

**Webster Town Board**

January 19, 2023

A regular meeting of the Webster Town Board was called to order by Supervisor Flaherty at 7:30 p.m. at the Webster Town Board Meeting Room, 1002 Ridge Road, Webster, New York, with the following officials present:

Supervisor..... Thomas J. Flaherty  
Councilman..... John J. Cahill  
Councilwoman..... Patricia T. Cataldi  
Councilwoman..... Ginny L. Nguyen  
Town Attorney..... Charles J. Genese  
Town Clerk..... Dorothy M. Maguire

Absent:

Councilman..... William G. Abbott

Department Heads Present:

Community Development Director..... Josh Artuso  
Deputy Commissioner of Public Works-Sewer..... Art Petrone  
Finance Director..... Paul Adams

Supervisor Flaherty led the Pledge of Allegiance to the Flag.

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The meeting was open to the floor and the following person spoke:

Dave Jenkins, Webster Resident, made a suggestion that the Town Highway Department notify property owners one day prior to picking up their leaves. He also expressed his dissatisfaction with the way the Comprehensive Plan Survey is worded and that individuals are able to respond multiple times.

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**Resolution No. 66:** MOTION by Supervisor Flaherty, seconded by Councilman Cahill, to approve the January 5, 2023 Town Board Organizational Meeting Minutes as submitted by the Town Clerk.

Vote on motion:

Supervisor Flaherty.....Aye                      Councilman Cahill.....Aye  
Councilwoman Cataldi.....Aye                      Councilwoman Nguyen....Aye  
Motion carried.....4-0

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**Resolution No. 67:** MOTION by Supervisor Flaherty, seconded by Councilwoman Cataldi, to approve the January 5, 2023 Town Board Meeting Minutes as submitted by the Town Clerk.

Vote on motion:

Supervisor Flaherty.....Aye                      Councilman Cahill.....Aye  
Councilwoman Cataldi.....Aye                      Councilwoman Nguyen....Aye  
Motion carried.....4-0

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**Resolution No. 68:** MOTION by Councilwoman Cataldi, seconded by Councilwoman Nguyen,

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to approve the bills as submitted in Warrant #0123A by the Director of Finance.

<b>Fund</b>	<b>Inside</b>	<b>Outside</b>	<b>Total</b>
General (A,B) CL #4874-5066	166,336.76	244,348.46	410,685.22
Highway (C,D)	47,650.35	87,329.44	134,979.79
Sewer (G)	15,429.90	56,385.76	71,815.66
Library (L)	51,851.35	14,439.22	66,290.57
Drainage Districts (M)	18,982.96	6,909.35	25,892.31
Trust & Agency (T/A,TP,XM,XD)	0.00	383,567.98	383,567.98
Capital Projects (H) #114-116			
H220 WWTP Improvement	136,015.00	0.00	136,015.00
H223 Lake Rd WE Drain MO.56	<u>420.00</u>	<u>0.00</u>	<u>420.00</u>
<b>TOTAL</b>	<b>436,686.32</b>	<b>792,980.21</b>	<b>1,229,666.53</b>

Vote on motion:

Supervisor Flaherty.....Aye	Councilman Cahill.....Aye
Councilwoman Cataldi.....Aye	Councilwoman Nguyen...Aye
Motion carried.....4-0	

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All purchase orders were okay.

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**Resolution No. 69:** MOTION by Supervisor Flaherty, seconded by Councilman Cahill, to approve the prepaid vouchers included in Warrant #0123A by the Director of Finance in the amount of \$792,980.21. [Included in the summary of vouchers approved in Resolution #68]

Vote on motion:

Supervisor Flaherty.....Aye	Councilman Cahill.....Aye
Councilwoman Cataldi.....Aye	Councilwoman Nguyen...Aye
Motion carried.....4-0	

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**Resolution No. 70:** MOTION by Councilwoman Cataldi, seconded by Councilman Cahill, to solicit bids for Ferric Chloride Solution (bulk) and Sodium Hypochlorite (bulk) to be used at the Wastewater Treatment Plant located at 226 Phillips Road. Advertisement of the two (2) sealed bids will be published in the *Webster Herald* on January 25, 2023 and opened on February 16, 2023.

