

FEBRUARY 27, 2025

ONTARIO TOWN BOARD MEETING

A regular meeting of the Ontario Town Board was called to order by Deputy Supervisor Timothy Strickland at 6:30 p.m. in the Ontario Town Hall meeting room. Present were Deputy Supervisor Strickland, Council members: Joe Catalano, Mark D’Angelo, Deb Hibbard, Kathleen Leszyk, Code Enforcement Officer Brian Smith, Director of Recreation & Parks William Riddell, Town Engineer/Water Superintendent Michael Hershelman, Interim Assessor Emily Kunz, Town Attorney Matthew St. Martin Esq., and Town Clerk Shelley LaRocca.

Mr. Strickland led the Pledge of Allegiance.

Five residents were present at portions of the meeting.

Approval of the Agenda – A motion was made by Mr. Catalano, seconded by Mrs. Leszyk, **to approve the agenda as presented.** 4 Ayes 0 Nays 1 Absent (Aman) MOTION CARRIED

Approval of Minutes – A motion was made by Mrs. Leszyk, seconded by Mr. D’Angelo, **to approve the meeting minutes for February 10, 2025, as presented.** 4 Ayes 0 Nays 1 Absent (Aman) MOTION CARRIED

A motion was made by Mrs. Leszyk, seconded by Mr. Catalano, **to approve the meeting minutes for February 20, 2025, as presented.** 3 Ayes 0 Nays 1 Abstain (Hibbard) 1 Absent (Aman) MOTION CARRIED

Reports – A motion was made by Mr. D’Angelo, seconded by Mrs. Hibbard, **to accept the January 2025 Supervisor’s Report.** 4 Ayes 0 Nays 1 Absent (Aman) MOTION CARRIED

New Business – A motion was made by Mr. D’Angelo, seconded by Mrs. Hibbard, **to adopt the following:**

**TOWN BOARD OF THE TOWN OF ONTARIO
RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE
CERTAIN EASEMENTS RELATED TO DRAINAGE CONTROL, WATER SERVICE, AND
SEWER SERVICE FOR THE VILLAS BY BARONE SECTION 2
LOCATED AT VILLA FINA DRIVE IN THE TOWN OF ONTARIO**

WHEREAS, on or about May 2023, the Town of Ontario Planning Board granted Final Site Plan Approval for Barone Land Development Inc.’s (the “Applicant”) Villas by Barone Section 2 located at Villa Fina Drive in the Town of Ontario (the “Project”); and

WHEREAS, a condition of said Final Site Plan Approval was granting of certain easements for drainage control, water service, sewer service, and temporary turnaround access for the Project; and

WHEREAS, copies of 2 easements relating to drainage control, water service, and sewer service the Project described below from the Applicant to the Town of Ontario are attached hereto (collectively the “Villas by Barone Section 2 Easements”):

1. Storm Sewer, Sanitary Sewer and Drainage Easement with attached Schedule A which includes 4 legal descriptions,
2. Water Main Easement with attached Schedule A which includes 2 legal descriptions; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor is authorized to accept and execute the Villas by Barone Section 2 Easements for the project described herein.

AND, THEREFORE, directing that a copy of the executed Villas by Barone Section 2 Easements be entered into the minutes of this meeting.

AND, THEREFORE, directing that the fully executed Villas by Barone Section 2 Easements be filed in the office of the Wayne County Clerk. 4 Ayes 0 Nays 1 Absent (Aman) **RESOLUTION ADOPTED**

A motion was made by Mrs. Hibbard, seconded by Mrs. Leszyk, **to adopt the following:**

**TOWN BOARD OF THE TOWN OF ONTARIO
RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE
CERTAIN EASEMENTS RELATED TO DRAINAGE CONTROL,
WATER SERVICE, SEWER SERVICE, AND TEMPORARY TURN AROUND ACCESS FOR
THE
SOUTHBROOK ESTATES SECTION 3A LOCATED AT
5900 SOUTHBROOK DRIVE IN THE TOWN OF ONTARIO**

WHEREAS, on or about February 17, 2021, the Town of Ontario Planning Board granted Final Site Plan Approval and made a Negative Declaration of Environmental Significance for Barone Land Development Inc.'s (the "Applicant") Southbrook Estates Project Section 3 located at 5900 Southbrook Drive in the Town of Ontario (the "Project"); and

WHEREAS, a condition of said Final Site Plan Approval was granting of certain easements for drainage control, water service, sewer service, and temporary turnaround access for the Project; and

WHEREAS, copies of 11 easements relating to drainage control, water service, sewer service and temporary turnaround access for the Project described below from the Applicant to the Town of Ontario are attached hereto (collectively the "Southbrook 3A Easements"):

3. Storm Sewer and Drainage Easement with attached Schedule 1,
4. Storm Sewer and Sanitary Sewer Easement with attached Schedule 2,
5. Temporary Turnaround Easement with attached Schedule 3,
6. Storm Sewer and Drainage Easement with attached Schedule 4,
7. Storm Sewer and Sanitary Sewer Easement with attached Schedule 5,
8. Temporary Turnaround Easement with attached Schedule 6,
9. Storm Sewer and Drainage Easement with attached Schedule 7,
10. Temporary Drainage and Utility Easement with attached Schedule 8,
11. Storm Sewer and Sanitary Sewer Easement with attached Schedule 9,
12. Water Main Easement with attached Schedule 10,

13. Temporary Turnaround Easement with attached Schedule 11; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor is authorized to accept and execute the Southbrook 3A Easements for the project described herein.

