

**Town of Waterloo  
Minutes  
Organizational Meeting  
Regular Town Board Meeting  
January 23, 2023**

**Present:**

Supervisor Trout, Councilman Pfeiffer and Councilman Strader.

**Absent:** Councilman Lotz, Councilman Thomas

**Also Present:** Highway Superintendent Joe Mull, Attorney Dennis Benjamin, Assessor James Cleere, Account Clerk Kim Hendrickson and MRB Representative Pat Nicoletta, John Pigman, Kyle Black, Thomas Benjamin, Bob Paine and several Brewer Road residents.

**Pledge of Allegiance:**

Supervisor Trout led everyone in the Pledge of Allegiance.

**Fire Exits:**

Supervisor Trout indicated where the fire exits were located.

**2023-01**

Supervisor Trout made a motion to open the Organizational Meeting. Councilman Pfeiffer seconded the motion.

**AYE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Strader

**NAE**

The motion was carried.

Supervisor Trout asked if anyone wanted to remove or make a change(s) to the 2023 Organizational Sheet before them. No suggestions were made.

**2023-02**

Supervisor Trout made a motion to approve the Organizational Meeting. Councilman Pfeiffer seconded the motion. Organization 2023 as follows:

## ORGANIZATIONAL MEETING

JANUARY 23, 2023

### COMMITTEE APPOINTMENTS:

Zoning, Planning, Youth, Environmental and Assessment      Chair – Councilman Pfeiffer,  
Vice Chair – Councilman Thomas

Audit, Finance, Taxation, Fire Districts and Insurance      Chair – Councilman Strader  
Vice Chair – Councilman Pfeiffer

Personnel, Canine, Judicial and Library      Chair – Councilman Thomas  
Vice Chair – Councilman Lotz

Highway, Water, Sewer, Buildings and Grounds      Chair – Councilman Lotz  
Vice Chair – Councilman Strader

Appointment of Councilman Mike Pfeiffer as Deputy Town Supervisor

Appointment of Mr. Joseph Mull as Highway and Water/Sewer Superintendent

Appointment of Ms. Dallyn Jenkins as Town Constable

Appointment of the Fingerlakes Times and the Official Newspaper for the Town

Appointment of Benjamin and James Law Firm to act as the Town's Legal Counsel

Appoint of Amy Ochs as Deputy Town Clerk

Designate the 4<sup>th</sup> Monday of the Month as the Official Town Board Meeting Night at 5:30 PM.

Designate Savannah and the Community Bank, NA as the Official Depositories for the Town.

Approve \$ .50 cents per mile for the mileage rate.

Authorize only one signature on Town Checks, The Town Supervisor, and Don Trout or in his absence, the Deputy Supervisor, Michael Pfeiffer.

Accept the Surety Portion of the Town's Insurance Policy (Official Undertaking)

Approve Don Trout, Mike Pfeiffer, and Kim Hendrickson to be put on the Town's Bank Statements.

AYE

Supervisor Trout  
Councilman Pfeiffer  
Councilman Strader

NAE

The motion was carried.

**2023-03**

Supervisor Trout made a motion to close the Organizational Meeting at 7:05PM. Councilman Strader seconded the motion.

AYE

Supervisor Trout  
Councilman Pfeiffer  
Councilman Strader

NAE

The motion was carried.

Supervisor Trout immediately opened the Regular Town Board Meeting.

**2023-04**

Councilman Pfeiffer made the motion to open the regular Town Board Meeting. Councilman Strader seconded the motion.

AYE

Supervisor Trout  
Councilman Pfeiffer  
Councilman Strader

NAE

The motion was carried.

Supervisor Trout asked if anyone would like to address the board. Mr. Bob Paine spoke regarding the unfinished waterline on Brewer Road. He wanted to know what the plan was for finishing the water on Brewer Road. He stated that there is about 4500 ft left to be finished. There was much discussion. Supervisor Trout stated that Brewer Road is in the comprehensive plan right now. We created a plan last year that describes where all the water lines are going to go in the Town of Waterloo. There was no plan before this. As we receive money from the land fill, it is spent on water lines and equipment. That is the way it is structured. You will be able to see where the money is going to be spent over the years. Mr. Paine stated that when Brewer Road was worked on before years ago, they told the residents it was going to be finished that year but then work stopped. After more discussion, Supervisor Trout stated that this has been going on for about eight years, but with the plan that the Town now has, Brewer Road could be within the next year or two years.

