

AUGUST 22, 2011

ONTARIO TOWN BOARD MEETING

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, Accountant Paul Liess, Director of Parks and Recreation William Riddell, Building Inspector/Code Enforcement Officer Edward Collins and Town Clerk Debra DeMinck.

Absent: Councilman Frank Robusto

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

Mr. Kelsch led the Pledge of Allegiance.

Revisions to the Agenda - A motion was made by Mr. Ruffell, seconded by Mrs. Smith, to **approve the agenda with two changes: under new business add a motion to contract with Dey Plumbing for heat and air conditioning at 2180 Lake Road and under appointments change wording to say - successful completion of Civil Service Clerk/Typist exam- not Accountant exam.** 4 Ayes 0 Nays 1 Absent (Robusto) MOTION CARRIED

Comments from the Public – Joan Stark mentioned seeing town employees on their cell phones while driving. She would like them to be required to use hands free devices. Also, she was concerned with the staff at the Casey Park day camp possibly releasing children to people they weren't familiar with. Supervisor Kelsch said the matter had been addressed.

Approval of Minutes – A motion was made by Mr. Kelsch, seconded by Mr. Ruffell, to **approve the minutes of the August 8, 2011 Town Board meeting as presented.** 4 Ayes 0 Nays 1 Absent (Robusto) MOTION CARRIED

Correspondence – None

New Business - A motion was made by Mr. Melino, seconded by Mr. Ruffell, to **authorize Town Justices Higgins and Sucher to attend the NYS Magistrates Association Annual Conference in Niagara Falls, NY from September 25- 28, 2011 with all actual and necessary expenses to be a town charge.** 4 Ayes 0 Nays 1 Absent (Robusto) MOTION CARRIED

A motion was made by Mr. Melino, seconded by Mrs. Smith, to **authorize the Court Clerks Dawn Yantch and Teri DeVey to attend the NYS Association of Magistrates Court Clerks Annual Conference in Niagara Falls from September 25-28, 2011 with all actual and necessary expenses to be a town charge.** 4 Ayes 0 Nays 1 Absent (Robusto) MOTION CARRIED

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

RESOLUTION AUTHORIZING GRANT APPLICATION

RESOLVED, that Reginald P. Higgins II and Paul E. Sucher, Town Justices of the Town of Ontario, are

HEREBY authorized and directed to file an application for funds from the New York Justice Court Assistance Program L. 1999, c280, up to the maximum amount available and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of Ontario Justice Court, and

BE IT FURTHER RESOLVED that the Town Supervisor is hereby authorized to execute and sign said application. 4 Ayes 0 Nays 1 Absent (Robusto) RESOLUTION ADOPTED

A Motion was made by Mr. Kelsch, seconded by Mr. Ruffell, to **sign the Siren Lease and Operating Agreement with Constellation Energy for Towers #28 and #36 located on town owned land and adopt the following resolution:**

GINNA SIREN #28 & #36 LEASE EXTENSION RESOLUTION

WHEREAS, the Town of Ontario (the "Town") entered into Leases dated August 25, 1981 for lease of sites (the "Sites") owned by the Town at 881 and 2200 Lake Road for warning sirens for the Ginna Nuclear Power Plant (the "Plant"); and

WHEREAS, that Leases, as extended, was assigned to R.E. Ginna Nuclear Power Plan LLC ("Ginna"), the new owner of the Plant, and expired on August 25, 2006; and

WHEREAS, the Leases were extended to August 25, 2011; and

WHEREAS, the warning sirens are a great benefit to citizens of the Town and surrounding areas and required by law for the Plant, so the Town desires to enter into a new long-term lease with Ginna for the Sites; and

WHEREAS, the Town and Ginna desire to make a long-term extension of the Leases for the Sites; and

WHEREAS, the Lease extensions are a Type II action exempt from SEQRA review, pursuant to 6 N.Y.C.R.R. §617.5(d) (26); and

NOW, THEREFORE, IT IS ORDERED AND RESOLVED THAT the Town shall enter into the proposed Extensions of the Leases with Ginna for the Sites from August 25, 2011 until August 25, 2016, with up to seven five-year options to extend, in a form acceptable to the Attorney for the Town and the Supervisor; and

IT IS FURTHER ORDERED AND RESOLVED THAT this Resolution is subject to a permissive referendum, pursuant to Town Law §64(2), and shall not be effective unless either no petition requesting a referendum meeting the requirements of Town Law Article 7 is filed on or before September 21, 2011, or this Resolution is approved by the affirmative vote of majority of electors voting on such proposition.

IT IS FURTHER ORDERED AND RESOLVED THAT the Town Clerk shall, on or before September 1, 2011, post and publish a notice in the *Wayne County Mail* and *Times of Wayne County*, the official newspapers of the Town, which shall: (1) set forth the date of the adoption of this Resolution; (2) contain an abstract of this Resolution concisely stating its purpose and effect; (3) specify that this Resolution was adopted subject to a permissive referendum. 4 Ayes 0 Nays 1 Absent (Robusto) **RESOLUTION ADOPTED**

A motion was made by Mr. Ruffell, seconded by Mr. Melino, to **execute the contract with Dennis Dey Plumbing and Heating to install heat and air conditioning units at 2180 Lake Road for an amount not to exceed \$9,750.00 as requested by the Building Inspector/Code Enforcement Officer.** 4 Ayes 0 Nays 1 Absent (Robusto) **MOTION CARRIED**

Appointments/Resignations – A motion was made by Mr. Ruffell, seconded by Mrs. Smith, to **appoint Sonyia VanPatten to a 26 week probationary position of Full Time Building Department, Watershed & MS4 Clerk Typist, at a wage of \$12.65 per hour upon having successfully completed the Civil Service Clerk/Typist Exam.** 4 Ayes 0 Nays 1 Absent (Robusto) **MOTION CARRIED**

Reports by Town Board Members – Supervisor Kelsch commended Highway Superintendent Jerry Santangelo for offering the highway department's services to those towns affected by the severe storms on Sunday afternoon.

Mrs. Smith announced the Summer Send Off celebration Saturday, August 27th at Casey Park. The festivities begin at 1:00 p.m. with carnival rides, chicken barbecue, entertainment, fireworks and a movie.

Comments from the Public – None

Approval of Claims – A motion was made by Mr. Melino, seconded by Mr. Ruffell, to **approve the abstract of claims for August 22, 2011 including vouchers #1987 through #2139 and #2152 (#2140-#2151 used by accounting) with a grand total of \$104,019.28 and to authorize the Supervisor to issue payments for same.** 4 Ayes 0 Nays 1 Absent (Robusto) MOTION CARRIED

Workshop – Building, Code Enforcement, Watershed and Town Clerk budget submissions.

Adjourn – A motion was made by Mrs. Smith, seconded by Mr. Ruffell, **to adjourn at 8:21 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.