

March 7, 2023

The regular meeting of the Varick Town Board was called to order by Supervisor Robert Hayssen at 7:00 p.m. Present at this meeting were Councilmen Richard McCulloch, and Eric Riegel, Town Clerk, Donna Karlsen, Bookkeeper, Angela Testa, Highway Superintendent, Ben Freier, Water Operator, Ben Karlsen, Attorney for the Town, Joe Midiri, and Planning Board member, Cindy Lont.

A motion by Richard McCulloch, seconded by Erick Riegel and so carried unanimously to approve Abstract No. 3, Vouchers 443 to 477 in the amount of \$35,612.06.

**Highway:** Ben Freier reported that he has ordered pipe to begin road work in April, weather permitting. He also reported that he has applied for grant funding to repair the culvert pipe on Yale Farm Road but does not expect to hear if the town has received any grant funding any sooner than July.

**Judge:** Mr. Riegel reported that he will be meeting with the court clerk March 14<sup>th</sup> to examine the court records and dockets and will report his findings at the April meeting.

**Supervisor/Bookkeeper Report:** Mrs. Testa asked the board for a motion to transfer \$25,000 from the General Fund savings to the Highway fund savings as agreed to by the passage of the 2023 budget.

A motion by Eric Riegel, seconded by Richard McCulloch and so carried unanimously to transfer \$25,000 from the General Fund savings to the Highway Fund savings.

A motion by Richard McCulloch, seconded by Eric Riegel and so carried unanimously to approve the January 2023 Supervisor's Report.

**Water Operator's Report:** February 2023

- Marked out Dig Safety's.
- Got weekly meter reads.
- Did weekly water tests for each district.
- Took bac t samples in all 4 districts.
- Filled out and submitted monthly water report to health department.
- Data logged water usage in each district.
- Answered questions dealing with each water district and sewer system.
- Called in Dig Tickets for upcoming projects.
- Cleaned shop.
- Ordered parts as needed for upcoming jobs.
- Sampled for Thm and Haa5 in Var 4.
- Responded for service line leak on Highbanks.
- Investigated high water usages at customers' homes.
- Installed new water service on East Lake Rd.
- Did Maintenance on town truck.

- Inspected and pumped out air release pits.
- Replaced meter shut off in Var 1.
- Cut and welded new curb stop risers.

Mr. Karlson updated the board on the Department of Health lead requirements and noted that the date to begin this work has been pushed back due to the establishment of regulations/requirements and how towns are going to be able to complete this task. He reported that he has sought from other towns templates to use to assist in completing the lead research process.

**Varick Water District No. 1:** There are 15 curb stops left to replace and a small excavator will be rented to complete the repairs.

**Seneca Lake Water District No. 2:** Mr. Hayssen received a letter from the Village of Waterloo providing the projected wholesale water rates for 2023-2024 through 2026-2027. The current rate charged by the Village is \$3.58/1,000 gallons of water. This rate will be raised beginning with the 2023 third quarter to \$3.96/ 1,000 gallons, an increase of .38 cents. They gave examples of the reason for increasing the rates using the cost of chlorine and electricity. The board agreed to increase the cost of water per thousand gallons, .38 cents to Seneca Lake Water District No. 2 to cover the increased cost from the Village of Waterloo.

A motion by Richard McCulloch, seconded by Eric Riegel and so carried unanimously to increase the cost of water sold to Seneca Lake Water District consumers .38 cents/1,000 gallons the beginning of the 2023 third quarter, resulting in a cost per thousand gallons of \$4.57 and a minimum cost of \$14.80 for the first 3,239 gallons.

Mr. Karlson reported that they have been pumping down the air release valves and have found no leaks and they have 4 non-working meters that remain to be changed, with one homeowner not permitting them into the property to do so.

