

Webster Town Board

February 23, 2023

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

Department Heads Present:

Community Development Director.....	Josh Artuso
Deputy Commissioner of Public Works-Sewer.....	Art Petrone
Finance Director.....	Paul Adams
Highway Superintendent.....	Pat Stephens
Town Justice.....	Tom DiSalvo

Supervisor Flaherty led the Pledge of Allegiance to the Flag.

In recognition of awards received by two Sewer Department employees, Councilwoman Cataldi read aloud the following:

Dwayne Hilfiker – Winner of the New York Water Environment Association (NYWEA) – Outstanding Operator of The Year Award

This award is given to a front-line individual who has demonstrated extraordinary dedication to the day-to-day operation of a Water Resource Recovery Facility (WRRF). There are seven NYWEA Chapters across the state and it is given annually to one operator per chapter. Dwayne has been at the facility for 15 years; he has worked his way up from labor to become a certified operator in 2019. He is a Grade 4A Certified Operator.

“Dwayne has a thirst for knowledge. He has a wide range of institutional knowledge, but continually asks questions to help build on that knowledge. Dwayne can always be counted on to pitch in and help out. Whether the help is needed in the lab, plant or outside maintenance, or just helping keep the sidewalks clear of snow, he is willing to do what it takes to be a team player. Dwayne's mind is always working, looking for ways to improve processes or maybe just try doing it a different way. Whether it works out or not, he uses the experience and knowledge he gained from the process to make him a better employee.”

Tim Keegan – Winner of the NYWEA Lucy Grassano Memorial Scholarship

This scholarship is named after Lucy Grassano, who was a Principal Administrative Assistant at New York City Department of Environmental Protection (NYCDEP). She was a mentor, friend, teacher, and “mother” to many operations staff throughout the years. Everyone needs a coach, it is in this spirit, that these scholarships are granted in her name. This scholarship is offered each year to one certified operator from each of NYWEA’s seven chapters.

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Tim has been in the industry for twelve years, the last ten as a certified operator. The first six years were for Monroe County and the last six years have been for the Town of Webster. He is a Grade 3A Certified Operator.

Tim has a “can-do” attitude, he is always ready and available when handed job tasks or asked to do additional jobs during the workday and we know the job will be done right. This flexibility allows him to accept new ways to do things and to take on new challenges. He also shows a genuine interest in others and treats others with common courtesy. Tim shows respect, compassion, and empathy for fellow co-workers and works effectively and cooperatively with others, he is the consummate team player and mentor.

These are just two of the talented and award worthy employees employed at the Walter Bradley Water Pollution Control Facility.

Webster Highway Department

In recognition of emergency relief efforts following the Holiday Blizzard in the City of Buffalo by Webster Highway Department staff, Pat Stephens, Highway Superintendent, read aloud the following:

In the aftermath of the Buffalo Blizzard that devastated the City of Buffalo in late December 2022, Monroe County Towns and Villages were called into action by Erie County to assist with snow removal in the City of Buffalo. The Town of Webster was able to supply the largest fleet of any Monroe County Town with (4) 10-wheel dump trucks and (2) Front end loaders. This equipment required 12 operators to run around the clock. The Highway Department employees working on this effort did so with skill, precision and professionalism that is unmatched in the industry. The effort provided critical relief to Buffalo residents and allowed them to get back to their daily lives. While this effort was underway in Buffalo the remaining department employees, led by foremen John Leckinger, maintained full operation of the department here in Webster.

“The willingness of our highway employees to drop everything and be ready to start work within minutes is just one of the outstanding qualities that all members of the department possess. When the call came for this effort to assist our neighbors to the west the response was exactly that, outstanding. Within 30 minutes there were 12 staff members ready to go and several willing alternates at the ready. Once the group mobilized to Buffalo, they operated with maximum efficiency for 84 straight hours on alternating shift removing over 500 loads of snow from City streets. This level of efficiency would not have been possible without the leadership of Foremen, Joe Kaspar and Joe Marrapese, who each organized and ran shifts during the deployment while also operating equipment. All members of the department should be extremely proud of this effort.”

