

**Webster Town Board**

July 6, 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

Community Development Director.....	Josh Artuso
Deputy Commissioner of Public Works-Sewer .....	Art Petrone
Finance Director .....	Paul Adams
Highway Superintendent .....	Pat Stephens
Town Engineer .....	Mary Herington

Supervisor Flaherty led the Pledge of Allegiance to the Flag.

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The meeting was open to the floor.

Ronald Nesbitt, Webster Resident: On the agenda tonight number seventeen states that the Town Board wants to increase the wastewater bond from \$44,340,000.00 to \$90,000,000.00. First off, Webster citizens have not been given an ounce of detailed information on this topic. We have not seen a signed legal binding contract passed by this Town Board for fairlife® to spend any money on any sewer construction whatsoever pertaining to them. Where is this contract? Town Board members have you seen a contract? Ms. Nguyen have you seen the contract? Mrs. Cataldi have you seen the contract, because the citizens of Webster haven't seen one. In the Resolution tonight it states the Town has learned that due to increases in certain project and construction related costs, the estimated maximum cost of the project was increased from \$44,340,000.00 to \$90,000,000.00 and, in connection therewith, the amount of bonds or bond anticipation notes to be issued shall need to increase from \$44,340,000.00 to \$90,000,000.00, all as further description in an amended engineering report. Nowhere in tonight's Resolution does it mention fairlife® at all. Not one word. It states amended engineer report. When was this filed with the Town Clerk? When was it discussed publicly with the Town residents or Town Board? Why the secret here Mr. Flaherty? Supervisor Flaherty and his column said that the increase in sewer rate for Town residents outside the village would go up \$70.00 per year but I think your math doesn't work out Supervisor. There are 15,624 Town users at \$70.00 would bring in \$1,093,000.00 per year over twenty years which would be \$21,860,000.00. Where is the other \$24,140,000.00 coming from Mr. Supervisor because it's not nearly enough to cover the \$46,000,000.00 increase you want tonight. It's all smoke and mirrors Supervisor Flaherty and you have yet to prove to Webster residents the need for these funds with legal documentation. To the other Town Board members, don't vote for this incomplete explanation from Supervisor Flaherty until you can cover the \$90,000,000.00 with concrete legal documents. When you add this \$46,000,000.00 this means this Town Board will have spent

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\$90,000,000.00 on Sewer, \$12,000,000.00 on Sandbar, \$28,000,000.00 on Highway which adds up to \$130,000,000.00 Webster residents will be in debt for the next thirty years. That's really something to run on this November spending \$130,000,000.00 to put our children in debt for years to come. Supervisor Flaherty states that momentum builds momentum which to me is his catch phrase to spend more Webster taxpayer dollars. Also, he is going to get more grants. All these projects include getting more grants and he hasn't succeeded half the time in getting these funds. Also the Supervisor failed Webster residents in not getting a host agreement that ensured Webster 100% taxes on fairlife® and your \$640,000,000.00 Plant that would have meant \$335,000,000.00 a year in tax revenue to the Town but Supervisor Flaherty is willing to take 10% of that as he builds on his momentum and at this time he doesn't have or can the Town Board provide to the Webster residents a document showing how much what Webster tax dollars will receive. On another topic tonight, number nine says; Whereas on November 3rd the Town Board by Resolution Number 318 awarded the construction contract to Campus Construction for not to exceed \$98,545.00, but yet you're going to amend a contract you already signed for another \$1,000,000.00 tonight. You must think we have trees in Webster that grow dollar bills because you people are certainly spending a lot of Webster taxpayer dollars. In fact, let me say I think you're worse than Joe Biden.

