

Village of Webster  
Village Board Meeting  
March 14, 2017

Webster Community Meeting Hall  
29 South Avenue  
Webster, NY 14580

Present: Mayor Cahill, Trustee Balcaen, Trustee Ippolito Jr., Trustee Byerts, and Trustee Lancy  
Absent: Attorney Don White

**Public Comments** – No Public Comments at this time.

## Village Board Business

Motion Trustee Ippolito Jr. and Seconded by Trustee Balcaen to approve the Village Board Meeting Minutes of February 9, 2017, Trustee Ippolito – aye, Trustee Balcaen – aye, Trustee – Byerts, Mayor Cahill – aye, Trustee Lancy – abstain, motion passes.

Motion Trustee Byerts and Seconded by Trustee Balcaen to approve the Village Board Meeting Minutes of February 23, 2017, Trustee Byerts – aye, Trustee Balcaen – aye, Trustee Ippolito – aye, Trustee Lancy – aye, Mayor Cahill – abstain, motion passes.

Motion Trustee Lancy and Seconded by Trustee Byerts to accept claims totaling: General – \$18,240.47 and Sewer – \$13,863.31, all were in favor and carried.

Motion Trustee Ippolito Jr., and Seconded by Trustee Lancy to approve the Intermunicipal Agreement (IMA) between the Village of Webster and the Town of Webster, all were in favor and carried.

The following resolution was offered by Trustee Balcaen and Seconded by Trustee Ippolito, Jr., and moved for its adoption:

WHEREAS, the Village of Webster Board of Trustees desire to create a Capital Reserve Building, Real Property Improvement account and / or Well Decommissioning account; and

NOW THEREFORE, be it RESOLVED:

1. Pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a Capital Reserve fund to be known as the Building, Real Property Improvement account and / or Well Decommissioning Reserve Fund (hereinafter “Reserve Fund”). The purpose of this Reserve Fund is to accumulate monies to finance the cost of a type of capital improvement. The type of capital improvement to be financed from the Reserve Fund is the construction, reconstruction, demolition of any building or structure owned by the Village of Webster, specifically including the closing or capping of any water wells owned by the Village of Webster and demolition of any structures formerly used by the Village of Webster water system.

2. The chief fiscal officer of the Village of Webster is hereby directed to deposit and secure the monies of this Reserve Fund in the manner provided by Section 10 of the General

Municipal Law. The chief fiscal officer may invest the monies in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Village of Webster. Any interest earned or capital gains realized on the monies so deposited or invested shall accrue to and be made a part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in the manner which maintains the separate identity of the Reserve Fund and shows the date and the amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investment of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the board a detailed report of the operation and condition of the Reserve Fund.

3. Except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditures shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law, including a permissive referendum if required by subdivision 4 of Section 6-c of the General Municipal Law.

The following resolution was offered by Trustee Byerts and Seconded by Trustee Ippolito, Jr., and moved for its adoption:

WHEREAS, a Project for the North Ave. Connector P.I.N. 4755.94 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 77 % Federal funds and 23% non-Federal funds; and

WHEREAS, the Village of Webster desires to advance the Project by making a commitment of 100% of the non-Federal share of the costs of \$27,600 ( Twenty Seven Thousand, Six Hundred Dollars).

NOW, THEREFORE, the Village of Webster Board of Trustees, duly convened does hereby

RESOLVE, that the Village of Webster Board of Trustees hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Village of Webster Board of Trustees hereby authorizes the Treasurer of the Village of Webster to pay in the first instance 100% of the Federal and non-Federal share of the cost of \$120,000 work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$120,000 is hereby appropriated from budget line 03-61-5112-430 and the aforementioned sums are made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full Federal and non-Federal share of the costs of the project exceeds the amount appropriated above, the Village of Webster Board of Trustees shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Treasurer of the Village of Webster thereof, and it is further

RESOLVED, that the Mayor of the Village of Webster be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal aid and/or Marchiselli Program aid on behalf of the Village of Webster with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of Federal-aid and state aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution replaces and supersedes the previous resolution adopted by the Village of Webster on February 12<sup>th</sup>, 2015 in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

The following resolution was offered by Trustee Balcaen and Seconded by Trustee Byerts and moved for its adoption:

WHEREAS, there exists a village street known as Donovan Street in the Village of Webster that is in need of reconstruction; and