AND, THEREFORE, directing that a copy of the executed Southbrook 3A Easements be entered into the minutes of this meeting.

AND, THEREFORE, directing that the fully executed Southbrook 3A Easements be filed in the office of the Wayne County Clerk. 4 Ayes 0 Nays 1 Absent (Aman) **RESOLUTION ADOPTED**

A motion was made by Mr. D'Angelo, seconded by Mrs. Hibbard, **to adopt the following:**

RESOLUTION APPOINTING CODE ENFORCEMENT OFFICER BRIAN SMITH AS MS4 OFFICER

WHEREAS, the Town of Ontario is required to have an MS4 Officer to approve SPDES General Permits for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4); and

WHEREAS, Code Enforcement Officer Brian Smith has performed some of these responsibilities since his appointment as Department Head in 2017;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Ontario Board hereby appoints Code Enforcement Officer Brian Smith as MS4 Officer effective February 27, 2025; and

BE IT FURTHER RESOLVED, that the Town Clerk shall provide a copy of this resolution to the Building Department, Confidential Secretary, and Shaun Logue of MRB Group. 4 Ayes 0 Nays 1 Absent (Aman) **RESOLUTION ADOPTED**

A motion was made by Mrs. Hibbard, seconded by Mrs. Leszyk, **to accept the Letter of Credit Estimate Review and recommendation from the MRB Group for the Aldi Development Project.** 4 Ayes 0 Nays 1 Absent (Aman) **MOTION CARRIED**

A motion was made by Mr. D'Angelo, seconded by Mrs. Leszyk, **to authorize the Town Clerk to attend the Annual Town Clerks Conference to be held in Syracuse, NY from April 26 - April 30, 2025. This is a budgeted expense from A1410.4 and shall not exceed \$1500.00.** 4 Ayes 0 Nays 1 Absent (Aman) **MOTION CARRIED**

A motion was made by Mrs. Hibbard, seconded by Mr. D'Angelo, **to approve the hiring of an Interim Assessor.** 4 Ayes 0 Nays 1 Absent (Aman) **MOTION CARRIED**

Appointments/Resignations – A motion was made by Mr. Catalano, seconded by Mr. D'Angelo, **to accept the resignation of Gerald Smith from the Planning Board effective 2/27/2025.** 4 Ayes 0 Nays 1 Absent (Aman) **MOTION CARRIED**

A motion was made by Mr. Catalano, seconded by Mr. D'Angelo, **to amend the previous appointment of Dan Brake to the Planning Board that was made on 2/10/2025. The new term will be 3/1/25 –**

12/31/25 to fill out the unexpired term of Gerald Smith. 4 Ayes 0 Nays 1 Absent (Aman) MOTION CARRIED

A motion was made by Mrs. Hibbard, seconded by Mrs. Leszyk, **to accept the resignation of Robert Locke from his position as Sole Assessor, effective 2/25/2025.** 4 Ayes 0 Nays 1 Absent (Aman) MOTION CARRIED

A motion was made by Mr. Catalano, seconded by Mrs. Hibbard, **to appoint Emily Kunz as Interim Assessor for a term up to six months for \$50/hr., not to exceed \$6000.00 in a month, as an independent contractor effective February 26, 2025.** 4 Ayes 0 Nays 1 Absent (Aman) MOTION CARRIED

Public Comment – Comments received from Mr. Jim Switzer regarding the public comment portion of the meeting and things he feels are being done improperly at board meetings. Mr. Steve Trottier spoke about fire hydrants concerning the amount of snowfall we had. He asked who was responsible for keeping the hydrants clear, and there should be a plan for the future. Volunteers spent about 20 hours clearing the hydrants.

Abstract of Claims – A motion was made by Mr. D'Angelo, seconded by Mr. Catalano, **to approve the abstract of claims for February 27, 2025, with a grand total of \$155,338.04 and authorize the Supervisor to issue payments for the same.** 3 Ayes 1 Nays (Leszyk) 1 Absent (Aman) MOTION CARRIED

Board Member Comment – Mr. D'Angelo thanked Mr. Trottier for getting the hydrants cleaned out and feels we should send reminders to residents to keep hydrants clear. Mr. Catalano addressed some of Mr. Switzer's concerns regarding a raise for the attorney and a land trust resolution. Mrs. Hibbard said there is not a three-minute rule in policy for public comments and feels it is abused, and residents should try and abide by it. Mrs. Leszyk attended an event at the park and thanked the staff for a job well done in keeping it shoveled, salted and safe. Mrs. Leszyk did not feel we needed the expense of sending a letter out regarding the water increase, it could have been handled differently and she also thanked Mr. Trottier for cleaning out the hydrants. Mr. Strickland gave thanks that Mr. Aman is ok. Mr. Strickland stated he had to step into action this week and wanted to thank the Town Clerk, Department Heads and Confidential Secretary.

Adjourn – A motion was made by Mrs. Hibbard, seconded by Mr. D'Angelo, **to adjourn at 6:58 p.m.** 4 Ayes 0 Nays 1 Absent (Aman) MOTION CARRIED

Respectfully submitted,

Shelley LaRocca

Town Clerk

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