

## Webster Town Board

January 22, 2026

A regular meeting of the Webster Town Board was called to order by Supervisor Scialdone at 7:30 p.m. at the Webster Town Board Meeting Room, 1002 Ridge Road, Webster, New York, with the following officials present:

Supervisor.....	Alexander B. Scialdone
Councilman.....	John J. Cahill
Councilwoman.....	Jennifer S. Wright
Councilman.....	Nicholas E. Hunter
Councilman.....	Garrett J. Wagner
Attorney for the Town .....	Kyle Taylor
Town Clerk.....	Danene M. Marr

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Supervisor Scialdone led the Pledge of Allegiance to the Flag.

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Supervisor Scialdone invited former Supervisor Thomas Flaherty to come forward to the podium.

Supervisor Scialdone read the following proclamation:

### Proclamation for Dedicated Public Service

Presented to the

*Tom Flaherty*

**WHEREAS**, the quality of a person who strives to understand and address the complex challenges that a community faces is rare. It is even rarer to go further and address these challenges. Such individuals can be relied upon to serve as effective leaders and advocates, always prioritizing their constituents' best interests; and

**WHEREAS**, Tom Flaherty embodies this type of leader and has continuously answered the call to action. For six years, he has established himself as a powerful force for growth and effective planning for Webster; and

**WHEREAS**, Tom has earned the trust of residents through his dedication as Town Supervisor. Adhering to the personal motto of "trust and verify," he has approached public service from an honest and educated position, seeking to instill that knowledge and awareness in others; and

**WHEREAS**, his financial background, coupled with a strong moral compass, has put the Town in a favorable position. During his tenure, Webster has become an example to other municipalities of accountable governance, sustainable growth, and exemplary fiscal responsibility; and

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**WHEREAS**, over the years, Tom has guided Webster through significant changes and major projects, including the fairlife project, construction of the Barry A. Deane Highway Facility, updates to the Wastewater Treatment Plant, and many others. His logical approach has been instrumental in seeing these initiatives through from start to finish. Throughout his years of service, he has exemplified honest public service and cannot be properly extolled.

**NOW, THEREFORE BE IT RESOLVED**, on behalf of the Webster Town Board and the entire Webster community, we extend our sincerest appreciation for your six years of service to Webster, and the legacy you leave behind.

January 22, 2026

*Alexander B. Scialdone*, Town Supervisor

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Former Board Member **Patti Cataldi**, read a prepared speech that reflected on what can happen when someone with no prior local government experience enters public office with a fresh perspective and voluntarily limits their time in office. Free from long-standing cynicism and the pressure of reelection, this type of leader is portrayed as more willing to make difficult decisions and take meaningful action. Former Town Supervisor Tom Flaherty is presented as a clear example of this model of leadership.

During his time in office, Tom was described as hands-on and deeply engaged, addressing both small operational issues and major policy challenges. He worked alongside Town staff in practical tasks, participated in technical training, met directly with residents to discuss open-space preservation, and led extensive community outreach on the Townwide property revaluation process. These actions demonstrated his willingness to be visible, accessible, and accountable.

Tom also advanced several major infrastructure initiatives that shaped Webster's future. He oversaw the replacement of an outdated and undersized highway facility with a modern, forward-looking complex, and initiated phase two of the Wastewater Treatment Plant upgrade. That project emphasized not only renewal but also energy efficiency and new revenue opportunities, helping offset long-term debt. These improvements positioned Webster to successfully attract fairlife, a major economic development win.

A defining element of his leadership was his insistence on securing external funding rather than placing the financial burden on residents. His determination resulted in \$20 million in State assistance tied to infrastructure improvements, catalyzing renewed interest in redevelopment of the neighboring Xerox campus. He also invested significant time in bringing together Town, Village, and corporate leaders to streamline redevelopment efforts and attract future buyers.

Patti reflected on and emphasized Tom's collaborative leadership style and commitment to integrity, careful hiring, and open-minded decision-making. As his deputy observed, he prioritized customer service, accuracy, and thoughtful evaluation over assumptions or political expediency. While not every idea succeeded, many led to more efficient operations and improved service to residents, underscoring a leadership approach guided by principle, collaboration, and long-term vision.