Jen Fonseca, Webster Resident: I'm just here to make our Town Board, as well as our Supervisor and our neighbors here in Webster, aware of a few things that our community was made aware of last week and this is happening right now. We brought it to the attention, we wrote our supervisors, we talked with our County Legislators, we contacted Adam Bello, the Sheriff's Department, etcetera. We received reliable information of criminal illegal aliens coming into our community, into our County on the 4th of July. No estimate of how many, but we do know what hotels that they were being dropped off at and we do know that they were all going to be men. We did sound the alert because this is reliable information, and this is what we heard crickets. Not one person responded back to us. We took it to candidates; we took it to everybody. We do know the Monroe County Legislator Committee did meet. It was talked about, and this is what we got [silence]. Following up with this, we did get a report, it was confirmed not as many came into our community on the 4th of July. They did send one bus to the Holiday Inn Express in Irondequoit and dropped them off there. Again, we did the research because we are concerned about our community. We do know that Adam Bello on May 23rd knowing that with Title 42 being disposed of that we were going to get more illegals crossing the border and that they were going to be sent up here. We do know that they're being sent through New York City from New York City they're being put in the hotels they're being overrun there. They are then, through Catholic Charities, being sent to Utica and from Utica they are now being sent out into our communities. I want us to get ahead of the eight ball here for Webster. We want to be transparent in the EO that Adam Bello did put out stated that they would have to go into housing contract if they were going to put them into local hotels and especially hotels that are not extended stays. This is our taxpayer money. We are receiving people who are going to receive social services, they're going to need food, they're going to need clothing, they're going to need everything. I fully understand what you might not know about me. I lived for sixteen years in Honduras. my husband was Honduran. We left Honduras for the same reason that many people are leaving their countries today because of crime in the international cartels that are in these countries. We came for our safety and now twenty years later, twenty-two years later, I don't feel safe in my own community again, knowing that these criminals because I understand who they are. I've had guns pointed to my head, I had to raise the wall with electric wire on my

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property down in Honduras. I had security. I had bodyguards. Before I left, we had to have SWAT teams because my father-in-law was the head of national security trying to clean up these criminals. So, I know what type of people, I'm not saying that these people are coming in and they're coming to Rochester, but I do know what criminals from Central America, what we're talking about. I just want to keep our community safe. Especially in the last couple of weeks, the end of June when we are having our own issues with the teenagers again near my neighborhood stealing cars, crashing them etcetera. We're out of control and what I don't want to see is or hear are crickets. What can you do? Other communities have done TRO 's. That's what we need to do. We need to work with other communities. We need to work with Irondequoit. Another community, Chili, is also being targeted. We do believe that at this point they may be moving them out because we are starting to talk about it. We are starting to do our own work about this, but we need your help. So, I'm just here to appeal to you as a Supervisor as the Town Board. What can you do to work with our community to keep us safe? Do you know what's happening? Do you know if our hotels have been contacted? That's where we need to start.

Councilman Cahill: I got that alert through a telegram also and I shared it with the Supervisor, and he hadn't heard anything so I'm glad that you did confirm in fact that one bus load was dropped off in Irondequoit at the Holiday Inn. What do you know, because I know that Adam Bello, a couple months ago I think it was, issued a State of Emergency to address this very thing. I'm curious as to why, when you could talk to his office and the County Legislature, why there's no response and what impact if any, this declaration of emergency has on this.

Jen Fonseca: So, from what we do know was that the emergency order that was dated, I believe May 23<sup>rd</sup>, did expire. We have been trying and our County Legislators have been trying to determine and get confirmation that Adam Bello has been renewing that emergency order as it expires but again, we're hearing crickets and it's not on the website either.

Supervisor Flaherty: I'm going to ask a simpler question on this one because you use the term crickets twice and for people in the audience and or watching at home live or if you're watching this on tape, a rational reasonable person would think that you mean that you reached out to these five Board members, and we didn't respond to you. Did you reach out to any of our five Board members? I just want it for the record. It was one of my favorite lines, we will get into it later with some other stuff that happened tonight, don't let the facts get in the way of a good story and I want to make sure when you intimate crickets you didn't get crickets from the leadership of the Town of Webster.

Jen Fonseca: No, I said supervisors, I mentioned Adam Bello, I mentioned County Legislators, I mentioned other candidates, I didn't mention Town Boards.

