

MAY 23, 2011

**ONTARIO TOWN BOARD MEETING, PUBLIC HEARING &
JOINT MEETING WITH WALWORTH TOWN BOARD &
WAYNE CENTRAL BOARD OF EDUCATION**

A regular meeting of the Ontario Town Board was called to order by Supervisor Robert Kelsch at 7:00 p.m. in the Ontario Town Hall. Present were Supervisor Robert Kelsch, Council members: Jason Ruffell, Lori Eaton-Smith, Michael Melino, Superintendent of Highways Jerry Santangelo and Town Clerk Debra DeMinck.

Absent: Councilman Frank Robusto

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

Mr. Ruffell led the Pledge of Allegiance.

Mr. Kelsch expressed condolences to Town Board member Frank Robusto on the sudden passing of his brother, Joseph, who was also serving as a member of the Board of Assessment Review for the Town of Ontario.

Revisions to agenda: Mr. Melino added an executive session at the end of the meeting to discuss a personnel matter of a specific person. 4 Ayes 0 Nays 1 Absent (Robusto) MOTION CARRIED

The Legal Notice of Public Hearing on the proposed Community Development Block Grant Program was posted on the Town Clerk's bulletin board and published in the Wayne County Mail on May 12th and in the Times of Wayne County on May 15th.

Mr. Kelsch opened the public hearing at 7:03 p.m.

Mr. Dave Richards from the Wayne County Industrial Development Agency (IDA) explained the Community Development Block Grant (CDBG) Program. It is a federally funded program authorized by the Housing and Community Development Act of 1974. On a continuous year-round basis, the Office of Community Renewal invites eligible communities to submit requests for Economic Development projects. Applicants of the CDBG program must ensure that 70% of all activities funded under the program primarily benefit low and moderate income households-those with incomes at or below 80% of the area median income established by the U.S. Department of Housing and Urban Development.

Mr. Robert Steele asked if Mr. Richards could put a dollar figure to the low and moderate income level mentioned. Mr. Richards answered about \$50,000 for a family of four.

Mr. James Switzer asked if it was competitive. Mr. Richards responded that there are two types of programs. We are past the competitive grant deadline of May 27, 2011. Economic Development grants are open year round for submission.

Mrs. Joan Stark asked for examples. Mr. Richards replied Harbec Plastics and Rochester Industrial Control have received this grant in the past and have been very successful.

A motion was made by Mr. Ruffell, seconded by Mrs. Smith, to **close the public hearing at 7:10 p.m.** 4 Ayes 0 Nays 1 Absent (Robusto) MOTION CARRIED

Mr. Kelsch announced the beginning of a Three Board meeting with the Wayne Central School Board, Walworth Town Board and Ontario Town Board with introductions.

Present from the Town of Walworth: Supervisor Robert Plant, Patty Marini & Tom Yale, Town Board members

Absent: Susie Hawkins-Mance & Frank Maciusaka, Town Board members

Present from the Wayne Central Board of Education: Superintendent of Schools Renee Garrett, Gregory Atseff, Ass't Superintendent for Business, Jacqueline Brunner, John Triou, Gerald Champagne, Scott Griswold, Susan Newman, Thomas Nicholson and Clerk to the Board James Switzer.

Absent: Jeffrey Schultz, School Board Vice-President, Joyce Lyke & Dom Paz

Items for discussion:

Board of Education

1. School Budget Vote Results

Mrs. Garrett noted that the proposed budget was approved by 71% of voters (642 yeas; 266 no) and the purchase of school buses from the school bus reserve fund was approved by a similar margin (614 yes; 284 no). Three board members of the Board of Education were also elected: Debra Hibbard, Jeffrey Schultz and Dom Paz.

Mr. Kelsch asked if the proposal to increase funding for public libraries in Walworth and Ontario was approved; the response was yes.

2. Long Range Planning – Energy Performance Contracts

Mr. Nicholson noted that the school district issued requests for proposals to interested energy service companies for performance contracts and three (3) responses were received. The long-range planning committee will interview the firms and discuss their proposals for long-range energy savings and improvements. Unlike traditional capital improvement projects, energy performance projects must pay for themselves.

Mr. Ruffell asked if alternative energy projects are included; Mr. Nicholson stated that the proposals received do include some renewable energy options as well as opportunities for student-related programs.

