

**MINUTES  
PUBLIC HEARING  
REGULAR TOWN BOARD MEETING  
SEPTEMBER 23, 2019**

**PRESENT:**

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

**ALSO PRESENT:**

Assessor Jim Cleere, MRB Representative, Mr. Pat Nicoletta, Attorney Emil Bove, Ted Young and the attached list of attendees.

**PLEDGE OF ALLEGIANCE:**

Supervisor Trout led everyone in the Pledge of Allegiance.

**FIRE EXITS:**

Supervisor Trout indicated where the fire exits were located.

Supervisor Trout opened the Public Hearing on the proposed rate increase for Sewer District Number 1. The new proposed rate would be a minimum bill of \$110.00 per quarter.

Supervisor Trout asked for comments by the attendees of the meeting.

Ms. Donna Cemoni addressed the board and asked them to explain why this proposed sewer rate increase is necessary. She questioned the minimum charge and asked Supervisor Trout if she used less would she still have a minimum charge. Supervisor Trout said yes and even if you don't use any, you would still receive the minimum charge. Ms. Cemoni said she owns multiple properties in the Border City Area and asked if a house was vacant, if she still would have to pay this bill. Supervisor Trout again said yes you are still liable for the bill.

Mr. Ron Pesta addressed the board and asked why there were not incremental increases instead of getting one big increase all at once.

Mr. Mike Shores asked the board if they considered any other alternatives to cut the budget instead of raising sewer rates. Mr. Shores also asked if it is necessary to have two water/sewer maintainers.

Supervisor Trout said it is a state law that two employees must be present when they are servicing meters.

Gary Elwell, Peter Guerreri, Lena Calabrese, Guy McIntyre, Howard Atkins, Philip Smith, Noel Akins and Steve Colegrove also expressed concerns about the new rate increase and are very

much against the proposed increase. They said this increase in the sewer rate is making them considering relocating because they won't be able to afford paying their water and sewer bills.

They also said last year their water rates were raised and now a proposed increase in the sewer rates and they don't understand why this is happening.

Supervisor Trout explained that their sewage goes to the Geneva wastewater treatment plant and the town is billed by the City of Geneva. He said what the town has been charging homeowners is not enough to pay the bill to the City of Geneva, so subsequently the rates must be increased.

Supervisor Trout said he hopes an inflow study will identify leaks and infiltration of stormwater into the sanitary sewers, and that will reduce the flow that goes through the master meter at the city-town line.

Supervisor Trout said if we can get that problem corrected, he said he can almost guarantee a reduction in your rate.

Mr. Dave Guererri addressed the board and said they are going to put a solar farm in his backyard, and he is not very happy about it. He said he is a resident of the town and a taxpayer and feels no one is going to benefit from this proposed solar farm. He said after the solar farm is installed, they will be spraying chemicals to kill the growing vegetation, and he is concerned about chemicals infiltrating his well. He also has concerns on who is going to do the clean up when they leave. He also said it will be an eyesore in his backyard and his property value will be reduced.

He said he is asking for help from the Town Board about this issue.

Supervisor Trout said the developer is going through a state-level Article 10 process to obtain approval and there will be many chances for public input. He also said the project would not be subject to a State Environmental Quality Review Act process.

Supervisor Trout said to call the Town Clerk for information on how to oppose this solar farm.

Mr. Joe Wukitsch also addressed the board and said himself and most homeowners on Packwood Road are also opposed to the solar project and are ready to challenge the project.

Mr. Shaun Crelley addressed the board and said he lives at 1898 Powderly Road and said there is a safety issue with overgrown cattails in the ditches in front of his house. He said he would like the ditches to get mowed.

Supervisor Trout said it would be taken care of.

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

Approval of Minutes – Regular Town Board Meeting – August 26, 2019  
 Budget Workshop Meetings – September 5<sup>th</sup> and  
 September 12<sup>th</sup>, 2019.

Approval of the Town

Approval of Bills

GENERAL FUND – TOWN WIDE	\$13,412.19
GENERAL – PART TOWN	1,101.34
HIGHWAY TOWNWIDE	242,155.31
HIGHWAY – PART TOWN	50,016.43
BORDER CITY LIGHT DISTRICT	1,987.56
WATERLOO SEWER DISTRICT #1	489.17
5 AND 20 SEWER DISTRICT	5498.71
BURGESS ROAD WATER DISTRICT	202.60
BORDER CITY WATER DISTRICT	662.06
POWDERLY ROAD WATER DISTRICT	94.35
RTE, 96, REED, HECKER, MILLS, KINGS WD 5	475.07
TOTAL	316, 094.79
WATER IMPROVEMENT PROJECT #1	4.99
TOTAL	\$316,099.78

**AYE**

**NAE**

Supervisor Trout  
 Councilman Pfeiffer  
 Councilman Thomas  
 Councilman Lotz  
 Councilman Strader

The motion was carried.

