MAY 14, 2018
ONTARIO TOWN BOARD MEETING & PUBLIC HEARING

A regular meeting of the Ontario Town Board was called to order by Supervisor Frank Robusto at 7:00 p.m. in the Ontario Town Hall. Present were Supervisor Robusto, Council Members: Joseph Catalano, Richard Leszyk, Scott TeWinkle, Jason Ruffell, Superintendent of Highways Marilee Stollery, Town Engineer/Water Superintendent Adam Cummings, Assessor Melissa Halstead, Library Director Sandra Hylen, Attorney for the Town Richard Williams and Town Clerk Debra DeMinck.

Absent: Business Manager Paul Liess, Code Enforcement Officer Brian Smith and Director of Recreation & Parks William Riddell

15 residents and visitors were present at portions of the meeting.

Mr. TeWinkle led the Pledge of Allegiance.

A legal notice of Public Hearing for the "Villa's by Barone" Lighting District was posted on the Town Clerk's Board April 26, 2018 and was published in the Times of Wayne County on April 29, 2018 and in the Wayne County Mail/Sun and Record on May 3, 2018.

Attorney Richard Williams gave a brief summary of the project. There will be street lighting throughout the subdivision with the cost to be split by the owners in that subdivision.

Mr. Switzer asked what the name of the street was going to be. Mr. Robusto answered possibly Villavina Dr.

Having no further questions or comments, a motion was made by Mr. Ruffell, seconded by Mr. Leszyk, to **close the public hearing at 7:04 p.m**. 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Ruffell, seconded by Mr. Catalano, to **adopt the following**:

In the Matter of the Establishment of the
"Villas By Barone Lighting District",
Located South of Ridge Road

WHEREAS, a Petition having been duly presented to the Town Board of the Town of Ontario, Wayne County, New York, together with the necessary maps and information which requests the establishment of the above Lighting District; and

WHEREAS, the Town Assessor has submitted a Certificate, in writing, verifying that the aforesaid Petition was signed by the required percentage of owners within the proposed District; and

WHEREAS, a Resolution was duly adopted by the Town Board on the 16th day of April, 2018, for the hearing of all persons interested in the matter to be held on the 14th day of May, 2018, at 7:00 o'clock P.M., Local Time, at the Town Hall, 1850 Ridge Road, Town of Ontario, New York; and

WHEREAS, due proof of publication and posting of the said Resolution has been duly filed with the Clerk of the said Town Board; and

WHEREAS, the hearing required by the said Resolution has been duly held, and it appears from the said Petition that the creation of the Lighting District does not require any expenditure of money for the construction or acquisition of the improvement therein, and does not require the financing of the cost thereof by the issuance of any bonds, notes, certificates of any indebtedness of said Town; and

WHEREAS, the Planning Board of the Town of Ontario, being Lead Agency pursuant to SEQRA, has previously issued a Negative Declaration of Environmental Significance; and

WHEREAS, the permission of the Comptroller of the State of New York is not required for the creation of the District;

NOW, ON MOTION duly made and seconded, it is

RESOLVED, that

(a) The Petition is signed and acknowledged or approved as required by law and is otherwise sufficient;
(b) All the property and property owners within the Lighting District are benefited thereby;
(c) All the property and property owners benefited are included within the limits of the District;
(d) The expenses of the District are to be paid by the property owners of the District, annually, on an ad valorem basis; and
(e) It is in the public interest to grant in whole the relief sought; and it is further

RESOLVED, that "Villas By Barone Lighting District", be and the same hereby is created, and, as hereby created, are as set forth in "Exhibit A" annexed hereto, and as further set forth on the map annexed hereto as "Exhibit B". 5 Ayes 0 Nays RESOLUTION ADOPTED

Mr. Dan Driffell, Assistant Superintendent of Business, gave a brief presentation on the Wayne Central School budget vote tomorrow, Tuesday, May 15th, from 9 a.m. to 9 p.m. at the high school.

