

**Town of Waterloo
Minutes
Regular Town Board Meeting
September 25, 2023
5:30 PM**

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

Absent:

Also Present: Highway Superintendent Joe Mull, Account Clerk Kim Hendrickson, Assessor James Cleere, Attorney D. Benjamin, Georgie Arno, Ed Lerkins, Patty Bartran, Joe Ciancaglini and Joe Wukits.

Pledge of Allegiance:

Supervisor Trout led everyone in the Pledge of Allegiance.

Fire Exits:

Supervisor Trout indicated where the Fire Exits were located.

2023-154

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

Approval of Minutes - August 28th, 2023
Approval of the Town Clerk's Monthly Report
Approval of Canine Report
Approval of Bills:

GENERAL FUND-TOWNWIDE	\$13,558.13
GENERAL-PART TOWN	1,214.39
HIGHWAY TOWNWIDE	\$13,683.64
HIGHWAY PART TOWN	\$6,419.54
BORDER CITY LIGHT DISTRICT	\$3,783.87
WATERLOO SEWER DISTRICT #1	94,239.65

5 &20 SEWER DISTRICT	\$19,343.68
BURGESS ROAD WATER DISTRICT	\$19,628.28
BORDER CITY WATER DISTRICT	\$2,761.34
POWDERLY ROAD WATER DISTRICT	\$207.68
BREWER ROAD SOUTH	\$3,410.80
RTE 96, REED, HECKER, MILLS, KINGS WD 5	\$3,583.80
PRE-EMPTION WATER DISTRICT 6	53.48
TOTAL:	\$181,888.28

TOTAL: \$181,888.28

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Strader
Councilman Thomas
Councilman Lotz

The motion was carried.

2023-155

Councilman Lotz made a motion to pass **Local Law NO. 1-2023** as follows: Councilman Thomas seconded the motion.

TOWN OF WATERLOO

A LOCAL LAW OF THE YEAR OF 2023

A local law authorizing the amendment of Chapter 135 Zoning and "Schedule I: Land Use or Activities" and "Schedule II: Area, Frontage, Yard Height and Coverage Requirements" for the Town of Waterloo.

Be it enacted by the Town Board of the Town of Waterloo, New York, as follows:

1. Legislative Intent: It is the intent of this local law to provide the Town of Waterloo with an updated schedule reference for Chapter 135 regarding "Zoning", "Area, Frontage, Yard Height, and Coverage Requirements" which are directly related to the health, safety and general welfare of the residents as a whole.
2. Authority: This Local law is enacted by the Town Board pursuant to its authority to adopt

Local laws under Article IX of the New York State Constitution and Municipal Home Rule Law 10.

3. Provisions and Term: Chapter 135 "Zoning", "Land Use & Activities", and "Area, Frontage, Yard Height and Coverage Requirements" amended in its entirety establishing standards for all residential, commercial, and industrial properties within the Town of Waterloo.
4. Severability: If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.
5. This local law shall take effect immediately upon filing with the Secretary of State.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Strader
Councilman Thomas
Councilman Lotz

The motion was carried.

2023-156

Councilman Pfeiffer made a motion to approve the Renewable Energy Tax Exemption Local Law Adoption 2023 SEQR, Designating the Town of Waterloo as **Lead Agency** as follows:
Councilman Thomas seconded the motion.

TOWN OF WATERLOO
RENEWABLE ENERGY TAX EXEMPTION LOCAL LAW ADOPTION 2023
SEQR RESOLUTION
DESIGNATING LEAD AGENCY

WHEREAS, the Town of Waterloo Town Board (hereinafter referred to as Town Board) has on Monday, August 28, 2023 declared its intent to be designated the Lead Agency for the Town of Waterloo -Renewable Energy Tax Exemption Local Law Adoption under the provisions of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Town Board previously determined that said Action is classified as a Type 1 Action under the State Environmental Quality Review (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 involved and 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;

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Strader
Councilman Thomas
Councilman Lotz

The motion was carried.

2023-157

Councilman Pfeiffer made a motion to approve the Town of Waterloo **Renewable Energy Tax Exemption EAF PART 2-** Identification of Potential Project Impacts. Councilman Lotz seconded the motion.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Strader
Councilman Thomas
Councilman Lotz

The motion was carried.

2023-158

Councilman Pfeiffer made a motion to approve the Town of **Waterloo Renewable Energy Tax Exemption EAF PART 3-** Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance. Councilman Lotz seconded the motion.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Strader
Councilman Thomas
Councilman Lotz

The motion was carried.

2023-159

Councilman Thomas made a motion to approve the Town of **Waterloo Renewable Energy Tax Exemption Local Law Adoption 2023 SEQR Determination of Environmental Significance** as follows: Councilman Lotz seconded the motion.

TOWN OF WATERLOO
RENEWABLE ENERGY TAX EXEMPTION LOCAL LAW ADOPTION 2023
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 (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.

AYE

NAE

- Supervisor Trout
- Councilman Pfeiffer
- Councilman Strader
- Councilman Thomas
- Councilman Lotz

The motion was carried.

2023-160

Councilman Pfeiffer made a motion to pass the Town of Waterloo **Local Law NO. 2 OF 2023** as follows: Councilman Lotz seconded the motion.