3. Regional High School & Cooperative Educational Programs and Services

Mrs. Newman noted that school board officers and superintendents from Wayne, Marion and Williamson school districts are meeting on a regular basis as follow up to the regional high school study to review and discuss options for shared or joint instructional programs and service in an effort to achieve cost savings in light of declining enrollments and economic conditions.

Mrs. Garrett noted that school boards are also exploring national bidding contracts and working with state agencies and officials to update state regulations to allow that to occur.

Mr. Kelsch asked if there are any restrictions on participation by towns in cooperative purchasing with the school district and/or B.O.C.E.S. Mr. Plant noted that the Town of Walworth did participate in a copier paper bid about five (5) years ago and determined that it was only cost effective if the items are delivered directly to the town hall.

Mr. Nicholson noted that large volume purchase of energy services is also an option for joint purchasing by towns, counties and school districts.

Mr. Switzer noted that a task force on joint efforts formed after the county tax summit in 2009 did result in a pilot program for use of common software for levy and collection of taxes and cooperative efforts between the information technology department of the County of Wayne and Wayne Finger Lake B.O.C.E.S. Towns, villages and school districts do have the opportunity to participate in those efforts as well.

4. Public Forum

Mrs. Brunner noted that the Board of Education has sponsored three (3) public forums during the past year to provide informal discussion among residents and school board members and school officials. Attendance has varied with as many as 35 at one of the events. She explained that concept was modeled after the community meetings conducted by Mr. Plant and based on a suggestion to her from Walworth residents Mark and Mary Ann Kritall to increase community participation after the unsuccessful capital project vote in 2010.

With Mrs. Brunner's retirement as a school board member in June, Mr. Champagne will serve as chairperson of the public forum planning committee. The next public forum is set for Saturday, September 17th at the high school.

Mr. Plant noted that the community meetings he started about five (5) years ago were rotated among the three (3) fire halls in Walworth. They started with good attendance. As participation dropped, he changed the concept to events at community sites such as a tour and demonstration of gravel mining at the Dolomite quarry, including a demonstration by a police bomb squad. The next event is set for Columbus Day weekend and will feature a gem stone hunt for children after a section of the quarry is detonated at the Dolomite quarry.

Mr. Nicholson noted that demonstration of energy devices such as a wind turbine might also prompt interest among residents in such events.

Ontario Town Board

1. Thanks for Assistance for Public Library ballot item

Mrs. Smith extended thanks from Mrs. Sandra Hylen, Director of Ontario Public Library, to everyone at the school district who assisted the Ontario and Walworth public libraries in the petition and ballot effort for the increase in funding through the school tax levy for library services.

2. Winter Emergency Resources

Mrs. Smith relayed a message from Dennis Landry, president of the Webster Ridge Runners Snowmobile Club, to offer assistance to town or school officials in emergency situations during winter months. They are also available to provide access to persons unable to leave their homes due to winter weather.

Mrs. Joan Stark, a member of the Ontario Volunteer Emergency Squad (OVES) was present in the audience and noted that the Ridge Runners have provided valuable assistance in transporting medics to and patients from off-road emergency scenes during winter months.

Mr. Plant noted that he also met with Mr. Landry and has relayed the offer to George Bastedo, the emergency management director for the County of Wayne.

3. Commercial & Residential Development

Mr. Ruffell noted that the number of new homes and businesses in Ontario is off to a slow start in 2011. He added that the town has streamlined the planning and development process to create a "business friendly" climate for economic development.

Mr. Kelsch noted plans for expansion of manufacturing space by Harbec Plastic and Optimax Systems; both located on Dean Parkway in the Beh Industrial Park, and anticipated construction of the new Rite Aid store in Ontario Center in 2012. Mr. Ruffell noted that structures were razed on the southwest corner of Route 104 and Route 350 for construction of the new ATM at that site by ESL Federal Credit Union.

Common Topics

1. P.I.L.O.T. Tax Agreement & Property Assessments – Ginna Nuclear Power Station

Mr. Kelsch noted that a Payment in Lieu of Taxes agreement (P.I.L.O.T.) is in place with the owners of the nuclear power station through 2015. It provides a fixed assessed valuation and tax payment plan for the town, county and school district. He added that the three agencies would need to confer prior to 2015 to discuss renewal of the agreement.

Mr. Nicholson asked if the agreement is transferrable to a potential new owner of the nuclear power plant. Mr. Kelsch stated that it is his understanding that it would transfer to a new owner.