Thomas Benjamin addressed the Town Board about a noise issue he was having with the garbage truck each week. After discussion and input from Town Assessor James Cleere, Supervisor Trout stated that the Town cannot enforce this issue. Mr. Benjamin would have to contact the State Troopers.

**2023-05**

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

Approval of Minutes –December 12, 2022  
Approval of the Town Clerk’s Monthly Report  
Approval of the Canine Report  
Approval of Bills:

GENERAL FUND- TOWNWIDE	\$40,267.02
GENERAL – PART TOWN	\$21,601.47
HIGHWAY TOWNWIDE	\$2,288.80
HIGHWAY PART TOWN	\$17,535.35
BORDER CITY LIGHT DISTRICT	\$3,288.53
WATERLOO HYDRANT DISTRICT	\$3,750.00
WATERLOO SEWER DISTRICT #1	\$2,137.86
5&20 SEWER DISTRICT	\$1,637.67
BURGESS ROAD WATER DISTRICT	\$14, 834.96
BORDER CITY WATER DISTRICT	\$9,444.03
POWDERLY ROAD WATER DISTRICT	\$155.44
BREWER ROAD SOUTH	\$3.043.00
RTE 96, REED, HECKER, MILLS, KINGS WD5	\$25.46
PRE-EMPTION WATER DIST 6	\$86.86
<b>TOTAL:</b>	<b>\$120,096.45</b>

**TOTAL:** **\$120,096.45**

**AYE** **NAE**  
Supervisor Trout  
Councilman Pfeiffer  
Councilman Strader

The motion was carried.

**2023-06**

Councilman Pfeiffer made the motion to approve Highway Superintendent Joe Mull as a Purchasing Agent signing for amounts under \$5,000. 00. Councilman Strader seconded the motion.

**AYE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Strader

**NAE**

The motion was carried.

**2023-07**

Councilman Pfeiffer made the motion to establish a lower maximum speed at which vehicles may proceed on Mills Road, Town of Waterloo, New York. Councilman Strader seconded the motion.

**AYE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Strader

**NAE**

The motion was carried.

**2023-08**

Councilman Strader made the motion to approve the transfer of \$6,295.92 from x1260 (Public Funds) to x1270 (Water/Sewer) –both accounts in Savannah Bank, NA – NYS OSC ACH payments. Councilman Pfeiffer seconded the motion.

**AYE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Strader

**NAE**

The motion was carried.

MRB Pat Nicoletta handed out copies of the Preliminary Engineering Report for the South Pre-Emption Street Water District from 2021 to the Board. This also included **the Preliminary Engineering Report Amendment Number 1**, which includes the Cost Estimate, Project Schedule, Permits, Annual Operating Budget with Additions to Appendix A, revised Appendix B and updated Appendix D for **January 2023** moving forward.

Once the Obligation Letters (1940-1 Forms) are signed and initialed tonight, the Town will be locked in to the 2.25% for 38 years. The % could go down but it will never exceed the 2.25%.

MRB Pat Nicoletta asked the Board, if it was so inclined to do so, have a proposed resolution for the board to set a public hearing either by petition or permissive referendum. There was discussion and the board decided by permissive referendum. February 6<sup>th</sup>, 2023 @ 5:30 PM Informational Meeting with the Public Hearing to follow directly after.

**2023-09**

Supervisor Trout made a motion to approve February 6<sup>th</sup>, 2023, at 5:30 PM for the South Pre-Emption Street Water District Informational Meeting with the Public Hearing to follow. Councilman Pfeiffer seconded the motion. The resolution is as follows:

**TOWN OF WATERLOO  
SOUTH PRE-EMPTION STREET WATER DISTRICT  
WATER IMPROVEMENTS**

**AUTHORIZING SCHEDULE OF PUBLIC HEARING 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.

**WHEREAS**, the Town forces will bid the materials directly from vendors. The majority of the installation of the water improvements will be completed by Town forces with the exception of the Directional Drilling. Rental of equipment will be also done by the Town as needed.

**WHEREAS**, a Map/Plan/Report was prepared for the project and such documents were approved by the USDA. The Map/Plan/Report along with any amendments is on file at the Town Clerk of the Town of Waterloo, Seneca County, New York. and will be available for inspection by all interested parties. The Town Board intends to form the District by Permissive Referendum after holding this Public Hearing.

