

**MARCH 21, 2016**  
**ONTARIO TOWN BOARD WORKSHOP MEETING**

The meeting of the Ontario Town Board was called to order by Supervisor Smith at 6:30 p.m. in the Ontario Town Hall. Present were Supervisor John Smith, Council members: Jason Ruffell, Frank Robusto, Joseph Catalano and Richard Leszyk.

A motion was made by Mr. Ruffell, seconded by Mr. Catalano, to **enter into an Executive Session at 6:30 p.m. for a Code Enforcement Officer interview.** 5 Ayes 0 Nays MOTION CARRIED

**Reconvene** – 6:55 p.m.

A workshop 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, Frank Robusto, Joseph Catalano, Richard Leszyk, Superintendent of Highways Marilee Stollery, Attorney for the Town Richard Williams and Town Clerk Debra DeMinck.

16 residents and visitors were present at portions of the meeting

Mr. Switzer led the Pledge of Allegiance.

A motion was made by Mr. Smith, seconded by Mr. Catalano, to **open a joint meeting between the Ontario Town Board and the Board of Fire Commissioners to discuss a resolution of endorsement for the proposed joint consolidation agreement.**

A resident thought that there were two rural fire districts.

Fire Commissioner Christopher Breed responded that Ontario has only one rural fire district, the Ontario Union Hill Fire Protection District.

Supervisor Smith stated the Ontario Town Board would like to act as lead agency for SEQR and the Board of Fire Commissioners had no objections.

The Town Board will act as lead agency by the consent of both involved agencies for SEQR review of the joint consolidation agreement.

**New Business** – A motion was made by Mr. Smith, seconded by Mr. Catalano, to **adopt the following:**

**Resolution of Endorsement - Proposed Joint Consolidation Agreement between the Ontario Town Board and the Ontario Fire District #1**

WHEREAS, the Town Board of The Town of Ontario (“Town”) and the Ontario Fire District #1 (“Fire District”), County of Wayne, State of New York have participated in several public meetings to discuss the feasibility of combining the Ontario Union Hill Fire Protection District (“Fire Protection District”) with the Fire District, resulting in terminating the existence of the Fire Protection District and the absorption by the Fire District of the Fire Protection District; and

WHEREAS, the Town Board of the Town and the Board of Fire Commissioners of the Fire District having before them a proposed Joint Consolidation Agreement, a copy of which is annexed hereto; and

WHEREAS, the proposed Joint Consolidation Agreement contains the necessary factors required under Article 17-A of the General Municipal Law; and

WHEREAS, for the purpose of commencing the consolidation proceedings under Article 17-A of the General Municipal Law, the proposed Joint Consolidation Agreement must be endorsed by the Town Board of the Town and the Board of Fire Commissioners of the Fire District; and

WHEREAS, subsequent to the endorsement of the proposed Joint Consolidation Agreement the Town Board of the Town and the Board of Fire Commissioners of the Fire District, pursuant to Article 17-A of the General Municipal Law, must, no later than five business days after commencement of consolidation proceedings;

- a. cause a copy of the proposed Joint Consolidation Agreement, along with a descriptive summary thereof, to be displayed and readily accessible to the public for inspection in a public place or places within the Fire Protection District and the Fire District, and
- b. cause the proposed Joint Consolidation Agreement, along with a descriptive summary thereof, and a reference to the public place or places within each entity where a copy thereof may be examined, to be displayed on a website maintained by the Town, The Union Hill Fire Department and the Ontario Fire Company, Inc.; and
- c. arrange to be published in the Times of Wayne County, which is a newspaper having a general circulation within the Town and within the Fire District, a descriptive summary of the proposed Joint Consolidation Agreement and a reference to the public place or places within the Town and the Fire District where a copy thereof may be examined, at least once each week for four successive weeks; and

WHEREAS, a public hearing must be held regarding the proposed Joint Consolidation Agreement and comment received from those interested in such proposed Joint Consolidation Agreement, not less than 35 days and not more than 90 days after commencement of these consolidation proceedings, which for the purposes of these proceedings is the date of this Resolution endorsing the proposed Joint Consolidation Agreement;

NOW THEREFORE, it is Resolved, as follows:

