

**Town of Waterloo  
Minutes  
Public Hearing  
Regular Town Board Meeting  
July 24, 2023  
5:30 PM**

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

**Absent:**

**Also Present:** Highway Superintendent Joe Mull, Assessor James Cleere, Account Clerk Kim Hendrickson, Attorney D. Benjamin, John Morabito, Patty Bartran, Ed Lerkins, Wade M., Walter Mumford, Justin Sensenig and Blaine Elkie.

**Pledge of Allegiance:**

Supervisor Trout led everyone in the Pledge of Allegiance.

**Fire Exits:**

Supervisor Trout indicated where the fire exits were located.

**2023-114**

Councilman Lotz made the motion to open the Public Hearing pertaining to the Sewer Rate District #2 Chapter 111. Councilman Pfeiffer seconded the motion.

**AYE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Lotz  
Councilman Thomas  
Councilman Strader

**NAE**

The motion was carried.

MRB Pat Nicoletta went over the proposed sewer rates for the Sanitary Sewer District #2. There was a discussion.

**2023-115**

Councilman Pfeiffer made a motion to close the Public Hearing. Councilman Strader seconded the motion.

**AYE**

**NAE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Lotz  
Councilman Thomas  
Councilman Strader

The motion was carried.

**2023-116**

Councilman Thomas immediately made a motion to open the Regular Town Board Meeting. Councilman Pfeiffer seconded the motion.

**AYE**

**NAE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Lotz  
Councilman Thomas  
Councilman Strader

The motion was carried.

**2023-117**

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

Approval of Minutes – June 26, 2023  
Approval of the Town Clerk’s Monthly Report  
Approval of Canine Report  
Approval of Bills:

GENERAL FUND-TOWNWIDE	\$12,483.83
GENERAL-PART TOWN	\$16,304.71
HIGHWAY TOWNWIDE	\$17,314.99

HIGHWAY-PART TOWN	\$1,250.04
BORDER CITY LIGHT DIST.	\$2,705.91
WATERLOO SEWER DIST.	\$1,560.90
5&20 SEWER DISTRICT	\$20,696.31
BURGESS ROAD WATER DIST.	\$19,949.48
BORDER CITY WATER DISTRICT	\$24,985.61
POWDERLY ROAD WATER DIST.	\$279.36
BREWER ROAD SOUTH	\$3,475.80
PRE-EMPTION WATER DIST. #6	\$857.23
<b>TOTAL:</b>	<b>\$121,864.17</b>

**TOTAL: \$121,864.17**

**AYE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Lotz  
Councilman Thomas  
Councilman Strader

**NAE**

The motion was carried.

**2023-118**

Councilman Pfeiffer made a motion to set the date and time to hold a Public Hearing at the next Town Board Meeting on August 28, 2023, at 5:30 P.M. This will pertain to the updates to the Zoning Law Chapter 135 along with Schedules 1 and 2 to establish a Local Law using such updates.

**AYE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Lotz  
Councilman Thomas  
Councilman Strader

**NAE**

The motion was carried.

**2023-119**

Councilman Lotz made a motion to transfer \$1,944.27 from Savannah Bank, NA public funds (x1260) to Water/Sewer (x1270) accounts from the ACHes from NYS OSC Water/Sewer payments. Councilman Thomas seconded the motion.

AYE

NAE

Supervisor Trout  
Councilman Pfeiffer  
Councilman Lotz  
Councilman Thomas  
Councilman Strader

The motion was carried.

Supervisor Trout opened the floor to petitioners.

Justin Sensenig approached the board. He bought a piece of property from the county with the intention of cleaning it up and using it for storage. He came to realize that the property was said to be zoned as storage or other in an industrial area. He explained about the space.

Supervisor Trout asked specifically that what he wanted was mini storage in an industrial zone. He asked Assessor James Cleere why this couldn't be done.