**WHEREAS**, the Town Board deems it to be in the best interests of the residents of the Town of Waterloo to pursue creation of the District, pursuant to a Map, Plan and Report made by MRB Group last dated February 2021 and Amendment dated January 2023, and filed with the Town Clerk on January 2023.

**NOW, THEREFORE, BE IT RESOLVED**, that the Order Calling for Public Hearing, attached hereto, shall be signed by the members of the Town Board of the Town of Waterloo and published, posted and entered into the Minutes in accordance with the Town Law and the Town Clerk and/or Counsel to the Town are hereby authorized to take any and all further measures necessary to comply with the Town Law in preparation for the final adoption of the aforementioned District.

The above Resolution was duly adopted by the Town of Waterloo Town Board with the following Vote:

- Don Trout, Supervisor – Aye
- Michael Pfeiffer, Councilman – Aye
- Howard Strader, Councilman – Aye

The motion was carried.

**The Order Calling Public Hearing is as follows:**

At a regular meeting of the Town Board of the Town of Waterloo, Seneca County, New York held at the Town Hall, 66 Virginia Street, Waterloo, New York on the 23<sup>rd</sup> day of January, 2023 at 7:00 o'clock in the evening, prevailing time.

PRESENT: Town of Waterloo Board

- Don Trout, Supervisor
- Michael Pfeiffer, Councilman
- Howard Strader, Councilman

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In the Matter of the Establishment of the

ORDER CALLING PUBLIC  
HEARING

South Pre Emption Street Water District  
in the Town of Waterloo,  
County of Seneca, New York.

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**WHEREAS**, Upon a petition as hereinafter provided, the Town Board may establish a water improvement district, and provide improvements or services, or both, in any such district, wholly at the expense of the district. Said district shall be established in accordance with the provisions as stated in New York State Town Law Article 12 Section 209-E and subject to a referendum on petition under [section twenty-four of the municipal home rule law](#) or a permissive referendum if determined to be required.

**WHEREAS**, MRB Group has prepared a map, plan and report dated February 2021 and with Amendment No. 1 dated January 2023, which the Town Board of the Town of Waterloo, New York has determined was prepared in such manner and detail as the Town Board has required relating to the creation of the District encompassing certain lands south Pre Emption Street in the Town of Waterloo, Seneca County, New York and providing for the construction and installation of Water Improvements in said water District ; and

**WHEREAS**, such map, plan and report with the amendment describing the proposed project and proposed benefits has been duly filed in the office of the Town Clerk of the Town of Waterloo, New York, and is available for public inspection thereat; and

**WHEREAS**, the description of the boundaries or the proposed Water District are set forth in Exhibit 1, attached hereto and made a part hereof;

**WHEREAS**, the proposed water improvement consists of the construction and installation of Water to serve residents within the District boundaries as in accordance with the Map/Plan/Report and generally as follows:

Residents in the Town of Waterloo that own property on Pre-Emption Street between the Norfolk Southern Railroad (1,500 feet north) and Packwood Road inquired about the possibility of acquiring public water supply. Currently, all residents in the proposed area are served by private wells. These residents have had problems with water quality as well as supply quantity in the drier months. The individual wells in the area have not been supplying adequate, quality water for residential daily use. In addition, fire protection is also a concern as the only way to provide water to a fire is through tanker trucks which takes more time.

The project includes approximately 7,100 lineal feet of new water main along South Pre Emption Street. Supply connection will be to the 12" main located on Packwood Road with a connection for emergency at the end of the 6" main on South Pre Emption Street. Appropriate hydrants and valves will be constructed in accordance with Seneca County Department of Health. Water services and meters are included as part of the project.

**WHEREAS**, the maximum amount proposed to be expended for the establishment of said Water District and for the improvements, including material, equipment, labor, soft cost and administrative cost for distribution to the customers in the District referenced herein, is \$589,000. The Town has also sought funding through USDA and has received a funding Estimate with Letter of Conditions to follow obligating the funds. The proposal includes USDA funding will provide \$294,000 in grant funds and loan of \$295,000. Loan rate and term is 2.25% for a term of 38 years. The loan portion of the project will be financed and repaid by the owners of property within the District. Permanently financed by the issuance of general obligation bonds by the Town of Waterloo and any bond anticipation notes.

