

Webster Town Board

February 16, 2023

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

Deputy Supervisor.....Patricia T. Cataldi
Councilman.....William G. Abbott
Councilman.....John J. Cahill
Councilwoman.....Ginny L. Nguyen
Town Attorney.....Charles J. Genese
Town Clerk.....Dorothy M. Maguire

Absent:

Supervisor.....Thomas J. Flaherty

Department Heads Present:

Finance Director.....Paul Adams
Town Engineer.....Mary Herington

Deputy Supervisor Cataldi led the Pledge of Allegiance to the Flag.

Prior to the Town Board meeting, Deputy Supervisor provided Webster residents in attendance a copy of a list of frequently asked questions related to an upcoming Town Board vote on the bonding for the Town of Webster Highway Facility. She read aloud the document titled "Frequently Asked Questions".

1. Why not wait to see what grants are obtained before a bond vote? Unfortunately, municipal infrastructure projects have a sequence of events that has a "cart before the horse" aspect to them. Similar to the adage "you can't get the job without experience, and you can't get experience without the job".... State of New York and Federal grant awards go up exponentially when you apply for them as a "shovel ready" project and NOT as a "theoretical". Shovel ready means the Town Board has shown that they have approved the bond resolution and have completed a design; that the Town is committed to moving ahead with the project and it is NOT contingent on the receipt of grants. This commitment exhibits the NEED for the project and shows that the scope is not a "wish list" but rather an essential investment for the community. Simply said... if you apply for grants and essentially tell the State of NY and/or Federal government "if we get this grant, we will proceed on with this theoretical project".... then you will NOT be awarded the grant. For this project, the worst-case scenario is the \$28 million bond with a 30-year payback. This project will progress with a Request for Bids publicly advertised, multiple contracts as required by Wick’s Law, and a public Bid Opening coordinated by the Town Clerk to reveal the apparent LOW bidder for each contract prior to contract award by the Town Board.

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2. How did the Town get a \$3 million awarded WIAA Grant on the \$12 million Phase 1 of the Sewer plant back in 2017? The first time the Town applied for this grant, it got turned down. One of the main reasons for the turn down was "where the project was at". It was more at the "theoretical" stage than "shovel ready". The 2nd time the application was made, the project was further along with \$12 million bond resolution approved, contractor bidding process completed per Wicks Law, etc. (i.e. it was more "shovel ready"). It is important to note that the bond vote on the \$12 million Phase 1 of the sewer project in 2017 also did not have a public hearing prior to the Town Board vote.

3. Why no Public Hearing prior to this \$28 million bond vote by Town Board? From a legal perspective, a highway facility bonding vote by the Town Board does not require a public hearing. A "pseudo" public hearing will be achieved via the 2/16 and 2/23 Town Board meetings held at 7:30 p.m. and the 5-minutes open to the public section of each of those meetings. The Town Board will get a good overview of the public feelings on this between the comments made by citizens on the podium at those meetings, along with the calls, e-mails, facility tour feedback, etc. that the Town has gotten in the past 30+ days since the in-person and virtual tours of the current facility have taken place. Ultimately, if the Town Board votes YES on the \$28 million bond, it is subject to a 30-day Permissive Referendum. A public hearing is not necessary because it is not a special improvement district, but rather a Town-wide project.

4. How does a Permissive Referendum work? A Permissive Referendum is the means by which a bond resolution (among others) may be challenged. The procedure to be followed is set forth in the New York State Town Law, Article 7, Sections 90-94, and relates the format, purpose, and procedure needed to require the matter to be brought to a general vote. (As this would be a Town-wide matter, the vote would be Town-wide, and not limited to a certain group of affected citizens or a limited geographical area or areas.) The petition must be completed within 30 days after adoption of the resolution.

5. How realistic is it that the Town will ultimately get awarded grants to offset the \$28 million? There is NO guarantee the Town will be awarded any grants. That is why it was important to present the "worst case" of \$28 million bonding for a 30-year payback. That worst case adds 50 cents per \$1,000 of assessed value to Webster real estate taxpayers, or approx. \$100 annually on an average assessed home (\$200k) in the Town. As the project gets more "shovel ready", the Town will maximize every possible grant opportunity by applying to any applicable program.

6. How else can the Town best position itself to get grant awards to defray some of the \$28 million cost? New York State and the Federal government have created trillions of dollars of infrastructure and Green initiative monies in the past few years. Regardless of how you personally "feel" about those governments creating those monies, it is incumbent on the Town of Webster Government to PURSUE THOSE FUNDS TO THE MAX. Every dollar of a grant for the Highway project is one less dollar that has to be bonded and go on the citizens Webster Town real estate bill. In mid-2022 the Town Board voted 3-2 to NOT become a "New York State Climate Smart Community". We will be looking to bring that initiative back to the Town Board in the April-June 2023 timeframe, as becoming a Climate Smart Community, may open channels to grants on both the Highway and Sewer projects.

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7. What Green Infrastructure has the project reviewed? The Town will be completing a study for this facility to fully assess the opportunity to utilize green infrastructure on this project. The Town’s consultants have performed studies on similar local projects to review the feasibility of renewable energy installations such as solar panels, geothermal energy, and wind turbines. In general, the conclusion of the studies done in our area has been that there is no return on investment for these types of features on a facility of this size and therefore perusing these items will result in higher spending on the project. The Town will be reviewing the applicability of these practices as they directly relate to the project and present the findings at a future meeting.