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Highway Staff that worked in Buffalo:

Curt Coddington	Andrew Mrozek	Patrick Prahler
Bradley Ferguson	Christopher Schneider	William Thornton
Christopher Hobbs	Joseph Kasper	John Fustor
Daniel MacKenzie	Matthew Micsak	Jeffrey Reiber
Joseph Marrapese	Howard Parker	

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

Frank DeNunzio commented on the bonding of the proposed construction and reconstruction of the new Highway Facility. He stated he lives immediately north of the Highway Department parcel about 300 yards from the salt barn and the main garage. He has reviewed the modernization project documentation that was posted online, toured the facility, and viewed the area being prepared for site expansion several times. After viewing the facility firsthand, he has no doubt that the main building is sorely outdated and has outlived its usefulness. Current building conditions and congestion do not comprise of what he believes to be efficient, safe and, in some cases, minimally acceptable working conditions. He also believes there is an ongoing liability risk to the Town, the Highway Department and the people that work there. He feels the facility replacement will be the most cost effective and efficient alternative to address the myriad of issues that exist. He supports the proposed facility modernization project despite the debt burden posed to the Town or its property tax implications. He stated that he respectfully urges the Town Board to approve the Bond to fully fund the project and believes that in the long haul it will serve the Town quite well.

Jason Torres commented on the bonding of the proposed construction and reconstruction of the new Highway Facility. He stated the proposed Highway Facility is a “hard pill to swallow” as it is coming on the tail end of several other proposals that were approved that include tax increases. He would like to see more research on the green initiative. He stated he would like to see how the funds for the project will be allocated and used. He asked if someone could provide him with direction to access the New York State Environmental Quality Review documentation and the Law(s) that governs the bonding process. Personally, he feels the process is “taxation without representation”. He stated he did view the facilities and agrees there needs to be some improvements and does not like seeing people working in those kinds of conditions. However, he believes the Town is putting the “cart before the horse” by approving the bonding without defining where the funds will be spent.

Jane Taylor commented on the septic systems located on the upper part of Gravel Road and Klem Road, an exit change to Gravel Road and the runoff in her area. She stated two years ago and every year following she has been trying to get improvements done to the antiquated septic systems located on Gravel Road and Klem Road. She attended a meeting about changing the exit of Gravel Road onto Ridge Road and wondered if this plan will be moving forward. She feels she is not being notified properly and timely. Regarding the runoff in her area, she feels it has not been dealt with as it floods every Spring faithfully and feels the runoff needs to be redirected. She believes it is partly due to all the buildings in the area dumping their wastewater into the ground without being treated. She stated she would place this matter as high priority.

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Ken Corpus stated that he agrees that there is a need for a new garage. It is old, outdated and there is no fire suppression in the building. He is concerned with the way the project was “rolled out” based on recent changes to Town Board agendas. He feels the project’s budget still lacks details. He stated the Town bonding the project for 30 years is not really a Bond, it is an additional tax and will not come off the tax rolls after the 30 years, just like the two Bonds that are supposed to come off now. He is concerned with the Town moving ahead with the Bond when the design is only 50% complete. He would like to see more detail before he decides if he is for or against the project. He feels the average home is worth more than \$200,000 and the homeowner will see a tax increase of more than \$100 based on the following projects totaling \$88 Million: Sewer Project \$44 Million, Highway Facility Project \$28 Million, Sandbar Park Project \$11 Million, Comprehensive Plan \$1 Million, Vosburg Pump Station \$3 Million and if the Town includes a proposal for an ambulance district, then there is another \$1 Million. He feels the Town Board should not vote on the Bond Resolution for the reasons provided.

Tony Hubbard commented on the bonding of the proposed construction and reconstruction of the new Highway Facility. He stated he has seen a lot of growth in population in the Town over the past 50 years. He did have the opportunity to visit the site. It is obvious to him that it really needs upgrading, replacement and is not adequate for the highway staff or equipment. He urges the Town Board to vote for the eventual approval and upgrade of the facility. He believes it is important to consider other revenue sources, such as State, Federal and possibly even County funding to keep the tax burden as low as possible.

Ron Nesbitt commented on the bonding of the proposed construction and reconstruction of the new Highway Facility. He stated he is not against the fact that the Town should build a new highway garage as it has been needed for a long time. It was not a new idea by the current administration. In 2020, the previous administration had already started planning for a new facility. It has been about five years to get to 50% design of the new building. He questions why the Town Board is not waiting until 100% of the design is complete before going out to bid and bonding the project. He stated that by their own admission up to this point, the Town Board has not looked into green energy. If the Town Board decides to include green energy after approving the \$28,000,000 Bond, where will the Town obtain the additional funds? The Irondequoit Highway Department has solar panels on the top of their building. They must have thought of return on investment for their residents. Why does the Town Board not feel the same? He believes the Town Board vote tonight on the bonding for the project will be 5-0 with very little discussion about the tax implications to 16,500 parcels that will pay this Bond for the next 30 years. The Town Board will be bonding at least \$83,000,000 in the past and the next year, putting the residents in big debt for 30 years. Based on the \$.50 per thousand the Town Board is using for this \$28,000,000 project, if you include the \$44,000,000 and the \$11,000,000 for Sandbar Park, residents of Webster will be paying over \$300 per year for the next 30 years in taxes and sewer fees. He stated if his numbers are wrong, he is open to corrections from the Town Board. He believes the residents would like to understand how much debt there will be moving forward on all three projects. He is sure there are members of the Town Board that have absolutely no clue what the \$83,000,000 is going to totally cost residents and could not give him