James Cleere stated that mini storage has never been approved for an industrial zone, however it can be done. Discussion ensued. Supervisor Trout stated that we should change the zoning so that it would allow mini storage in an industrial area. James Cleere stated that we have the Public Hearing next month in August. for the Zoning Law that could include this change. Supervisor Trout asked if everyone on the board agreed to this. Everyone did. Pat Nicoletta stated that we can definitely make that change to the Zoning Code before the next meeting.

Blaine Elkie, a local historian approached the board and stated his thankfulness and praised the way the Town of Waterloo has always handled the Sythe Tree area.

He would like to make a new sign for the area and would like to use the old sign as a template. He wants to donate his time and supplies to this. There was a discussion. James Cleere stated that the highway guys as well as a tree cutter will preserve what is left of the tree. Attorney D. Benjamin asked if the property owners were ok with all of this, and Blaine stated yes and that they have always been wonderful. Supervisor Trout stated that everything sounds good. Highway Superintendent Joe Mull said he would meet Blaine at the Town Barn on 5&20 in the morning to get him the old sign. Supervisor Trout thanked Blaine and stated that the board appreciated this.

## **Committee Reports:**

Councilman Strader stated that he is still working on water and sewer rates with Account Clerk Kim Hendrickson, Assessor James Cleere and Pat Nicoletta. He also reported that there were problems with quite a few broken meters that need to be taken care of as well as the homeowners' bills that have not been paid. There have been several efforts by the Town of Waterloo, NY to contact these homeowners and businesses. Councilman Strader made a proposal to the board for consideration. There was a discussion.

## **2023-120**

Councilman Lotz made a motion to accept the proposal. Councilman Strader seconded the motion. It is as follows:

Any customer, homeowner or business with a broken water meter who has not contacted the Town of Waterloo, NY for an appointment for a replacement, will then be contacted twice in an effort by the Town to give them the opportunity to make things right. If there is still no response, a third effort of contact will be made by certified letter from the Town of Waterloo, NY to the homeowner or business. Once the certified letter is signed the homeowner or business will have 30 days to respond to the Town of Waterloo to set up an appointment. If after 30 days there is still no response whatsoever from the homeowner or business, then the Town of Waterloo will then impose a \$250.00 quarterly penalty on their water bill. If they do not pay that penalty, it will be levied onto their taxes at the end of the year.

### **AYE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Lotz  
Councilman Thomas  
Councilman Strader

### **NAE**

The motion was carried.

Supervisor Trout stated now that we have made this motion, we will need to update the Sewer Use Law to reflect this.

The rest of the Councilman and Highway Superintendent reported everything going well.

## **Supervisors Comments:**

Supervisor Trout asked if a decision has been made for the Card readers for the Town.

**2023-121**

Councilman Pfeiffer made a motion to provide card readers from Elavon (through Community Bank) for the Account Clerk, Kim Hendrickson, Town Clerk, Rosemarie Marsh and Tax Collector, Walt Mumford. Councilman Lotz seconded the motion.

**AYE**

**NAE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Lotz  
Councilman Thomas  
Councilman Strader

The motion was carried.

Councilman Pfeiffer made the motion to move all the bank accounts to one bank, Community Bank, for ease of conducting business and accounting. Councilman Lotz seconded the motion.

**AYE**

**NAE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Lotz  
Councilman Thomas  
Councilman Strader

The motion was carried.

Supervisor Trout stated that we have three quotes for additional materials that were requested and received for the additional piping and fittings to move the master meters and manhole enclosures further off the road.

Pat Nicoletta explained that after talking with Joe Mull, and Tom Finnerty, we needed to move them. This includes pipes, valves, and fittings in order to do that. The meters are located on Reed Road, Hecker Road, RT. 96 and a fitting at Seneca State Park. The quotes are as follows: Core and Main: \$17,978.04

Blair Supply: \$18,414.00

Ferguson: \$18,495.04.

