

Village of Webster  
Village Board Meeting  
April 12, 2018

Webster Community Meeting Hall  
29 South Avenue  
Webster, NY 14580

## April 12, 2018 Meeting Minutes

Present: Mayor Byerts, Trustee Ippolito Jr., Trustee Laurer, Trustee Lancy, Trustee Balcaen

The meeting formally opened at 7:01 PM.

The Clerk presented the preliminary budget to the Board of trustees and guests.

*Mayor Byerts asked Trustee Lancy to lead the Pledge of Allegiance to the Flag.*

### Presentation

*Mayor Byerts introduced Krystina Lizak, Village Treasurer to present the preliminary 2018-2019 Budget.*

Krystina presented the 2018-2019 Budget to the Board of Trustees

Projects to be completed:

- North Ave Connector Project
- Sidewalk Maintenance on Lapham Park

### Public Hearing

Mayor Byerts opened the Public Hearing for the preliminary 2018-2019 budget as scheduled at 7:15 P.M.  
*No speakers addressed the Board and the Public Hearing concluded at 7:18 P.M.*

### Public Comment

An open forum was conducted to allow speakers to address the board. No speakers addressed the board.

### Village Board Business

**Motion:** The Motion was **Moved** by Trustee Balcaen and **Seconded** by Trustee Lancy to Approve the Village Board Workshop Minutes of February 22, 2018. All were in favor and carried.

**Motion:** The Motion was **Moved** by Trustee Ippolito, Jr. and **Seconded** by Trustee Laurer to Approve the Village Board Workshop Minutes of March 20, 2018. All were in favor and carried.

**Motion:** The Motion was **Moved** by Trustee Balcaen and **Seconded** by Trustee Lancy to Approve the Village Board Meeting Minutes of March 22, 2018. All were in favor and carried.

**Motion:** The Motion was **Moved** by Trustee Ippolito, Jr. and **Seconded** by Trustee Laurer to Approve the Village Board Workshop Minutes of April 4, 2018. Motion passed. *Note: Mayor Byerts Abstained.*

**Motion:** The Motion was **Moved** by Trustee Laurer and **Seconded** by Trustee Lancy to Accept the claims and warrants totaling: General – \$51,864.56, Trust & Agency – \$1,150.75 and Sewer – \$26,736.12. All were in favor and carried.

The Clerk presented the Comp and Overtime Report.

*There were no questions or concerns with the Comp and Overtime Report of March 2018.*

## **GENERAL FUND BUDGET MODIFICATIONS**

### **April 12, 2018**

From:	01-02-1990-400	Contingency	(3,000.00)
To:	01-01-1325-414	Record Retention	3,000.00

Allow for the digitizing of various office documents; bldg. permits, minutes, personnel files

**Motion:** The Motion was **Moved** by Trustee Lancy and **Seconded** by Mayor Byerts, to Approve the Budget Modifications and Transfers. All were in favor and carried.

*Mayor Byerts asked that the Village Attorney to give a brief summary of the lawsuit.*

**Motion:** The Motion was **Moved** by Trustee Ippolito, Jr. and **Seconded** by Trustee Lancy to Authorize the Mayor to sign the Settlement Agreement and Release in the NYS Supreme Court action under Index No. 2016-7457 titled Michael Conn, Polly Conn, et. al. v. Village of Webster. All were in favor and carried.

**Motion:** The Motion was **Moved** by Trustee Ippolito, Jr. and **Seconded** by Trustee Balcaen, to Approve amount and form of letter of credit from ESL for Brittany Woods Townhomes Development. All were in favor and carried.