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an answer if he polled each one of them. The Town Board also represents seniors, and the Town Board just put them in debt for the next 30 years while they struggle to meet current economy needs. He believes it is time to slow down the spending, wait until all the information is obtained and the design plans are finished before going out to bond the project.

The Town Board was presented with a proposed Bond Resolution for a new Highway Department Facility.

Councilman Abbott addressed the 50% Highway Facility design concerns expressed by some of the Webster residents during the meeting's open to the floor session. He stated when you get to 50% design, it is the building structure itself. It is not the cabinets, chairs or tables going into the building. The building structure itself is not going to change past 50% design and that is what the cost is based on. An allotment has been made in the budget for incidentals. There may be a need for a few partition walls depending on how things work out when creating office spaces but beyond that, the building structure at 50% will not be any different than it is at 100%.

Supervisor Flaherty addressed the comments regarding lack of communication on the proposed project. He stated that the communication strategy that has been deployed in the last six to twelve months to inform Webster residents of this project has been an unprecedented effort by the Town. There have been approximately twelve different conduits of communication used in the last six to twelve months. Most recently in the last forty-five days, the Town has been promoting virtual and in person tours of the facility. In addition, several articles have appeared in the *Webster Herald* in the last 6 months.

Councilwoman Nguyen stated that no one likes to borrow money and raise taxes. However, the Town needs to look to the future. The Town must improve the community and help the next generation. She feels that if you do not maintain the Town's facilities now, the cost of improvements will only increase in future years. She mentioned that the Town plans to look into grants to offset the costs.

Paul Adams, Finance Director, addressed the concern over the proposed increased tax rate. He stated that when you isolate this project, you are looking at about \$.50 per thousand of assessed value for an average home. There are several other projects that will be taking place that will increase the tax rate. However, the Town plans to do all they can to secure grants to minimize the increase. He mentioned the Town has a healthy surplus that can be utilized as a revenue in certain years to minimize the cost.

Councilman Cahill asked if the Bond is for \$28,000,000, does the Town necessarily have to spend the full amount?

Paul Adams, Finance Director, stated the Town does not have to spend the full amount. The Town is required to bond for the full cost of the project which is typically based on an engineer's estimate. Even if the bids come in much lower, grants are received or surplus funds are utilized to reduce the cost, the Town must bond for the estimated cost of the project.

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Councilman Cahill shared that he had taken a tour of the Highway Facility several years ago and again last week. He feels no visual presentation holds a candle to doing an on-site visit. The facility's lack of space does not accommodate the current forty employees or the highway equipment and creates poor working conditions. The one thing that really stuck out in his mind as he walked through the facility was the cleanliness of the building and the vehicles. He knows the project cost is lot of money but if anybody deserves it, it is the employees of the Highway Department.

Councilman Abbott stated that he has walked through that building so how many times it scares him to see the conditions the Highway employees are working under. He discussed the issue years ago with the former Highway Superintendent when he was the Department's liaison. Now that he is back to being the liaison, the one thing he wants to get done is to get the project off the ground as it is sorely needed. He recognizes it is a lot of money. However, to push it down the road any farther, \$28,000,000 may turn into \$35,000,000. The Town cannot afford to keep going down the road. He feels they need to just step up, do it, bite the bullet as a Town Board and do the right thing for their people.

Councilwoman Cataldi stated she concurs with the comments from the other members of the Town Board. The Town needs to do the right thing, not only for highway employees but people who live in this Town and to continue to provide the services. The Town Board does not like to raise taxes and they do their level best to keep that to a minimum. She wanted to clarify that there were a couple of things said last week at the Town's workshop from the public and again tonight. Stated was that the cost of the Comprehensive Plan was estimated at \$1,000,000. She clarified the actual estimated cost is \$150,000 and that the Town has received \$100,000 in grant funding to offset that cost. She also wanted to set the record straight on comments mentioned by the former Town Supervisor and Mr. Corpus. They both mentioned the Sandbar Park Project was \$11,000,000. She wanted to make everyone aware that the Town has received approximately \$5,000,000 in grant funding to offset the cost of this project.

Supervisor Flaherty interjected by stating that the Town bonded \$9,500,000 for the Sandbar Park Project.

