

**Town of Waterloo
Minutes
Public Hearing
Regular Town Board Meeting
May 22, 2023
5:30 PM**

Present: Supervisor Trout, Councilman Pfeiffer, Councilman Lotz, Councilman Strader and Councilman Thomas.

Absent:

Also Present: Highway Superintendent Joe Mull, Assessor James Cleere, Account Clerk Kim Hendrickson, Attorney D. Benjamin, John Morabito, Walter Mumford, Joe Wukitsch, Patty Bartran, Ken and Rita Cook, Jim Clise, Josef Shaffer and Ed Lerkins.

Pledge of Allegiance:

Supervisor Trout led everyone in the Pledge of Allegiance.

Fire Exits:

Supervisor Trout indicated where the fire exits were located.

2023-72

Councilman Lotz made a motion to open the Public Hearing pertaining to the proposed Code Updates for Zoning Code Chapter 135. Councilman Pfeiffer seconded the motion.

AYE

Supervisor Trout
Councilman Pfeiffer
Councilman Lotz
Councilman Thomas
Councilman Strader

NAE

The motion was carried.

2023-73

Councilman Lotz made a motion to close the Public Hearing. Councilman Thomas seconded the motion.

AYE

Supervisor Trout
Councilman Pfeiffer
Councilman Lotz
Councilman Thomas

NAE

Councilman Strader

The motion was carried.

Supervisor Trout tabled Public Hearing #2 pertaining to the Sewer Rate Update for Code Chapter.111 until further notice.

2023-74

Councilman Lotz made a motion to open the Regular Town Board Meeting.
Councilman Thomas seconded the motion.

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

The motion was carried.

2023-75

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

Approval of Minutes –April 24, 2023
Approval of the Town Clerk’s Monthly Report
Approval of Canine Report
Approval of Bills:

GENERAL FUND- TOWNWIDE	\$37,419.66
GENERAL-PART TOWN	\$3,346.00
HIGHWAY TOWNWIDE	\$9,272.46
HIGHWAY PART-TOWN	\$4,908.70
WATERLOO SEWER DISTRICT #1	\$2,362.98
5&20 SEWER DISTRICT	\$53,308.83
BURGESS ROAD WATER DISTRICT	\$16,996.83
BORDER CITY WATER DISTRICT	\$7,818.03
POWDERLY ROAD WATER DISTRICT	\$148.20
BREWER ROAD SOUTH	\$3,068.00
RTE 96, REED, HECKER, MILLS, KINGS WD 5	\$50.00
TOTAL:	\$138,699.69

TOTAL: \$138,699.69

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Lotz
Councilman Thomas
Councilman Strader

The motion was carried.

MRB Pat Nicoletta reviewed SEQR Parts 2 through 3 of the EAF for Zoning Code updates.

2023-76

Councilman Lotz made a motion to accept the **SEQR Designating the Town of Waterloo Lead Agency**, Town Code Update Chapter 135: Zoning Code Amendments. It is as follows. Councilman Thomas seconded the motion.

**TOWN OF WATERLOO– TOWN CODE UPDATE
CHAPTER 135: ZONING CODE AMENDMENTS
SEQR RESOLUTION
DESIGNATING LEAD AGENCY**

WHEREAS, the Town of Waterloo Town Board (hereinafter referred to as “Town Board”) has on Monday, May 22, 2023 reviewed the State Environmental Quality Review (hereinafter referred to as “SEQR”) Full Environmental Assessment Form (hereinafter referred to as “EAF”) Part 1 for the adoption of Chapter 135: Zoning Code Amendments for the Town of Waterloo, New York; and

WHEREAS, the Town Board previously determined that said Action is classified as a Type 1 Action under SEQR Regulations; and

WHEREAS, the Town Board previously determined that said Action does not require coordination as only one involved agency has been determined under SEQR Regulations; and

WHEREAS, the Town Board previously determined that said Action is not subject to review and approval by other involved agencies under SEQR Regulations; and

WHEREAS, the Town Board has provided written notices to this effect to the interested agencies; and

WHEREAS, the Town Board has previously determined that it is the most appropriate agency to insure the coordination of this Action and for making the determination of significance thereon under the SEQR Regulations.

NOW, THEREFORE BE IT RESOLVED that the Town Board does hereby designate itself as the lead agency for the Action identified above herein;

Motion made by Councilman: B. Lotz: Seconded by Councilman: T. Thomas

Dated: May 22, 2023

The above Resolution was duly adopted on May 22, 2023, by the Town of Waterloo Town Board.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Lotz
Councilman Thomas
Councilman Strader

The motion was carried.

