

Webster Town Board

May 4, 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	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

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

Supervisor Flaherty led the Pledge of Allegiance to the Flag.

Supervisor Flaherty announced he was moving Agenda Item No. 10, the potential Resolution to take a Pledge to register with the New York State Department of Environmental Conservation (NYSDEC) as a Climate Smart Community. He stated that Mary Herington, Town Engineer, provided the Town Board with a presentation on the matter at last week’s Town Board Workshop Meeting, which was a follow up to a presentation made last year on May 12, 2022 and a vote on June 16, 2022. The proposed Resolution to become registered as a Climate Smart Community did not pass in June 2022 as the Town Board needed more information. During last week’s presentation, favorable comments were made by Town Board members to proceed with registering but not certifying to become a Climate Smart Community.

Councilwoman Cataldi read aloud a written communication she received from Steve Gaudios, Webster Resident. He stated the following:

I want to express warm thanks and appreciation for the excellent presentation on the opportunity afforded the Town of Webster by adopting the CSC pledge. Kudos to Mary Herrington and the several department heads who worked to put together a comprehensive objective fact-based document for consideration by the Board. I look forward to the Board's favorable vote on the Resolution at the May 4th meeting.

Mary Herrington, Town Engineer, was asked to summarize the difference between registering and certifying as a Climate Smart Community. She stated registering is just adopting the concept behind the program which exemplifies a lot of things that the Town is already doing with their capital projects and operations. The Town is completing a lot of projects that have Climate Smart Initiatives within them. Pledging to register does not require any commitment or cost to the Town. It does provide more opportunity for receiving grant funds. Certifying requires tracking and includes different levels of certification identified as bronze, silver and gold.

Councilman Cahill suggested that the Town Board not consider Agenda Item No. 10 until after the meeting is open to the floor for public comment. Councilman Abbott agreed.

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

Resolution No. 159: MOTION by Supervisor Flaherty, seconded by Councilman Cahill, to **table** taking the Pledge to register with the New York State Department of Environmental Conservation (NYSDEC) as a Climate Smart Community.

Vote on motion:

Supervisor Flaherty.....Aye	Councilman Abbott..... Aye
Councilman CahillAye	Councilwoman Cataldi..... Aye
Councilwoman NguyenAye	Motion carried..... 5-0

The meeting was open to the floor.

Tim Chatterton stated he is the owner of the Rec Zone and has been told his lease at the Webster Recreation Center will not be renewed. He is wondering if the Town Board has been notified of this information and if they would entertain a vote to renew his lease. He feels he offers a great and affordable food service to the community.

Supervisor Flaherty stated that the lease had expired and there are no plans to lease the area to anyone as the space is being refitted for another purpose.

The following Webster Residents spoke: Jen Fonseca, Michele Anderson, Joe Uhal, Brenda Lincoln and David Boncaro. They are not in favor of the Town Board taking the Pledge to register with NYSDEC as a Climate Smart Community and expressed their concerns.

Ronald Nesbitt, Webster Resident, appeared before the Town Board to share several concerns. Those concerns included the lack of paramedics attending to patients on ambulance calls being provided by NorthEast Quadrant Advanced Life Support/Webster Emergency Medical Service (NEQALS/WEMS); the New York State Department of Health’s removal of two WEMS ambulances from service due to violations; personally being denied NEQALS/WEMS financial records and the lack of Town Board authorization for execution of agreements by the Town Supervisor. He is also concerned about the amount of money the Town has bonded for capital projects and feels it will cost the taxpayers an additional \$300.00 a year.

Resolution No. 160: MOTION by Supervisor Flaherty, seconded by Councilwoman Cataldi, to approve the April 13, 2023 Town Board Workshop Minutes as submitted by the Town Clerk.

Vote on motion:

Supervisor Flaherty.....Aye	Councilman Abbott..... Aye
Councilman CahillAye	Councilwoman Cataldi..... Aye
Councilwoman NguyenAye	Motion carried..... 5-0

Resolution No. 161: MOTION by Councilwoman Cataldi, seconded by Councilman Abbott, to approve the April 20, 2023 Town Board Meeting Minutes as submitted by the Town Clerk.

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Vote on motion:

Supervisor FlahertyAye	Councilman Abbott Aye
Councilman CahillAye	Councilwoman Cataldi..... Aye
Councilwoman NguyenAye	Motion carried..... 5-0

Resolution No. 162: MOTION by Supervisor Flaherty, seconded by Councilman Cahill, to approve the April 27, 2023 Town Board Workshop Minutes as submitted by the Town Clerk.