Councilwoman Cataldi also wanted to address the 50% design comments and thanked Councilman Abbott for his explanation. She stated Mary Herington, Town Engineer, did a tremendous job of explaining that last week as well. She compared building a house and applying for a mortgage to building and bonding for the Highway Facility. When building a house, you know you have to put in a lawn, so you factor it in the budget, but you have not picked out the grass seed yet. You have to do window treatments, so you factor the cost in the budget, but you have not picked out the drapes yet. It is the same thing with the highway garage. The Town Board knows they need to purchase furniture, appliances, and other items. They have been factored into the budget but have not been picked out yet. This is what 50% design means. She went on to say that she agrees with everyone that this project is something that is very much needed and by waiting, the future cost of this project scares her. She feels the Town cannot continue to push this off any longer.

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Town Attorney Genese commented on the taxability and how it is going to affect each of the homeowners with an average cost or an average value of the homes in Webster being \$200,000. The tax will be based on the assessment of a home not on the actual market value. The average assessed value of a home in the Town of Webster is under \$200,000.

Pat Stephens, Highway Superintendent, stated that during the tours at the Highway Facility he was questioned if there has been planning by the Town for future facility replacement needs. He was able to share with them that planning efforts have begun on future spending and establishing funds for facilities that age out. He also stated that it was important not to alter the project schedule for the new Highway Facility as it could cost thousands, if not millions of dollars.

Resolution No. 98: MOTION by Supervisor Flaherty, seconded by Councilman Abbott, to authorize the construction and reconstruction of a new Town Highway Department Facility; stating the maximum estimated cost thereof is \$28,250,000; appropriating said amount therefor; and authorizing the issue of up to \$28,250,000 in Serial Bonds of the Town to finance said appropriation.

WHEREAS, the Town Board (the “Board”) the Town of Webster, Monroe County, New York (the “Town”) proposes to authorize the issuance of \$28,250,000 in serial bonds of the Town to finance the (i) construction and reconstruction of a new Town Highway Department facility on Town-owned parcels of land in Webster, New York, in and for the Town of Webster, Monroe County, New York, at 1005 Picture Parkway (Tax Parcel Numbers 079.07-1-10 and 064.19-2-20.11) and (ii) the demolition of the Town’s existing Highway Department structure (the “Project”), at an estimated maximum cost of \$28,250,000; and

WHEREAS, by resolutions adopted on December 15, 2022, the Town Board (i) determined that the actions to be undertaken in connection with the Project (collectively, the “Action”) constitute a “Type I” action pursuant to the provisions of the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617) (collectively, “SEQRA”), (ii) the Town Board assumed lead agency status for purposes of conducting a coordinated review of the Action in accordance with SEQRA, and (iii) the Town Board determined that the Action will not result in any significant adverse environmental impacts, adopted a “Negative Declaration” pursuant to SEQRA with respect thereto, and directed that a notice of Negative Declaration be filed and published, to the extent required under SEQRA; and

WHEREAS, the Board now wishes to appropriate funds for the Project and to authorize the issuance of the Town’s serial bonds and bond anticipation notes to be issued to finance the aforementioned specific object or purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board (the “Town Board”) of the Town of Webster, Monroe County, New York (the “Issuer” or the “Town”) (by the favorable vote of not less than two-thirds of all the members of such body), as follows:

SECTION 1. The Town is hereby authorized to undertake (i) the construction and reconstruction of a new Town Highway Department facility on Town-owned parcels of land in Webster, New York, in and for the Town of Webster, Monroe County, New York, at 1005 Picture Parkway (Tax Parcel Numbers 079.07-1-10 and 064.19-2-20.11), including original furnishings, equipment, machinery, apparatus, appurtenances, site improvements, and other incidental improvements and expenses in connection therewith and (ii) the demolition of the

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Town's existing Highway Department structure. It is hereby determined that the maximum estimated cost of the aforementioned class of object or purpose is \$28,250,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of the \$28,250,000 in serial bonds of the Town authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, and (ii) unless paid from other sources, the levy and collection of taxes on all taxable real property of the Town to pay the principal of such bonds or notes and the interest thereon as the same become due and payable.

SECTION 2. Serial bonds of the Town in the principal amount of \$28,250,000 are hereby authorized to be issued pursuant to provisions of Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the aforementioned class of object or purpose.

SECTION 3. It is hereby determined that the period of probable usefulness of the aforementioned class of object or purpose is thirty (30) years, pursuant to subdivision 11(a)(1) of paragraph a. of Section 11.00 of the Law.