**2019-082**

Councilman Strader made the motion to schedule a Public Hearing on October 28<sup>th</sup>, at 7:00 PM to pursue a Community Development Block Grant (CDBG) funding through the NYS Office of Community Renewal. This Public Hearing is to solicit input from the Town’s residents regarding their interest in applying for a homeowners grant for home improvements.

**AYE**

**NAE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Thomas  
Councilman Lotz  
Councilman Strader

The motion was carried.

**2019-083**

Councilman Pfeiffer made the motion to approve the Tentative Budget for 2020. Councilman Lotz seconded the motion.

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

The motion was carried.

Supervisor Trout said the 2020 town budget shows a 1 cent increase in the tax rate per \$1,000 of assessed value. The rate will go from \$3.27 to \$3.28.

**2019-084**

Councilman Pfeiffer made the motion to schedule a Public Hearing on the Preliminary Budget for 2020 at 7:05 PM on October 28<sup>th</sup>, 2019. Councilman Thomas seconded the motion.

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

The motion was carried.

**2019-085**

Councilman Pfeiffer made the motion to transfer \$64,419.00 from the Community Benefit Fund to the Highway Fund. Councilman Thomas seconded the motion.

<u>AYE</u>	<u>NAE</u>
Supervisor Trout	
Councilman Pfeiffer	

Councilman Thomas  
Councilman Lotz  
Councilman Strader

The motion was carried.

**DEPARTMENT REPORTS:**

Assessor, Jim Cleere said he only received one estimate from the Request for Proposal that was advertised. (copy appended to the minutes). The proposal came from Mr. William Roof, Jr., his company is Unlimited Custom Designs. Mr. Roof broke the work down into two separate estimates.

The first estimate was for upgrading the rotting and deteriorated trim above the columns on the west end of the building to maintenance free PVC woodgrain/white. Install PVC trim in gable over T111 wood siding. The amount of that estimate is \$3156.00.

The second estimate is to power wash, scrape and paint remainder of block, masonry and wood surfaces on building. Repair head/bed joints of block and crack fill masonry surfaces where necessary with surface bonding. The amount of that estimate is \$6415.00.

**2019-086**

Councilman Pfeiffer made the motion to award the bids from Mr. William Roof, Jr. in the amount of \$9571.00 for the work needed on the town building. Councilman Lotz seconded the motion.

**AYE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Thomas  
Councilman Lotz  
Councilman Strader

**NAE**

The motion was carried.

Mr. Pat Nicoletta, Engineer from the MRB Group addressed the board and gave an update on the Four Town Water Project. Mr. Nicoletta said that it was originally planned that Waterloo would bill each individual town for operation maintenance. After consideration, it was determined that it would be an accounting nightmare, so it was decided to include it in the rate for billing to the homeowners.

Mr. Nicoletta handed out a Second Amendment to the Intermunicipal Agreement among the Towns of Geneva, Junius, Phelps and the Town of Waterloo. Mr. Nicoletta asked the board to review it along with Town Attorney, Mr. Dennis Benjamin and to have it signed at the Town Board Meeting on October 28, 2019.

Mr. Nicoletta also asked the board if they would like to set up an informational meeting for the residents on the south end of Pre-Emption Street who would also like municipal water. That meeting will also be scheduled for the October 28<sup>th</sup>, Town Board Meeting.

**2019-087**

Councilman Pfeiffer made the motion to schedule an informational Meeting for the residents of Pre-Emption Street who are interested in obtaining municipal water. Councilman Thomas seconded the motion.

**2019-088**

Councilman Pfeiffer made the motion to enter Executive Session. Councilman Lotz seconded the motion to discuss possible pending litigation.

**AYE**

Councilman Pfeiffer  
Councilman Thomas  
Councilman Lotz  
Councilman Strader

**NAE**

Supervisor Trout abstained.

The motion was carried.

**2019-089**

Councilman Pfeiffer made the motion to come out of Executive Session at 8:50 PM. Councilman Thomas seconded the motion.

**AYE**

Councilman Pfeiffer  
Councilman Thomas  
Councilman Lotz  
Councilman Strader

**NAE**

The motion was carried.

Respectfully Submitted,

Sandra L. Ridley  
Town Clerk