Vote on motion:

Supervisor FlahertyAye	Councilman Abbott Aye
Councilman CahillAye	Councilwoman Cataldi..... Aye
Councilwoman NguyenAye	Motion carried..... 5-0

Resolution No. 163: MOTION by Councilwoman Cataldi, seconded by Councilwoman Nguyen, to approve the bills as submitted in Warrant #0523 by the Director of Finance.

Fund	Inside	Outside	Total
General (A,B) CL #6265-6454	46,102.40	236,995.92	283,098.32
Highway (C,D)	25,756.01	80,177.99	105,934.00
Sewer (G)	35,023.86	44,471.00	79,494.86
Library (L)	6,868.49	15,417.95	22,286.44
Drainage Districts (M)		7,109.35	7,109.35
Park Districts (P)	0.00	59.88	59.88
Special Districts (N,Q,S)	0.00	2,385.46	2,385.46
Trust & Agency (T/A,TP,XM,XD)	0.00	216,751.31	216,751.31
Debt Service	0.00	8,813.18	8,813.18
Capital Projects (H) #41-50			
H213 SB Waterfront Park Design	202,962.75	0.00	202,962.75
H220 WWTP Improvement	80,629.43	155.00	80,784.43
H223 Lake Rd WE Drain MO.56	22,135.00	0.00	22,135.00
H224 Sandbar Shore Protect MO.59	185,801.00	0.00	185,801.00
H226 Lake Rd Pump Station MO.65	12,613.65	0.00	12,613.65
H230 Sandbar Flood Wall MO.78	79,629.00	0.00	79,629.00
H231 WWTP Upgrade Phase II	810,200.00	0.00	810,200.00
H232 Highway Garage Building	<u>87,450.00</u>	<u>440.00</u>	<u>87,890.00</u>
TOTAL	1,595,171.59	612,777.04	2,207,948.63

Vote on motion:

Supervisor FlahertyAye	Councilman Abbott Aye
Councilman CahillAye	Councilwoman Cataldi..... Aye
Councilwoman NguyenAye	Motion carried..... 5-0

Resolution No. 164: MOTION by Supervisor Flaherty, seconded by Councilman Cahill, to approve the prepaid vouchers included in Warrant #0523 by the Director of Finance in the amount of \$612,777.04. [Included in the summary of vouchers approved in Resolution #163]

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Vote on motion:

Supervisor FlahertyAye	Councilman Abbott Aye
Councilman CahillAye	Councilwoman Cataldi..... Aye
Councilwoman NguyenAye	Motion carried..... 5-0

Resolution No. 165: MOTION by Supervisor Flaherty, seconded by Councilwoman Nguyen, to approve purchase orders as submitted by the Director of Finance.

Vote on motion:

Supervisor FlahertyAye	Councilman Abbott Aye
Councilman CahillAye	Councilwoman Cataldi..... Aye
Councilwoman NguyenAye	Motion carried..... 5-0

Resolution No. 166: MOTION by Supervisor Flaherty, seconded by Councilman Abbott, to approve 2023 Budget Transfers as presented by the Director of Finance.

**Budget Expenditure Transfer Journal Entry #2
Effective Date 05/05/2023**

Line	Account Code	Department	Previous	Changed	Amended
1.	A1220.20011	Supervisor	700.00	2,014.00	2,714.00
2.	A1220.40000	Supervisor	2,000.00	(1,800.00)	200.00
3.	A1220.40001	Supervisor	750.00	(214.00)	536.00
4.	A1310.20011	Director of Finance	2,750.00	115.00	2,865.00
5.	A1310.40032	Director of Finance	5,100.00	(115.00)	4,985.00
6.	A1325.20011	Technology Admin & Maint	49,480.00	7,470.00	56,950.00
7.	A1325.40043	Technology Admin & Maint	0.00	90.00	90.00
8.	A1325.40067	Technology Admin & Maint	28,500.00	(7,560.00)	20,940.00
9.	A1355.40041	Assessment	0.00	4,376.00	4,376.00
10.	A1355.20011	Assessment	5,900.00	404.00	6,304.00
11.	A1355.40031	Assessment	0.00	2,925.00	2,925.00
12.	A1355.40027	Assessment	50,000.00	(7,705.00)	42,295.00
13.	A1910.40070	Insurance	330,000.00	31,525.00	361,525.00
14.	A1990.40091	Contingency	170,000.00	(31,525.00)	138,475.00
15.	A3120.40104	Law Enforcement	150.00	30.00	180.00
16.	A3120.40138	Law Enforcement	4,000.00	(30.00)	3,970.00
17.	A3129.20050	Crime Proceeds	0.00	29,707.00	29,707.00
18.	A9015.80000	Retirement – Police	900,000.00	(32,007.00)	867,993.00
19.	A3640.40166	Special Police	0.00	2,300.00	2,300.00
20.	A5010.20011	Highway Superintendent	5,000.00	251.00	5,251.00
21.	A5010.20058	Highway Superintendent	1,000.00	(251.00)	749.00
22.	A6772.20000	Program for Aging	0.00	47,829.00	47,829.00
23.	A1990.40091	Contingency	170,000.00	(47,829.00)	122,171.00
24.	A7020.20011	Recreation	4,400.00	248.00	4,648.00
25.	A7020.20063	Recreation	4,500.00	1,727.00	6,227.00
26.	A7020.20076	Recreation	23,000.00	700.00	23,700.00
27.	A7020.40067	Recreation	19,200.00	19.00	19,219.00
28.	A7020.40754	Recreation	75,000.00	(2,694.00)	72,306.00