**TOWN OF WATERLOO
A LOCAL LAW OF THE YEAR OF 2023**

A local law to Provide that the Exemptions for Solar or Wind Energy Systems and for Farm Waste Energy Systems Pursuant to Real Property Tax Law Section 487 Shall not Be Applicable Within the Town of Waterloo.

Be it enacted by the Town Board of the Town of Waterloo, New York, as follows:

1. **Legislative Intent:** It is the intent of this local law to remove the existing Real Property Tax exemption for Solar and Wind Energy Systems and Farm Waste Energy Systems in accordance with §487 of Real Property Tax Law.
2. **Authority:** This local law is adopted in accordance with §467 & 459 (c) of the Real Property Tax Law of the State of New York which expressly authorizes said exemptions with all other provisions remaining in effect.
3. **Severability:** If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.
4. This local law shall take effect immediately upon filing with the Secretary of State.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Strader
Councilman Thomas
Councilman Lotz

The motion was carried.

2023-161

Councilman Strader made a motion to approve the Junk Yard Applicants for the year 2023. They are Don Trout, Trout's, Cavali's and Paine's Garage. Councilman Lotz seconded the motion.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Strader
Councilman Thomas
Councilman Lotz

The motion was carried.

2023-162

Councilman Lotz made a motion to approve Steve Pain's Racetrack and Go Cart permits for 2023. Councilman Thomas seconded the motion.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Strader
Councilman Thomas
Councilman Lotz

The motion was carried.

2023-163

Councilman Strader made a motion to approve the Annual Mobile Home Park Licenses. Councilman Lotz seconded the motion.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Strader

Councilman Thomas
Councilman Lotz

The motion was carried.

2023-164

Councilman Strader made a motion to approve the transfer of NYS OCS ACH payments totaling: \$1972.31 (G0853-\$110.00, D3089-\$432.36, and D3090-\$1,429.95) from the Savannah Bank, NA Public Funds (X1260) to Water Account (x1270). Councilman Pfeiffer seconded the motion.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Strader
Councilman Thomas
Councilman Lotz

The motion was carried.

There was discussion on a Capital Plan to pay back SS1 District. No action was taken.

2023-165

Councilman Lotz made a motion to approve the amount to be re-levied for water and sewer- all districts will be \$200.00 for the fiscal year 2023 to go onto the 2024 Town and County Tax roll. Councilman Stader seconded the motion.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Strader
Councilman Thomas
Councilman Lotz

The motion was carried.

2023-166

Councilman Pfeiffer made a motion to approve stating that the Water Rates for 2023-2024 will be \$62.60 (up to 7,475 gallons of water) and then \$6.50 per 1,000 gallons after. This is to cover the Village of Waterloo Municipal Rate increase and factor in personnel. Councilman Lotz seconded the motion.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Strader

Councilman Thomas
Councilman Lotz

The motion was carried.

PETITIONERS TO THE:

Mr. Chingalini approached the Board for help with his water bill. He is a senior citizen. There was discussion and Supervisor Trout stated the board would discuss taking into consideration people over the age of 67 having a different rate. The county has a program for other services for seniors as well. Councilman Strader mentioned an idea that perhaps we could do something according to usage. Supervisor Trout stated that the board would talk about everything this month.

Georgie Arno approached the board about the pressure regulator. She wanted to know who was going to maintain the pressure regulator. If it was not going to be maintained by the Town in her house, then she wanted to have it relocated to the road and wanted a letter from the Town. Supervisor Trout stated that if the board approves it, we can send a letter to her stating that it is this board's opinion that the next time the pressure regulator breaks in the future, it will be placed outside the house. Ms. Arno stated that she agreed with this.

2023-167

Councilman Lotz made a motion to send a letter to Georgie Arno stating that it is in this Town Board's opinion that the next time the pressure regulator breaks in the future, it will be placed outside the house. Councilman Pfeiffer seconded the motion.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Strader
Councilman Thomas
Councilman Lotz

The motion was carried.

MRB representative Pat Nicoletta approached the board and gave an update on the easement in the South Pre-Emption district. Supervisor Trout stated that Assessor Jim Cleere will go out this week or call and speak with the homeowners. There was a discussion.

Pat also updated the board on the Health Department approval. He has not heard back from them since he sent over the specifications. He will update as he knows. There was a discussion.

Pat stated that the water meters are getting worked on with the water department and the sewer is on hold with the grant.

Councilman Pfeiffer commented that Joe and Pat needed to get together to discuss some issues. Joe stated he would get together with Pat this week. Councilman Lotz asked if it had to do with the possibility of back feeding. Highway Superintendent Joe Mull stated yes. There was much discussion on dual mags and dual reads.

COMMITTEE REPORTS:

The Highway Superintendent stated that the guard rail company came out to Hecker Road. Work will start next week.

2023-168

Councilman Pfeiffer made a motion to go into Executive Session at 6:00 PM to discuss employee matters. Councilman Lotz seconded the motion.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Strader
Councilman Thomas
Councilman Lotz

The motion was carried.

The Town Board came out of Executive Session and no action was taken.

2023-169

Councilman Pfeiffer made a motion to adjourn the meeting immediately after Executive Session. Councilman Lotz. Seconded the motion.

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Strader
Councilman Thomas
Councilman Lotz

The motion was carried.

Respectfully Submitted,

Rosemarie A. Marsh
Waterloo Town Clerk