

**TOWN OF WATERLOO
REGULAR TOWN BOARD MEETING
SEPTEMBER 28, 2020**

PRESENT:

Supervisor Don Trout, Councilman Mike Pfeiffer, Tyrone Thomas, Howard Strader and Bob Lotz.

ALSO, PRESENT:

Town Attorney, Dennis Benjamin, Attorney Wendy Marsh, Highway Superintendent, Joe Mull, Assessor, Jim Cleere, Donald Eichenhofer, Ed Lerkins, Dixie Lemmon, Steve Craig, Garrett Washington, and Kyle Black.

PLEDGE OF ALLEGIANCE:

Supervisor Trout led everyone in the Pledge of Allegiance.

2020-053

Councilman Thomas made the motion to approve the Consent Agenda as follows: Councilman Lotz seconded the motion.

Approval of Minutes – August 24th, Regular Town Board Meeting
September 2nd – Budget Workshop Meeting
September 9th, - Budget Workshop Meeting

Approval of Bills:

GENERAL FUND – TOWNWIDE	\$27,281.89
GENERAL – PART TOWN	1,268.00
HIGHWAY TOWNWIDE	11,570.14
HIGHWAY – PART TOWN	113.98
BORDER CITY LIGHT DISTRICT	2,352.88
WATERLOO SEWER DISTRICT #1	2,331.67
5 AND 20 SEWER DISTRICTS	903.18
BURGESS ROAD WATER DISTRICTS	18,489.35
BORDER CITY WATER DISTRICT	15,085.38
POWDERLY ROAD WATER DISTRICT	364.17
BREWER ROAD SOUTH	1,519.07
RTE. 96, REED, HECKER, MILLS, KINGS WD 5	1,915.63
TOTAL	\$83,195.34

Approval of the Town Clerk’s Monthly Report
Approval of the Canine Report

2020-054

At a regular meeting of the Town Board of the Town of Waterloo held at the Waterloo Town Highway Department, 66 Virginia Street, Waterloo, New York on September 28, 2020 at 7:00 p.m., local time the following resolution was adopted. (copy appended to the minutes).

Councilman Strader presented the following “Resolution” which was seconded by Councilman Pfeiffer.

RESOLUTION OF THE TOWN OF WATERLOO TOWN BOARD TO REPEAL LOCAL LAW NO. 1 OF 2020

WHEREAS, on January 13, 2020, the Waterloo Town Board (hereafter “Town Board”) introduced Local Law No. 1 of 2020;

WHEREAS, the Town Board held a Public Hearing on February 24, 2020 as noticed;

WHEREAS, on July 27, 2020, the Town Board adopted Local Law No. 1 of 2020, “A Local Law Amending Chapter 135-7(D) of the Zoning Code”;

WHEREAS, the Town Board hereby desires to repeal, by this Resolution, Local Law No. 1 of 2020, adopted by the Town Board on July 27, 2020 and filed with the New York State Department of State on August 11, 2020, in its entirety; and

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE TOWN OF WATERLOO TOWN BOARD AS FOLLOWS:

1. Local Law No. 1 of 2020 is hereby repealed in its entirety.

THE FOREGOING RESOLUTION, was put to vote as follows:

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Strader
Councilman Thomas
Councilman Lotz

This Resolution was thereupon duly adopted.

2020-055

At a regular meeting of the Town Board of the Town of Waterloo held at the Waterloo Town Highway Department, 66 Virginia Street, Waterloo, New York on September 28, 2020 at 7:00 p.m., local time the following resolution was adopted. (copy appended to the minutes)

Councilman Lotz presented the following “Resolution” which was seconded by Councilman Strader.

