

MINUTES
REGULAR TOWN BOARD MEETING
SEPTEMBER 28, 2015

PRESENT:

Supervisor Gary Westfall, Councilman Lisa Hochadel, Jamie King, Bob Rodger and Herb Meyer.

ALSO PRESENT:

Pat Nicoletta, Joyce French, Joe Mull, Jim Cleere, Michael Pfeiffer, Victor French, Steve Craig, James Mitchell, Paul and Doris Spiegel, Ed Lerkins, Michael R. Smith, Bill Guthrie and Bob McGill.

PLEDGE OF ALLEGIANCE:

Supervisor Westfall led everyone in the Pledge of Allegiance.

FIRE EXITS:

Supervisor Westfall explained where the fire exits were located.

2015-074

Councilman Rodger made the motion to approve the Consent Agenda as follows: Councilman King seconded the motion.

Approval of Minutes – August 24, 2015, Regular Meeting
September 9th, 2015 – Budget Workshop
September 23rd, 2015 – Budget Workshop

Town Clerk’s Monthly Report

Approval of the Canine Report

Approval of Bills:

GENERAL FUND – TOWNWIDE	\$57,999.20
GENERAL – PART TOWN	841.66
HIGHWAY – TOWNWIDE	44,702.61
HIGHWAY – PART TOWN	78,009.94
BORDER CITY LIGHT DISTRICT	1,971.70
WATERLOO SEWER DISTRICT #1	775.26
5 and 20 SEWER DISTRICT	3,329.09
BURGESS ROAD WATER DISTRICT	9,120.69
BORDER CITY WATER DISTRICT	6,916.51
POWDERLY ROAD WATER DISTRICT	55.23
BREWER ROAD SOUTH	424.38
TOTAL	204,146.27
H2 WATER IMPROVEMENT PROJECT #1	60,778.45
TOTAL	264,924.72

AYE

Supervisor Westfall
Councilman King
Councilman Meyer
Councilman Hochadel
Councilman Rodger

NAE

The motion was carried.

NEW BUSINESS:

2015-075

Councilman King made the motion to approve two applicants for the water lateral grants. Councilman Meyer seconded the motion.

AYE

Supervisor Westfall
Councilman King
Councilman Meyer
Councilman Hochadel
Councilman Rodger

NAE

The motion was carried.

2015-076

Councilman Meyer made the motion to approve one applicant for the CDBG Housing Grant. Councilman Rodger seconded the motion.

AYE

Supervisor Westfall
Councilman King
Councilman Meyer
Councilman Hochadel
Councilman Rodger

NAE

The motion was carried.

2015-077

Councilman Meyer made the motion to approve Drop Off Days at our Steel Road Site, from 10:00 AM to 4:00 PM on October 15, 16 and 17. Councilman King seconded the motion.

AYE

Supervisor Westfall
Councilman King
Councilman Meyer
Councilman Hochadel
Councilman Rodger

NAE

The motion was carried.

2015-078

Councilman Rodger made the motion to schedule a Public Hearing on October 26th, 2015 at 7:00 PM to introduce Local Law Number 3 of 2015, A Local Law to override the limit on the amount of real property taxes that may be levied by the Town of Waterloo. Councilman King seconded the motion.

AYE

Supervisor Westfall
Councilman King
Councilman Meyer
Councilman Hochadel
Councilman Rodger

NAE

The motion was carried.

2015-079

Councilman Hochadel made the motion to set the Public Hearing on the Preliminary Budget for 2016. Councilman Rodger seconded the motion.

AYE

NAE

Supervisor Westfall
Councilman King
Councilman Meyer
Councilman Hochadel
Councilman Rodger

The motion was carried.

2015-080

Councilman Meyer made the motion for approval of the following Resolution:

**SEQR RESOLUTION
Designating Lead Agency**

WHEREAS, the Town of Waterloo Town Board (hereinafter referred to as Town Board) has on Monday, August 24, 2015 declared its intent to be designated the Lead Agency for the Town of Waterloo NYS Route 96 Water Main Improvements Project under the provisions of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Town Board has provided written notices to this effect to the involved and interested agencies; and

WHEREAS, the Town Board has not received any written objections from the involved agencies to the Board's being designated as the lead agency under the SEQR Regulations; and

WHEREAS, the Town Board has previously determined that it is the most appropriate agency to insure the coordination of this Action and for making the determination of significance thereon under the SEQR Regulations.

