

SEPTEMBER 26, 2016
ONTARIO TOWN BOARD MEETING & PUBLIC HEARING

A regular meeting of the Ontario Town Board was called to order by Supervisor John Smith at 7:00 p.m. in the Ontario Town Hall. Present were Supervisor Smith, Council members: Jason Ruffell, Joseph Catalano, Richard Leszyk, Business Manager Paul Liess, Highway Superintendent Marilee Stollery, Library Director Sandra Hysten, Code Enforcement Officer Charlie DeMinck and Town Clerk Debra DeMinck.

Absent: Councilman Frank Robusto

8 residents and visitors were present at portions of the meeting

Mr. Ruffell led the Pledge of Allegiance.

A legal notice of public hearing to consider proposed Local Law #2 of 2016 to Override the 2% Tax Cap was published in the Wayne County Mail on September 15th, in the Times of Wayne County on September 18th and on the Town Clerk's bulletin board and on the town's website on September 13th.

Supervisor Smith opened the public hearing at 7:01 p.m. and asked for public comment.

Mr. James Doyle asked if overriding the tax cap would result in residents losing their star exemption.

Mr. Smith replied no, they are two separate things. Overriding the tax cap would mean town residents would not receive a tax refund portion under town taxes, which is a freeze rebate.

Mr. Smith stated the 2% tax cap is not two percent but in reality .068% which would be virtually negligible to residents. The consolidation of the fire district will make it very difficult for the town to calculate the percentage correctly.

A motion was made by Mr. Ruffell, seconded by Mr. Leszyk, to **close the public hearing at 7:05 p.m.**

Supervisor Smith asked for board comments.

Mr. Catalano would like to meet the tax cap and feels it is very possible this year.

Supervisor Smith cautioned that it is critical to take into account that if you don't override the tax cap and make an error, the town pays penalties.

Mr. Leszyk feels it is prudent to override the tax cap. He stated the board might meet the tax cap after looking at the budget. The tax freeze checks are pure politics sent out at election time.

Mr. Ruffell feels these are two separate issues. He would advocate to override the tax cap.

A motion was made by Mr. Smith, seconded by Mr. Ruffell, to **adopt Local Law #2 of 2016 – to override the 2% tax cap.** Roll call vote: Catalano-Nay, Ruffell-Aye, Smith-Aye, Leszyk-Aye Absent (Robusto) MOTION CARRIED

Revisions to the Agenda - A motion was made by Mr. Ruffell, seconded by Mr. Catalano, to **approve the agenda with the addition of final read and adoption of Policy 4039P-Town Owned Signs under old business.** 4 Ayes 0 Nays 1 Absent (Robusto) MOTION CARRIED

Approval of Minutes of Prior Meeting(s) – A motion was made by Mr. Leszyk, seconded by Mr. Ruffell, to **approve the minutes of the September 12, 2016 Town Board meeting as presented.** 4 Ayes 0 Nays 1 Absent (Robusto) MOTION CARRIED

A motion was made by Mr. Ruffell, seconded by Mr. Catalano, to **approve the minutes of the September 19, 2016 Town Board Workshop meeting as presented.** 4 Ayes 0 Nays 1 Absent (Robusto) MOTION CARRIED

Correspondence – The 2017 water re-levy amount is \$158,825.47, which is \$6,120 less than last year.

Old Business – A motion was made by Mr. Ruffell, seconded by Mr. Leszyk, to **waive the second reading of Policy 4039P–Town Owned Signs and adopt as presented.** 4 Ayes 0 Nays 1 Absent (Robusto) MOTION CARRIED

New Business – The Town Clerk presented the Town Board with the 2017 Tentative Budget. Supervisor Smith presented a summary of the 2017 tentative budget. Board members gave brief, general comments on the tentative budget presentation. Approximately \$113,000 needs to be cut out to meet the tax cap.

A motion was made by Mr. Ruffell, seconded by Mr. Leszyk, to **authorize the replacement of two trucks at the Water Utilities Department. One would be a 2016 Ford 250 XLT to replace a meter truck and the second would be a 2017 F-350 XLT to replace a crane truck and will be used to plow snow. The total cost for both will not exceed \$62,742.61, on state contract, from VanBortel Ford, East Rochester, NY. \$8,500 will be paid from budget code SS2.8120.2 and \$54,242.61 will be paid from budget code FF.8340.2 as requested by the Interim Water Superintendent in a memo dated September 26, 2016.** 4 Ayes 0 Nays 1 Absent (Robusto) MOTION CARRIED

