

**SEPTEMBER 26, 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, Frank Robusto, Michael Melino, Superintendent of Water Utilities Rodney Peets, Superintendent of Highways Jerry Santangelo, Accountant Paul Liess and Town Clerk Debra DeMinck.

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

Mr. Robusto led the Pledge of Allegiance.

**Revisions to the Agenda** - A motion was made by Mr. Kelsch, seconded by Mr. Ruffell, to **approve the agenda with the addition of one item under new business: add a resolution to accept easement for sewer pump station.** 5 Ayes 0 Nays MOTION CARRIED

**Comments from the Public** – None

**Approval of Minutes** – A motion was made by Mr. Robusto, seconded by Mr. Ruffell, to **approve the minutes of the September 12, 2011 and the September 19, 2011 Town Board meetings as presented.** 5 Ayes 0 Nays MOTION CARRIED

**Correspondence** – Mark Leenhouts, doing business as Shea’s Food Wine and Tap, 6361 Knickerbocker Rd., is applying for a new alcoholic beverage license.

State of New York Department of Public Service is promoting the Lifeline Discount Telephone Service Program which is designed to make basic telephone service affordable for income-eligible consumers. Information is available in the Town Clerk’s office.

A motion was made by Mr. Ruffell, seconded by Mr. Robusto, to **accept and file the correspondence.** 5 Ayes 0 Nays MOTION CARRIED

**New Business** - A motion was made by Mr. Robusto, seconded by Mrs. Smith, to **authorize the purchase of three (3) fire hydrant assemblies from Vellano Brothers, 795 Beahan Rd., Rochester for an amount not to exceed \$8,881.59, as recommended by the Superintendent of Water Utilities.** 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Robusto, seconded by Mr. Melino, to **authorize the purchase of one (1) 50 hp Ebara Model 300 DLFU637 12” wastewater pump from Siewert Equipment, 175 Akron St., Rochester for an amount not to exceed \$19,668.00 as recommended by the Superintendent of Water Utilities.** 5 Ayes 0 Nays MOTION CARRIED

A motion to authorize the Town Clerk to post and publish a Legal Notice of Public Hearing to be held on October 10, 2011 at 7:00 p.m. at the Ontario Town Hall, 1850 Ridge Road to consider enactment of proposed Local Law #3 of 2011 for an override of the 2% tax cap, if needed, was tabled at this time. No action taken.

A motion was made by Mr. Ruffell, seconded by Mr. Melino, to **authorize the Town Clerk to post and publish a Legal Notice of Public Hearing on the 2012 preliminary budget to be held on October 24, 2011 at 7:00 p.m. at the Ontario Town Hall, 1850 Ridge Road.** 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Robusto, seconded by Mrs. Smith, to **adopt a**

**RESOLUTION ACCEPTING A SEWER PUMP STATION EASEMENT**

**WHEREAS**, the Town of Ontario (the “Town”) constructed a sewer pump station (the “Pump Station”) on property owned by the Town at the southeast corner of Ontario Drive and Roder Parkway; and

**WHEREAS**, according to an instrument survey map prepared by Robert Morris III on August 25, 2011, the improvements for the Pump Station, including a concrete pad, encroach (the “Encroachment”) onto adjacent property to the east owned by the Estate of Nancy Packard at 672 Ontario Drive (the “Packard Property”) between about 3.7 and 5.6 feet; and

**WHEREAS**, the Packard Estate has offered to give the Town an Easement (the "Easement") for the Encroachment onto the Packard Property, and that Easement has been reviewed and approved by the Attorney for the Town; and

**WHEREAS**, the Pump Station and the Encroachment already exist, and therefore acceptance of the Easement would not be a physical activity or project, and therefore is not defined by 6 N.Y.C.R.R. §617.2(b) as an "action" subject to the State Environmental Quality Review Act; and

**WHEREAS**, the Town Board is authorized to accept a conveyance of real estate pursuant to Town Law §64(2);

**NOW**, on Motion duly made and seconded, it is

**RESOLVED** that the Town accepts the Easement from the Packard Estate, and the Supervisor is authorized to sign the Easement on behalf of the Town. 5 Ayes 0 Nays **RESOLUTION ADOPTED**

**Appointments/Resignations** – None

**Reports by Town Board Members** – Mrs. Smith announced the Harvest Festival on Saturday, October 1 from 10 am to 4 pm at Heritage Square.

**Approval of Claims** – A motion was made by Mr. Ruffell, seconded by Mrs. Smith, to **approve the abstract of claims for September 26, 2011 including vouchers #2362 through #2489 with a grand total of \$75,365.05 and to authorize the Supervisor to issue payments for same.** 5 Ayes 0 Nays **MOTION CARRIED**

**Comments from the Public** – Joan Stark was concerned that the headlines in the Wayne County Mail a few weeks ago were misleading. OVES is asking for a one time increase of \$50,000.

Mrs. Stark and Ms. Ginny Molino would like the Town Board to advertise when the 2% tax cap will be discussed. The board earlier in the meeting tabled a motion to hold a public hearing to override the 2% tax cap. Mr. Joe Molino stated other Supervisors in the county are looking at it as a possibility. Mr. Kelsch responded that the supervisors are divided on the issue.

**Workshop** – 2012 Town Budget discussion. There was additional input from highway and budget cuts were made to the Assessors and Town Clerks budgets as well as some of the Supervisor's budget codes. The Town Board will hold a budget workshop meeting on Monday, October 3, 2011 at 7 p.m. in the Town Hall meeting room.

**Executive Session** - A motion was made by Mr. Robusto, seconded by Mrs. Smith, to **move into an executive session at 9:02 p.m. for litigation on a specific person.** 5 Ayes 0 Nays **MOTION CARRIED**

**Reconvene** – 9:29 p.m.

**Adjourn** – A motion was made by Mr. Melino, seconded by Mrs. Smith, to **adjourn at 9:30 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.