RESOLUTION OF THE TOWN OF WATERLOO TOWN BOARD TO INTRODUCE LOCAL LAW NUMBER 2 OF 2020 AMENDING THE LAND USE CONTROL MAP FOR THE TOWN OF WATERLOO AND SCHEDULING A PUBLIC HEARING

WHEREAS, the Town of Waterloo Town Board (hereinafter the “Town Board”) has prepared and introduced Local Law No. 2 of 2020 (hereinafter “Proposed Local Law”) to amend the Land Use Control Map for the Town of Waterloo in accordance with the Municipal Home Rule Law. A copy of the Proposed Local Law is attached as Exhibit A and incorporated herein;

WHEREAS, the Town Board adopted the Town of Waterloo Comprehensive Plan on January 23, 2017 (“Waterloo Comprehensive Plan”);

WHEREAS, the Waterloo Comprehensive Plan discusses Future Land Use, including, but not limited to, potential rezoning of incompatible land uses within the Town;

WHEREAS, the Waterloo Comprehensive Plan states at page 50 that the “Town should review its current zoning map in comparison with the existing land use map to eliminate incompatible land uses”;

WHEREAS, the Waterloo Comprehensive Plan recommends at page 51 that “[a]n inventory should be taken for all individual parcels that have two different zoning designations”;

WHEREAS the Waterloo Comprehensive Plan recommends at page 51 that “[p]arcel with split zoning should be analyzed for rezoning to one zoning designation”;

WHEREAS the Waterloo Comprehensive Plan recommends at page 51 that “[p]articular attention should focus on the main corridors, such as the Routes 5 & 20 corridor”;

WHEREAS, the Town retained the MRB Group to assist to undertake the recommended actions to review the existing Land Use Control Map (also referred to as the “Zoning Map”), as set forth in the Waterloo Comprehensive Plan, and to propose amendments to the Land Use Control Map that address the individual parcels that have two different zoning designations, as well as any incompatible land uses;

WHEREAS, the MRB Group, in conjunction with the Town of Waterloo officials and staff, developed the Proposed Land Use Control Map included in the Proposed Local Law, which rezones over 1,760 acres of property as recommended by the Waterloo Comprehensive Plan;

WHEREAS, the Town Board seeks to set a public hearing on the Proposed Local Law for October 26, 2020, beginning at 7:00 p.m. in the Waterloo Town Highway Department, 66 Virginia Street, Waterloo, New York.

WHEREAS, the Waterloo Town Clerk will publish Notice of the Public Hearing in the Finger Lakes Times at least ten (10) days prior to the Public Hearing;

WHEREAS, the Town Board will accept written comments on the Proposed Local law in the office of the Town Clerk until 4:00 p.m. on October 27, 2020;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE TOWN OF WATERLOO TOWN BOARD AS FOLLOWS:

1. Proposed Local Law No. 2 of 2020 attached hereto is hereby introduced to Amend Chapter 135 of the Town of Waterloo Code to amend the Local Law Use Control Map for the Town of Waterloo.

2. The Town Board sets October 26, 2020 as the date for the Public Hearing on the Proposed Local Law beginning at 7:00 p.m., to be held in the Waterloo Town Highway Department, 66 Virginia Street, Waterloo, NY.

4. The Waterloo Town Clerk is directed to Publish a Notice of the Public Hearing on the Proposed Local law in the Finger Lakes Times at least ten (10) days prior to the Public Hearing.

5. The Waterloo Town Clerk is also directed to accept written comments to the Proposed Local Law in the Office of the Town Clerk until 4:00 p.m. on October 27, 2020.

6. This Resolution shall take effect immediately.

THE FOREGOING RESOLUTION, was put to vote as follows:

AYE

Supervisor Trout
Councilman Pfeiffer
Councilman Strader
Councilman Thomas
Councilman lotz

NAE

This Resolution was thereupon duly adopted.

2020-056

At a regular meeting of the Town Board of the Town of Waterloo held at the Waterloo Town Highway Department, 66 Virginia Street, Waterloo, New York on September 28, 2020 at 7:00 p.m., local time the following resolution was adopted. (copy appended to the minutes).

Councilman Thomas presented the following “Resolution” which was seconded by Councilman Lotz.

