

**JANUARY 9, 2012**  
**ONTARIO TOWN BOARD ANNUAL ORGANIZATIONAL MEETING**

The organizational meeting of the Ontario Town Board was called to order by Supervisor Robert Kelsch at 7:00 PM in the Ontario Town Hall. Present were Supervisor Robert Kelsch, Council members: Frank Robusto, Lori Eaton-Smith, Jason Ruffell, Michael Melino, Superintendent of Highways Jerry Santangelo, Director of Recreation and Parks William Riddell, Accountant Paul Liess, Superintendent of Water Utilities Rodney Peets, Library Director Sandra Hylen, Building Inspector/Code Enforcement Officer (entered 7:25pm) and Town Clerk Debra DeMinck.

Absent: Sole Assessor Christine Luteyn and Animal Control Officer Mark Plyter

15 residents and visitors were present at the meeting.

Mr. Melino led the Pledge of Allegiance.

At a point in the meeting Supervisor Kelsch read the following in recognition of Don Anderson's 23 year service on the Zoning Board of Appeals.

This **CITATION** is hereby presented to **Don Anderson** in grateful recognition of his 23 years as a member of the Ontario Zoning Board of Appeals. Don's work has greatly assisted the Town of Ontario in its organized growth for more than two decades. During his tenure on the Zoning Board of Appeals the town has achieved both commercial and residential growth. In recent years he has helped set the town on a positive course of action that will be felt for decades to come. Given this 9<sup>th</sup> day of January in the year 2012 by the Ontario Town Board.

A motion was made by Mr. Ruffell, seconded by Mr. Melino, to **approve the agenda as presented**. 5 Ayes  
0 Nays **MOTION CARRIED**

**Mr. Kelsch presented the following appointments for 2012 with the terms of office 1/1/12 to 12/31/12:**

Attorney for the Town of Ontario	Alan J. Knauf (Knauf Shaw LLP)
Deputy Attorney for the Town	Richard T. Williams II
Records Access Officer	Debra DeMinck
Deputy Records Access Officer	Shelley LaRocca
Records Management Officer	Debra DeMinck
Deputy Records Management Officer	Shelley LaRocca
Sub Registrar of Vital Statistics	JoAnn Amico
Engineer for the Town	MRB Group
Liability Insurance Agent	Concord Insurance Agency
Disability Insurance Agent	Thomas C. Briggs, Broker
Health Insurance Advisor	Bond Financial Network
Deputy Health Officer	Edward Collins
Code Enforcement Officer	Edward Collins
Deputy Code Enforcement Officer	William I. Riddell
Civil Defense Coordinator	Robert Kelsch
Budget Officer	Robert Kelsch
Town Historian	Elizabeth Albright
Animal Control Officer	Mark Plyter
Secretary, Planning & Zoning Board of Appeals	Katie Kelsch

A motion was made by Mr. Robusto, seconded by Mrs. Smith, to **accept the above appointments**. 5 Ayes  
0 Nays **MOTION CARRIED**

A motion was made by Mr. Ruffell, seconded by Mr. Melino to **accept the following appointments for 2 year terms:**



Highway Department	\$100.00	Jerry Santangelo or Marilee Stollery
Community Center	\$200.00	Pam Grundman or William Riddell

5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Ruffell, seconded by Mrs. Smith, to **establish the following additional annual designations for 2012: authorize Department Heads to make purchases from County and State Contracts/bids within the Town's Procurement Policy and to Adopt Robert Rules of Order except where Town Law conflicts.** 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Ruffell, seconded by Mr. Robusto, to **appoint**

- **Eduard Kerkhoven to the Planning Board for a term beginning 1/1/2012-12/31/2016**
- **Scott TeWinkle to the Zoning Board of Appeals for a term beginning 1/1/2012-12/31/2016**
- **Edward Newman to the Recreation & Parks Advisory Board for a term beginning 1/1/2012-12/31/2016**
- **Richard Leszyk to the Board of Ethics for a term beginning 1/1/2012-12/31/2016**
- **Rod Peets/Ed Collins/Jerry Santangelo to the Watershed Management Advisory Council for a three year term beginning 1/1/2012-12/31/2014**
- **Gail Grinnell as Library Trustee for a term beginning 1/1/2012-12/31/2016**

5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Ruffell, seconded by Mr. Melino, to **affirm the Advisory Board Chairpersons for 2012:**

**Cynthia Eisen – Library Board President**

**Board of Ethics – Tom Drexler**

**Planning Board – Eduard Kerkhoven**

**Zoning Board – John Smith**

**Watershed – Edward Collins**

**Board of Assessment Review – John Aman**

**Parks and Recreation – Lee Stamonine** 4 Ayes 0 Nays 1 Abstention (Smith) MOTION CARRIED

A motion was made by Mr. Ruffell, seconded by Mr. Melino, to **establish the monthly meeting days for the various advisory boards as follows:**

Planning Board will meet the second Tuesday at 7:30 pm

Zoning Board of Appeals will meet the first Wednesday at 7:00 pm

Parks and Recreation Advisory Board will meet the fourth Tuesday of the month at 6:30 pm

Watershed Management Advisory Board will meet the third Thursday at 3:00 pm

Library Board will meet the third Tuesday, every other month, beginning January 17<sup>th</sup> at 6:30.