Vote on motion:

Supervisor Flaherty.....Aye	Councilman Cahill.....Aye
Councilwoman Cataldi.....Aye	Councilwoman Nguyen...Aye
Motion carried.....4-0	

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Art Petrone, Deputy Commissioner of Public Works-Sewer, appeared before the Town Board. He stated the residents of Raphael Drive and San Ron Drive presented the Town with a petition to investigate sanitary sewers in their area. A Request for Proposal (RFP) was released to eight companies. Three responses were received with one submission that was incomplete. The proposal includes the preparation of a map and plan to be submitted to the New York State Comptroller’s Office. This is an additional cost to the Town and was never needed in the past.

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The reason for including the preparation of a map and plan in the proposal is that every year the New York State Comptroller’s Office issues a threshold amount. If a sewer project, per resident, exceeds the threshold amount then many legal steps must be taken to justify the annual cost.

After some discussion, the Town Board considered the following proposed Resolution.

**Resolution No. 71:** MOTION by Supervisor Flaherty, seconded by Councilwoman Cataldi, to approve the proposal submitted by Costich Engineering for the proposed Raphael Drive and San Ron Drive Sanitary Sewer Project.

WHEREAS, proposals were requested for Professional Design Services for the proposed Raphael Drive and San Ron Drive Sanitary Sewer Project (“Project”); and

WHEREAS, the purpose of the proposed Project is to extend sanitary sewers to fifty three (53) properties on Raphael Drive and San Ron Drive; and

WHEREAS, the Project consists of approximately 3,500 ± L.F. of 8” sanitary sewer with 4” sanitary sewer laterals, connecting to the existing manhole at the corner of Raphael Drive and DeWitt Road:

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

That the Town Board of the Town of Webster approves the proposal submitted by Costich Engineering for the proposed Raphael Drive and San Ron Drive Sanitary Sewer Project in the amount of Five Thousand Dollars (\$5,000.00) for Phase I and in the amount of Two Thousand Four Hundred Dollars (\$2,400.00) for preparation of a map, plan and report for submission to the New York State Comptroller, for a total of Seven Thousand Four Hundred Dollars (\$7,400.00).

Vote on motion:

Supervisor Flaherty.....Aye	Councilman Cahill.....Aye
Councilwoman Cataldi.....Aye	Councilwoman Nguyen....Aye
Motion carried.....4-0	

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Matt Chatfield, Webster Economic Development Alliance Executive Director, appeared before the Town Board. He stated that the Brownfield Opportunity Area (BOA) Program is a funded program of the Department of State. It is a mini master plan for an area that's both in the Village and the Town of Webster. The benefits of the program are that upon the completion of the process, there is a boundary that is recognized by the Secretary of State, and any projects that are proposed by either the Town or the Village within said boundary would then be eligible for either added incentives or priority and preference for State funding.

Mr. Chatfield stated that the Town Board is being asked to enter into a Memorandum of Understanding (MOU) with the Village of Webster. The purpose of entering into a MOU is because the Village of Webster is the awardee of the BOA Grant, and the Village is directing the process. There are members of the Town Board on the Steering Committee and both Municipalities are participating towards the same goal.

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**Resolution No. 72:** MOTION by Councilwoman Cataldi, seconded by Councilman Cahill, to approve and authorize the Town Supervisor to execute a Memorandum of Understanding (MOU) between the Village of Webster and the Town of Webster regarding the completion of a Brownfield Opportunity Area Nomination Study for lands of the Village and Town of Webster.

Vote on motion:

Supervisor Flaherty.....Aye	Councilman Cahill.....Aye
Councilwoman Cataldi.....Aye	Councilwoman Nguyen....Aye
Motion carried.....4-0	

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The Town Board considered the following proposed Resolution.

**Resolution No. 73:** MOTION by Supervisor Flaherty, seconded by Councilwoman Nguyen, to apply for Restore New York Funding to demolish and/or restore an area of Ridge Road in the Town of Webster (an area formerly known as West Webster) and set forth findings in connection with such application.