**Varick Water District No. 3:** Nothing new to report.

**Varick Water District No. 4:** Nothing new to report.

**Varick Sewer District No. 1:** Nothing new to report.

**Varick Sewer District No. 2:** Mr. Karlson reported that out of 15 broken grinder pumps, only two to three were able to be rebuilt. He reminded the board that the district budgets for the purchase of 10 new pumps annually, but he currently has 6 or 7 new pumps left in stock and wanted to know if the board wanted him to order the allotted 10 now. The board instructed him to place an order for 5 now and monitor the usage for ordering the balance by the end of the year.

**Town Clerk:** A motion by Richard Peterson, seconded by Eric Riegel and so carried unanimously to approve the Town Clerk's February 2023 report: Supervisor: \$13,555, NYS Ag & Markets: \$5; Total disbursements \$13,560.

Mrs. Karlsen reported that the increase in money taken in by her office is due to the Short-Term Rental application fees to be submitted by January 31, but has been continued to be processed through March 2023.

**Minutes:** A motion by Richard McCulloch, seconded by Eric Riegel and so carried unanimously to approve the minutes of February 7 and February 15, 2023.

**Personnel:** Mr. McCulloch reported that he just received the Summer Receptions Director job description from the county personnel office. He will be providing this information to the local school districts and approaching teachers to see if they would be interested in this position.

**Assessor:** No report.

**Planning Board:** A question by email was raised by Linda Mastellar to Attorney Frank Fisher was whether the STR Permits should be issued to an LLC business name as indicated on the provided deeds or to the name of the person(s) who the members are listed to the LLC. The law states that the STR permits are not transferable if the property changes hands/ownership. Without listing the members on an LLC, the members could change without the planning board knowing which would then require the LLC to apply for a new permit. Attorney Fisher's response to her question referred to special use permits and the section of law pertaining to them, which has nothing to do with how the STR permit or law is written that pertains to STRs. Cindy Lont informed Attorney Joe Midiri that the Planning Board requested copies of the deeds to confirm that the STR applicants owned the property that they were applying for. It was noted that some of the properties were deeded to the LLC's and listed the name on the application as such. Mr. Midiri indicated that based on the information provided to him, the permits should be issued to the name on the deed which is associated with the parcel number and property address.

Cindy Lont did a presentation that outlined the full process from start to finish on the development of the STR regulations, changes in the zoning law, applications, and permits. She reviewed the number of permits issued to date on East Lake Road and Route 89 and the numbers that will be permitted under Local Law No. 1 of 2023, Revised Varick Zoning Code. She went on to say the Planning Board will continue this process by discussing enforcement, addressing complaints, establishing a process for applications on a wait list, and setting up a system to monitor the approved application. Mr. Hayssen would like a letter to be sent to real estate agents in the area informing them of the law governing STR's and that permits, if currently issued to an owner of a property are not transferrable.

The board also reviewed Local Law No. 4 of 2022 which established a Temporary Moratorium Temporarily Prohibiting Certain Land Uses and Development Within the Lakeshore Residential Zoning District which is due to expire in April. Supervisor Hayssen called Thomas Bjorkman of the Varick Planning Board and confirmed that Local Law No. 1 of 2023 addressed the topics set by the moratorium and the board would not need to extend the moratorium.

Mrs. Karlsen reported that Thomas Bjorkman contacted Harriet Haynes for clarification regarding the County Planning Board's recommendation to change the word "ordinance" to "town law" in section 501.1 of the Revised Varick Zoning Code. Harriet Haynes indicated that in 2007's full

amendment refers to it as a “Zoning Ordinance of the Town of Varick, New York” even though it was adopted as a local law. Since there was no intent at this time to change section 101.1 of the zoning, it would be appropriate for the town to reference that section as the reason for overriding the recommendation of the County Planning Board at this time and keep the word “ordinance” in section 501.1.

**New Business, Old Business, Correspondence:** None.

A motion by Eric Riegel, seconded by Richard McCulloch and so carried unanimously to adjourn the meeting at 7:55 p.m.

Respectfully Submitted,  
Donna Karlsen  
Varick Town Clerk