SECTION 4. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of official intent to reimburse the expenditures authorized herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 5. The final maturity of the bonds herein authorized to be issued shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to this resolution.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town subject to applicable statutory limits, if any. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes or the renewals of said obligations and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Town Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the

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determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town (the "Town Supervisor"). Such notes shall be of such terms, form and contents as may be prescribed by said Town Supervisor consistent with the provisions of Local Finance Law. Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for the class of object or purpose authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for one or more object or purpose authorized by other resolutions of the Board, then the power of the Board to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town.

SECTION 8. The Town Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Town Supervisor is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes authorized by this resolution in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Board.

SECTION 11. Pursuant to subdivision b. of Section 35.00 of the Law, this resolution is subject to a permissive referendum in the manner prescribed by Article 7 of the Town Law of the State of New York (the "Town Law"). The Town Clerk is hereby authorized and directed, within ten (10) days after the date of adoption of this resolution, to publish and post a notice satisfying the requirements of Section 90 of the Town Law, which shall set forth the date of adoption of this resolution, shall contain an abstract hereof, and shall specify that this resolution was adopted subject to a permissive referendum. Such notice shall be published in the official newspaper of the Town for such purpose.

SECTION 12. This resolution shall take effect thirty (30) days after the date of its adoption or, if within such thirty (30) day period there is filed with the Town Clerk a petition subscribed and acknowledged by the number of qualified electors of the Town required by Section 91 of the Town Law and in the manner specified in such Section, until approved by the affirmative vote of a majority of such qualified electors voting on a proposition for its approval.

SECTION 13. The validity of the bonds authorized by this resolution and of any bond

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anticipation notes issued in anticipation of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) such obligations are authorized in violation of the provisions of the constitution.

SECTION 14. Upon this resolution becoming effective, the Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the Town for such purpose, together with a notice of the Town Clerk substantially the form provided in Section 81.00 of the Law.

Vote on motion:

Supervisor Flaherty.....Aye	Councilman Abbott.....Aye
Councilman Cahill.....Aye	Councilwoman Cataldi.....Aye
Councilwoman Nguyen.....Aye	Motion carried.....5-0

Josh Artuso, Community Development Director, and Jim Montgomery, Code Compliance Coordinator, appeared before the Town Board to provide a presentation on property maintenance.

The New York State Uniform Fire Prevention and Building Code shall be administered and enforced by the authority having jurisdiction in which the building or structure is located. Where such local government is the authority having jurisdiction, the municipality shall provide for administration and enforcement of the Uniform Code and Energy Code by local laws, ordinance, other appropriate regulation, or combination of both. The Code of the Town of Webster is currently without a Property Maintenance Chapter. Although it is possible to cite violations of the New York State Property Maintenance Code without municipal adoption it does cause issues. A Town Code Property Maintenance Chapter would outline enforcement roles, proper procedures, due process, actions in cases of non-compliance, and penalties for offenses. Without the chapter, egregious, non-complaint cases that must be sent to Justice Court for prosecution will not have defined penalties. The implementation of a Property Maintenance Chapter will take place over the next three months. There will be an internal Town legal review, a public hearing, and a formal vote by the Town Board.

At 8:56 p.m. Supervisor Flaherty called for an Executive Session.

Resolution No. 99: MOTION by Supervisor Flaherty, seconded by Councilwoman Cataldi, to enter into Executive Session pursuant to New York State Public Officer’s Law §105(1)(f) to discuss the financial, credit and employment history of a particular person or corporation.

WHEREAS, New York State Public Officers Law provides that the Town of Board may enter

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into Executive Session to discuss certain subjects or matters:

NOW, THEREFORE, BE IT RESOLVED:

That the Town Board enter into an Executive Session pursuant to New York State Public Officer’s Law §105(1)(f) to discuss the financial, credit and employment history of a particular person or corporation.

That the following persons were authorized to attend: Charles Genese, Town Attorney and Paul Adams, Finance Director.

Vote on motion:

Supervisor Flaherty.....Aye	Councilman Abbott.....Aye
Councilman Cahill.....Aye	Councilwoman Cataldi.....Aye
Councilwoman Nguyen.....Aye	Motion carried.....5-0

Resolution No. 100: MOTION by Councilman Abbott, seconded by Councilman Cahill, to return to Regular Session at 10:09 p.m.

Vote on motion:

Supervisor Flaherty.....Aye	Councilman Abbott.....Aye
Councilman Cahill.....Aye	Councilwoman Cataldi.....Aye
Councilwoman Nguyen.....Aye	Motion carried.....5-0

There being no further business to come before the Board, the meeting was adjourned at 10:09 p.m.

Dorothy M. Maguire, Town Clerk