RESOLUTION OF THE TOWN OF WATERLOO TOWN BOARD ACCEPTING PART I OF THE FULL ENVIRONMENTAL ASSESSMENT FORM (“FEAF”) PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT RELATIVE TO THE ENACTMENT OF THE TOWN OF WATERLOO LOCAL LAW NO. 2 OF 2020 AMENDING THE LAND USE CONTROL MAP FOR THE TOWN OF WATERLOO

WHEREAS, the Town Board adopted the Town of Waterloo Comprehensive Plan on January 23, 2017 (“Waterloo Comprehensive Plan”);

WHEREAS, the Waterloo Comprehensive Plan discusses Future Land Use, including, but not limited to, potential rezoning of incompatible land uses within the Town;

WHEREAS, the Waterloo Comprehensive Plan states at page 50 that the “Town should review its current zoning map in comparison with the existing land use map to eliminate incompatible land uses”;

WHEREAS, the Waterloo Comprehensive Plan recommends at page 51 that “[a]n inventory should be taken for all individual parcels that have two different zoning designations”;

WHEREAS the Waterloo Comprehensive Plan recommends at page 51 that “[p]arcel(s) with split zoning should be analyzed for rezoning to one zoning designation”;

WHEREAS the Waterloo Comprehensive Plan recommends at page 51 that “[p]articular attention should focus on the main corridors, such as the Routes 5 & 20 corridor”;

WHEREAS, the Town retained the MRB Group to assist to undertake the recommended actions to review the existing Land Use Control Map (also referred to as the “Zoning Map”), as set forth in the Waterloo Comprehensive Plan, and to proposed amendments to the Land Use Control Map that address the individual parcels that had two different zoning designations, as well as any incompatible land uses;

WHEREAS, the MRB Group, in conjunction with the Town of Waterloo officials and staff, developed the Proposed Land Use Control Map, to rezone over 1,760 acres of property as recommended by the Waterloo Comprehensive Plan for consideration by the Town Board to replace the existing Land Use Control Map as set forth in Local Law No. 2 of 2020;

WHEREAS, pursuant to the State Environmental Quality Review Act, which is codified at Article 8 of the New York Environmental Conservation Law (“SEQRA”), the Town Board characterized the adoption of Local Law No. 2 of 2020 (the “Project”) as a SEQRA Type I Action;

WHEREAS, the Town Board caused to be prepared Part 1 of a Full Environmental Assessment Form dated September 28, 2020 for the Project (hereinafter “Part 1 of the FEAF”), a copy of which is attached;

WHEREAS, Part 1 of the FEAF, having been reviewed by the Town Board, was deemed adequate and accurate relative to the Project;

WHEREAS, the Town Board is the only SEQRA “Involved Agency”, as that term is defined by the SEQRA regulations codified at 6 NYCRR § 617.2(t), and is therefore the SEQRA Lead Agency pursuant to 6 NYCRR § 617.6(b)(1);

WHEREAS, the Town Board identified the Seneca County Planning Board, Board of Trustees of the Village of Waterloo, Town Board of the Town of Geneva, City of Geneva, Town Board of the Town of Seneca Falls, Town Board of the Town of Junius, Town Board of the Town of Tyre, Town Board of the Town of Phelps, and Town Board of the Town of Fayette, as SEQRA Interested Agencies relative to the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE TOWN OF WATERLOO TOWN BOARD AS FOLLOWS:

1. Based upon a thorough examination and analysis of the FEAf and review of the SEQRA regulations found at 6 NYCRR § 617.7, and based further upon the Town Board’s knowledge of the area surrounding the Project, the Town Board finds the Project constitutes a Type I action as defined by the SEQRA regulations at 6 NYCRR § 617.2(aj);

2. The Town Board accepts Part 1 of the FEAf dated September 28, 2020, prepared for the Project.

3. The Town Board finds that, after reasonable inquiry and due diligence, there are no other Involved Agencies.

4. The Town Board seeks input from all Interested Agencies and, therefore, authorizes the Town Clerk to transmit a copy of Part 1 of the FEAf to all Interested Agencies and to solicit comments therefrom.

5. This Resolution shall take effect immediately.

THE FOREGOING RESOLUTION, was put to vote as follows:

<u>AYE</u>	<u>NAE</u>
Supervisor Trout	
Councilman Pfeiffer	
Councilman Strader	
Councilman Thomas	
Councilman lotz	

This Resolution was thereupon duly adopted.

Councilman Pfeiffer made the motion to schedule a Special Meeting on November 2nd, at 5:30 PM. Councilman Thomas seconded the motion.