**WHEREAS**, to mitigate the cost the Town of Waterloo will bid the material directly from vendors that supply water materials. In addition, the construction will be done by Town forces with needed equipment rental with the exception of directional drilling which will be handled by a retained Contractor. All municipal, State and Federal requirements will be followed for obtaining materials and contracted work.

**WHEREAS**, the estimated costs of the District to the typical property or one-family or two-



family home is \$582 for debt service and \$418.00 (water usage, operation and maintenance) is the total of \$1,000.00. The \$418.00, cost of water, is based on a resident using 50,000 gallons of water a year. This rate is based on current water rates set by the Town. Water rate is billed quarterly through billings and the debt service will be billed on Town taxes. The capital cost and debt service for constructing the improvements shall be assessed, levied and collected from the residential homes and vacant parcels (non-exempt due to agriculture) within the district pursuant to a benefit basis calculation; and

**WHEREAS**, a hook up fee will not be charged if connected within the first year as such a service is included in the cost of the project for all improved properties (house or building requiring water). A hook up fee, to be determined by the Town Board, after the first year. Additionally, a fee will be charged for a meter pit if the building or home exceeds the distance requirement from the Right-of-way as set forth by the Town Code. Finally, the service line from the curb stop (at the right-of-way) to the connection at the house/building is the responsibility of the property owner; and

**NOW, THEREFORE**, be it **ORDERED**, that the Town Board hold a public hearing on said proposed Water Improvement District at the Town Office, 66 Virginia Street, Waterloo, New York, at 5:30 p.m., Monday, February 6, 2023 allowing all persons with interest to be heard regarding the proposed action.

**BE IT FURTHER ORDERED**, that this Order Calling for a Public Hearing shall be posted and published not less than 10 days and no more than 20 days from approval of this order as required by law.

Dated: January 23, 2023

Signature of Town Board Members Present

Pat Nicoletta continued discussion on what needed to be done as the project proceeds. He will be working on Letter of Conditions; he will be reaching out to McGill's office for bond resolution. He also remarked that the USDA needs a signed agreement from attorney Dennis Benjamin that he will be working for the town on this project. Pat also will be looking at the Town insurance and a few more items that will be needed in order to move the project along.

**Committee Reports:**

Councilman Strader stated that he would be meeting with Councilman Mike Pfeiffer and Assessor James Cleere on zoning changes this coming week.

**2023-10**

Councilman Pfeiffer made a motion for the Town to share half the cost of the quote for the Guardrail on Hecker Road with the Waterloo School District. The Town of Waterloo will pay \$1,465.00 and the Waterloo School will pay \$1,465.00. Councilman Strader seconded the motion.

**AYE**

**NAE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Strader

The motion was carried.

**2023-11**

Councilman Strader made a motion to approve using Easy Clocking/Facial Recognition. Councilman Pfeiffer seconded the motion.

**AYE**

**NAE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Strader

The motion was carried.

**2023-12**

Councilman Strader made the motion to establish the Facial Recognition/Easy Clocking System as the Town’s hourly record keeping (Time Clock). Councilman Pfeiffer seconded the motion.

**AYE**

**NAE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Strader

The motion was carried.

**Supervisor’s Comments:**

The Sewer rates are going up. It is going to double. The Village has decided that this is what needs to happen.

**2023-13**

Councilman Pfeiffer made the motion to approve \$1,000.00 to go towards Celebrate Commemorate Memorial Day. Councilman Strader seconded the motion.

**AYE**

**NAE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Strader

The motion was carried.

**2023-14**

Councilman Pfeiffer made a motion to approve Fire Department quick connects. There are 30 of them at the cost of \$10,000.00 .Councilman Strader seconded the motion.

**AYE**

**NAE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Strader

The motion was carried.

Supervisor Trout stated that he knew of two lifts at \$ 2,500.00 each that are for sale. Would we like to purchase one of these and have it installed. There was discussion and it was decided that the Town would purchase one and have it installed.

**2023-15**

Councilman Pfeiffer made a motion to adjourn the meeting. Councilman Strader seconded the motion.

**AYE**

**NAE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Strader

The motion was carried.

The meeting adjourned.

Respectfully Submitted,

Rosemarie A. Marsh  
Waterloo Town Clerk