Michele Anderson, Webster Resident: I want to second some of the things that Jen said and particularly about the car theft in the shopping areas here in Webster. I don't really know what the motivation is, I have heard through some friends that are out of state and law enforcement and others that this car theft thing is a rite of passage and the reason that these kids are underage is because they know they can't be arrested. So, I'm hoping and I'm not quite sure how it could be done but the judges have to be able to arrest these people and I don't care if they're twelve. They need to be arrested because what's going to happen eventually is somebody 's going to defend their property or themselves and someone 's going to be hurt or killed and the person who

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was defending themselves is going to end up in jail like it's magic and be called a racist because they tried to save their own life. It isn't hyperbole this is here now. This has been coming for a long time and I'm not saying you're ignoring it but if we're doing Webster centric stuff one of the biggest things that the Board has to do is provide a safe community for everyone to live in. I do not feel safe, my neighbors do not feel safe, and I don't understand why. I know we have a Police Department. I know they're doing their very best, but I think on some level their hands are tied as well and it shouldn't happen. I don't want to hurt anybody, and I think everybody in this room would defend themselves on their property, in their home or their children if they had to and I would support that, so I'm asking please engage us. If we can write to the judges and say listen you know you live in this community, you have rules, you can stop the nonsense. They have to be put in jail. They have to be processed.

Councilman Cahill: When you speak of hands tied, the judge's hands are tied due to bail reform. Sheriffs across this State, judges across the State have written to the Governor and Legislature to do something about this. Even Legislators in Albany have begged the Governor to do something regarding these bail reform laws, and this cycle will continue. It's not going to change in my opinion until bail reform has changed and the Governor is just making it easier, it's a travesty and we're seeing it play out before our very eyes. The point that you made regarding somebody defending their home or their house or their vehicle in this instance, it will happen. We know it's going to happen. You are 100% right that the likelihood is that the person that defends their vehicle using lethal force will end up in jail. So, the only thing I would encourage, if someone is trying to take your car just give him the keys.

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**Resolution No. 223:** MOTION by Supervisor Flaherty, seconded by Councilman Cahill, to approve the June 8, 2023 Town Board Special Meeting Minutes as submitted by the Town Clerk.

Vote on motion:

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

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**Resolution No. 224:** MOTION by Supervisor Flaherty, seconded by Councilwoman Cataldi, to approve the June 15, 2023 Town Board Minutes as submitted by the Town Clerk.

Vote on motion:

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

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**Resolution No. 225:** MOTION by Supervisor Flaherty, seconded by Councilman Abbott, to approve the June 22, 2023 Town Board Workshop Minutes as submitted by the Town Clerk.

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Vote on motion:

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

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**Resolution No. 226:** MOTION by Councilwoman Nguyen, seconded by Councilman Cahill, to approve the bills as submitted in Warrant #0723 by the Director of Finance.

<b>Fund</b>	<b>Inside</b>	<b>Outside</b>	<b>Total</b>
General (A,B) CL #6990-7269	95,114.89	271,522.27	366,637.16
Highway (C,D)	42,639.20	129,970.00	172,609.20
Sewer (G)	29,074.10	29,208.47	58,282.57
Library (L)	10,846.12	17,165.23	28,011.35
Drainage Districts (M)	3,542.00	6,909.35	10,451.35
Park Districts (P)	6,689.48	0.00	6,689.48
Parkland (E)	1,177.00	0.00	1,177.00
Trust & Agency (T/A,TP,XM,XD)	0.00	426,632.42	426,632.42
Capital Projects (H) #74-87			
H220 WWTP Improvement	7,302.75	191,765.00	199,067.75
H226 Lake Rd Pump Station MO.65	28,692.38	0.00	28,692.38
H231 WWTP Upgrade Phase II	4,500.00	31,609.57	36,109.57
H232 Highway Garage Building	116,974.65	0.00	116,974.65
H235 Court House Roof	19,953.00	0.00	19,953.00
H236 Tennis/Pickleball Courts	<u>4,553.95</u>	<u>0.00</u>	<u>4,553.95</u>
<b>TOTAL</b>	<b>371,059.52</b>	<b>1,104,782.31</b>	<b>1,475,841.83</b>