NOW, THEREFORE BE IT RESOLVED that the Town Board does hereby designate itself as the lead agency for the Action identified above herein;

Motion made by Member Councilman Meyer: Seconded by Member Councilman King_

Dated: September 28, 2015

The above Resolution was duly adopted on September 28, 2015 by the Town of Waterloo Town Board.

Gary Westfall, Supervisor
Town of Waterloo

AYE

Supervisor Westfall
Councilman King
Councilman Meyer
Councilman Hochadel
Councilman Rodger

NAE

The motion was carried.

2015-081

Councilman King made the motion for approval of the following resolution. Councilman Meyer seconded the motion.

**SEQR RESOLUTION
DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE**

WHEREAS, the Town of Waterloo Town Board (hereinafter referred to as Town Board) has on Monday, August 24, 2015 declared its intent to be designated the Lead Agency for the Town of Waterloo NYS Route 96 Water Main Improvements Project under the provisions of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Town Board has provided written notices to this effect to the involved and interested agencies; and

WHEREAS, the Town Board has not received any written objections from the involved agencies to the Board's being designated as the lead agency under the SEQR Regulations; and

WHEREAS, the Town Board has previously determined that it is the most appropriate agency to insure the coordination of this Action and for making the determination of significance thereon under the SEQR Regulations.

NOW, THEREFORE BE IT RESOLVED that the Town Board does hereby designate itself as the lead agency for the Action identified above herein;

Motion made by Member Councilman King: Seconded by Member Meyer
Dated: September 28, 2015

The above Resolution was duly adopted on September 28, 2015 by the Town of Waterloo Town Board.

Gary Westfall, Supervisor
Town of Waterloo

AYE

Supervisor Westfall
Councilman King
Councilman Meyer
Councilman Hochadel
Councilman Rodger

NAE

The motion was carried.

2015-082

Councilman King made the motion to approve the following resolution. Councilman Rodger seconded the motion.

**RESOLUTION OF THE TOWN BOARD OF
THE TOWN OF WATERLOO
AUTHORIZING SCHEDULING OF
PUBLIC HEARING**

WHEREAS, the Town Board deems it to be in the best interests of the residents of the Town of Waterloo to pursue the creation of the NYS Route 96 Water Improvement Area, pursuant to a Map, Plan and Report made by MRB Group, dated September 2015, and filed with the Town Clerk on September 28, 2015 (See Exhibit 1 attached hereto and made a part hereof.)

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 **Section 209-q of the Town Law** and the Town Clerk is 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 Improvement Area.

I, Sandra Ridley, Town Clerk of the Town of Waterloo do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Waterloo on September 28th, 2015.

AYE

Supervisor Westfall
Councilman King
Councilman Meyer
Councilman Hochadel
Councilman Rodger

NAE

The motion was carried.

2015-083

Councilman Rodger made the motion for approval of the following Resolution: Councilman King seconded the motion.

ORDER CALLING PUBLIC HEARING

WHEREAS, previously hereto a map, plan and report entitled "Engineering Report for NYS Route 96 Water Improvement Area" (hereinafter, the "Improvement Area") dated September 2015 has been prepared by the MRB Group, in such manner and in such detail as the Town Board has required relating to the creation of the Improvement Area; and

WHEREAS, such map, plan and report 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 boundaries of the proposed Improvement Area are set forth in Exhibit 1, attached hereto and made a part hereof; and

WHEREAS, the improvements proposed consist of the installation of approximately 4,760 feet of 10" PVC SDR 18 and HDPE pipe along the south side of NYS Route 96 between Mills Road and Brewer Road, along with appropriate hydrants and valves and service extension from the main to the curb stop, in accordance with the aforementioned map, plan and report now on file in the office of the Town Clerk of said Town; and

WHEREAS, the maximum amount proposed to be expended for the improvements necessary for distribution to the customers in the Improvement Area referenced herein, is \$253,195.00, with the full \$253,195.00 to be financed and repaid by the owners of property within the Improvement Area (the Town is reserving the option to apply up to \$253,195 from funds received pursuant to the August 15, 2005 Community Benefits Agreement entered into with respect to the Seneca Meadows Landfill to pay for all or a portion of this project); and

WHEREAS, the estimated costs of the Improvement Area to the typical property or one-family or two-family home is \$582.00 for debt service and \$307.00 for water usage, operation and maintenance (the water rate is a minimum of \$46/quarter for 7,481 gallons of water and \$4.60/748.10 gallons after the minimum is used. A typical household using 50,000 gallons per year would pay \$307 per year for water, which includes operation and maintenance) for a total cost of \$889.00. The cost of constructing the improvements shall be assessed, levied and collected from the several lots and parcels of land within the Improvement Area pursuant to a benefit basis calculation; and

WHEREAS, a hook up fee will not be charged if connected within the first year as such service will be 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 will be charged for hooking up after the first year.