- 1) That the Town Board of the Town and the Commissioners of the Fire District, pursuant to Article 17-A of the General Municipal Law, jointly endorse the proposed Joint Consolidation Agreement, a copy of which is attached hereto, for the purposes of commencing consolidation proceedings regarding the consolidation of the Fire Protection District and the Fire District; and
- 2) That a public hearing will be held at the Ontario Town Hall , 1850 Ridge Road, Ontario, NY 14519 on May 9, 2016 at 7:00 P.M., before the Town Board of the Town and the Board of Fire Commissioners of the Fire District. Any and all interested persons shall be given a reasonable opportunity to be heard on any aspect of the proposed consolidation; and
- 3) That a descriptive summary of the proposed Joint Consolidation Agreement shall be attached to any Notice of Public Hearing; and
- 4) Copies of the proposed Joint Consolidation Agreement, along with a descriptive summary thereof, may be viewed at the following readily accessible public places in the Town of Ontario, to wit:
  - Ontario Town Hall, 1850 Ridge Rd, Ontario, NY 14519
  - Ontario Fire Station #1, 6160 Walter Cone Drive, Ontario, NY 14519
  - Ontario Fire Station #2, 1847 Brick Church Rd, Ontario, NY 14519
  - Ontario Public Library, 1850 Ridge Rd., Ontario, NY 14519
  - Union Hill Fire Station #1, 70 Ridge Rd., Union Hill, NY 14563
  - U.S. Post Office, Ontario Post Office, 2001 Furguson Street, ,Ontario, NY 14519
  - U.S. Post Office, Ontario Center Post Office, 1544 Ridge Rd., Ontario Center, NY 14520
  - Union Hill Post Office, 82 Ridge Road, Union Hill, NY 14563; and
- 5) The Town Clerk of the Town and the Secretary of the Fire District are further directed to comply with the publishing and website posting requirements set forth in Article 17-A of the General Municipal Law.

Town of Ontario Town Board

Jason Ruffell	Voting: Yes
Fran Robusto	Voting: Yes
Joseph Catalano	Voting: Yes
Rick Leszyk	Voting: Yes
John J. Smith	Voting: Yes

Ontario Fire District

Christopher Breed	Voting: Yes
Jeffrey Garland	Voting: Yes
Gerald Becker	Voting: Yes

Aron Thompson  
Gary Flatt

Voting: Absent  
Voting: Yes

Resolution adopted.

A motion was made by Mr. Smith, seconded by Mr. Ruffell, to **authorize the Town Clerk to post and publish a legal notice to set the public hearing on the proposed joint consolidation agreement of the Ontario Union Hill Fire Protection District and the Ontario Fire District #1 for Monday, May 9, 2016 at 7:00 p.m. at the Ontario Town Hall, 1850 Ridge Road, Ontario, NY.** 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Smith, seconded by Mr. Ruffell, to **adjourn the joint meeting between the Ontario Town Board and the Board of Fire Commissioners at 7:07 p.m.** 5 Ayes 0 Nays Motion Carried

**Old Business** – A motion was made by Mr. Ruffell, seconded by Mr. Leszyk, to **untable the motion from the last meeting to authorize the Supervisor to sign the contract for development rights for Ontario Forest Inc. which is John and Mary Albright lands on Lake Road.** 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Robusto, seconded by Mr. Ruffell, to **authorize the Supervisor to sign the contract for the development rights for Ontario Forest Inc. and John and Mary Albright lands on Lake Road.** 5 Ayes 0 Nays MOTION CARRIED

**Workshop** – Smoking Policy discussion

Supervisor Smith read the latest draft of the policy for audience members.

There was much discussion on this issue.

The following are some of the issues residents and audience members expressed:

- Smoking policy to include public parks – it is a learned behavior and would like to deter children
- Does it include leased property – Ontario doesn't have any
- Signage
- Does this include Town owned cemeteries?
- Highway or water employee fixing or repairing a public roadway

Board members discussed encouraging employees to quit smoking and perhaps build incentives. Also the need to look at chewing tobacco and the manner in which it is expelled.

After the discussion by board members, the consensus was no smoking on town property or in town vehicles, except in designated areas.

Board members feel they need to put a solid policy in place and then work on the next step.

Supervisor Smith will put together another draft and send it to board members for their review.

**Executive Session** – A motion was made by Mr. Smith, seconded by Mr. Leszyk, to **enter into an executive session at 7:52 p.m. for pending litigation, contract negotiations and a personnel matter for a specific person.** 5 Ayes 0 Nays MOTION CARRIED

**Reconvene** – 9:40 p.m.

**Adjourn** – A motion was made by Mr. Robusto, seconded by Mr. Smith, to **adjourn at 9:40 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.