Approval of the Agenda – A motion was made by Mr. Ruffell, seconded by Mr. TeWinkle, to **approve the agenda with the addition of a highway budget amendment under new business**. 5 Ayes 0 Nays MOTION CARRIED

Approval of Minutes - Mr. Robusto asked for approval of the minutes of the April 23, 2018 Town Board Meeting. A motion was made by Mr. Leszyk, seconded by Mr. Ruffell, to **approve the minutes as presented**. 5 Ayes 0 Nays MOTION CARRIED

Correspondence – None

Attorney for the Town Report – None

Department Head Reports -
Supervisor's Financial Statement – A motion was made by Mr. Ruffell, seconded by Mr. Catalano, to **accept the April 2018 Supervisor's Financial Statement as presented**. 5 Ayes 0 Nays MOTION CARRIED

Town Clerks – A motion was made by Mr. Leszyk, seconded by Mr. Ruffell, to **accept the monthly and tax report as presented.** 5 Ayes 0 Nays MOTION CARRIED

Superintendent of Water Utilities/Town Engineer – A motion was made by Mr. Ruffell, seconded by Mr. TeWinkle, to **accept the April 2018 report as presented**. 5 Ayes 0 Nays MOTION CARRIED

Superintendent of Highways – A motion was made by Mr. Leszyk, seconded by Mr. Ruffell, to **accept the April 2018 report as presented**. 5 Ayes 0 Nays MOTION CARRIED

Code Enforcement Officer – A motion was made by Mr. Catalano, seconded by Mr. TeWinkle, to **accept the April 2018 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

Sole Assessor – A motion was made by Mr. Ruffell, seconded by Mr. Leszyk, to **accept the April 2018 report as presented**. 5 Ayes 0 Nays MOTION CARRIED

Ontario Town Court – A motion was made by Mr. Leszyk, seconded by Mr. TeWinkle, to **receive the April 2018 reports as presented.** 5 Ayes 0 Nays MOTION CARRIED

Director of Recreation & Parks –A motion was made by Mr. TeWinkle, seconded by Mr. Ruffell, to **accept the April 2018 report as presented**.5 Ayes 0 Nays MOTION CARRIED

Economic Development Department - A motion was made by Mr. Robusto, seconded by Mr. Ruffell, to **accept the April 2018 report as presented**. 5 Ayes 0 Nays MOTION CARRIED

Watershed Management Advisory Council – A motion was made by Mr. Ruffell, seconded by Mr. TeWinkle, to **accept the April 2018 report as presented**. 5 Ayes 0 Nays MOTION CARRIED

Animal Control Officer – A motion was made by Mr. Robusto, seconded by Mr. TeWinkle, to **accept the April 2018 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

Library – A motion was made by Mr. Ruffell, seconded by Mr. TeWinkle, **to accept the report as presented**. 5 Ayes 0 Nays MOTION CARRIED

New Business – A motion was made by Mr. Ruffell, seconded by Mr. Catalano, to **adopt the following**:

Resolution to Set Public Hearing for Local Law #2

WHEREAS, true and correct copies of proposed Local Law No. 2 of 2018: Amending Chapter 150 to Amend the Provisions for Solar Energy Systems, were delivered to each member of the Town Board; and

WHEREAS, due consideration has been given to the adoption of said proposed Local Law No. 2 of 2018, by all members of the Town Board who were present; and

WHEREAS, it was the considered opinion of all members of the Town Board who were present that a public hearing should be held on the 11th day of June, 2018, at 7:00 p.m. at the Town Hall, 1850 Ridge Road, Ontario, New York, to consider the adoption of said proposed Local Law No. 2 of 2018;

NOW, on motion duly made and seconded, it was

RESOLVED, that a public hearing be held on the 11th day of June, 2018, at 7:00 P.M., Local Time, at the Town Hall, 1850 Ridge Road, Ontario, New York, on the question of the adoption of said proposed Local Law No. 2 of 2018; and be it further

RESOLVED, that a Notice of Hearing and a copy of said proposed Local Law No. 2 of 2018, or a summary thereof, be published in a newspaper previously designated as an official newspaper for publication of public notices, not less than five (5) days prior to said hearing; and be it further

RESOLVED, that the Town Clerk shall post certified copies of both this Resolution and said proposed Local Law No. 2 of 2018, or a summary thereof, on the bulletin board, maintained by the Town Clerk pursuant to § 40(6) of the Town Law, for a period of not less than five (5) days prior to said public hearing. 5 Ayes 0 Nays RESOLUTION ADOPTED

Board members had a brief discussion on the solar code and its changes.