WHEREAS, the 2022-2023 New York State Budget has provided new funding for the Restore New York Communities Initiative and given Empire State Development the responsibility of implementing this program for the purpose of revitalizing communities and stabilizing neighborhoods; and

WHEREAS, municipalities, defined as cities, towns, and villages, have been invited to submit a Request for Funding Proposal for any project to demolish, deconstruct, rehabilitate and/or reconstruct vacant, abandoned, condemned and surplus properties; and

WHEREAS, in order to be eligible for such funding, a Restore NY Application must be certified by the chief elected official of each such municipality, and must, as part of such Application include a Property Assessment List, among other pertinent items and documents; and

WHEREAS, it is required to apply for such funding that a Property Assessment List must be published in a local daily newspaper either in print or online for three consecutive days, and evidence of such publication must be included in the Application; and

WHEREAS, a public hearing is required to be held to discuss the Restore NY Application and the Property Assessment List; and

WHEREAS, an applying municipality’s legislative body must pass a resolution finding that the proposed project is consistent with the municipality’s local revitalization plan; and

WHEREAS, a resolution must be passed finding that the proposed financing is appropriate for the specific project, that the project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and

WHEREAS, a resolution must be passed finding that the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create and sustain employment opportunities where applicable; and

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WHEREAS, the Town Board has considered and is considering an application to sponsor a project to demolish and/or rehabilitate a targeted area of (old) Ridge Road and Gravel Road in the Hamlet of West Webster and, which project includes and involves five vacant properties totaling over 18,000 square feet centered around the intersection of (old) Ridge Road and Gravel Road in the Hamlet formerly known as West Webster; and

WHEREAS, it appears that the age of the structures involved and the size of the lots involved have made these buildings functionally and economically obsolete, resulting in high vacancy rates; and

WHEREAS, the Town of Webster has identified the revitalization of the area formerly known as West Webster to be a priority in its most current Comprehensive Plan; and

WHEREAS, the Town of Webster has undertaken a Revitalization Planning Study that is expected to be complete in Spring 2023 which identifies this intersection, and the improvement of properties in its vicinity as the primary focus area; and

WHEREAS, a significant concern is the vacant, abandoned and asbestos/lead contaminated property at 600 Ridge Road, and the four nearby properties at 602 Ridge Road, 603 Ridge Road and 1041 Gravel Road and 1043 Gravel Road all of which will need to be significantly rehabilitated to meet contemporary standards for commercial and residential uses; and

WHEREAS, a Notice of Public Hearing was published in the weekly edition of the *Webster Herald* for three consecutive weeks on December 28, 2022, January 4, 2023, and January 11, 2023 and posted on the Town's Website and on the Town Clerk's Bulletin Board at 1000 Ridge Road, Webster, New York; and

WHEREAS, the Public Hearing to consider the proposed application to a seek Restore New York Funding for an area of the Town formerly known as West Webster, specifically the vacant, abandoned and asbestos/lead contaminated property at 600 Ridge Road, and four adjacent properties at 602 Ridge Road, 603 Ridge Road, 1041 Gravel Road and 1043 Gravel Road was held by the Webster Town Board on January 12, 2023 at 5:30 p.m., and all interested persons having had an opportunity to be heard at the Public Hearing; and

WHEREAS, a short Environmental Assessment Form (EAF) for the proposed action has been prepared, and has been submitted to the Town Board and reviewed by the Town Board:

### **NOW, THEREFORE, BE IT RESOLVED:**

1. That the notice of hearing was published and posted as required by law, and it was otherwise sufficient.
2. That the only interested or involved agencies are the Town and the State offices to which the Town must apply for the requisite funding.
3. The proposed action is an "unlisted" action under the New York State Environmental Quality Review Act.