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Line	Account Code	Department	Previous	Changed	Amended
29.	A7110.20063	Park Department	33,253.85	10,000.00	43,253.85
30.	A1990.40091	Contingency	170,000.00	(10,000.00)	160,000.00
31.	A7020.10090	Recreation	28,145.00	(28,145.00)	0.00
32.	A7020.10043	Recreation	0.00	28,145.00	28,145.00
33.	Left Blank Intentionally				
34.	Left Blank Intentionally				
35.	Left Blank Intentionally				
36.	B1490.40318	Public Works	0.00	6,935.00	6,935.00
37.	B1490.40752	Public Works	21,000.00	(4,000.00)	17,000.00
38.	B1490.40754	Public Works	30,000.00	(2,935.00)	27,065.00
39.	B3630.20011	Building Department	2,800.00	547.00	3,347.00
40.	B3620.40023	Building Department	500.00	5,700.00	6,200.00
41.	B9030.80010	Social Security	68,000.00	(6,247.00)	61,753.00
42.	D5148.10138	Services for Other Govt's	0.00	10.00	10.00
43.	D5148.10140	Services for Other Govt's	195,000.00	(10.00)	194,990.00
44.	D9950.90100	Transfer to Capital	0.00	7,584.00	7,584.00
45.	D9040.80016	Workers Compensation	70,000.00	(7,584.00)	62,416.00
46.	G8120.20085	Sanitary Sewer	15,500.00	9,500.00	25,000.00
47.	G1990.40091	Contingency	40,000.00	(9,500.00)	30,500.00
48.	G8120.40354	Sanitary Sewer	24,500.00	20,000.00	44,500.00
49.	G1990.40091	Contingency	40,000.00	(20,000.00)	20,000.00
50.	A9785.60110	Installment Loan Oblig	35,177.00	28,801.00	63,978.00
51.	A1325.20011	Technology Admin & Maint	49,480.00	(28,801.00)	20,679.00
52.	G8130.40402	Sewage Treatment/Disposal	3,500.00	857.00	4,357.00
53.	G8130.40411	Sewage Treatment/Disposal	500.00	60.00	560.00
54.	G8130.40414	Sewage Treatment/Disposal	5,000.00	20.00	5,020.00
55.	G8130.40754	Sewage Treatment/Disposal	138,000.00	(937.00)	137,063.00
56.	L7410.40529	Library	0.00	4,600.00	4,600.00
57.	L7410.40530	Library	110,000.00	(4,600.00)	105,400.00
58.	L9050.80018	Unemployment Insurance	0.00	500.00	500.00
59.	L9950.90100	Transfer to Capital Fund	0.00	27,366.00	27,366.00
60.	L9010.80000	Retirement – Employees	85,000.00	(20,000.00)	65,000.00
61.	L9030.80010	Social Security	96,000.00	(3,000.00)	93,000.00
62.	L9060.12000	Hospitalization	16,000.00	(2,866.00)	13,134.00
63.	L9060.80022	Hospitalization	100,000.00	(2,000.00)	98,000.00

Vote on motion:

Supervisor Flaherty.....Aye	Councilman Abbott..... Aye
Councilman CahillAye	Councilwoman Cataldi..... Aye
Councilwoman NguyenAye	Motion carried..... 5-0

Resolution No. 167: MOTION by Supervisor Flaherty, seconded by Councilman Cahill, to approve 2022 Budget Amendments as presented by the Director of Finance.