Vote on motion:

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

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**Resolution No. 227:** MOTION by Supervisor Flaherty, seconded by Councilman Abbott, to approve the prepaid vouchers included in Warrant #0723 by the Director of Finance in the amount of \$1,104,782.31. [Included in the summary of vouchers approved in Resolution #226]

Vote on motion:

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

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**Resolution No. 228:** MOTION by Supervisor Flaherty, seconded by Councilwoman Cataldi, to approve purchase orders as submitted by the Director of Finance.

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Vote on motion:

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

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**Resolution No. 229:** MOTION by Councilman Abbott, seconded by Councilwoman Cataldi, to adopt the Standard Workday and Reporting Resolution for the New York State and Local Employees’ Retirement System.

**BE IT RESOLVED** that the Town of Webster hereby establishes the following as standard workdays for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body:

<u>Title</u>	<u>Name</u>	<u>Standard Work/Day (Hrs/day)</u>	<u>Term</u>	<u>Days/Month Record of Activities</u>	<u>Tier</u>
<b>Elected Officials:</b>					
Town Justice	DiSalvo, Thomas	6	1/1/22-12/31/25	7.87	4
Town Justice	Seppeler, Christine	6	1/9/23-12/31/23	5.35	6
<b>Appointed Officials:</b>					
Planning Bd Member	Wright, Jennifer	6	1/1/22-12/31/27	.33	6

Vote on motion:

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

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**Resolution No. 230:** MOTION by Supervisor Flaherty, seconded by Councilwoman Nguyen, to authorize the Town Clerk to give public notice of the availability of the Town of Webster’s New York State Annual Financial Report and Audited Financial Statements as filed in the Town Clerk’s Office for the fiscal year ended 12/31/22.

Vote on motion:

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

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Pat Stephens, Highway Superintendent, stated the bids received for the purchase of a Mini Hydraulic Excavator for the Highway Department were incomplete so therefore the Town Board is being asked to reject all bids. Instead of rebidding, the equipment will be procured through a national purchasing agreement that can be used by municipalities called Sourcewell resulting in a saving of \$4,000.00.

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**Resolution No. 231:** MOTION by Councilman Abbott, seconded by Councilman Cahill, to **reject** all bids received on May 11, 2023 for a Mini Hydraulic Excavator for the Highway Department.

WHEREAS, on May 3, 2023 a Legal Notice was published in the *Webster Herald* for the Solicitation of Bids for a Mini Hydraulic Excavator for the Webster Highway Department; and

WHEREAS, on May 11, 2023, at 11:05 a.m. prevailing time two (2) sealed bids were publicly opened and read aloud; and

WHEREAS, the following bids were received:

Tracey Road \$154,500.00  
6803 Manlius Center Road  
East Syracuse, New York 13057

Milton CAT \$161,000.00  
4610 E. Saile Drive  
Batavia, New York 14020

WHEREAS, all bids were reviewed; and

WHEREAS, all bids received did not provide the \$2,000.00 bid bond or certified check as required by the Bid Specifications:

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

That the Town Board of the Town of Webster **rejects** all bids received on May 11, 2023 for a Mini Hydraulic Excavator for the Highway Department.

Vote on motion:

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

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Josh Artuso, Community Development Director, explained that the next Resolution being proposed to the Town Board is to enter into a Service Contract with Concord Electric. The purpose is to have them available to repair streetlights within several of the Town's Lighting Districts. The previous vendor that the Town had used retired. So as streetlights needed to be replaced the Town historically had been going out and getting quotes for that particular outage. Having this contract in place will allow the Town to quickly address the outages. Whatever expense is incurred to replace the streetlights will ultimately be charged back to the residents within that Lighting District.