A motion was made by Mr. Ruffell, seconded by Mr. Catalano, to **authorize the replacement of the Water Plant Lab heating and air conditioning unit from LeClaire – Fleming at a cost not to exceed \$6,445 from budget code FF.8330.2. The present unit is cracked and beyond repair and this is requested by the Interim Water Superintendent in a memo dated September 26, 2016.** 4 Ayes 0 Nays 1 Absent (Robusto) MOTION CARRIED

A motion was made by Mr. Smith, seconded by Mr. Leszyk, to **authorize a water refund to Mr. and Mrs. Daniel Clocksin, 5654 Ontario Center Rd. in the amount of \$222.25 for overbilling due to the Clocksin's refusal to allow the water department to update their meter. The new owner allowed the water department to get a final read and update the water meter. This is requested by the Interim Water Superintendent in a memo date September 26, 2016.** 4 Ayes 0 Nays 1 Absent (Robusto) MOTION CARRIED

A motion was made by Mr. Leszyk, seconded by Mr. Catalano, to **authorize the renewal of the SPDES Permit for the Waste Water Plant. This permit allows the waste water plant to discharge treated effluent to bear creek. The cost of the permit will not exceed \$8,000 and will be paid from budget code SS.8110.4 as recommended by the Interim Water Superintendent in a memo dated September 26, 2016.** 4 Ayes 0 Nays 1 Absent (Robusto) MOTION CARRIED

A motion was made by Mr. Ruffell, seconded by Mr. Leszyk, to **authorize the purchase of a HP Pro Desk 400 for the Supervisor for an amount not to exceed \$939.28 from budget code A.1220.2. The current laptop computer with docking station cannot support the volume of documents and e-mails processed. The current Dell laptop serial #077570 from the conference room would be surplus and replaced with the HP Elite Book laptop currently being used by the Supervisor after being stripped of sensitive data and configured to operate with the Smartboard and manage data for Planning, Zoning and the Town Board.** 4 Ayes 0 Nays 1 Absent (Robusto) MOTION CARRIED

A motion was made by Mr. Smith, seconded by Mr. Ruffell, to **authorize the proposal for professional services from MRB Group for the preliminary design and permitting for the Brick Church Culvert Replacement project. The total amount will not exceed \$9,500 from budget code SD8540.4.** 4 Ayes 0 Nays 1 Absent (Robusto) MOTION CARRIED

A motion was made by Mr. Smith, seconded by Mr. Ruffell, to **authorize the Town Hall/Library Improvements from the HR1-Capital Reserve fund. The Library received a grant for \$19,052. The projected costs are \$46,692.00 for the Town Hall/Library improvements and \$15,500.00 for the HVAC/Generator improvements for a total cost of \$62,492.00 less the \$19,052 grant money for an updated projected cost of \$43,440.00.** 4 Ayes 0 Nays 1 Absent (Robusto) MOTION CARRIED

Budget Transfers/Adjustments – A motion was made by Mr. Smith, seconded by Mr. Ruffell, to **approve the budget transfer request for the period ending September 22, 2016 from the Business Office as presented.** 4 Ayes 0 Nays 1 Absent (Robusto) MOTION CARRIED

Appointments/Resignations – A motion was made by Mr. Ruffell, seconded by Mr. Catalano, to **approve the following part time with no benefits add/changes to the Parks and Recreation payroll:**
Stacy Matz as preschool instructor starting September 22, 2016 part time at \$9.50 per hour.
Benjamin Aman as Community Center Attendant starting September 22, 2016 at \$9.00 per hour and as a Programmer/Coordinator on September 22, 2016 at \$10.00 per hour. 4 Ayes 0 Nays 1 Absent (Robusto) MOTION CARRIED

Board reports – Mr. Ruffell stated the Business Improvement District is holding a meet and greet on Thursday, October 20th at 6:30 at Photo Chica. All are welcome to attend.

Mr. Smith reported that all cell phone contracts have been terminated with the exception of the Animal Control Officer, which is under contract until 2017.

The solar field is progressing and the panels are scheduled to arrive in the next few weeks. The estimated completion date is December 15th.

Approval of Claims – A motion was made by Mr. Ruffell, seconded by Mr. Leszyk, to **approve the abstract of claims for September 26, 2016 including vouchers #2389 through #2523 (2422-2425 and 2445 used by the Business Office) with a grand total of \$80,868.04 and to authorize the Supervisor to issue payments for same.** 4 Ayes 0 Nays 1 Absent (Robusto) MOTION CARRIED

Executive Session – A motion was made by Mr. Leszyk, seconded by Mr. Ruffell, to **move into an executive session at 8:15 p.m. on labor negotiations for all three units.** 4 Ayes 0 Nays 1 Absent (Robusto) MOTION CARRIED

Reconvene – 8:24 p.m.

Adjourn – A motion was made by Mr. Smith, seconded by Mr. Leszyk, to **adjourn at 8:25 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.