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**Tom Flaherty**, expressed heartfelt gratitude in response to remarks made about his time in office, noting that the comments resonated deeply because they reflected values he truly believes in and tried to live by during his service. He reflected on his six years with the Town, emphasizing that assembling a strong, dedicated team was both one of his greatest achievements and the hardest part of deciding to step down through self-imposed term limits.

Mr. Flaherty described the group as the best team he has worked with in his career and said he will miss them greatly, while also expressing confidence that the Town is well positioned for the future. In closing, he offered personal reassurance about the leadership transition, stating that although he worked with Alex for a shorter time, he believes the Town is in good hands and thanked everyone for their support.

**Supervisor Scialdone** led former Supervisor Flaherty to the back wall to unveil his picture to commemorate his six years of service.

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

**Elaine Johnson**, a Webster resident, congratulated the new Town Board and voiced opposition to the proposed Webster Solar Garden project at 750 Phillips Road on Xerox property, representing more than 400 Webster residents who had signed petitions against it. Ms. Johnson stated that residents lacked confidence in the project and had shared concerns with the Planning Board regarding its impact on public health, safety, welfare, and neighborhood character, as required under the Town's zoning code. The opposition cited human health and environmental risks associated with building on a hazardous waste site, the loss of 17.5 acres of green space, increased noise and pollution from solar inverters, and potential negative effects on property values. Ms. Johnson concluded by asking the Town Board to deny the Special Use Permit and protect Town residents.

**Brian Ocello**, a Webster resident, stated that he had recently moved into the Grand Meadows neighborhood and expressed strong opposition to the proposed solar panel farm. He apologized for not being fully prepared due to missing prior meetings but emphasized that he was vehemently against the project. Mr. Ocello focused primarily on concerns about noise generated by solar inverters, disputing claims made by the developer that there would be no sound impact. He questioned whether more comprehensive noise studies would be conducted, including research on low-frequency sound and potential neurological effects, and asked whether the developer would guarantee in writing that there would be no noise impact. He expressed concern for nearby residents who would be most affected and argued that inverter noise could be disruptive to quality of life. Mr. Ocello urged the Board to consider the community's opposition, noted that alternative locations on the property existed, cautioned against being persuaded by sales pitches, and requested detailed noise and water studies before moving forward.

**Michael McDonnell**, a Webster resident, a registered nurse, stated that his property would be close to the proposed project site and expressed serious concerns about its impact. He said he did not want to be exposed to low-frequency noise while trying to enjoy a quiet rural environment and questioned how such noise might affect animals, including pets. He also raised concerns about potential environmental and health risks if the land were disturbed, referencing historical contamination issues such as Love Canal and questioning whether toxins could leak

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into surrounding soil or water. Drawing on his experience as a hospice nurse, he emphasized the potential for long-term medical consequences, including cancer risks, and asked the Board to consider whether they would accept such a project in their own backyard.

**Kevin Lockart**, a Village of Webster resident, thanked residents for attending and stated that he valued hearing directly from the people of Webster about their priorities as the Town changed. He argued that the current Town Board structure was not working in residents' favor and claimed the previous administration had improperly controlled the Comprehensive Plan Steering Committee, excluding residents as stakeholders in Webster's future. He warned that zoning and land-use decisions could proceed without public input, potentially allowing developments such as commercial corridors or industrial-scale solar projects.

Mr. Lockart asserted that new rules governing public meetings were being used to restrict public participation and that the Board had misrepresented its authority. He maintained that the comprehensive plan steering committee had been organized in violation of town law due to a critical procedural defect, despite later attempts to correct it by resolution. He concluded that unless this defect was properly addressed, residents would continue to be excluded from meaningful influence over future zoning and land-use decisions, and he urged the community to focus on correcting this foundational issue.