**Resolution No. 232:** MOTION by Councilman Cahill, seconded by Councilman Abbott, to approve and to authorize the Town Supervisor to sign a Service Agreement with Concord Electric Corporation, 305 Pinewild Drive, Rochester, New York 14606 for future repair of streetlights within the Town of Webster Lighting Districts at an hourly rate and will renew annually for up to five (5) years.

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

Vote on motion:

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

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**Resolution No. 233:** MOTION by Councilwoman Cataldi, seconded by Councilwoman Nguyen, to appoint **Michael Short** to the Zoning Board of Appeals to fulfill the unexpired term of Griff Stappenbeck ending on December 31, 2025.

Vote on motion:

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

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The Town Board was presented with proposed Resolutions to amend the Construction Management Services Contract with Campus Construction and the Consultant Services Contract with MRB Group related to the Highway Facility Project. The original contracts only included the design phase of the Project. The contract amendments will cover the cost of services during the construction phase. The cost of said services has resulted in a savings of \$300,000.00 to the Highway Facility Project’s estimated budget.

**Resolution No. 234:** MOTION by Councilman Abbott, seconded by Councilwoman Cataldi, to approve and to authorize the Town Supervisor to sign a Contract Amendment with Campus Construction Management Group, Inc. for the Highway Facility Project.

WHEREAS, on November 3, 2022 the Town Board by Resolution No. 318 awarded the Construction Management Professional Services Contract to Campus Construction Management Group, Inc. for the Highway Facility Project for the design through bidding phases in an amount not to exceed Ninety Eight Thousand Five Hundred Forty Five Dollars (\$98,545.00):

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

That the Webster Town Board approves an increase to the Construction Management Services Contract with Campus Construction Management Group, Inc. and authorizes the Town Supervisor to sign an Amendment in the amount of One Million Forty-Eight Thousand Dollars (\$1,048,000.00) for construction management services during the construction phase of the Highway Facility Project.

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

Vote on motion:

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

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**Resolution No. 235:** MOTION by Councilwoman Cataldi, seconded by Councilman Abbott, to approve and to authorize the Town Supervisor to sign a Contract Amendment with MRB Group Engineering, Architecture & Surveying, DPC for the Highway Facility Project.

WHEREAS, on October 6, 2022 the Town Board by Resolution No. 285 awarded MRB Group, Engineering, Architecture, Surveying, D.P.C the Highway Facility Project Proposal for professional design services from schematic design through the project bidding phase in the amount of Nine Hundred Sixty-Seven Thousand Six Hundred Seventy-Five Dollars (\$967,675.00):

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

That the Webster Town Board approves an increase to MRB Group, Engineering, Architecture, Surveying, D.P.C Consultant Services Contract and authorizes the Town Supervisor to sign an Amendment in the amount of Seven Hundred Six Thousand Six Hundred Eighty Dollars (\$706,680.00) for construction administrative services during the construction phase of the Highway Facility Project.

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

Vote on motion:

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

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**Resolution No. 236:** MOTION by Councilman Cahill, seconded by Councilwoman Nguyen, to approve and authorize the Town Supervisor to sign a Professional Services Agreement with Barton & Loguidice Engineering to provide grant application services for the Town of Webster Wastewater Pollution Control Facility at an estimated cost of Twenty-Five Thousand Dollars (\$25,000.00) as summarized below:

Agency	Program	Type	Effort
NYS Environmental Facilities Corporation	Clean Water State Revolving Fund (CWSRF) Intended Use Plan and Preliminary Engineering Report (PER) Addendum	Resubmit	\$8,500.00
NYS Environmental Facilities Corporation	Water Infrastructure Improvement Act (WIIA)	Resubmit	\$2,500.00
NYS Environmental Facilities Corporation	Water Quality Improvement Project (WQIP)	Resubmit	\$2,500.00
NYS Empire Development	Empire State Development (ESD) Grant	New	\$5,000.00
US Congressional	State and Tribal Assistance Grant (STAG)	New	\$4,500.00
Finger Lakes Regional Economic Development Council	Priority Project & General Project Marketing	New	\$2,000.00

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

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Vote on motion:

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

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**Resolution No. 237:** MOTION by Councilwoman Cataldi, seconded by Councilman Abbott, to approve and to authorize the Town Supervisor to sign an Intermunicipal Agreement entered into between the Town of Webster and the Village of Webster regarding the Town of Webster’s Effluent Sampling Point.