5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mrs. Smith, seconded by Mr. Robusto, to **adopt a resolution to consent to the temporary assignment of the Town of Ontario's Judges to preside in other Town and Village Courts as the need arises during the year 2012 and approve the temporary assignment of Judges from other Town and Village Courts to Ontario's Court as needed during the year 2012.** 5 Ayes 0 Nays RESOLUTION ADOPTED

A motion was made by Mr. Ruffell, seconded by Mrs. Smith, to **designate the Ontario Town Board as the Board of Water Commissioners and appoint Robert Kelsch as Chairman of the Board of Water Commissioners, both for 2012.** 4 Ayes 0 Nays 1 Abstention (Kelsch) MOTION CARRIED

A motion was made by Mrs. Smith, seconded by Mr. Robusto, to **appoint the following members of the Records Management Council: Supervisor Robert Kelsch, Town Clerk Debra DeMinck, Town Employees Jennifer Benedict and Katie Kelsch.** 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Robusto, seconded by Mrs. Smith, to **designate the following as Official Departmental Signers for 2012:**

Supervisor – Robert Kelsch or Lori Eaton  
 Town Clerk – Debra DeMinck or Shelley LaRocca  
 Planning/Zoning – William Riddell or Katie Kelsch  
 Economic Development – William Riddell or Ed Collins  
 Recreation/Parks – William Riddell/Lonna Jesse/Kim Millard  
 Building – Edward Collins or Donald Morrill  
 Assessing – Chris Luteyn or Melissa Halstead  
 Accounting – Paul Liess or Jenny Benedict  
 Highway – Jerry Santangelo or Marilee Stollery  
 Court – Reginald Higgins or Paul Sucher  
 Water Utilities – Rodney Peets or Vicki Steele  
 Watershed – Edward Collins or Rodney Peets  
 Community Center – Pam Grundman  
 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Ruffell, seconded by Mr. Melino, to **accept the Supervisor's Designation of Town Board Liaison assignments for 2012 as presented.** 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Ruffell, seconded by Mrs. Smith, to **execute the agreement with Wayne County Humane Society for Shelter Services for 2012 as presented.** 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Ruffell, seconded by Mr. Melino, to **authorize the supervisor to execute the intermunicipal agreement for animal control services, subject to attorney clarification, for the year 2012.** 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Ruffell, seconded by Mr. Robusto, to **authorize the Supervisor to execute the agreement between Alan J. Knauf and the Town of Ontario as Attorney for the Town for the calendar year 2012.** 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Ruffell, seconded by Mr. Robusto, to **authorize the Supervisor to execute the agreement between Richard T. Williams, II and the Town of Ontario as Deputy Attorney for the Town for the calendar year 2012.** 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Ruffell, seconded by Mrs. Smith, to **authorize the Supervisor to execute the agreement between Raymond F. Wager, CPA, P.C. for an audit of the Town Justice Accounts and the Town Accounts for the year ended December 31, 2011.** 5 Ayes 0 Nays MOTION CARRIED

Supervisor Kelsch appointed Mrs. Lori Eaton-Smith as Deputy Town Supervisor for 2012.

### **Regular Town Board Meeting**

**Comments from the public** – Mrs. Joan Stark commented on the passing of Bob Culver, a former Ontario Councilman.

Mr. Jim Switzer thanked the highway department for collecting food for the Food Pantry. He also asked that copies of the compensation schedules be available after the meeting.

Alan Knauf, Attorney for the Town, announced a new law that passed regarding all documents to be discussed at an open meeting must be available and posted on a website prior to the meeting, where practicable and applicable. He also mentioned that he is working with the attorney for the Union Hill Fire Department to correct the details of their contract.

**Approval of Minutes** – Mr. Kelsch opened a regular business meeting and asked for approval of the minutes of the December 26, 2011 town board meeting. A motion was made by Mr. Ruffell, seconded by Mr. Melino, to **approve the minutes as presented.** 5 Ayes 0 Nays MOTION CARRIED

**Correspondence** – Town Clerk received notice from Granskofski’s Family Restaurant, 436 Route 104, that they are renewing their alcoholic beverage license.

**Department Head Reports** –

**Supervisor’s Financial Statement** – A motion was made by Mr. Kelsch, seconded by Mr. Ruffell, to **accept the December 2011 Supervisor’s Financial Statement as presented.** 5 Ayes 0 Nays MOTION CARRIED

**Superintendent of Water Utilities** – A motion was made by Mr. Robusto, seconded by Mr. Ruffell, to accept the December 2011 report as presented. 5 Ayes 0 Nays MOTION CARRIED

**Superintendent of Highways** – A motion was made by Mr. Melino, seconded by Mr. Ruffell, to **accept the December 2011 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

**Building Inspector/Code Enforcement Officer** – A motion was made by Mr. Ruffell, seconded by Mrs. Smith, to **accept the December 2011 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

