

**RESOLUTION NO. \_\_\_\_ OF 2024 OF THE WEBSTER TOWN BOARD TO ENACT A  
LOCAL LAW REPEALING AND REPLACING SECTIONS 257-165 AND 257-166 OF  
CHAPTER 257 (SEWER) OF THE WEBSTER TOWN CODE**

At a regular meeting of the Webster Town Board of the Town of Webster, Monroe County, New York, held at the Town Board Meeting Room, 1002 Ridge Road, Webster, New York on the 6th day of June 2024 at 7:30 p.m., there were present:

Supervisor Thomas J. Flaherty  
Councilwoman Patricia T. Cataldi  
Councilman John J. Cahill  
Councilwoman Ginny L. Nguyen  
Councilwoman Jennifer S. Wright

The following Resolution was offered by \_\_\_\_\_ and moved its adoption:

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 9 of the New York State Town Law to enact, amend, and repeal ordinances, rules, and regulations not inconsistent with law; and

WHEREAS, the Town Board from time to time must, of necessity, fairness, common sense, and in the interest of its constituents and the residents of the Town of Webster, review the laws pertaining to expenditures of public funds for infrastructure within all districts of the Town; and

WHEREAS, it is both in the public interest and required by law that a Public Hearing be held to consider the repeal, and replace, in their entirety, of Sections 257-165 and 257-166 of Chapter 257 of the Webster Town Code, relating to sewer connection fee; and

WHEREAS, it is both in the public interest and required by law that a Public Hearing be held to consider these proposed changes to the Webster Town Code; and

WHEREAS, a notice of a Public Hearing was published in the *Webster Herald* on May 29, 2024 and posted on the Town Website and on the Town Clerk Bulletin Board at 1000 Ridge Road, Webster, New York; and

WHEREAS, the Public Hearing on the proposed new local law was held by the Webster Town Board at 7:30 p.m. on June 6, 2024 and all interested persons having had an opportunity to be heard at the Public Hearing; and

WHEREAS, a short form Environmental Assessment Form (EAF) for the proposed action has been prepared and has been submitted to the Town Board and reviewed by the Town Board; and

WHEREAS, it is both in the public interest to enact these changes to sections 257-165 and 257-166 of chapter 257 of the Webster Town Code:

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

1. That the Town Board hereby determines that based upon the information in the EAF and other available information, the proposed action is designated a TYPE II action under the New York State Environmental Quality Review Act (SEQRA), as it will not have a significant effect on the environment within the meaning SEQRA, and involves official acts of a ministerial nature involving no exercise of discretion and routine or continuing agency administration and management, and does not require the preparation of an environmental impact statement.
2. That a Local Law be adopted to set forth the effect of Code changes by amending a certain chapter and sections of the Webster Town Code, such Local Law to be designated as:

**LOCAL LAW NO. \_\_\_\_ OF 2024**

Deletions are ~~struck through~~; additions are *italicized*.

**OLD LAW:**

~~§ 257-165. Schedule of units of use.~~

~~A. Schedule of units of use.~~

| <b>Classification of Property</b>   | <b>Units of Use</b>                        |
|-------------------------------------|--|
| <del>One family dwelling</del>      | <del>1 unit</del>                          |
| <del>Multiple family dwelling</del> | <del>1 per unit</del>                      |
| <del>Commercial</del>               | <del>Determined by water consumption</del> |
| <del>Industrial</del>               | <del>Determined by water consumption</del> |

~~B. For additional schedules see the Town of Webster Fee Schedule.~~

~~§ 257-166. Connection fees.~~

~~A. All residential units using the Town of Webster sewer system shall pay a sanitary sewer connection fee to the Town of Webster Sewer Department when a building permit or a sewer lateral permit is issued for said residential unit. Any resident who has owned and occupied his/her residence prior to August 1, 1960, shall be exempt from all connection fee charges. Qualification for said exempt residential status shall be determined from the Town of Webster Assessor's office official files.~~

~~B. The connection fee for commercial/industrial users shall be determined by the Sewer Department based on applicable water consumption for the previous twelve month period or if for new construction based on estimated water consumption.~~

C. ~~If an addition is made to an existing commercial/industrial facility which results in a new connection to the sewer, then another connection fee will be assessed.~~

**NEW LAW:**

***§ 257-165. Schedule of units of use.***

A. Equivalent Dwelling Unit (EDU) = 60,000 gallons annually.

| <i>Classification of Property</i> | <i>Equivalent Dwelling Units (EDUs) of Use</i> |
|-----------------------------------|--|
| <i>Parcel or lot</i>              | <i>1 EDU</i>                                   |
| <i>One-family dwelling</i>        | <i>1 EDU</i>                                   |
| <i>Multiple-family dwelling</i>   | <i>1 EDU per dwelling unit</i>                 |
| <i>Commercial</i>                 | <i>Determined by water consumption</i>         |
| <i>Industrial</i>                 | <i>Determined by water consumption</i>         |

B. For additional schedules, including rates, see the Town of Webster Fee Schedule.

***§ 257-166. Connection fees.***

A. All residential units using the Town of Webster sewer system shall pay a sanitary sewer connection fee (Entrance Permit Fee) to the Town of Webster Sewer Department when a building permit or a sewer lateral permit is issued for said residential unit. Any resident who has owned and occupied his/her residence prior to August 1, 1960, shall be exempt from all connection fee charges. Qualification for said exempt residential status shall be determined from the Town of Webster Assessor's office official files.

B. The connection fee (Entrance Permit Fee) for commercial/industrial users shall be determined by the Sewer Department via EDU reserved pipeline capacity at the time a building permit or a sewer lateral permit is issued for said commercial or industrial user, based on applicable water consumption of the previous twelve-month period or if for new construction, based on estimated water consumption or the estimated need for pipeline capacity.

C. If a change is made to an existing commercial/industrial facility which results in an additional connection to the sewer or need for increased infrastructure capacity, then another connection fee will be assessed.

3. This Local Law shall take effect immediately upon the appropriate filing as required by law.

4. The Town Clerk is hereby authorized and directed to take such action as may be necessary to carry this Resolution into effect

Seconded by \_\_\_\_\_ and duly put to a vote, which resulted as follows:

**VOTE ON MOTION:**

|                                  |         |
|----------------------------------|---------|
| Supervisor Thomas J. Flaherty    | Aye/Nay |
| Councilwoman Patricia T. Cataldi | Aye/Nay |
| Councilman John J. Cahill        | Aye/Nay |
| Councilwoman Ginny L. Nguyen     | Aye/Nay |
| Councilwoman Jennifer S. Wright  | Aye/Nay |

**MOTION CARRIED/DENIED**

Enter: June 6, 2024

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**DOROTHY M. MAGUIRE**  
Town Clerk  
Town of Webster