

Webster Town Board

January 18, 2024

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
Councilwoman Patricia T. Cataldi
Councilman John J. Cahill
Councilwoman Ginny L. Nguyen
Councilwoman Jennifer S. Wright
Town Attorney Charles J. Genese
Town Clerk Dorothy M. Maguire

Department Heads Present:

Communications Director Bridget Harvey
Finance Director Paul Adams
Highway Superintendent Pat Stephens

Supervisor Flaherty led the Pledge of Allegiance to the Flag.

The meeting was open to the floor for public comment. The following people appeared before the Town Board.

David Vega, Webster Resident, is not in favor of the Town Board repealing Webster Town Code Chapter 103 (Aircraft, Airports and Heliports) and expressed his concerns.

Dave Malecki, Webster Resident, presented questions to the Town Board that related to the Irondequoit Bay Outlet Bridge and Webster Town Code Chapter 103 (Aircraft, Airports and Heliports).

Resolution No. 62: MOTION by Supervisor Flaherty, seconded by Councilwoman Cataldi, to approve the January 4, 2024 Organizational Meeting Minutes as submitted by the Town Clerk.

Vote on motion:

Supervisor FlahertyAye Councilwoman Cataldi..... Aye
Councilman CahillAye Councilwoman Nguyen.... Aye
Councilwoman Wright.....Aye Motion carried 5-0

Resolution No. 63: MOTION by Supervisor Flaherty, seconded by Councilwoman Wright, to approve the January 4, 2024 Town Board Minutes as submitted by the Town Clerk.

Vote on motion:

Supervisor FlahertyAye Councilwoman Cataldi..... Aye
Councilman CahillAye Councilwoman Nguyen.... Aye
Councilwoman Wright.....Aye Motion carried 5-0

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Resolution No. 64: MOTION by Supervisor Flaherty, seconded by Councilman Cahill, to approve the January 11, 2024 Workshop Minutes as submitted by the Town Clerk.

Vote on motion:

Supervisor FlahertyAye	Councilwoman Cataldi..... Aye
Councilman CahillAye	Councilwoman Nguyen.... Aye
Councilwoman Wright.....Aye	Motion carried 5-0

Resolution No. 65: MOTION by Councilwoman Cataldi, seconded by Councilwoman Nguyen, to approve the bills as submitted in Warrant #0124A by the Director of Finance.

Fund	Inside	Outside	Total
General (A,B) CL #13-202	145,327.97	24,405.06	169,733.03
Highway (C,D)	459,024.28	6,406.36	465,430.64
Sewer (G)	69,735.34	518,791.69	588,527.03
Library (L)	56,689.17	2,383.32	59,072.49
Parkland (E)	0.00	1,043.98	1,043.98
Special Districts (N,Q,S)	6,276.60	0.00	6,276.60
Trust & Agency (T/A,TP,XM,XD)	0.00	214,110.55	214,110.55
Capital Projects (H) #1-6			
H220 WWTP Improvement	0.00	543.50	543.50
H230 Sandbar Flood Wall MO.78	2,000.00	0.00	2,000.00
H232 Highway Garage Building	30,443.71	0.00	30,443.71
H237 Coca-Cola fairlife	<u>7,096.18</u>	<u>0.00</u>	<u>7,096.18</u>
TOTAL	776,593.25	767,684.46	1,544,277.71

Vote on motion:

Supervisor FlahertyAye	Councilwoman Cataldi..... Aye
Councilman CahillAye	Councilwoman Nguyen.... Aye
Councilwoman Wright.....Aye	Motion carried 5-0

Resolution No. 66: MOTION by Supervisor Flaherty, seconded by Councilwoman Cataldi, to approve the prepaid vouchers included in Warrant #0124A by the Director of Finance in the amount of \$767,684.46. [Included in the summary of vouchers approved in Resolution #65]

Vote on motion:

Supervisor FlahertyAye	Councilwoman Cataldi..... Aye
Councilman CahillAye	Councilwoman Nguyen.... Aye
Councilwoman Wright.....Aye	Motion carried 5-0

Resolution No. 67: MOTION by Supervisor Flaherty, seconded by Councilwoman Nguyen, to approve purchase orders as submitted by the Director of Finance.

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Vote on motion:

Supervisor Flaherty.....Aye	Councilwoman Cataldi..... Aye
Councilman CahillAye	Councilwoman Nguyen.... Aye
Councilwoman Wright.....Aye	Motion carried 5-0

Resolution No. 68: MOTION by Councilwoman Wright, seconded by Councilwoman Cataldi, to authorize an Agreement between the Town Board and the Town Highway Superintendent to spend 2024 Highway Funds.