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**Budget Amendments Journal Entry #227
Effective Date 12/31/2022**

Line	Account Code	Department	Previous	Changed	Amended
1.	B110.01120	Real Property Taxes	(1,073,250.00)	282,000.00	(791,250.00)
2.	B430.04089	Fed. Emer. Disaster Asst.	(1,868,000.00)	1,868,000.00	0.00
3.	B9901.90000	Transfer to Other Funds	350,000.00	350,000.00	0.00
4.	B9950.90100	Transfer to Capital Funds	1,800,000.00	1,800,000.00	0.00

Vote on motion:

Supervisor FlahertyAye	Councilman Abbott Aye
Councilman CahillAye	Councilwoman Cataldi..... Aye
Councilwoman NguyenAye	Motion carried..... 5-0

Resolution No. 168: MOTION by Supervisor Flaherty, seconded by Councilwoman Cataldi, to approve 2023 Budget Amendments as presented by the Director of Finance.

**Budget Amendments Journal Entry #3
Effective Date 05/05/2023**

Line	Account Code	Department	Previous	Changed	Amended
1.	A9950.90100	Transfer to Capital Fund	0.00	125,000.00	125,000.00
2.	A599.40092	Appropriated Fund Balance	(663,000.00)	(125,000.00)	(788,000.00)

Vote on motion:

Supervisor FlahertyAye	Councilman Abbott Aye
Councilman CahillAye	Councilwoman Cataldi..... Aye
Councilwoman NguyenAye	Motion carried..... 5-0

Resolution No. 169: MOTION by Councilwoman Cataldi, seconded by Councilman Abbott, to **table** the approval of a Fill Permit for 550 Drumm Road.

Vote on motion:

Supervisor FlahertyAye	Councilman Abbott Aye
Councilman CahillAye	Councilwoman Cataldi..... Aye
Councilwoman NguyenAye	Motion carried..... 5-0

Resolution No. 170: MOTION by Councilman Cahill, seconded by Councilwoman Cataldi, to **table** the award of the Webster Courthouse Drywall and Finishing Project Bid.

Vote on motion:

Supervisor FlahertyAye	Councilman Abbott Aye
Councilman CahillAye	Councilwoman Cataldi..... Aye
Councilwoman NguyenAye	Motion carried..... 5-0

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Resolution No. 171: MOTION by Councilwoman Cataldi, seconded by Councilman Cahill, to award the Tennis and Pickleball Renovation Project Bid and authorize the Town Supervisor to execute an Agreement.

WHEREAS, on April 12, 2023 bids were advertised in the *Webster Herald* for replacement and installation of fencing, gates, sleeves and posts for the Tennis and Pickleball Courts located at First Responders Park, 1350 Chiyoda Drive, Webster; and

WHEREAS, on April 27, 2023 at 11:05 a.m. two (2) sealed bids were publicly opened and read aloud by the Town Clerk; and

WHEREAS, the following bids were received:

ACIA Construction LLC \$31,600.00

New York State Fence, Inc. \$47,350.00

NOW, THEREFORE, BE IT RESOLVED:

That the Town of Webster awards the Tennis and Pickleball Court Fencing Project to ACIA Construction LLC, 2652 Ridge Road, Ontario, New York in the amount of Thirty-One Thousand Six Hundred Dollars (\$31,600.00) and to authorize the Town Supervisor to execute an Agreement.

[Agreement to be filed in the Town Clerk’s Office]

Vote on motion:

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

Resolution No. 172: MOTION by Supervisor Flaherty, seconded by Councilwoman Cataldi, to call for a Public Hearing to consider an addition to the Consolidated Sanitary Sewer District, specifically the Linda Lane Extension.