**Paul Libera**, owner of Northern Hemisphere Gymnastics in Webster, stated that he wanted the Town to remain a good place to live and preserve its recreational opportunities. He expressed concern about restricted access to parks and waterways, particularly citing the loss of convenient access from the Bayside for ice fishing, ice biking, water skiing, and small boats. Mr. Libera described how changes, including concrete barriers, fences, and relocated parking, made recreation unsafe or less enjoyable. He noted incidents of unsafe ice use and criticized the handling of public facilities, including bathrooms and handicapped-access kayak launches, which he claimed were underutilized. Mr. Libera argued that limiting access kept children indoors and reduced outdoor activity, and he urged the Town to restore safe, practical access to recreational areas for all residents.

**Chris Nacca**, a Webster resident, stated that he appreciated seeing residents at the meeting and noted that he did not have a specific topic to discuss. He reflected on Town projects, using the \$80,000 removal of ash trees—planted decades earlier to replace diseased elm trees—as an example of how past decisions can create long-term consequences. Mr. Nacca expressed concern that new construction often lacks character and homogenizes the Town's appearance, and he urged mindfulness about the impact of current actions on the future. He related this perspective to the proposed solar farm, noting the uncertainty of disturbing land that may contain toxins from prior industrial use. He emphasized the importance of considering long-term effects and avoiding decisions that could negatively affect residents' quality of life, such as persistent noise.

**Dennis Gorlick**, a Webster resident, asked whether the funding allocated for the Vosburg Pump Station rebuild included regular maintenance of the valves, pumps, and other equipment. He noted that the pump station had deteriorated over many years and questioned whether proper maintenance could have extended its lifespan, potentially avoiding the need for a full rebuild in the future.

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Rick Kenealy, the Chief Operator of the Wastewater Treatment Plant, responded that the project budget only covered the rebuild and upgrade of the pump station, not annual maintenance. He explained that routine maintenance was handled through the plant's regular operating budget, and that although the equipment would be new and require less immediate upkeep, scheduled maintenance would still be performed to maximize its lifespan. He confirmed that the Vosburg Pump Station was one of the largest plants and in very poor condition prior to the rebuild.

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**Resolution No. 63:** MOTION by Supervisor Scialdone, seconded by Councilwoman Wright, to approve the January 8, 2026 Town Board Workshop Meeting Minutes as submitted by the Town Clerk.

Vote on motion:

Supervisor Scialdone ..... Aye  
Councilwoman Wright ..... Aye  
Councilman Wagner ..... Aye

Councilman Cahill ..... Aye  
Councilman Hunter ..... Aye  
Motion carried ..... 5-0

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**Resolution No. 64:** MOTION by Supervisor Scialdone, seconded by Councilman Cahill, to approve the January 8, 2026 Town Board Meeting Minutes as submitted by the Town Clerk.

Vote on motion:

Supervisor Scialdone ..... Aye  
Councilwoman Wright ..... Aye  
Councilman Wagner ..... Aye

Councilman Cahill ..... Aye  
Councilman Hunter ..... Aye  
Motion carried ..... 5-0

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**Resolution No. 65:** MOTION by Councilwoman Wright, seconded by Councilman Hunter, to approve the bills as submitted in Warrant #0126A by the Director of Finance.

Fund	Inside	Outside	Card/ACH	Total
General (A,B) #0010-0226	745,593.00	345,658.27	11,765.01	1,103,016.28
Highway (C,D)	251,754.70	126,730.29	4,996.69	383,481.68
Sewer (G)	175,396.77	57,466.50	12,110.52	244,973.79
Library (L)	41,930.81	16,399.85	175.09	58,505.75
Drainage Districts (M)	38,361.70	2,092.32	0.00	40,454.02
Park Districts (P)	2,705.19	0.00	0.00	2,705.19
Trust & Agency (T/A,N/SF,T/T, WEMS)	0.00	244,158.00	0.00	244,158.00
Capital Projects (H) #001-005				
Fund	Inside	Outside	Card/ACH	Total
H211 Finn/Gravel Stormwater Pond	0.00	6,000.00	0.00	6,000.00
H229 Vosburg Pump Station	95,184.03	0.00	0.00	95,184.03
H231 WWTP Upgrade Phase II	3,620,203.76	0.00	0.00	3,620,203.76
H232 Highway Garage Building	10,261.25	0.00	0.00	10,261.25
H237 Coca-Cola/fairlife	505.05	0.00	0.00	505.05
TOTAL	4,981,896.26	798,505.23	29,047.31	5,809,448.80