WHEREAS, the Town of Webster (“Town”), and the Village of Webster (“Village”) have agreed to enter into an Intermunicipal Agreement (“Agreement”) for the evaluation, basis of design, opinion of cost and technical memo to relocate the Towns effluent sampling point; and

WHEREAS, in furtherance of the terms of such Agreement said Village has applied for the SPDES Permit and as condition of compliance with this contract is required to have its own, separate sampling point from the Town as directed by the NYS DEC; and

WHEREAS, in furtherance thereof the Village of Webster has agreed to fully reimburse the Town of Webster for any costs incurred by the Town in connection therewith; and

WHEREAS, entry into such Agreement was authorized by Webster Village Board by Resolution on June 22, 2023:

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

That the Webster Town Board approves and allows the Town Supervisor to sign an Agreement (“Agreement”) approved and authorized by Webster Village Board on June 22, 2023 regarding the relocation of the Town’s effluent sampling point.

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

Vote on motion:

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

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**Resolution No. 238:** MOTION by Councilwoman Cataldi, seconded by Councilwoman Nguyen, to approve and to authorize the Town Supervisor to sign an Intermunicipal Agreement entered into between the Town of Webster and the Village of Webster regarding the Village outfall pipe and the combined Town/Village outfall pipe.

WHEREAS, the Town of Webster (“Town”), and the Village of Webster (“Village”) have agreed to enter into an Intermunicipal Agreement (“Agreement”) for a Resolution regarding the operation, repairs and maintenance relating to the Village’s outfall pipe and the combined Town and Village Outfall pipe; and

WHEREAS, entry into such Agreement was authorized by Webster Village Board by Resolution on June 22, 2023:

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

That the Webster Town Board approves and allows the Town Supervisor to sign an Agreement (“Agreement”) approved and authorized by Webster Village Board on June 22, 2023 regarding the operation, repairs & maintenance as it relates to the Village outfall pipe and the combined Town/Village Outfall pipe, and the costs and payment(s) therefor.

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

Vote on motion:

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

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**Resolution No. 239:** MOTION by Councilman Cahill, seconded by Councilwoman Cataldi, to approve and to authorize the Town Supervisor to sign an Intermunicipal Agreement with the Webster Central School District for School Resource Officers.

WHEREAS, the Town Board of Webster has the authority pursuant to New York State General Municipal Law and Town Law to authorize the Supervisor to enter into an Intermunicipal Agreement with the Webster Central School District for the purpose of providing two (2) Webster Police Officers as School Resource Officers; and

WHEREAS, the Town of Webster, by its Police Department, employs sworn Police Officers, each of whom are capable of performing the duties and functions of a School Resource Officer (SRO), which (or who) is assigned to provide law enforcement expertise and resources to assist school staff in maintaining safety and order with their assigned school(s); and

WHEREAS, the SRO Program aims to create and maintain safe, secure, and orderly learning environments for students, teachers, and staff; and

WHEREAS, the goals of the SRO Program are to reduce incidents of school violence, reduce criminal offenses committed by juveniles and young adults, establish a rapport between the SROs and the student population and school staff:

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

That the Town of Webster approves and authorizes the Town Supervisor to sign an Intermunicipal Agreement with the Webster Central School District for two (2) School Resource Officers for the 2023-2024 School Year. The contract shall be effective September 1, 2023 and end on June 30, 2024.

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

Vote on motion:

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

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Supervisor Flaherty withdrew a proposed Resolution to abandon a Town Drainage Easement located at 1432 Schlegel Road, Tax ID No. 065.02-1-3.4 as it was discovered it was never filed so therefore there is no longer a need to take action.

