

**RESOLUTION NO. ____ OF 2025 OF THE TOWN BOARD OF
WEBSTER CONCERNING AN APPLICATION UNDER THE
FAST NY SHOVEL-READY GRANT PROGRAM**

At a regular meeting of the Town Board of the Town of Webster, Monroe County, New York, held at the Webster Town Meeting Hall, 1002 Ridge Road, Webster, New York on the 20th day of March 2025, 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, under New York's FAST NY Shovel-Ready Grant Program, Empire State Development (ESD) will provide up to \$300 million in grants to prepare and develop sites statewide to jumpstart New York's shovel-readiness and increase its attractiveness to large employers; and

WHEREAS, under Track C of the program, Capital grants will be awarded by ESD to improve the shovel-readiness of existing, mature sites by funding infrastructure improvements such as water, sewer, transportation, electricity, gas and other capital-eligible site improvement costs; and

WHEREAS, the Xerox campus in both the Town and Village of Webster has been identified as particularly suited to a FAST NY infrastructure improvement grant; and

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

WHEREAS, the Town Board deems it to be in the public interest and benefit to apply for a FAST NY infrastructure improvement grant.

NOW THEREFORE, be it resolved as follows:

1. The Town of Webster, in conjunction with the Village of Webster, authorizes the Webster Economic Development Alliance (WEDA) to apply for a \$9,800,000 FAST NY Track C Infrastructure Grant to:
 - a. improve Orchard Street, Panama Road, and Mitcheldean Drive and construct a multimodal connection path or trail from Chiyoda Drive to the trail along Route 104, all within the Village of Webster;
 - b. extend Chiyoda Drive from its terminus at Panama Road to NY Route 250 and Boulter Industrial Parkway from its current terminus to Salt Road all located within the Town of Webster;
 - c. upgrade the sanitary sewer conveyance pipe near Basket Road and Salt Road within the Town of Webster; and
 - d. provide electrical engineering master planning for future or eventual electric power upgrades to the Xerox campus.

2. Upon being awarded the grant, the Town intends to enter into an ESD-approved development agreement with WEDA. The development agreement will include, but not be limited to, the following stipulations:

- a. Affirmation that the Town will be expected to provide up-front financing for its part of the overall project until disbursements are made, typically in arrears of to be determined project milestone(s);
- b. Affirmation that the applicant commits to a minimum of 10% equity in the project, to be comprised of a combination of Town, Village, and WEDA sources. The Village's equity to come from a secured Federal HUD CPF grant to improve Orchard Street, Panama Road and construction of the Phillips Road multimodal trail. The Town's equity to come from the \$7,000,000 investment the Town has already made in sanitary sewer upgrades.
- c. The development agreement will be subject to the terms and conditions of the Master Road Dedication and Land Transfer Agreement previously signed by Xerox, Town, and Village.
- d. Specification of the roles and responsibilities of the involved parties
- e. The purpose of the agreement
- f. The scope of work for each party and the expected deliverables.
- g. The funding amount to be paid to WEDA for administration of the grant.
- h. The payment terms between the Village, Town, and WEDA
- i. Compliance and reporting requirements, including MWBE requirements, EEO requirements, and D&C requirements, etc.
- j. The process for amendments, change orders, and termination.
- k. The process for dispute resolution such as arbitration

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

Enter: March 20, 2025

Danene M. Marr, Town Clerk
Town of Webster