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Vote on motion:

Supervisor Scialdone ..... Aye  
Councilwoman Wright ..... Aye  
Councilman Wagner ..... Aye

Councilman Cahill ..... Aye  
Councilman Hunter ..... Aye  
Motion carried ..... 5-0

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**Resolution No. 66:** MOTION by Supervisor Scialdone, seconded by Councilman Cahill, to approve the prepaid vouchers included in Warrant #0126A by the Director of Finance in the amount of \$798,505.23. [Included in the summary of vouchers approved in Resolution #65]

Vote on motion:

Supervisor Scialdone ..... Aye  
Councilwoman Wright ..... Aye  
Councilman Wagner ..... Aye

Councilman Cahill ..... Aye  
Councilman Hunter ..... Aye  
Motion carried ..... 5-0

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**Resolution No. 67:** MOTION by Supervisor Scialdone, seconded by Councilman Hunter, to approve purchase orders as submitted by the Director of Finance.

Vote on motion:

Supervisor Scialdone ..... Aye  
Councilwoman Wright ..... Aye  
Councilman Wagner ..... Aye

Councilman Cahill ..... Aye  
Councilman Hunter ..... Aye  
Motion carried ..... 5-0

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The Board discussed the following three Resolutions to accept the lowest bids for the Highway Salt Barn Wash Station. Councilmembers emphasized that the project needed to move forward because the structure was deteriorated and posed a risk if delayed, potentially leading to far higher emergency costs. They noted that the timing was favorable due to a \$600,000 grant, one of only two ever approved for a rebuild, and stressed that declining it would be a missed opportunity. Councilmembers praised the grant team, and Highway Superintendent for their hard work in securing funding and managing the project efficiently. Several councilmembers highlighted the importance of careful planning and research, citing prior experiences with projects like the Vosburg Pump Station and noting the need for a long-term capital improvement plan to maintain new infrastructure. Councilmembers also recognized the role of politics in the building's prior neglect and expressed confidence in the team overseeing the rebuild. Overall, the Board agreed the project was necessary, financially prudent with the grant, and should proceed with careful oversight.

**Resolution No. 68:** MOTION by Supervisor Scialdone, seconded by Councilman Cahill, to award Highway Salt Barn and Wash Station Project Contract No. 1- General and to authorize the Town Supervisor to execute said contract.

WHEREAS, on November 12, 2025 bids were advertised in the *Webster Herald* for the Town of Webster Highway Salt Barn and Truck Wash Project for the following Prime Contracts: Contract No. 1 – General, Contract No. 2 - Plumbing, Contract No. 3 – Electrical, Contract No. 4 - Site; and

WHEREAS, on December 10, 2025 at 11:05 a.m. two (2) sealed bids for Contract No. 1- General were publicly opened and read aloud; and

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WHEREAS, the following bids were received:

UDN, Inc.	\$4,299,000.00
Whitney East, Inc.	\$3,986,000.00

### NOW, THEREFORE, BE IT RESOLVED:

That the Town Board of the Town of Webster awards Highway Salt Barn and Truck Wash Project Contract No. 1-General with alternates to Whitney East, Inc., 1504 Scottsville Road, Rochester, New York 14623 in the amount of Three Million Nine Hundred Eighty-Six Thousand Dollars (\$3,986,000.00) and authorizes the Town Supervisor to execute said Contract.

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

Vote on motion:

Supervisor Scialdone .....	Aye	Councilman Cahill .....	Aye
Councilwoman Wright .....	Aye	Councilman Hunter.....	Aye
Councilman Wagner.....	Aye	Motion carried .....	5-0

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**Resolution No. 69:** MOTION by Supervisor Scialdone, seconded by Councilman Cahill, to award Highway Salt Barn and Wash Station Project Contract No. 2- Plumbing and to authorize the Town Supervisor to execute said contract.