WHEREAS, Highway Law Section 284 requires the Town Board of Webster and the Town of Webster Highway Superintendent to determine by agreement how certain moneys for highway repairs and improvements are to be used:

NOW, THEREFORE, BE IT RESOLVED:

Pursuant to the provisions of Section 284 of the Highway Law, the Town Board of Webster and the Town of Webster Highway Superintendent agree that moneys levied and collected in 2024 in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS. The sum of One Million Seven Hundred Three Thousand Sixty-Five Dollars (\$1,703,065.00) shall be set aside to be expended for primary work and general repairs upon **137.72** centerline miles of Town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.
2. PERMANENT IMPROVEMENTS. The following sums shall be set aside to be expended for the permanent improvement of Town highways.

(a) <u>Larkston Drive:</u> (2,300 LF) Type: Mill & Pave & Gutters Thickness: 2”	Expenditure: \$370,360.00 Width of Traveled Surface: 20’ w/gutters
(b) <u>Shanlee Drive:</u> (1,200 LF) Type: Mill & Pave & Gutters Thickness: 2”	Expenditure: \$185,180.00 Width of Traveled Surface: 20’ w/gutters
(c) <u>Hrezent View Drive:</u> (150 LF) Type: Drainage Pipe Replacement	Expenditure: \$55,000.00

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

Vote on motion:

Supervisor Flaherty.....Aye	Councilwoman Cataldi..... Aye
Councilman CahillAye	Councilwoman Nguyen.... Aye
Councilwoman Wright.....Aye	Motion carried 5-0

Resolution No. 69: MOTION by Councilwoman Cataldi, seconded by Councilman Cahill, to amend the existing Bay Road Sewer Intermunicipal Agreements (IMA) with the County of Monroe on maintenance and flow readings.

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WHEREAS, pursuant to a Construction Agreement for Engineering and Construction between the Town of Webster and the Irondequoit Bay South Central Pure Waters District (District) dated as of November 27, 2001 (the “Construction Agreement”) and an Operating Agreement between the Irondequoit Bay South Central Pure Waters District and the Town of Webster (Town) last dated January 22, 2002, as amended by that certain Amendatory Agreement #1 dated as of March 31, 2004 (generally, the “Operating Agreement,” and together with the Construction Agreement, the “IMA”), the Town designed, engineered, and constructed new sewage facilities for the Town and the District in the Town of Webster; and

WHEREAS, in accordance with the Construction Agreement, the Town constructed an approximately 5,000 lineal foot gravity sewer along Bay Road, from Backus Road to Lake Road (the “Gravity Sewer”); and

WHEREAS, the District and the Town wish to amend the IMA to clarify that the Town owns and operates the Gravity Sewer; and

WHEREAS, both previous Construction Agreement and Operating Agreement as entered into previously between the parties are amended for future use and purposes, including reconciliation and reimbursement for certain additional and diverted flow as between the parties:

NOW, THEREFORE, BE IT RESOLVED:

That the Webster Town Board agrees to amend the existing Intermunicipal Agreements between the Irondequoit Bay South Central Pure Waters District, a duly constituted Sewer District of the County of Monroe and the Town of Webster and authorizes the Webster Town Supervisor to sign said Amendment to the Intermunicipal Agreement.

Vote on motion:

Supervisor Flaherty.....Aye	Councilwoman Cataldi..... Aye
Councilman CahillAye	Councilwoman Nguyen.... Aye
Councilwoman Wright.....Aye	Motion carried 5-0

Resolution No. 70: MOTION by Supervisor Flaherty, seconded by Councilman Cahill, to schedule a Public Hearing to enact a Local Law repealing Chapter 103 (AIRCRAFT, AIRPORTS AND HELIPORTS) of the Code of the Town of Webster.

WHEREAS, the Town Board has the authority pursuant to Article 2 of the New York State Municipal Home Rule Law, to adopt and amend local laws, consistent with the New York State Constitution and general State laws, in relation to their property, affairs or government and in relation to the powers, duties, qualifications, number and other terms and conditions of employment of their officers and employees; and

WHEREAS, the Town Board has the authority pursuant to Article 4 of the New York State Town Law to promote the health, safety, morals, or general welfare of the community; and

WHEREAS, the Town Board has the authority pursuant to Article 16 of the New York State Town Law to regulate and restrict the use and development of land by means of its zoning laws; and

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WHEREAS, it is both in the public interest and required by law that a Public Hearing be held to consider the proposed repeal of Chapter 103 of the Code of the Town of Webster relating to Aircraft, Airports and Heliports:

NOW, THEREFORE, BE IT RESOLVED:

1. That a Public Hearing shall be scheduled and conducted at a regular 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, February 1, 2024, at 7:30 p.m., to consider a Local Law to repeal, in its entirety, Chapter 103 of the Webster Town Code.
2. Such Local Law will be designated as:

PROPOSED LOCAL LAW NO. 1 of 2024

This law is entitled "A local law to repeal Chapter 103 of the Webster Town Code, entitled "Aircraft, Airports and Heliports".