WHEREAS, the Village of Webster Board of Trustees desire to establish a Reserve Fund to be used to accumulate monies to finance the cost of reconstructing and rehabilitating this street;

NOW THEREFORE, be it RESOLVED:

1. That pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a Capital Reserve Fund to be known as the "Donovan Street Reconstruction Reserve Fund" (hereinafter "Reserve Fund"). The purpose of this Reserve Fund is to accumulate monies to finance the cost of a specific capital improvement. The specific capital improvement to be financed from the Reserve Fund is the reconstruction and rehabilitation of Donovan Street in the Village of Webster. The estimated maximum cost of such capital improvement is \$475,000.00.

2. The chief fiscal officer of the Village of Webster is hereby directed to deposit and secure the monies of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The chief fiscal officer may invest the monies in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Village of Webster. Any interest earned or capital gains realized on the monies so deposited or invested shall accrue to and be made a part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in the manner which maintains the separate identity of the Reserve Fund and shows the date and the amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investment of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the board a detailed report of the operation and condition of the Reserve Fund.

3. Except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditures shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law, including a permissive referendum if required by subdivision 4 of Section 6-c of the General Municipal Law.

4. This Resolution is subject to permissive referendum pursuant to Subdivision 4 of Section 6-c of the General Municipal Law.

The following resolution was offered by Trustee Balcaen and Seconded by Trustee Lancy and moved for its adoption:

WHEREAS, there exists a village street known as Commercial Street in the Village of Webster that is in need of reconstruction; and

WHEREAS, the Village of Webster Board of Trustees desire to establish a Reserve Fund to be used to accumulate monies to finance the cost of reconstructing this street;

NOW THEREFORE, be it RESOLVED:

1. That pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a Capital Reserve Fund to be known as the "Commercial Street Reconstruction Reserve Fund" (hereinafter "Reserve Fund"). The purpose of this Reserve Fund is to accumulate monies to finance the cost of a specific capital improvement. The specific capital improvement to be financed from the Reserve Fund is the reconstruction and rehabilitation of Commercial Street. The estimated maximum cost of such capital improvement is \$525,000.00.

2. The chief fiscal officer of the Village of Webster is hereby directed to deposit and secure the monies of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The chief fiscal officer may invest the monies in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Village of Webster. Any interest earned or capital gains realized on the monies so deposited or invested shall accrue to and be made a part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in the manner which maintains the separate identity of the Reserve Fund and shows the date and the amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investment of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the board a detailed report of the operation and condition of the Reserve Fund.

3. Except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditures shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law, including a permissive referendum if required by subdivision 4 of Section 6-c of the General Municipal Law.

4. This Resolution is subject to permissive referendum pursuant to Subdivision 4 of Section 6-c of the General Municipal Law.

## Office

The comp and overtime report for February 2017 will be discussed at a later date.

## Department of Public Works

Mayor Cahill made mention and commended the DPW crew for the great job they did cleaning up after the wind storm that had taken down several trees in the Village.

Jake Swingly, Superintendent of Public Works, reviewed with the Board and discussed the re-bid of the Telecommunications Tower and asked the Board for a motion to award the bid.

Motion Trustee Lancy and Seconded by Trustee Byerts to award the bid to Fred A. Nudd Corporation for the construction of the Telecommunications Tower in the amount of \$222,750 which was received on March 10, 2017, all were in favor and carried.

Mayor Cahill said there was a flyer distributed to all the townhouses in Heartland Estates which stated "The March 9 meeting has been changed to March 14 after the 7PM Workshop Meeting" Mayor Cahill displayed an actual flyer which was put on everyone's door. He said the people there are mostly elderly and the Village Clerk, Josette Amalfi received a couple of phone calls from very upset residents concerning the flyer. Mayor Cahill said he personally condemns the flyer which was distributed to the elderly residents by the Webster Citizens Action League. Mayor Cahill said he personally spoke to several residents to tell them that the flyer was not true in regards to the proposed Brittney Woods development and no meeting was scheduled on March 14, 2017.

## Adjournment

Motion Trustee Ippolito Jr., and Seconded by Trustee Balcaen to adjourn the meeting at 7:25 p.m., all were in favor and carried.

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Josette Amalfi, Village Clerk

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John J. Cahill, Mayor