WHEREAS, on November 12, 2025 bids were advertised in the *Webster Herald* for the Town of Webster Highway Salt Barn and Truck Wash Project for the following Prime Contracts: Contract No. 1 – General, Contract No. 2 - Plumbing, Contract No. 3 – Electrical, Contract No. 4 - Site; and

WHEREAS, on December 10, 2025 at 11:05 a.m. two (2) sealed bids for Contract No. 2- Plumbing were publicly opened and read aloud; and

WHEREAS, the following bids were received:

DG Messmer Corporation	\$168,000.00
McGrain Mechanical	\$205,000.00

### NOW, THEREFORE, BE IT RESOLVED:

That the Town Board of the Town of Webster awards Highway Facility Project Contract No. 2 – Plumbing to DG Messmer Corporation, 7940 Rae Boulevard, Victor, New York 14564 in the amount of One Hundred Sixty-Eight Thousand Dollars (\$168,000.00) and authorizes the Town Supervisor to execute said Contract.

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

Vote on motion:

Supervisor Scialdone .....	Aye	Councilman Cahill .....	Aye
Councilwoman Wright .....	Aye	Councilman Hunter.....	Aye
Councilman Wagner.....	Aye	Motion carried.....	5-0

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**Resolution No. 70:** MOTION by Supervisor Scialdone, seconded by Councilman Cahill to award Highway Salt Barn and Wash Station Project Contract No. 3- Electrical and to authorize the Town Supervisor to execute said contract.

WHEREAS, on November 12, 2025 bids were advertised in the *Webster Herald* for the Town of Webster Highway Salt Barn and Truck Wash Project for the following Prime Contracts: Contract No. 1 – General, Contract No. 2 - Plumbing, Contract No. 3 – Electrical, Contract No. 4 - Site; and

WHEREAS, on December 10, 2025 at 11:05 a.m. two (2) sealed bids for Contract No. 3- Electrical were publicly opened and read aloud; and

WHEREAS, the following bids were received:

Concord Electric Corporation	\$274,000.00
O'Connell Electric Company	\$378,286.00

### NOW, THEREFORE, BE IT RESOLVED:

That the Town Board of the Town of Webster awards Highway Facility Project Contract No. 3 – Electrical to Concord Electric Corporation, 305 Pinewild Drive, Suite 4, Rochester, New York 14606 in the amount of Two Hundred Seventy-Four Thousand Dollars (\$274,000.00) and authorizes the Town Supervisor to execute said Contract.

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

Vote on motion:

Supervisor Scialdone .....	Aye	Councilman Cahill .....	Aye
Councilwoman Wright .....	Aye	Councilman Hunter.....	Aye
Councilman Wagner.....	Aye	Motion carried.....	5-0

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**Resolution No. 71:** MOTION by Supervisor Scialdone, seconded by Councilman Cahill, to amend and restate in its entirety a Bond Resolution of the Town dated June 6, 2024, relating to improvements to the Vosburg Pump Station; stating the maximum estimated cost thereof is \$6,350,000; appropriating said amount therefore; and authorizing the issuance of up to \$6,350,000 in Serial Bonds of the Town to finance said appropriation.

WHEREAS, the Town Board (the “Town Board”) the Town of Webster, Monroe County, New York (the “Town”) by a bond resolution adopted on June 6, 2024 (the “Original Bond Resolution”) authorized the issuance of Serial Bonds and Bond Anticipation Notes of the Town in the principal amount of \$5,700,000 to undertake certain improvements to the Vosburg Pump Station (the “Project”) all as more particularly described in a report prepared by MRG Group (the “Engineer”) entitled “Capital Improvement Plan for the Vosburg Pump Station, dated February 16, 2022”, as amended by an “Engineering Report Amendment, dated June 3, 2024” (the “Original Project”) and on file with the Town Clerk’s office, all at a total estimated maximum cost of \$5,700,000; and