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**Resolution No. 240:** MOTION by Councilwoman Cataldi, seconded by Councilman Cahill, to approve and to authorize the Town Supervisor to sign an Intermunicipal Agreement with the County of Monroe for Law Enforcement Records Management.

WHEREAS, the County of Monroe (“County”) previously entered into a contract with Tyler Technologies, Inc. to install law enforcement records management and automated field reporting software for the benefit of the County Sheriff’s Office and the local police agencies throughout Monroe County (“RMS”); and

WHEREAS, the RMS integrates and provides for the sharing of information between the various law enforcement agencies such as incident reports, arrest, citations, warrants, case management, and field contact information in a unified database (“RMS”); and

WHEREAS, the RMS was installed at the County and the Town of Webster in 2021 and the parties desire to expand the services available under the RMS to permit the use of a reporting dashboard to enhance situational awareness and operational decision making when responding to public safety concerns:

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

1. That the Town Board of the Town of Webster authorizes the Town Supervisor to sign an Intermunicipal Agreement with the County of Monroe for Law Enforcement Records Management.
2. The term of the Agreement shall commence as of the date of its execution and expire exactly ten years thereafter and may be renewed in writing for two (2) additional five (5) year terms.

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

Vote on motion:

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

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**Resolution No. 241:** MOTION by Supervisor Flaherty, seconded by Councilwoman Cataldi, to authorize a Public Hearing under Town Law Section 202-B with respect to certain improvements to the Town of Webster Consolidated Sewer District consisting of the Water Pollution Control Facility Asset Renewal Project and Water Resource Recovery Facility Improvements.

## Webster Town Board

WHEREAS, the Town Board of the Town of Webster, Monroe County, New York (the “Town”) previously considered whether to authorize certain improvements to the Town of Webster Consolidated Sewer District that encompasses the Town of Webster exclusive of the Village of Webster (the “District”), such improvements consisting of the Water Pollution Control Facility Asset Renewal Project and Water Resource Recovery Facility Improvements, as set forth and described in a certain engineering report as prepared by Barton & Loguidice (the “Engineer”) dated July 2021, and on file in the office of the Town Clerk (the “Project”); all at an estimated maximum cost of \$44,340,000; and

WHEREAS, by Resolution No. 248 of 2022, adopted on August 18, 2022, the Town Board directed that a public hearing be held on whether it is in the public interest to undertake the Project at a maximum estimated cost of \$44,340,000, and to hear all persons interested in the subject thereof concerning the same on September 8, 2022 at 5:30 p.m. at the Town of Webster Town Board Meeting Room, 1002 Ridge Road, Webster, New York 14580; and

WHEREAS, notice of said public hearing certified by the Town Clerk was duly published and posted as required by law, to wit: a duly certified copy thereof was published in the *Webster Herald*, the official newspaper of the Town, on August 24, 2022 and a copy of such notice was posted on August 24, 2022 on the signboard maintained by the Town Clerk, and on the Town's website, pursuant to Town Law Section 30(6); and

WHEREAS, said public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; and

WHEREAS, by Resolution No. 263 of 2022, dated September 8, 2022, following said public hearing, the Town Board determined that it is in the public interest to undertake the Project; and

WHEREAS, by Resolution dated September 2, 2021, at a regular meeting of the Town Board held on such date, the Town Board determined pursuant to the State Environmental Quality Review Act and the regulations of the Department of Environmental Conservation promulgated thereunder (6 NYCRR Part 617.5(c)) (collectively, “SEQRA”), that said public improvement and purpose constitutes a “Type II” action under the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617.5(c)) (collectively, “SEQRA”) and therefore no further action need be taken by the Town Board under SEQRA as a pre-condition to the adoption of this Resolution; and

WHEREAS, on September 8, 2022, the Town Board adopted a Bond Resolution authorizing the issuance of up to \$44,340,000 in serial bonds of the Town to finance the Project; and