2023-77

Councilman Strader made the motion to accept **the SEQR Determination of Environmental Significance, Town of Waterloo, Town Code Update Chapter 135: Zoning Code Updates**. It is as follows: Councilman Pfeiffer seconded the motion.

**TOWN OF WATERLOO – TOWN CODE UPDATE
SEQR RESOLUTION
DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE**

WHEREAS, the Town of Waterloo Town Board (hereinafter referred to as “Town Board”) has determined the above referenced Action to be a Type 1 Action pursuant to Part 617 of the State Environmental Quality Review (hereinafter referred to as “SEQR”) Regulations; and

WHEREAS, the Town Board has reviewed and accepted the completed Full Environmental Assessment Form Parts 1, 2, and 3 on the Action prepared by the MRB Group; and

WHEREAS, the Town Board has completed the public comment period provided for under the SEQR Regulations; and

WHEREAS, the Town Board has designated itself as lead agency under the SEQR Regulations for making the determination of significance upon said action; and

WHEREAS, the Town Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in Full Environmental Assessment Form Parts 1, 2, and 3.

NOW THEREFORE BE IT RESOLVED, that said Action **WILL NOT** result in any significant adverse environmental impacts based on the review of the Full Environmental Assessment Form; and

BE IT FINALLY RESOLVED that the Town Board does hereby make a Determination of Non-Significance on said Action, and the Supervisor is hereby directed issue the Negative Declaration as evidence of the Town Board determination of environmental non-significance.

Motion made by Councilman: H. Strader; Seconded by Councilman: M. Pfeiffer
Dated: May 22, 2023.

The above Resolution was duly adopted on May 22, 2023, by the Town of Waterloo Town Board.

AYE

NAE

Supervisor Trout

Councilman Pfeiffer
Councilman Lotz
Councilman Thomas
Councilman Strader

The motion was carried.

2023-78

Councilman Strader made the motion to accept the **Legal Services Agreement Authorization for the Town of Waterloo, South Pre-Emption Street Water District Water Improvements**. It is as follows: Councilman Thomas seconded the motion.

**TOWN OF WATERLOO
SOUTH PRE-EMPTION STREET WATER DISTRICT
WATER IMPROVEMENTS
LEGAL SERVICES AGREEMENT AUTHORIZATION RESOLUTION**

WHEREAS, the Town of Waterloo (hereinafter referred to as Town Board) is intending to install water main along South Pre Emption Street between Packwood Road and the end of the existing 6” north of the railroad. Length of main is approximately 7,100 feet of 8” water main including PVC and HDPE pipe; and

WHEREAS, the Town received funding from USDA in the form of grant and loan. USDA has issued a Letter of Conditions for the Town of Waterloo. Part of the Letter of Conditions is to retain service of an Attorney and enter into an Agreement. The Agreement is to provide a “not to exceed amount” to provide services related to the Water District; and

WHEREAS, the Attorney, Benjamin and James, PLLC submitted a Agreement for Legal services for the South Pre Emption Street Water District. An estimated amount “not to exceed amount” is \$2,750 and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board accepts and approves the Legal Agreement from Benjamin and James, PLLC in the amount “not to exceed” of \$2,750 for Legal Services to the district and authorize the Town Supervisor to enter into the Agreement and sign the agreement provided.

Motion made by Councilman: H. Strader: Seconded by Councilman T. Thomas
Dated: May 22, 2023.

The above Resolution was duly adopted by the Town of Waterloo Town Board.

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

The motion was carried.

2023-79

Councilman Lotz made the motion to accept the **Wetland Delineation Support and Bald Eagle Study Agreement Authorization for the Town of Waterloo,**

South Pre-Emption Street Water District Water Improvements. It is as follows: Councilman Pfeiffer seconded the motion.

**TOWN OF WATERLOO
SOUTH PRE-EMPTION STREET WATER DISTRICT
WATER IMPROVEMENTS
WETLAND DELINEATION SUPPORT AND BALD EAGLE STUDY
AGREEMENT AUTHORIZATION RESOLUTION**

WHEREAS, the Town of Waterloo (hereinafter referred to as Town Board) is intending to install water main along South Pre Emption Street between Packwood Road and the end of the existing 6” north of the railroad. Length of main is approximately 7,100 feet of 8” water main including PVC and HDPE pipe; and

WHEREAS, the Town received funding from USDA in the form of grant and loan. USDA has issued a Letter of Conditions for the Town of Waterloo. Part of the Letter of Conditions is to obtain approvals for respective agencies. As wetlands are in the project area we may need to coordinate with Army Corp. of Engineers (ACOE) and NYSDEC dependent on the delineation obtained along with a Bald Eagle Study. The Agreement is to provide a delineation with mapping and a Bald Eagle Study to provide services related to the Water District; and

WHEREAS, Diehlux prepared an Ecological Services proposal. An Agreement needs to be prepared for such services. The Agreement will be for a lump sum of \$2,450.00. and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board accepts and approves the Ecological Services in the amount of \$2,450.00 to the district and authorize the Town Supervisor to enter into the Agreement and sign the agreement provided.