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WHEREAS, by Resolutions adopted on May 2, 2024 and June 6, 2024, the Town Board: (i) determined that the actions to be undertaken in connection with the Project (collectively, the “Action”) constitute a “Type I” action pursuant to the provisions of the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617) (collectively, “SEQRA”), (ii) the Town Board assumed lead agency status for purposes of conducting a coordinated review of the Action in accordance with SEQRA, and (iii) the Town Board determined that the Action will not result in any significant adverse environmental impacts, adopted a “Negative Declaration” pursuant to SEQRA with respect thereto, and directed that a notice of Negative Declaration be filed and published, to the extent required under SEQRA; and

WHEREAS, the Engineer has informed the Town that due to a significant rise in the costs of materials and labor, the estimated maximum cost of the Project shall need to be increased, along with the amount of any Serial Bonds authorized to be issued in connection therewith, by \$650,000 to a total of \$6,350,000; and

WHEREAS, the Town Board of the Town now wishes to amend and restate (in its entirety) the Original Resolution, for the reasons identified above, and to make other modifications to the Original Resolution, as may be consistent with law:

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

By the Town Board of the Town of Webster, Monroe County, New York (by the favorable vote of not less than two-thirds of all the members of such body), as follows:

1. The Town is hereby authorized to undertake certain improvements to the Vosburg Pump Station all as more particularly described in a report prepared by the Engineer entitled “Capital Improvement Plan for the Vosburg Pump Station, dated February 16, 2022”, as amended by an “Engineering Report Amendment, dated June 3, 2024 and further amended December 2025”. It is hereby determined that the maximum estimated cost of the aforementioned class of object or purpose is \$6,350,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of: (i) the issuance of the \$6,350,000 in Serial Bonds of the Town authorized to be issued pursuant to this Resolution or Bond Anticipation Notes issued in anticipation of such bonds; (ii) the application of up to \$100,000 in current funds of the Town and (iii) unless paid from other sources, the levy and collection of taxes on all taxable real property of the Town to pay the principal of such bonds or notes and the interest thereon as the same become due and payable.
2. Serial Bonds of the Town in the principal amount of \$6,350,000 are hereby authorized to be issued pursuant to provisions of Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the “Law”) to finance the aforementioned class of object or purpose.
3. It is hereby determined that the period of probable usefulness of the aforementioned class of object or purpose is thirty (30) years, pursuant to Subdivision 4. of Paragraph a. of Section 11.00 of the Law.

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4. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this Resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or Bond Anticipation Notes authorized by this Resolution. This Resolution shall constitute a declaration of official intent to reimburse the expenditures authorized herein with the proceeds of the bonds and Bond Anticipation Notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.
5. The final maturity of the bonds herein authorized to be issued shall be in excess of five (5) years measured from the date of issuance of the first Serial Bond or Bond Anticipation Note issued pursuant to this Resolution.
6. Each of the Serial Bonds authorized by this Resolution and any Bond Anticipation Notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said Serial Bonds and any Bond Anticipation Notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town subject to applicable statutory limits, if any. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said Serial Bonds and Bond Anticipation Notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and Bond Anticipation Notes to mature in such year and (b) the payment of interest to be due and payable in such year.
7. Subject to the provisions of this Resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of Serial Bonds and Bond Anticipation Notes or the renewals of said obligations and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Town Board relative to authorizing Serial Bonds and Bond Anticipation Notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any Bond Anticipation Notes issued in anticipation of said bonds, and the renewals of said Bond Anticipation Notes, are hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town (the "Town Supervisor"). Such notes shall be of such terms, form and contents as may be prescribed by said Town Supervisor consistent with the provisions of Local Finance Law. Further, in connection with bonds and Bond Anticipation Notes issued under the authority of Section 1 hereof, the power to contract with and issue bonds and Bond Anticipation Notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Law and to approve the terms, form and content of such bonds and Bond Anticipation Notes, consistent with the provisions of the Law, is hereby delegated to the Town Supervisor. Further, pursuant to Subdivision b. of Section 11.00 of the Law, in the event that bonds to be issued for the object or purpose authorized by this Resolution are combined for sale, pursuant to Subdivision c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other Resolutions of this Town Board, then the power of the Town Board to determine the "weighted average period of probable usefulness" (within

## **Webster Town Board**

the meaning of Subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Supervisor, as the chief fiscal officer of the Town.