The entire law to be repealed, consisting of two (2) Articles and 11 Sections, will be available through the Town Website and at the Town Clerk’s Office.

3. That the determination of significance under the New York State Environmental Quality Review Act will be considered at the time of such Public Hearing.
4. That the Town Clerk give notice of such Public Hearing at least five (5) days prior to such hearing by publishing a copy of this Resolution once in the *Webster Herald*, the official newspaper of the Town of Webster, and posting a copy thereof on the Town Clerk’s Bulletin Board and Town Website.

Vote on motion:

Supervisor Flaherty.....Aye	Councilwoman Cataldi..... Aye
Councilman CahillAye	Councilwoman Nguyen.... Aye
Councilwoman Wright.....Aye	Motion carried 5-0

Resolution No. 71: MOTION by Supervisor Flaherty, seconded by Councilwoman Wright, to appoint **Michael Short** as the Chairman of the Webster Zoning Board of Appeals for a term of one year, ending December 31, 2024.

Vote on motion:

Supervisor Flaherty.....Aye	Councilwoman Cataldi..... Aye
Councilman CahillAye	Councilwoman Nguyen.... Aye
Councilwoman Wright.....Aye	Motion carried 5-0

Resolution No. 72: MOTION by Councilwoman Cataldi, seconded by Councilman Cahill, to authorize payment for title work and recording fees for 600 Ridge Road by Frontier Abstract at a cost not to exceed Two Thousand Dollars (\$2,000.00).

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Vote on motion:

Supervisor Flaherty.....Aye	Councilwoman Cataldi..... Aye
Councilman CahillAye	Councilwoman Nguyen.... Aye
Councilwoman Wright.....Aye	Motion carried 5-0

Resolution No. 73: MOTION by Councilwoman Wright, seconded by Councilman Cahill, to approve the following asset for trade in by the Assessment Department:

2017 Chevy Malibu Asset Tag #06554

Vote on motion:

Supervisor Flaherty.....Aye	Councilwoman Cataldi..... Aye
Councilman CahillAye	Councilwoman Nguyen.... Aye
Councilwoman Wright.....Aye	Motion carried 5-0

Resolution No. 74: MOTION by Councilwoman Wright, seconded by Councilman Cahill, to declare the following items as surplus from the Parks and Recreation Department:

Treadmills Precor	Serial Number A59411119D036	Asset Tag #06909
Treadmills Precor	Serial Number A59411119D046	Asset Tag #06909
Treadmills Precor	Serial Number A59411119D038	Asset Tag #06909
Treadmills Precor	Serial Number A59411119D022	Asset Tag #06909
Treadmills Precor	Serial Number A59411119D037	Asset Tag #06909
Treadmills Precor	Serial Number A59411119D024	Asset Tag #06909
Treadmills Precor	Serial Number A59411119D047	Asset Tag #06909
Treadmills Precor	Serial Number A59411119D045	Asset Tag #06909

Precor Adaptive Moton Trainer (AMT)	Serial Number AZDPE0819D022	Asset Tag #06909
Precor Adaptive Moton Trainer (AMT)	Serial Number AZDPE0219D018	Asset Tag #06909
Precor Full Body Elliptical Cross Trainers	Serial Number 4KCFK1319D008	Asset Tag #06909
Precor Full Body Elliptical Cross Trainers	Serial Number 4KCFK1319D034	Asset Tag #06909
Precor Full Body Elliptical Cross Trainers	Serial Number 4KCFK1319D022	Asset Tag #06909
Precor Full Body Elliptical Cross Trainers	Serial Number 4KCFK1319D037	Asset Tag #06909

Expresso Virtual Reality Recumbent Bike	Serial Number 34098	Asset Tag #06909
Expresso Virtual Reality Recumbent Bike	Serial Number 34084	Asset Tag #06909
Expresso Virtual Reality Upright Bike	Serial Number 33969	Asset Tag #06909
Expresso Virtual Reality Upright Bike	Serial Number 33968	Asset Tag #06909

Vote on motion:

Supervisor Flaherty.....Aye	Councilwoman Cataldi..... Aye
Councilman CahillAye	Councilwoman Nguyen.... Aye
Councilwoman Wright.....Aye	Motion carried 5-0

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There being no further business to come before the Board, the meeting was adjourned at 8:11 p.m.

Dorothy M. Maguire, Town Clerk