A motion was made by Mr. Leszyk, seconded by Mr. TeWinkle, to **accept the resignation of David Rick, from the Justice Court effective May 15, 2018, as an Armed Court Security Officer.** 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Leszyk, seconded by Mr. Ruffell, to **accept the resignation of Michael Balcaen, effective June 30, 2018 from the Justice Court as an Armed Court Security Officer**. 5 Ayes 0 Nays MOTION CARRIED

The Justices informed the board that the JCAP award project from 2018 has been completed. The door at Palmer Hall leading to the Sheriff's substation was replaced to match the front doors that were replaced with the 2017 JCAP grant award. The cost to replace the substation door was $4,430.00.

A motion was made by Mr. Ruffell, seconded by Mr. Leszyk, to **authorize the purchase of ImageMate Online Software, to view property report records for various properties within the Town and to sign the annual license agreement for $1,200, which will be split between three departments equally, Assessing, Building and Water. This agreement period ends April 30, 2019**. 5 Ayes 0 Nays Motion Carried

A motion was made by Mr. Catalano, seconded by Mr. Ruffell, to **authorize the purchase of PCH-180 for the fiscal year 2018 from Holland Company (sole source vendor) for an amount not to exceed $18,400 from budget code F8330.4. as requested by the Superintendent of Water Utilities in a memo dated May 11, 2018**. 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Leszyk, seconded by Mr. Ruffell, to **authorize the surplus of a 1997 Ford 10 Wheel Dump Truck with plow and wing and 3 (three) pallets of miscellaneous parts that went to the 2018 Municipal Auction in Palmyra, NY on May 12, 2018 with signatures obtained from board members prior to this meeting as recommended by the Superintendent of Highways in memo 18-08. 5** Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Leszyk, seconded by Mr. Ruffell, to **approve the hiring of 2 (two) seasonal employees, Michael Gonzalez to fill the position of MEO/Laborer at $15.00 per hour with no benefits and Sean Prinsen as Laborer at $13.00 per hour with no benefits to supplement the workforce for the summer as requested by the Highway Superintendent in memo 18-09.** 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Catalano, seconded by Mr. Ruffell, to **amend the highway budget account code DA5130.3 (Machinery) in the amount of $201,421.55 from HR5 to cover the cost of the new 2018 International 10 Wheel Dump truck with plow and wing that was approved by the Town Board December 11, 2017.** 5 Ayes 0 Nays MOTION CARRIED

Reports by Town Board Members – Mr. Catalano gave an update on the County Planning Board meeting, the Town Planning Board meeting and the Town Zoning Board meeting. He stated both of the Town Boards are doing a great job with the contentious applications that have been coming before them, nothing is cookie cutter.

Mr. Robusto stated Planning Board members will be holding interviews tomorrow night at 6 p.m. in the meeting room for the open position on the board. Five (5) people applied. Town Board members are welcome to attend and the Planning Board will make a recommendation to the Town Board on who they would like appointed.

He also announced that Ontario received $118,473.85 in mortgage tax from October 2017 to March 31, 2018. This is the highest amount in the county.

Mr. Ruffell announced that the Main Street Clean Sweep is this Saturday, May 19th. The Heritage Square Barn Sale is also this weekend, May 17th and 18th.

Approval of Claims – Board members had a discussion on the funding of several claims.
A motion was made by Mr. Leszyk, seconded by Mr. Ruffell, to **approve the amended abstract of claims for May 14, 2018 including vouchers #1060 through #1238 (1069, 1070, 1082-1086, 1142 and 1168 used by the Business Office) voucher 1079 was changed to be split between codes DA5130.4 and SD8540.4, 1169,**

1170, 1190 and 1191 were changed to DA5140.4 with a grand total of $74,264.27 and to authorize the Supervisor to issue payments for same. 5 Ayes 0 Nays MOTION CARRIED

Executive Session - A motion was made by Mr. Catalano, seconded by Mr. Ruffell, to **move into an executive session at 8:52 p.m. for a personnel matter leading to said dismissal, removal, promotion, appointment, employment, discipline, demotion or suspension for a specific person.** 5 Ayes 0 Nays MOTION CARRIED

Reconvene – 9:11 p.m.

Adjourn - A motion was made by Mr. TeWinkle, seconded by Mr. Ruffell, to **adjourn at 9:12 p.m**.
5 Ayes 0 Nays MOTION CARRIED

Respectfully submitted,

Debra DeMinck
Ontario Town Clerk

The above minutes will become official upon approval of the town board.