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| <u>AYE</u> | <u>NAE</u> |
| Supervisor Trout | |
| Councilman Pfeiffer | |
| Councilman Strader | |
| Councilman Thomas | |
| Councilman lotz | |

This Resolution was thereupon duly adopted

2020-058

Councilman Lotz made the motion to approve the Tentative Budget for the year 2021. Councilman Strader seconded the motion.

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| <u>AYE</u> | <u>NAE</u> |
| Supervisor Trout | |
| Councilman Pfeiffer | |
| Councilman Strader | |
| Councilman Thomas | |
| Councilman lotz | |

This Resolution was thereupon duly adopted

2020-059

Councilman Thomas made the motion to set the Public Hearing on the Preliminary Budget on October 26, 2020 at 7:05 PM. Councilman Lotz seconded the motion.

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| <u>AYE</u> | <u>NAE</u> |
| Supervisor Trout | |
| Councilman Pfeiffer | |
| Councilman Strader | |
| Councilman Thomas | |
| Councilman lotz | |

This Resolution was thereupon duly adopted.

2020-060

Councilman Pfeiffer made the motion to approve the final health department stipulations for the Trelina Energy Company.

- | | |
|-------------------|-------------------|
| <u>AYE</u> | <u>NAE</u> |
| Supervisor Trout | |

Councilman Pfeiffer
Councilman Strader
Councilman Thomas
Councilman lotz

This Resolution was thereupon duly adopted.

PETITIONERS OF THE FLOOR:

Mr. Garrett Washington, a representative of Performance Pipeline, inc. addressed the board and asked how the town was getting the sanitary sewers rehabilitated. Supervisor Trout said the town is working on this issue and just completed the inspection of 120 manholes. Supervisor Trout said that by the end of year the town will have a Capital Plan in place and by then, they will know what they are dealing with and have a plan in place to correct these issues.

Mr. Washington said he knows that residents of New York are responsible for the sanitary service from the road to the main and he said the town also shares some of this responsibility.

He said their company rehabilitates sewer systems and explained to the board how they do these repairs, what materials they use and showed them some of materials their companies use.

Supervisor Trout said currently we don't have the data as to the extent of the repairs that will be needed, but he hopes by the end of the year we will have more accurate information as to what we are looking at.

He told Mr. Washington to keep in contact with MRB Engineer, Mr. Pat Nicoletta.

OLD BUSINESS:

Mr. Patrick Nicoletta gave an update on the Map Plan Report for Pre-Emption Street and said they are still working on the Map Plan Report and will have it ready for the Town Board Meeting on October 26th. Mr. Nicoletta also said at the October meeting he will do the SEQR Process.

Mr. Nicoletta also said he has been working with Mr. Tom Finnerty on the meter at Seneca Lake Park. He said the Town will have a Master Meter and it will be one single read for the Town. Pat also said anything that runs over will be charged to the Park.

Mr. Nicoletta said he will bring that agreement to the Board at the October Meeting and will also submit the proposal to Seneca Park Officials.

Councilman Pfeiffer asked if that would be an underground vault?

Mr. Nicoletta said yes, and the cost of the vault is approximately \$15,000.00, the hatch is about \$4,000 and the piping is approximately \$10,000 to \$15,000 for an approximate cost of \$30,000 to \$35,000.00.

Supervisor Trout asked Mr. Nicoletta to get a quote on the price of this project and then he will contact the Sessler Company as they previously said they will share in the cost of this project with the Town.

DEPARTMENT REPORTS:

Assessor, Jim Cleere said his office has issued six Zoning Permits and has two items on the agenda for the Planning Board. One is the expansion of Jeff Cook’s Mobile Home Park and the other is the expansion of John Kenny’s campground.

2022-061

Councilman Pfeiffer made the motion to adjourn the meeting at 7:55 PM. Councilman Lotz seconded the motion.

AYE
Supervisor Trout
Councilman Pfeiffer
Councilman Strader
Councilman Thomas
Councilman lotz

NAE

This Resolution was thereupon duly adopted

Supervisor Trout
Councilman Pfeiffer
Councilman Strader
Councilman Thomas
Councilman lotz

This Resolution was thereupon duly adopted.

Respectfully Submitted,

Sandra L. Ridley
Town Clerk