### **RESOLUTION OF THE VILLAGE OF WEBSTER BOARD OF TRUSTEES TO APPROVE THE FORM, AMOUNT AND DURATION OF A LETTER OF CREDIT AND AN AGREEMENT WITH RESPECT TO THE CONSRUCTION OF 69 APARTMENT UNITS BY BRITTANY WOODS TOWNHOMES**

At a meeting of the Board of Trustees of the Village of Webster, Monroe County, New York held at the Community Meeting Hall, 29 South Avenue, in the Village of Webster, New York on the 12<sup>th</sup> day of April, 2018, there were present:

Mayor, Darrell Byerts  
Trustee, Jude Lancy  
Trustee, Al Balcaen  
Trustee, Jerry Ippolito, Jr  
Trustee, Karl Laurer

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

Village Board Meeting, April 12, 2018

WHEREAS, BWTH, LLC received final site plan approval to construct 69 apartment units on a 13.4 acre parcel of land situate at the southwest corner of Ridge Road and Phillips Roads in the Village of Webster, Monroe County, State of New York, more particularly identified as tax parcels 080.11-1-2 and 080.15-1-49.1; and

WHEREAS, the Village of Webster Code section 175-41(C)(6), requires that a performance bond, letter of credit or other financial guarantee is required to insure the proper construction of all services in the area and that all landscaping, park and recreation areas be developed in accordance with the Village Board’s requirements; and

WHEREAS, BWTH, LLC through its lender, ESL Federal Credit Union, has submitted a draft irrevocable letter of credit to be accepted by the Village of Webster, which letter of credit incorporates an agreement between BWTH, LLC and the Village of Webster for the construction items to be covered by the letter of credit.

NOW THEREFORE, be it resolved, that

1. The Irrevocable Letter of Credit proposed by ESL Federal Credit Union as the lender, BWTH, LLC as the Borrower and the Village of Webster as the beneficiary is approved as to amount, duration, and form. A copy of the draft of the Irrevocable Letter of Credit is attached to this Resolution.

2. The Mayor is hereby authorized to sign an agreement with BWTH, LLC, that provides for completion of all work set forth on the Brittany Woods Townhomes engineer’s estimate to be completed by April 13, 2020. A copy of said agreement is attached to this Resolution.

VOTE ON THE MOTION:

Mayor, Darrell Byerts	aye
Trustee, Jude Lancy	aye
Trustee, Al Balcaen	aye
Trustee, Jerry Ippolito, Jr.	aye
Trustee, Karl Laurer	aye

Motion carried

Dated: April 12, 2018

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 Heather Halstead  
 Village Clerk  
 Village of Webster

**Surplus Item Declarations Needed April 12, 2018**

VOW ID	YEAR	MAKE	MODEL	BODY TYPE	VIN OR SER NUMBER
W-9B	2003	CHEVY	S-10	PICKUP	1GCCS19X838201082
W-18A	2007	FORD	F-350	FLAT BED	1FDSF34507EA57516
W-20A	2002	FORD	F-250	PICKUP	1FTNF20LX2EC27809

**Motion:** The Motion was **Moved** by Trustee Lancy and **Seconded** by Trustee Laurer, to Declare vehicles surplus, and to direct the Superintendent of Public Works to dispose of the same. All were in favor and carried.

**Motion:** The Motion was **Moved** by Trustee Ippolito, Jr. and **Seconded** by Trustee Balcaen, to Authorize James Clancy to attend a Highway School. All were in favor and carried.

**Attorney** – Mr. White thanked Mayor Byerts for appointing him to be the Planning and Zoning Boards.

*Mayor Byerts explained that the East Main Construction has begun but will be on hold temporarily, the contracts will be signed soon. Note: This is a pass-through grant only.*

## **Department of Public Works –**

DPW Supervisor, Jake Swingly thanked his staff for their hard work during this long winter and for the residents for their cooperation.

- Planning has begun for spring changes/updates and are finalizing projects
- Tanks removed from the well fields.

**Sewer** – *No report at this time*

## **Public Announcements**

Next Meetings:

Village Board Meeting – 4/12/2018

Village Board Meeting – 4/26/2018

## **Adjournment**

**Motion:** The Motion was **Moved** by Trustee Laurer, and **Seconded** by Trustee Balcaen, to Adjourn the meeting at 7:54 PM. All were in favor and carried.

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Heather Halstead, Village Clerk

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Darrell Byerts, Mayor