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4. That the Town of Webster has assessed the potential environmental significance of the proposed actions, that the same will not have a significant effect on the environment based on the criteria established by the New York State Environmental Quality Review Act and the regulations thereto, in fact, will improve, rehabilitate and enhance the environment, human and community resources involved, and as such, the Town Board of the Town of Webster issues its declaration of non-significance for such proposed actions.
5. That all the property and property owners and the hamlet formerly known as West Webster shall be benefitted thereby.
6. That the proposed project, i.e., rehabilitation of the subject properties, (the “Property Assessment List”) to-wit,

**Site 1: Owner – Ridgepointe Drive 1 Corp.  
600 Ridge Road  
SBL 078.20-1-11**

**Site 2: Owner – Louis Buddy LLC  
602 Ridge Road  
SBL 078.20-1-16**

**Site 3: Owner – Aqua Valley Inc.  
603 Ridge Road  
SBL 078.20-1-68**

**Site 4 Owner – Hopwood LLC  
1041 Gravel Road  
SBL – 078.20-1-84**

**Site 5 Owner – Carl A. Provenzano, et al.  
1043 Gravel Road  
SBL – 078.20-1-83**

is consistent with the Town’s local revitalization plan.

7. That the project facilitates effective and efficient use of existing and future public resources, promotes both economic development and preservation of community resources.
8. That the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create and sustain employment opportunities where applicable.
9. That it is in the public interest that the Town of Webster apply for Restore New York Funding for the above properties and therefore, the Town Board approves an Application to sponsor a project to demolish and/or rehabilitate a targeted area at the intersection of (old) Ridge Road and Gravel Road in the Hamlet of West Webster and, which project includes and involves the above five mentioned vacant properties totaling over 18,000 square feet centered around the intersection of (old) Ridge Road and Gravel Road in the Hamlet formerly known as West Webster, and authorizes the Supervisor to certify the list of properties above to be included within such Application.

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Vote on motion:

Supervisor Flaherty.....Aye	Councilman Cahill.....Aye
Councilwoman Cataldi.....Aye	Councilwoman Nguyen....Aye
Motion carried.....4-0	

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Josh Artuso, Community Development Director, appeared before the Town Board. He stated the following proposed Resolution is a follow up on the Town’s efforts to fix the Courthouse Building roof leak. Phase I, the exterior improvements as well as the spray foaming insulation, have been completed. The Town is moving on to the second step of the project which is to mitigate the mold that was found in a couple areas of the building.

**Resolution No. 74:** MOTION by Councilwoman Cataldi, seconded by Councilwoman Nguyen, to award and authorize the Town Supervisor to execute a contract with ServePro of S.W. Monroe County for the Webster Courthouse Water Damage and Mold Mitigation Project in the amount of Fourteen Thousand Eight Hundred Thirteen Dollars and Fifty Cents (\$14,813.50).

Vote on motion:

Supervisor Flaherty.....Aye	Councilman Cahill.....Aye
Councilwoman Cataldi.....Aye	Councilwoman Nguyen....Aye
Motion carried.....4-0	

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**Resolution No. 75:** MOTION by Supervisor Flaherty, seconded by Councilwoman Cataldi, to declare the following items from the Sewer Department for recycling and/or disposal:

- Wemco Torque Flow Pump, Asset Tag #3846
- Wemco Torque Flow Pump, Asset Tag #3847
- Minarik Adjustable Speed Motor, Asset Tag #00916

Vote on motion:

Supervisor Flaherty.....Aye	Councilman Cahill.....Aye
Councilwoman Cataldi.....Aye	Councilwoman Nguyen....Aye
Motion carried.....4-0	

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**Resolution No. 76:** MOTION by Supervisor Flaherty, seconded by Councilwoman Nguyen, to declare the following item from Justice Court for recycling and/or disposal:

- Canon Image Class D1120 Copier, Asset Tag #04781

Vote on motion:

Supervisor Flaherty.....Aye	Councilman Cahill.....Aye
Councilwoman Cataldi.....Aye	Councilwoman Nguyen....Aye
Motion carried.....4-0	

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Josh Artuso, Community Development Director, announced that the Town has been notified of

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being awarded a \$100,000.00 Grant for the purpose of the updating the Comprehensive Plan. A Request for Proposals is being developed for consultant services. There will be opportunity for public engagement throughout this process. The public is being encouraged to get involved.

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There being no further business to come before the Board, the meeting was adjourned at 8:15 p.m.

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Dorothy M. Maguire, Town Clerk