WHEREAS, the Town has learned that, due to increases in certain project and construction related costs, the estimated maximum cost of the Project has increased from \$44,340,000 to \$90,000,000 and, in connection therewith, the amount of bonds or bond anticipation notes to be issued shall need to be increased from \$44,340,000 to \$90,000,000, all as further described in an amended engineering report prepared by the Engineer and on file with the Town Clerk; and

WHEREAS, the Town Board now wishes to schedule a public hearing in accordance with Section 202-b of the Town Law to hear all interested parties on whether it is in the public interest to undertake the Project, at such increased maximum cost:

**Webster Town Board**

**NOW THEREFORE, THE TOWN BOARD OF THE TOWN OF WEBSTER, MONROE COUNTY, NEW YORK HEREBY RESOLVES, AS FOLLOWS:**

SECTION 1. A public hearing shall be held by the Town Board of the Town of Webster on July 27, 2023 at 6:30 p.m. at the Town of Webster Town Board Meeting Room, 1002 Ridge Road, Webster, New York 14580 to hear all interested parties on whether it is in the public interest to undertake the Project as described above at an increased maximum cost of \$90,000,000.

SECTION 2. Notice of said public hearing shall be published and posted as required by Section 193 of the Town Law in the form set forth as Exhibit A.

Vote on motion:

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

\*\*\*

**Resolution No. 242:** MOTION by Supervisor Flaherty, seconded by Councilwoman Nguyen, to agree to waive the New York State Liquor Authority On-Premises Alcohol Beverage License 30-Day notification period requirement for Ridge Terrace Pub LLC located at 1839 Ridge Road.

WHEREAS, on June 27, 2023, the Town of Webster received a New York State Liquor Authority (NYSLA) Standardized Notice Form for Providing 30-Day Advance Notice for an On-Premises Alcoholic Beverage License from Ridge Terrace Pub LLC located at 1839 Ridge Road, Webster, New York; and

WHEREAS, the applicant is requesting the Town of Webster waive the 30-day notification period; and

WHEREAS, the applicant will not be in violation of any Town of Webster Zoning Ordinances:

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

That the Webster Town Board agrees to waive the New York State Liquor Authority On-Premises Alcoholic Beverage License 30-day notification period requirement for Ridge Terrace Pub LLC located at 1839 Ridge Road, Webster, New York.

Vote on motion:

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

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**Resolution No. 243:** MOTION by Councilman Abbott, seconded by Councilwoman Cataldi, to rescind Resolution No. 195 of 2023 dated June, 1, 2023.

**Webster Town Board**

WHEREAS, on June 1, 2023 the Town of Webster Town Board by Resolution No. 195 approved and authorized the Town Supervisor to execute an Agreement with Labella Associates, D.P.C., 300 State Street, Rochester, New York to provide professional services related to Engineering, Site Plan, State Environmental Quality Review Act (SEQRA), Building Code Reviews and Inspections for an amount not to exceed Thirty-Five Thousand Dollars (\$35,000.00); and

WHEREAS, it has been determined a conflict of interest exists:

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

That the Webster Town Board **rescinds** Resolution No. 195 of 2023 dated June 1, 2023 approving and authorizing the Town Supervisor to sign an Agreement with Labella Associates for professional services.

Vote on motion:

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

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**Resolution No. 244:** MOTION by Councilman Abbott, seconded by Councilman Cahill, to approve and authorize the Town Supervisor to sign an Agreement with MRB Group, 145 Culver Road, Rochester, New York to provide professional services related to Engineering, Site Plan, State Environmental Quality Review Act (SEQRA), Building Code Reviews and Inspections for an amount not to exceed Thirty-Five Thousand Dollars (\$35,000.00).

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

Vote on motion:

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

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**Resolution No. 245:** MOTION by Councilman Abbott, seconded by Councilwoman Cataldi, to declare the following Highway Department asset for auction:

Pickup Truck Toolbox, Asset Tag #5156

Vote on motion:

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

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There being no further business to come before the Board, the meeting was adjourned at 8:40 p.m.

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Dorothy M. Maguire, Town Clerk