2. Cooperative Opportunities

Mr. Ruffell asked if the regional high school concept provides any opportunities for sharing staff among school districts. Mrs. Garrett explained how that is possible through a contract with B.O.C.E.S. that is eligible for state aid. Neighboring districts can also develop agreements to share services.

Mr. Ruffell asked if state law controls these agreements. Mrs. Garrett noted that there are “take-back” rights if employees shift to or from a B.O.C.E.S. shared position.

Mr. Griswold cited the use in large urban school districts such as Atlanta of sharing staff and programs through web based and distance learning broadcasts. Mrs. Garrett noted that many districts are “blending” classroom instruction and distance learning as part of cooperative programs.

3. Pending Issues

Mr. Plant and Mr. Kelsch invited everyone to attend the grand opening of the new public safety building on Wednesday, June 8th from 5 to 8 p.m. The facility is located on Route 31, west of Lyons, adjacent to the county jail at 7376 Route 31.

Walworth Town Board members will host the next joint meeting on Thursday, December 1, 2011 at 7 p.m.

Comments from the Public – Mr. Switzer noted that he has attended and recorded these joint meetings since their inception in the early 1970’s when the school board and town boards tackled inequities in equalization rates.

Mrs. Stark stated that she likes the idea of the public/community forum and encouraged wider notification than the school web site and news media. She suggested that the school board contact the O.V.E.S. about posting the event on their electronic announcement sign in front of the ambulance base on Furnace Road in Ontario.

Mr. Matthew Prinsen suggested consideration of additional sidewalks in parts of the community to reduce the number of bus stops, wear on bus brakes, consumption of fuel and perhaps number of bus drivers.

Mr. Prinsen stated he would like to know the final decision and information about coaches for the wrestling program for the 2011-2012.

Mr. Prinsen noted that the use of the wrestling room for physical education classes adds aprx. 60 minutes of set-up and removal time to practice for the wrestlers.

Mr. Prinsen stated that he does not see any reason for suspension of the booster club at this time.

Mr. Plant thanked Mrs. Brunner for her 15 years as a school board member and her prior service on the zoning board of appeals and memorial tree committee in the Town of Walworth. He hopes she will remain active in the community.

Mrs. Smith thanked Mr. Switzer for his 40 years of service and contributions to the school district and 30 years as clerk for the Board of Education.

The three board meeting adjourned at 8:03 p.m.

Approval of Minutes – A motion was made by Mr. Ruffell, seconded by Mrs. Smith, to **approve the minutes of the May 9, 2011 Town Board meeting as presented.** 4 Ayes 0 Nays 1 Absent (Robusto) MOTION CARRIED

Correspondence – None

New Business - A motion was made by Mrs. Smith, seconded by Mr. Ruffell, to **authorize the Supervisor to enter into an agreement with the Brookwoods Country Club to allow the Ontario Parks and Recreation Department to operate the swimming pool and surrounding facilities for the benefit of residents during the 2011, 2012 and 2013 summer season as requested by the Director of Parks and Recreation in memo PR07-2011.** 4 Ayes 0 Nays 1 Absent (Robusto) MOTION CARRIED

A motion was made by Mr. Ruffell, seconded by Mr. Melino, to **adopt a**

**RESOLUTION TO CHANGE THE TERM OF
TOWN SUPERVISOR FROM 2 YEARS TO 4 YEARS**

WHEREAS, section 24-a of the Town Law of the State of New York empowers a town board to cause a proposition to extend the term of a town supervisor from a term of two (2) years to a term of four (4) years to be submitted at a biennial town election; and

WHEREAS, the Town Board (the "Town Board") of the Town of Ontario (the "Town") finds that it is in the best interest of the residents of the Town to extend the term of office for the Town Supervisor from a two (2) year to a four (4) year term; and

NOW, THEREFORE, IT IS RESOLVED, that the term of office for the Town Supervisor shall be four (4) years beginning with the term elected at the biennial Town election to be held in 2013; and it is

FURTHER RESOLVED, the proposition to be placed on the ballot at the next biennial Town election shall read as follows: "Shall the Resolution adopted by the Town Board of the Town of Ontario on the 23rd day of May, 2011 which changes the term of elective office of the Town Supervisor from a two (2) year to a four (4) year term be approved?"; and it is