Additionally, 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 (Estimated Cost \$7-\$10 per foot depending on the private contractor selected and on pipe material used); and

WHEREAS, the proposed method of payment of the \$253,195.00, pursuant to the map, plan and report, shall be through the issuance of a Bond by the Town of Waterloo, which will be paid on an amortized basis through charges to the property owners in the said Improvement Area.

NOW, THEREFORE, be it **ORDERED**, that a public hearing of the Town Board of the Town of Waterloo will be held at the Waterloo Town Hall, 66 Virginia Street, Waterloo, New York, on October 26, 2015, at 7:00 p.m. on said day, to consider creation of the Improvement Area and to hear all persons

interested in the subject thereof, concerning the same, and for such other and further action on the part of said Town Board, with relation to creation of the Improvement Area; and

BE IT FURTHER ORDERED, that this Order Calling for a Public Hearing shall be published and posted as required by law.

Dated: September 28th, 2015

Signature of Town Board Members Present

Gary Westfall, Supervisor

Lisa Hochadel, Councilperson

Jamie King, Councilperson

Herb Meyer, Councilperson

AYE
Supervisor Westfall
Councilman King
Councilman Meyer
Councilman Hochadel
Councilman Rodger

NAE

The motion was carried.

2015-084

Councilman King made the motion to authorize Supervisor Gary Westfall to sign three-year fire protection projects with the Border City and Waterloo Fire Departments. Councilman Meyer seconded the motion.

Waterloo Fire District - 2016 – \$39,500	Border City Fire – 2016 - \$36,500
2017 - \$40,500	2017 - \$37,500
2018 - \$41,500	2018 - \$38,500

AYE
Supervisor Westfall
Councilman King
Councilman Meyer
Councilman Hochadel
Councilman Rodger

NAE

The motion was carried.

Supervisor Westfall told everyone that today at 1:00 PM, the bids for materials for the Hecker Road Water Main Project were scheduled to be opened. Supervisor Westfall asked Mr. Pat Nicoletta, Project Engineer from the MRB Group to comment on this project.

Mr. Nicoletta said that only one bid was received from the Blair Supply Company, in Rochester, New York in the amount of \$67,254.00, which was below the estimated cost of \$70,000.00. Mr. Nicoletta said he felt that it was a good bid and the Blair Supply Company is a reputable Company.

2015-085

Councilman Rodger made the motion to award the bid to award the bid to Blair Supply Company in the amount of \$67,254.00 for Hecker Road Water Project. Councilman King seconded the motion.

AYE

NAE

Supervisor Westfall
Councilman King
Councilman Meyer
Councilman Hochadel
Councilman Rodger

The motion was carried.

DEPARTMENT REPORTS:

Code Enforcement Officer/Assessor, Jim Cleere said that the next Comprehensive Plan Committee Meeting is scheduled for October 13th, at 6:30 PM, at the Town Hall and the public is invited to attend.

Jim also told the Board that he represented the Town in Seneca County Court on September 24th, on a disputed assessment and that Judge Kehoe has delayed his decision.

Jim also said there was a Zoning Board Meeting on September 21, and the process was started for the interpretation of his decision on the Clay Mine Project. A Public Hearing on this issue has been scheduled for October 19th, at 6:30 PM.

Highway Superintendent Joe Mull said that the Ford F550 Dump Truck should be here in mid November.

Supervisor Comments:

Supervisor Westfall said there has already been two budget workshops and there is one more scheduled for October 7th, at 3:30 at the Town Hall.

He said it is a typical budget and the board is trying to keep it to a 2 percent increase. He said the largest new expense will be the replacement of a bridge on the Reed Road.

2015-086

Councilman Hochadel made the motion to adjourn the meeting at 7:15 PM. Councilman Rodger seconded the motion.

AYE

NAE

Supervisor Westfall
Councilman King
Councilman Meyer
Councilman Hochadel
Councilman Rodger

The motion was carried.

The meeting adjourned at 7:15 PM.

Respectfully Submitted,

Sandra L. Ridley
Town Clerk