The meeting was open to the floor. The following Webster residents spoke:

Leo Wlasowicz wondered if there was any foresight or thought by the Town Board to include in the Highway Facility Project the initial infrastructure for future charging stations. He felt spending the money now would be a cost savings to the taxpayers.

Rebecca Collins also felt that including the infrastructure in the Highway Facility Project for charging stations up front rather than later would result in cost savings. She fully supports a second look at becoming a Climate Smart Community. She was also wondering if there is any way that she could see some of the studies stated in the list of frequently asked questions.

Ken Corpus stated that even if the Town were to receive any grant funding to offset the Highway Facility Project those funds are still taxpayer dollars. However, if the Town were to receive any of those funds, it would be great that those taxpayer dollars are returned to Webster. He stated he was an engineer and has reviewed the Highway Facility Project slide presentation. He is concerned with the accuracy of the budget figures provided in the slide presentation and the lack of detail. He mentioned that the projected cost of \$28,000,000 for the Highway Facility Project is \$8,000,000 more than the Town’s Budget. He stated the Highway Department generates approximately \$800,000 to \$1,000,000 in revenue every year which has probably happened for the last 20 years. He felt that if the Town Board redirected that money to this project, the Town could save taxpayers half of what they are currently paying. He is also concerned with the Town Board’s transparency based on recent changes to Town Board agendas.

Resolution No. 88: MOTION by Deputy Supervisor Cataldi, seconded by Councilman Cahill, to approve the February 2, 2023 Town Board Meeting Minutes as submitted by the Town Clerk.

Vote on motion:

Deputy Supervisor Cataldi..Aye	Councilman Abbott.....Abstain
Councilman Cahill.....Aye	Councilwoman Nguyen...Aye
Motion carried.....3-0-1	

Resolution No. 89: MOTION by Councilman Abbott, seconded by Councilman Cahill, to approve the bills as submitted in Warrant #0223A by the Director of Finance.

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Fund	Inside	Outside	Total
General (A,B) CL #5222-5469	232,365.82	257,534.34	489,900.16
Highway (C,D)	102,043.18	76,152.48	178,195.66
Sewer (G)	212,846.51	57,185.68	270,032.19
Library (L)	3,605.59	10,128.80	13,734.39
Drainage Districts (M)	8,749.30	6,909.35	15,658.65
Trust & Agency (T/A,TP,XM,XD)	0.00	379,511.69	379,511.69
Capital Projects (H) #119-120, #1-5			
H213 SB Waterfront Park Design	1,296.00	0.00	1,296.00
H117 Ridge Rd Multi-Modal	110.00	0.00	110.00
H220 WWTP Improvement	113,165.37	0.00	113,165.37
H226 Lake Rd Pump Station MO.65	3,093.50	0.00	3,093.50
H231 WWTP Upgrade Phase II	135,259.00	0.00	135,259.00
H232 Highway Garage Building	<u>78,217.30</u>	<u>0.00</u>	<u>78,217.30</u>
TOTAL	890,751.57	787,422.34	1,678,173.91

Vote on motion:

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

All purchase orders were okay.

Resolution No. 90: MOTION by Deputy Supervisor Cataldi, seconded by Councilwoman Nguyen, to approve the prepaid vouchers included in Warrant #0223A by the Director of Finance in the amount of \$787,422.34. [Included in the summary of vouchers approved in Resolution #89]

Vote on motion:

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

Resolution No. 91: MOTION by Deputy Supervisor Cataldi, seconded by Councilman Abbott, to transfer Seven Thousand Five Hundred Eighty-Three Dollars and Sixty-Four Cents (\$7,583.64) from the Highway Part Town Fund to complete the funding for H0218 Drumm and Pellett Road Gutter Capital Project.

Vote on motion:

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

Resolution No. 92: MOTION by Deputy Supervisor Cataldi, seconded by Councilman Cahill, to close H0218 Drumm and Pellett Road Gutter Capital Project.

Vote on motion:

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

Resolution No. 93: MOTION by Deputy Supervisor Cataldi, seconded by Councilwoman Nguyen, to transfer Twenty-Seven Thousand Three Hundred Sixty-Five Dollars and Thirty Cents (\$27,365.30) from the Library Fund to complete the funding for H0228 Library HVAC Unit and Lighting System Capital Project.

Vote on motion:

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

Resolution No. 94: MOTION by Deputy Supervisor Cataldi, seconded by Councilwoman Nguyen, to close H0228 Library HVAC Unit and Lighting System Capital Project.

Vote on motion:

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

Resolution No. 95: MOTION by Deputy Supervisor Cataldi, seconded by Councilman Cahill, to declare the following items as transfers from the Engineering and Community Development Departments:

- One Beige File Cabinet transferred to Information Technology Department, Asset Tag #03284
- One Beige File Cabinet transferred to Justice Court, Asset Tag #03494

Vote on motion:

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

Resolution No. 96: MOTION by Deputy Supervisor Cataldi, seconded by Councilwoman Nguyen, to declare the following item as a transfer from the Assessment Department to the Community Development and Engineering Departments:

- 4 Shelf Bookshelf, Asset Tag #3214

Vote on motion:

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

Resolution No. 97: MOTION by Deputy Supervisor Cataldi, seconded by Councilman Abbott,

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to declare the following item for recycling from the Highway Department:

Refrigerated Air Dryer, Asset Tag #02342

Vote on motion:

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

Mary Herington, Town Engineer, presented a virtual video presentation of the Highway Garage.

After the presentation, general discussion took place.

There being no further business to come before the Board, the meeting was adjourned at 8:23 p.m.

Dorothy M. Maguire, Town Clerk