOWN CLERK'S MONTHLY REPORT**

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 Town Clerk's monthly report is approved as submitted.

WEBSITE

Clerk Jones reported updating the Town website to add pages for the New Bremen Rural Cemetery and the Beaver Falls Water District; requested by the water district commissioners.



HIGHWAY SUPERINTENDENT

Highway Superintendent Herzig reported on the following:

1. Finished project on Soft Maple Rd. and ready to pave in 2021.
2. Currently ditching, mowing roadsides, cutting shoulders, tree work and patching roads.
3. Bucket truck is having issues – working on them.
4. Received updated quote for new tandem.
5. Shane DeRycke’s six (6) month probation is up and he will remain on full time.
6. Truck #22 needs a clutch and clutch brake replacement.
7. Getting plow trucks ready for winter.

**RESOLUTION NO. 113 OF 2020
JUSTICES MONTHLY REPORTS**

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, the Justices monthly reports are approved as submitted.

COUNTY

Ian Gilbert, Legislator for District No. 4 was unable to attend but sent a report to the Board; and included at the end of these minutes.

REAL PROPERTY TAX EXEMPTIONS

With further research by Clerk Jones and Candy Akin from Real Property, it was determined that according to NYS Real Property Tax Law 467 the Town Board must hold a public hearing in order to increase the income limit for the aged exemption. After discussion, the following resolution was presented.

**RESOLUTION NO. 114 OF 2020
SET PUBLIC HEARING**

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, that a public hearing will be held by the Town Board of the Town of New Bremen at the Town Municipal Office Building on November 9, 2020 at 6:30 p.m. for the purpose of adopting a resolution raising the income limit for the aged exemption for property tax from \$15,000ss to \$20,500ss as authorized by section 467 of the Real Property Tax Law.

PRELIMINARY BUDGET

Preliminary Budget for 2021 was presented to the Board. With no further changes made, the following resolution was presented.

**RESOLUTION NO. 115 OF 2020
ADOPTION OF PRELIMINARY BUDGET**

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

RESOLVED, that this Town Board of the Town of New Bremen, did review the Tentative Budget of this town for fiscal year beginning January 1, 2021. Itemized estimates of salaries and expenses are on file in the Town Clerk's Office and made a part of this resolution; and now, therefore be it further

RESOLVED, that the Town Clerk will give notice of a public hearing in the manner provided by Section 108 of the Town Law, and that such notice shall be published for 1 week in the Journal & Republican with at least 5 days prior to the date specified for the Public Hearing, 1 copy posted on the Clerk's bulletin board, post to the Town website and linkinglewiscounty.com website, in substantially the following form:

NOTICE OF PRELIMINARY BUDGET

PLEASE TAKE NOTICE that the Preliminary Budget for the Town of New Bremen for fiscal year beginning January 1, 2021, has been filed in the Town Clerk's Office, at the Town Municipal Office Building, 8420 State Rte. 812, New Bremen, New York, where it is available for inspection by any interested person during regular business hours.