Motion made by Councilman R. Lotz: Seconded by Councilman M. Pfeiffer

Dated: May 22, 2023.

The above Resolution was duly adopted by the Town of Waterloo Town Board.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Lotz
Councilman Thomas
Councilman Strader

The motion was carried.

2023-80

Supervisor Trout made a motion to set the date and time - June 26, 2023, at 5:30PM for the Public Hearing regarding the Municipal Water Rate being set at \$3.99 for 2023. Councilman Thomas seconded the motion.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Lotz
Councilman Thomas
Councilman Strader

The motion was carried.

2023-81

Councilman Lotz made the motion to approve the update to the Employee Handbook pertaining to the Town of Waterloo Highway and Water/Sewer Maintainer's company vehicle usage. Councilman Pfeiffer seconded the motion.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Lotz
Councilman Thomas
Councilman Strader

The motion was carried.

2023-82

Councilman Lotz made the motion to accept the letter of Resignation from Perry Cleveland from the Town of Waterloo Planning Board Effective immediately. Councilman Thomas seconded the motion.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Lotz
Councilman Thomas
Councilman Strader

The motion was carried.

2023-83

Councilman Lotz made a motion to approve Sandra Ridley to fulfill the remainder of Perry Cleveland's term ending 1/21/2028 for the Town of Waterloo Planning Board. Councilman Strader seconded the motion.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Lotz
Councilman Thomas
Councilman Strader

The motion was carried.

2023-84

Councilman Strader made the motion to approve the transfer of the remaining money (\$128,730.03) in the previous Water Improvement Project Fund (X3416-Savannah Bank, NA) into the Water Account (X1270-Savannah Bank, NA) for the Master Meter Project-SW5 AND SW2. Councilman Thomas seconded the motion.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Lotz
Councilman Thomas
Councilman Strader

The motion was carried.

2023-85

Councilman Thomas made a motion to approve a part-time Court Clerk for the Town of Waterloo Justice Court at \$20.00/hr. Councilman Lotz seconded the motion.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Lotz
Councilman Thomas
Councilman Strader

The motion was carried.

2023-86

Councilman Lotz made a motion to approve an increase in the rate of pay for full-time Court Clerk (Robin Labour) from \$20.27 to \$23.00/hr. Councilman Strader second the motion.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Lotz
Councilman Thomas
Councilman Strader

The motion was carried.

2023-87

Councilman Thomas made a motion to approve a pay increase for Water/Sewer Maintainer Josef Shafer to \$24.69 from \$23.69 (One Year Anniversary pay increase, Maintenance License + CDL). Councilman Pfeiffer seconded the motion.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Lotz
Councilman Thomas
Councilman Strader

The motion was carried.

Supervisor Trout stated there would be more discussion in the Executive Session on this.

2023-88

Councilman Pfeiffer made a motion to approve a pay increase for Highway Laborer Nash Ridley from \$23.69 to \$24.69 (One Year Anniversary pay increase). Councilman Lotz seconded the motion.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Lotz
Councilman Thomas
Councilman Strader

The motion was carried.

2023-89

Councilman Lotz made a motion to accept part-time Cleaner (Ashley Bovard) @ the rate of \$16.50/hr. Councilman Pfeiffer seconded the motion.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Lotz
Councilman Thomas
Councilman Strader

The motion was carried.

2023-90

Councilman Pfeiffer made the motion to set the Public Hearing for the next Board Meeting, June 26, 2023, at 5:30PM, to discuss possible 3-year contract with the

Village of Waterloo Fire Protection for District A. Councilman Thomas seconded the motion.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Lotz
Councilman Thomas
Councilman Strader

The motion was carried.

Petitioners to the floor:

Walt Mumford addressed the board about flooding issues. Supervisor Trout stated that he would send Highway Superintendent Joe Mull to check the situation.