WHEREAS, Ronald and Sharon Gentle, Donna Marquardt, Bernard Marquardt and Denise Doser, Florence Flammia, Jeffrey and Sarah Paradiso, Judy Beh-Conrose, the owners of certain parcels of land in an affected portion of Linda Lane in the Town of Webster, known as 1, 5, 9, and 11 Linda Lane, 780 Holt Road, 1130 Orchard Road, Orchard Road (vacant), are desirous of extending sanitary sewer to their property, such parcels also identified as Tax ID Number 079.08-1-1, 079.08-1-3, 079.08-1-2, 064.20-2-50, 079.08-1-1.11, 079.08-1.1.12, 079.08-1-1.13; and

WHEREAS, total costs for this extension to the existing sewer district is estimated not to exceed \$270,662.00; and

WHEREAS, once these parcels are added to the district it will also be added to the Consolidated Sanitary Sewer District and will be charged a capital fee (currently \$58.44 annually), and once connected an operation and maintenance fee (currently \$173.53 annually). A one-time entrance fee (currently \$1,000.00) will be charged at the time of connection; and

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WHEREAS, the owners of the affected parcels to be added will grant easements to the Town of Webster for the construction of said sanitary sewer improvements, which easements will be recorded and shown on a map to be prepared for the Town of Webster Consolidated Sanitary Sewer District; and

WHEREAS, the total estimated cost of adding this parcel to the Consolidated Sanitary Sewer District will be paid for by the residents whose property will be benefitted thereby; and

WHEREAS, if approved, the addition of this parcel and residence to the Linda Lane Extension to the Consolidated Sanitary Sewer District will result in the revision of the map, plan and report of that Extension and District:

NOW, THEREFORE, BE IT RESOLVED:

1. A Public Hearing shall be conducted at a meeting of the Town Board of the Town of Webster to be held at the Town Board Meeting Room, 1002 Ridge Road, in the Town of Webster on Thursday, June 1, 2023, at 7:30 p.m. to consider this addition to the Consolidated Sanitary Sewer District, and to hear all persons on the subject thereof, and for such other action on the Town Board with relation to such sanitary sewer construction as may be further required by law.
2. The Town Clerk shall give notice of such Public Hearing by publishing in the official newspaper of the Town of Webster a copy of this Resolution and by posting a copy thereof on the Town Clerk’s Bulletin Board and the Town’s Website not less than ten (10) nor more than twenty (20) days before such Public Hearing.
3. All necessary Environmental Assessment forms to comply with the requirements of the New York State Environmental Quality Review Act shall be prepared and submitted to the Town Board.
4. The environmental significance of the proposed additional sanitary sewer construction to the Linda Lane extension herein referred is to be reviewed by the Town Board incident to and as part of the Public Hearing.

Vote on motion:

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

Resolution No. 173: MOTION by Supervisor Flaherty, seconded by Councilman Abbott, to declare the following item as a transfer from the Sewer Department to the Parks and Recreation Department:

1996 Ford Backhoe, Asset Tag #03929

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Vote on motion:

Supervisor FlahertyAye	Councilman Abbott Aye
Councilman CahillAye	Councilwoman Cataldi..... Aye
Councilwoman NguyenAye	Motion carried..... 5-0

Resolution No. 174: MOTION by Supervisor Flaherty, seconded by Councilwoman Nguyen, to declare the following items for recycling by the Town Clerk’s Office:

Xerox Phaser Printer Copier, Asset Tag #3221
HP Printer, Asset Tag #3286

Vote on motion:

Supervisor FlahertyAye	Councilman Abbott Aye
Councilman CahillAye	Councilwoman Cataldi..... Aye
Councilwoman NguyenAye	Motion carried..... 5-0

Resolution No. 175: MOTION by Councilwoman Cataldi, seconded by Councilman Abbott, to authorize the Supervisor to sign a Lease Agreement between the Town of Webster and the Webster Volunteer Fire Department, for the property owned by the Department, located between Sanford Street and Ebner Drive and at no cost to either party.

Vote on motion:

Supervisor FlahertyAye	Councilman Abbott Aye
Councilman CahillAye	Councilwoman Cataldi..... Aye
Councilwoman NguyenAye	Motion carried..... 5-0

At 8:36 p.m. Supervisor Flaherty called for an Executive Session.

Resolution No. 176: MOTION by Supervisor Flaherty, seconded by Councilman Cahill, 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 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.

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Vote on motion:

Supervisor FlahertyAye	Councilman Abbott Aye
Councilman CahillAye	Councilwoman Cataldi..... Aye
Councilwoman NguyenAye	Motion carried..... 5-0

Resolution No. 177: MOTION by Supervisor Flaherty, seconded by Councilman Cahill, to return to Regular Session at 9:07 p.m.

Vote on motion:

Supervisor FlahertyAye	Councilman Abbott Aye
Councilman CahillAye	Councilwoman Cataldi..... Aye
Councilwoman NguyenAye	Motion carried..... 5-0

There being no further business to come before the Board, the meeting was adjourned at 9:07 p.m.

Dorothy M. Maguire, Town Clerk