**2023-122**

Councilman Thomas made a motion to accept the resolution. Councilman Lotz seconded the motion. The Resolution is as follows:

**TOWN OF WATERLOO**  
**MASTER METER PROJECT**  
**REED AND HECKER ROADS, NYS ROUTE 96 AND SENECA STATE PARK**  
**PIPE, VALVES AND FITTINGS: QUOTE AWARD RESOLUTION**

**WHEREAS**, the Town of Waterloo (hereinafter referred to as Town Board) is intending to install master meters at four locations including Reed Road, Hecker Road, NYS Route 96 and replace the existing meter at Seneca State Park. To install the meters additional pipe, valves and fittings are required to place the units away from the travel lane of the respective roads Roadway.

**WHEREAS**, quotes were received from three (3) vendors prior to the requested deadline on July 19<sup>th</sup>. The three (3) vendors and their respective quotes are as follows:

Core & Main: \$17,978.04

Blair supply \$18,414.00

Ferguson: \$18,495.04

These quotes are based on the estimated materials intended. If quantities change (decrease or increase) the quote may change slightly.

**NOW, THEREFORE BE IT RESOLVED** that the Town Board authorize acceptance of the quotes and award the pipe materials to the low quote from Core & Main in the amount of \$17,978.04. The Town Board further authorizes the Supervisor to sign any Agreement required for this portion of the project.

**AYE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Lotz  
Councilman Thomas  
Councilman Strader

**NAE**

The motion was carried.

Supervisor Trout acknowledged the thank you email from Jane Shaffer for Celebrate Commemorate Memorial Day for the Town's \$1,000. Donation.

Supervisor Trout wanted to inform everyone about the Local Law of 2023 providing the exemptions for solar or wind energy systems.

He stated that if we do not get the exemptions and we don't pass the law, then when a solar project comes into town, they can try and tell us that they want to negotiate with a pilot and tell us that we have 60 days to respond to it. If the town does not respond, they would be able to

receive the state's 15-year standardized exemption. However, if we pass this Local Law, they must approach the town first to negotiate a pilot and they cannot give a deadline. They will also not receive the state's 15-year standardized exemption.

Councilman Lotz stated that we should pass the part where they will need to approach the Town, and they will not receive the states 15-year standardized exemption. Discussion ensued.

**2023-123**

Councilman Lotz made a motion that the Town Board of Waterloo is in agreement to pass a law that states that a solar company must come to the town to negotiate a pilot and that the solar company cannot stipulate a 60-day response from the town. The solar company will also not receive the state's 15-year standardized exemption.

**AYE**

**NAE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Lotz  
Councilman Thomas  
Councilman Strader

The motion was carried.

More discussion ensued.

**2023-124**

Councilman Lotz made a motion to set the time and date for a Public Hearing on the Solar Local Law for the next Town Board meeting on August 28, at 5:30P.M. Councilman Pfeiffer seconded the motion.

**AYE**

**NAE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Lotz  
Councilman Thomas  
Councilman Strader

The motion was carried.

Attorney D. Benjamin asked if there was any record of a notification from Savion, North Seneca Solar. No one had received any notification or certified letter. Supervisor Trout stated that he did have a meeting with them over a month ago but no pilot. Assessor Cleere stated the last he heard from them was an email dated 6/21/23 from Camille Kaynor from the North Seneca Solar



Project- Savion stating that she met with Supervisor Brownell and Supervisor Trout and wanted to run the numbers by him and Phil Griswold the Junius Town Assessor about the potential pilot.

Assessor Cleere said it would be an exemption on the tax roll and Supervisor Trout stated that his concern was for the future boards who are not familiar with this possible type of rule. By passing this Law, they (the Board) will not have to go to them (solar companies) and negotiate. This Town Board will have something in place.

Pat Nicoletta discussed testing they have done on a few properties for contamination. He suggested doing additional testing in certain areas. There may be a possibility of grant money available. There was more discussion. Pat said hoping this Fall they will be able to get the material and get pipe in the ground.

### **2023-125**

Councilman Pfeiffer made a motion to adjourn the meeting at 6:00 P.M. Councilman Strader seconded the motion.

**AYE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Lotz  
Councilman Thomas  
Councilman Strader

**NAE**

The motion was carried.

The meeting adjourned.

Respectfully Submitted,

Rosemarie A. Marsh  
Waterloo Town Clerk