John Morabito addressed the Board about purchasing 3 more Easy-Off Fire Hydrants for \$975.00. The board told him to go ahead and order them.

Sewer Maintainer Josef Shafer addressed the Board about the Juniper Mapping GPS System which uses Blue Tooth. This is a solution for the mapping issues when they are on a job. Josef gave the following figures:

DEVICE \$100.00, MONTH \$20.00 or UNLIMITD \$34.00

Supervisor Trout asked Pat Nicoletta if this was the same type of Mapping done in District's 1 & 2. Pat stated it was. Pat stated they could work with the Water/Sewer guys and have more discussion on this as well as help set them up.

Steve Churchill approached the Board and reviewed the information on the Town Clerk and Councilman's tablet or laptop system for meetings. Councilman Pfeiffer asked Steve to come in and explain the options. There was much discussion.

Supervisor Trout stated that tablets/laptops would stay in the building. Renewed units would be an option to cut costs.

Supervisor Trout said there are benefits to the Town when applying for grants if they see there is an effort to make changes to go green.

2023-91

Councilman Pfeiffer made a motion to spend \$3,000.00 on tablets or laptops for the Town Clerk and Councilman for meeting purposes. Councilman Thomas seconded the motion.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Lotz
Councilman Thomas
Councilman Strader

The motion was carried.

Committee Reports:

Councilman Pfeiffer talked about Spectrum (Account Clerk Kim Hendrickson has researched this). The options are few. We have so many issues with our phone system, we need to see what we can do to get the situation corrected. We need new phones. The ones we have are old. More research.

Councilman Pfeiffer stated that the Town Clerk has expressed interest in getting a card reader system for the Town. Supervisor Trout stated that if we could get a guarantee for the money- so they cannot dispute the charge and take the money back- we can see about it. Municipal government may be different.

Councilman Strader stated that there was a Fire Survey Meeting coming up on June 7, 2023. We will review that at our next Board meeting.

Councilman Strader said Jim and Kim have been a great help in going over the Sewer Rates and finding a few missed EDU'S that have not been transferred over. We are cross-referencing the Village. It is going well.

We are coming up with a gameplan for the campgrounds and the manholes and we will have that information at the next meeting.

Assessor James Cleere has been working with Councilman Strader and Kim, grievances are tomorrow, and permits are coming in. He is finishing up the Codes. Jim is also creating a master spread sheet like he did for the water districts with the tax map numbers for Kim, so she can input her billing and have an updated list.

Councilman Pfeiffer asked if he contacted Lowes for a meeting. Assessor Cleere has been trying to get ahold of the Lawyers. The board of assessment gets this every year. The attorneys have worked with each other on this for years to keep things out of the courts. There was a discussion. Jim will update everyone.

Councilman Pfeiffer asked if it was a desire or a possibility to have the School Tax office move here to the Town building. They are being removed from the Shop Center. Supervisor Trout stated that his office has great space. Some one should use it. Councilman Pfeiffer thought that was a great idea. Supervisor Trout said the other taxes are paid in the building and it would be under one roof. Councilman Pfeiffer said they could come over to look at it. Boces pays for their space. Supervisor Trout stated that he was not opposed to the idea, and he thought that the people would like to pay their taxes all in the same place.

2023-92

Supervisor Trout stated that he needed to make budget modifications to last year's budget for the AUD so that it gets filed correctly. Councilman Lotz made the motion and Councilman Pfeiffer seconded the motion.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Lotz
Councilman Thomas
Councilman Strader

The motion was carried.

2023-93

Councilman Lotz made a motion to go into Executive Session to discuss Josef Shaffer's additional \$1.00 raise. Councilman Strader seconded the motion.

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

The motion was carried.

The Town Board came out of Executive session at 6:20PM.

2023-94

Councilman Lotz made a motion to resume the Town Board Meeting. Councilman Pfeiffer seconded the motion.

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

The motion was carried.

2023-95

Councilman Lotz made the motion for Josef Shafer to not only receive the first-year anniversary \$1.00 /hr. raise but to also receive an additional \$1.00 raise due to his recent Water/Wastewater License that he acquired. Councilman Pfeiffer seconded the motion.

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

The motion was carried.

2023-96

Councilman Pfeiffer made the motion to adjourn the Town Board Meeting at 6:22PM. Councilman Lotz seconded the motion.

AYE

NAE

Supervisor Trout

Councilman Pfeiffer

Councilman Lotz

Councilman Thomas

Councilman Strader

The motion was carried.

Respectfully Submitted,

Rosemarie A. Marsh
Waterloo Town Clerk