**Sole Assessor** – A motion was made by Mr. Robusto, seconded by Mrs. Smith, to **accept the December 2011 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

**Ontario Public Library** – A motion was made by Mrs. Smith, seconded by Mr. Robusto, to **accept the December 2011 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

**Ontario Town Court** – A motion was made by Mr. Kelsch, seconded by Mr. Melino, to **receive the December 2011 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

**Dog Control Officer** – No report

**Economic Development** – A motion was made by Mr. Robusto, seconded by Mrs. Smith, to **accept the December 2011 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

**Director of Parks and Recreation** – A motion was made by Mrs. Smith, seconded by Mr. Robusto, to **accept the December 2011 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

**Watershed Management Advisory Council** – No report

**Town Clerk** – A motion was made by Mr. Ruffell, seconded by Mr. Melino, to **accept the Town Clerk’s fiscal records and 2011 Annual Fiscal Report as presented.** 5 Ayes 0 Nays MOTION CARRIED

**New Business** – After a brief discussion by the board, the motion to designate someone to vote on behalf of the Town at the AOTSNY conference in New York City on February 23, 2012. No action taken at this time.

A motion was made by Mr. Ruffell, seconded by Mr. Melino, to **approve the compensation for non-unionized, salaried, exempt and hourly employees for 2012 as presented.** There was a brief discussion regarding the request of a wage increase for a court employee. The board decided to table the increase until further clarification was acquired. 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Kelsch, seconded by Mrs. Smith, to **declare surplus a blue metal cart and a brown typewriter stand at the court as requested by the Justices.** 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Robusto, seconded by Mr. Melino, to **approve the purchase of one new Konica Minolta Bizhub 363 copier on State Bid Contract from Eastern eBusiness (Xerox) as provided for in the 2012 Water/Sewer budget with a total price not to exceed \$6,685 as recommended by the Superintendent of Water Utilities.** 5 Ayes 0 Nays MOTION CARRIED

**Budget Transfers/Adjustments** – A motion was made by Mr. Ruffell, seconded by Mrs. Smith, to **adopt a**

**WHEREAS**, budgetary adjustments are required to provide amounts sufficient in each appropriation account to provide for payment of just claims audited and approved by this Town Board and,

**WHEREAS**, due to the routine bookkeeping time lag, not all needed transfers will be immediately known as of December 31, 2011 and,

**WHEREAS**, Section III of the Town Law provides that each appropriation, to the extent that it shall not have been expended or obligated, shall lapse at the close of the fiscal year for which made and become part of the Fund Balance.

**THEREFORE, BE IT RESOLVED**, that the Supervisor and his bookkeeper be authorized to make all appropriate adjustments to the amounts budgeted in each appropriation account such that the budget equals the amount expended as soon as may be conveniently possible after the close of the books on December 31, 2011. The Supervisor and his bookkeeper are instructed to make a complete list of the amounts so transferred among the various budget accounts and a copy of that list of transfers shall be appended to and become a part of the minutes of this board meeting dated January 9, 2012. 5 Ayes 0 Nays RESOLUTION ADOPTED

A motion was made by Mr. Robusto, seconded by Mr. Melino, to **authorize the following budget transfers:**  
 GENERAL fund transfer \$3,500 from A8020.4 to A8020.2 (Planning)  
 GENERAL fund transfer \$2,600 from A8010.4 to A8020.2 (Zoning)  
 GENERAL fund transfer \$2,200 from A1410.2, \$1,500 from A1460.2 and \$2,300 from A1670.4 for a total of \$6,000 to A1410.4 (Town Clerk) 5 Ayes 0 Nays MOTION CARRIED

**Reports by Town Board Members** – Supervisor Kelsch stated he received notice from K & D disposal that they are losing money with the town recycle drop off site at the highway department. They want to start charging for this service. Mr. Kelsch pointed out that they signed a four year agreement with no fee.

Mr. Robusto asked what the process was for unregistered vehicles in town. Mr. Collins responded with how the process works.

Mrs. Smith sent best wishes to Stephen Tobin, former council member, who has been under the weather.

**Comments from the Public** – Mrs. Joan Stark stated she couldn't drop off her recycles the last two Saturdays due to the bins being full. Mr. Kelsch will look into this matter.

Mr. Jim Switzer feels state mandate relief is needed to allow the towns to plow their roads. He suggested putting articles in the paper.

**Approval of Claims** – A motion was made by Mr. Ruffell, seconded by Mr. Melino, to **approve the abstract of claims for January 9, 2012 including vouchers #3310 through #3437 (3351-3353 used by accounting) with a grand total of \$213,022.93 and to authorize the Supervisor to issue payments for same.** 5 Ayes 0 Nays MOTION CARRIED

**Executive Session** – A motion was made by Mr. Ruffell, seconded by Mr. Melino, to **move into an executive session for a collective bargaining agreement at 8:55 p.m.** 5 Ayes 0 Nays MOTION CARRIED

**Reconvene** – 10:11 p.m.

**Adjourn** – A motion was made by Mr. Ruffell, seconded by Mr. Melino, to **adjourn at 10:12 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.