8. The Town Supervisor is hereby further authorized, at his sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a Serial Bond, and, or a Bond Anticipation Note issue in the event of the sale of same to the New York State Environmental Facilities Corporation.
9. The Town Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this Resolution and any notes issued in anticipation thereof, as excludable from gross income for Federal Income Tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this Resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.
10. The Town Supervisor is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes authorized by this Resolution in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.
11. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to affect the issuance of the aforesaid Serial Bonds or Bond Anticipation Notes without resorting to further action of the Board.
12. In the absence of the Town Supervisor, the Deputy Town Supervisor of the Town is hereby specifically authorized to exercise the powers delegated to the Town Supervisor in this Resolution.
13. Pursuant to Subdivision b. of Section 35.00 of the Law, this Resolution is subject to a permissive referendum in the manner prescribed by Article 7 of the Town Law of the State of New York (the "Town Law"). The Town Clerk is hereby authorized and directed, within ten (10) days after the date of adoption of this Resolution, to publish and post a notice satisfying the requirements of Section 90 of the Town Law, which shall set forth the date of adoption of this Resolution, shall contain an abstract hereof, and shall specify that this Resolution was adopted subject to a permissive referendum. Such notice shall be published in the official newspaper of the Town for such purpose.
14. This Resolution shall take effect thirty (30) days after the date of its adoption or, if within such thirty (30) day period there is filed with the Town Clerk a petition subscribed and acknowledged by the number of qualified electors of the Town required by Section 91 of the Town Law and in the manner specified in such Section, until approved by the affirmative vote of a majority of such qualified electors voting on a proposition for its approval.

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15. The validity of the bonds authorized by this Resolution and of any Bond Anticipation Notes issued in anticipation of said bonds may be contested only if:

- a. such obligations are authorized for an object or purpose for which the Town is not authorized to expend money or
- b. the Provisions of Law which should be complied with at the date of the publication of such Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication or
- c. such obligations are authorized in violation of the provisions of the constitution.

16. Upon this Resolution becoming effective, the Town Clerk is hereby authorized and directed to cause a copy of this Resolution, or a summary thereof, to be published, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the Town for such purpose, together with a notice of the Town Clerk substantially the form provided in Section 81.00 of the Law.

Vote on motion:

Supervisor Scialdone ..... Aye  
Councilwoman Wright ..... Aye  
Councilman Wagner ..... Aye

Councilman Cahill ..... Aye  
Councilman Hunter ..... Aye  
Motion carried ..... 5-0

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**Resolution No. 72:** MOTION by Councilman Wagner, seconded by Supervisor Scialdone, to approve the following items for recycling from the Information Technology Department:

• Meraki MR43 Wireless Access Point	Asset Tag #6404
• Meraki MR43 Wireless Access Point	Asset Tag #6407
• Meraki MR34 Wireless Access Point	Asset Tag #6412
• Meraki MR34 Wireless Access Point	Asset Tag #6413
• Meraki MR34 Wireless Access Point	Asset Tag #6411
• Meraki MR34 Wireless Access Point	Asset Tag #6414
• Cisco Meraki MR34 Access Point	Asset Tag #6210
• Cisco Meraki MR34 Access Point	Asset Tag #6401
• Cisco Meraki MR34 Access Point	Asset Tag #6402
• Cisco Meraki MR34 Access Point	Asset Tag #6403
• Cisco Meraki MR34 Access Point	Asset Tag #6405
• Cisco Meraki MR34 Access Point	Asset Tag #6406
• Cisco Meraki MR34 Access Point	Asset Tag #6408
• Cisco Meraki MR34 Access Point	Asset Tag #6410

Vote on motion:

Supervisor Scialdone ..... Aye  
Councilwoman Wright ..... Aye  
Councilman Wagner ..... Aye

Councilman Cahill ..... Aye  
Councilman Hunter ..... Aye  
Motion carried ..... 5-0

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## **Webster Town Board**

There being no further business to come before the Board, the meeting was adjourned at 8:25 p.m.

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Danene M. Marr, Town Clerk