

**Town of Waterloo  
Minutes  
Public Hearing  
Special Town Board Meeting  
February 6, 2023**

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

**Absent:** Councilman Strader

**Also Present:** Highway Superintendent Joe Mull, Assessor James Cleere, Attorney D. Benjamin, MRB Pat Nicoletta, Phyllis and Jon Winters, Guy and Deborah Sindoni 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.

**2023-16**

Councilman Thomas made a motion to open the Public Hearing at 5:30 PM pertaining to the **South Pre-Emption Street Water District**. Councilman Lotz seconded the motion.

**AYE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Lotz  
Councilman Thomas

**NAE**

The motion was carried.

MRB Pat Nicoletta made a presentation on the new water district that the Town is proposing. He reviewed the map of the new water district as well as summarized the Projected Annual Cost to Benefited Users. He commented that the Town forces will be doing work to not only save labor costs but to also be able to bid directly to the vendors.

Supervisor Trout asked if there were any comments or questions from the public. Ed Lerkins asked Pat about the line hookups and Guy Sindoni asked if restoration included driveway repair. Pat explained that line hookups will be determined by the professionals working on them and that yes, driveway repair, new topsoil and grass are included in the restoration process.

**2023-17**

Councilman Pfeiffer made the motion to close the Public Hearing at 5:41 PM. Councilman Lotz seconded the motion.

**AYE**

**NAE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Lotz  
Councilman Thomas

The motion was carried.

**2023-18**

Councilman Lotz made a motion to open the Special Town Board Meeting at 5:42 PM  
Councilman Thomas seconded the motion.

**AYE**

**NAE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Lotz  
Councilman Thomas

The motion was carried.

**2023-19**

Councilman Pfeiffer made the motion to approve the **Creation of a Water District Resolution for South Pre-Emption Street Water District/Water Improvements**. Councilman Lotz seconded the motion. It is as follows:

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

**APPROVING CREATION OF A WATER DISTRICT 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 and will be 8” water main including PVC and HDPE pipe.

**WHEREAS**, the Town 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**, the district is formed by a Permissive Referendum. The boundaries of the District are noted in the Map/Plan/Report dated February 2021 and Amendment 1 dated January

2023 prepared by MRB Group in a manner and such detail as has been determined by the Town Board to be sufficient and is to be filed in the Town of Waterloo Clerk's Office Map/Plan/Report was prepared with respect to the formation of a Water District. Map/Plan/Report was available for inspection during regular business hours as required by law, and said Map/Plan/Report have not been modified since the filing thereof in the Town Clerk's Office. All was done in accordance of the requirements of New York State Town Law Article 12 Section 209-E and subject to a referendum on petition under section twenty-four of municipal home rule law or a permissive referendum if determined to be required.

**WHEREAS**, pursuant to an Order adopted by the Town Board of the Town of Waterloo on January 23, 2023 at 7:00 PM, the Town Board held a Public Hearing on February 6, 2023 at 5:30 PM prevailing time regarding the afore mentioned Map/Plan/Report and the described as well as other action on the proposal as may be required by Town Law and wherein all persons interested in subject had the opportunity to express their opinions and to provide other input concerning the same

**WHEREAS**, pursuant to part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law. The Town Board has determined that the project would not have a significant effect on the environment.

**NOW, THEREFORE, BE IT RESOLVED,**

**FIRST**, that the Town Board hereby finds the reasons set forth in the Map/Plan/Report regarding the purpose and need for the project to be valid and sound, that is in the public interest to make the proposed improvements.

**SECOND**, The Order calling Public Hearing was published in the Town official newspaper on January 26, 2023 and posted on the Town's Official sign Board on January 26, 2023 as required by Law

**THIRD**, all properties owners within the District are benefited within the limits of the proposed District.

**FOURTH**, this District will be Based on a benefit basis.

**FIFTH**, the capital cost is 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 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 respectively. 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.

**SXITH**, all municipal, State and Federal requirements will be followed for obtaining materials and contracted work.

**SEVENTH**, the estimated costs of the District to the typical property or one-family home is \$ 582 for debt service and \$418.00 (water usage, operation and maintenance) for a 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

**EIGHTH**, the benefit basis will be calculated based on equivalent dwelling units (EDU) where one single Family Home equates to one unit, a two-family residence is assigned two units, and so on. Vacant properties are assessed 0.25 EDU with vacant properties with a structure is assessed at 0.50 EDU. Agricultural Exempt vacant properties are assessed zero (0).

**NINTH**, that this Town Board does herby find that the above described formula for apportionment is in just proportion to amount of benefit which the Proposed Water Improvements will confer upon such lots or parcels to the extent permitted by law.

Motion made by Councilman Michael Pfeiffer: Seconded by Councilman Bob Lotz  
Dated: February 6, 2023

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

Ayes

Don Trout, Supervisor  
Michael Pfeiffer, Councilperson  
Bob Lotz, Councilperson  
Tyrone Thomas, Councilperson

Nays

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Rosemarie Marsh, Town Clerk  
Town of Waterloo

AYE

Supervisor Trout  
Councilman Pfeiffer  
Councilman Lotz  
Councilman Thomas

NAE

The motion was carried.

**2023-20**

Councilman Thomas made the motion to approve the **Order Establishing a Water District for South Pre-Emption Street Water District in the Town of Waterloo, County of Seneca, New York**. Councilman Pfeiffer seconded the motion. It is as follows:

At a special 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 6<sup>th</sup> day of February, 2023 at 5:30 o'clock in the afternoon, prevailing time.

PRESENT: Town of Waterloo Board

Don Trout, Supervisor  
Michael Pfeiffer, Councilperson  
Bob Lotz, Councilperson  
Tyrone Thomas, Councilperson

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In the Matter of the Establishment of the

ORDER ESTABLISHING A  
WATER DISTRICT

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

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**WHEREAS**, the Town Board has upon a resolution adopted on February 6, 2023 approved the establishment of South Pre Emption Street Water District pursuant to New York State Town Law Article 12 Section 209-E and subject to a referendum on petition under section twenty-four of municipal home rule law or a permissive referendum if determined to be required. District is approved based on Map/Plan/Report prepared by MRB Group dated February 2021 and Amendment 1 dated January 2023 which has been filed in the Town Clerk's Office.

**NOW, THEREFORE**, be it **ORDERED**, that the establishment of the South Pre Emption Street Water District as stated in the Map/Plan/Report be approved in accordance with the provisions of the Resolution that is attached as Exhibit A and Town Clerk is authorized and directed to file a certified copy of this Order in the County of Seneca Clerk's Office within 10 days of the adoption of this Order.

Dated: February 6, 2023

Signature of Town Board Members Present

AYE

NAE

Supervisor Trout  
Councilman Pfeiffer  
Councilman Lotz  
Councilman Thomas

The motion was carried.

The **Town Clerk Certification** was signed and dated.

**2023-21**

Councilman Pfeiffer made the motion to close the Special Town Board Meeting at 5:44 PM.  
Councilman Lotz seconded the motion.

AYE

NAE

Supervisor Trout  
Councilman Pfeiffer  
Councilman Lotz  
Councilman Thomas

The motion was carried.

The meeting was adjourned.

Respectfully Submitted,

Rosemarie A. Marsh  
Waterloo Town Clerk