FURTHER RESOLVED, in accordance with the provisions of section 24-a of the Town Law of the State of New York, this Resolution shall not become effective unless and until it has been approved at the next biennial town election held within the Town by the affirmative vote of the majority of the qualified electors of the Town voting upon the proposition; and it is

FURTHER RESOLVED, the Town Clerk shall also cause a notice containing the date this Resolution was adopted, the substance of this Resolution and an announcement that the Resolution will be the subject of a proposition at the biennial Town election November 8, 2011, which shall be published in the *Times of Wayne County* and the *Wayne County Mail*, and posted on the sign board of the Town maintained pursuant to Town Law §30(6) on or before June 2, 2011; and it is

FURTHER RESOLVED, the Town Clerk shall file a copy of this resolution and a copy of how the proposition should appear on the ballot with the County Board of Elections no later than thirty-five (35) days before the biennial election date.

4 Ayes 0 Nays 1 Absent (Robusto) **RESOLUTION ADOPTED**

Appointments/Resignations – A motion was made by Mr. Ruffell, seconded by Mrs. Smith, to **hire Michael Schoene as a cemetery attendant with a start date of May 5, 2011 at \$9.00 per hour, no benefits, as requested by the Director of Parks and Recreation.** 4 Ayes 0 Nays 1 Absent (Robusto) **MOTION CARRIED**

A motion was made by Mr. Kelsch, seconded by Mr. Melino, to **hire Andrew Wooster as a 2011 Seasonal Employee at Highway starting May 12, 2011 at \$7.25 per hour as requested by the Superintendent of Highways in memo 11-11.** 4 Ayes 0 Nays 1 Absent (Robusto) **MOTION CARRIED**

A motion was made by Mr. Kelsch, seconded by Mr. Ruffell, to **acknowledge the termination of Building Department employee Richard Serody by the Town of Ontario on April 28, 2011.** 4 Ayes 0 Nays 1 Absent (Robusto) **MOTION CARRIED**

A motion was made by Mr. Ruffell, seconded by Mrs. Smith, to **hire Sonyia VanPatten to the position of Clerk of Building/Watershed & MS4 starting May 24, 2011 at \$12.65 per hour, with benefits, for a 30 hour work week as requested by the Building Inspector/Code Enforcement Officer.** 4 Ayes 0 Nays 1 Absent (Robusto) **MOTION CARRIED**

A motion was made by Mr. Ruffell, seconded by Mrs. Smith, to **authorize the Town Clerk to fill the part time position in the Town Clerk's Office, effective immediately, at a salary of \$12.58 per hour, with part time benefits to allow for a lateral transfer.** 4 Ayes 0 Nays 1 Absent (Robusto) **MOTION CARRIED**

A motion was made by Mr. Ruffell, seconded by Mrs. Smith, to **hire Shelley LaRocca for the part time clerk position in the Town Clerk's Office effective May 30, 2011 at \$12.58 per hour, with benefits, as requested by the Town Clerk.** 4 Ayes 0 Nays 1 Absent (Robusto) **MOTION CARRIED**

Reports by Town Board Members – Mr. Melino announced the Grand Opening for the new Public Safety Building at 7376 Route 31, Lyons, NY on June 8th from 5 p.m. until 8 p.m.

Superintendent of Highways Jerry Santangelo would like board comment on cutting the Town Cleanup from three days to two days. The amount of resident participation has been declining in the past several years.

Approval of Claims – A motion was made by Mr. Melino, seconded by Mr. Ruffell, to **approve the abstract of claims for May 23, 2011 including vouchers #1063 through #1193 (1068-1077, 1107-1111, 1127-1129 and 1146-1153 used by accounting) with a grand total of \$57,903.38 and to authorize the Supervisor to issue payments for same.** 4 Ayes 0 Nays 1 Absent (Robusto) MOTION CARRIED

Comments from the Public – None

Executive Session - A motion was made by Mr. Ruffell, seconded by Mrs. Smith, to **move into an executive session at 8:35 p.m. on a personnel matter for a specific person.** 4 Ayes 0 Nays 1 Absent (Robusto) MOTION CARRIED

Reconvene – 9:35 p.m.

Adjourn – A motion was made by Mr. Melino, seconded by Mrs. Smith, to **adjourn at 9:36 p.m.** 4 Ayes 0 Nays 1 Absent (Robusto) MOTION CARRIED

Respectfully submitted,

Debra DeMinck
Ontario Town Clerk

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