

MAY 8, 2017
ONTARIO TOWN BOARD MEETING

A regular meeting of the Ontario Town Board was called to order by Supervisor Smith at 7:00 p.m. in the Ontario Town Hall. Present were Supervisor John Smith, Council members: Jason Ruffell, Frank Robusto, Joseph Catalano, Richard Leszyk, Superintendent of Highways Marilee Stollery, Assistant Code Enforcement Officer Brian Smith, Interim Superintendent of Water Utilities Steve Johnville, Director of Recreation & Parks William Riddell, Sole Assessor Melissa Halstead, Attorney for the Town Richard Williams and Town Clerk Debra DeMinck.

Absent: Business Manager Paul Liess

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

Mr. Miller led the Pledge of Allegiance.

Approval of the Agenda – A motion was made by Mr. Ruffell, seconded by Mr. Robusto, to **approve the agenda with the following three additions: under new business – public hearing for Community Development Block Grant, highway surplus and heritage square donation.** 5 Ayes 0 Nays MOTION CARRIED

Approval of Minutes - Mr. Smith asked for approval of the minutes of the April 24, 2017 Town Board Meeting. A motion was made by Mr. Leszyk, seconded by Mr. Catalano, to **approve the minutes as presented.** 4 Ayes 0 Nays 1 Abstention (Robusto) MOTION CARRIED

Correspondence – **Supervisor Smith read the following:**

Proclamation
Municipal Clerks Week
May 7 – 13th 2017

Whereas, the Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

Whereas, the Office of the Municipal Clerk is the oldest among public servants, and
Whereas, Town Clerks are the municipal clerks in the 932 towns of New York State, and

Whereas, The Office of the Town Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

Whereas, Town Clerks have pledged to be ever mindful of their neutrality and impartiality rendering equal service to all, and

Whereas, The Town Clerk serves as the information center on functions of local government and community, and

Whereas, Town Clerks continually strive to improve the administration of the affairs of the Office of the Town Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, county and professional organizations, and

Whereas, It is most appropriate that I recognize the accomplishments of the Office of the Town Clerk,

Now, Therefore, I, Linda M. Gilbert, President of the New York State Town Clerks Association, do recognize the week of May 7th through May 12th 2017 as Municipal Clerks Week and further extend appreciation to all Town Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Linda M. Gilbert
President of the New York State Town Clerks Association

Attorney for the Town Report – None

Department Head Reports -

Supervisor's Financial Statement – A motion was made by Mr. Ruffell, seconded by Mr. Robusto, to **accept the April 2017 Supervisor's Financial Statement as presented.** 5 Ayes 0 Nays MOTION CARRIED

Superintendent of Water Utilities – A motion was made by Mr. Ruffell, seconded by Mr. Leszyk, to **accept the April 2017 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

Superintendent of Highways – A motion was made by Mr. Leszyk, seconded by Mr. Catalano, to **accept the April 2017 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

Code Enforcement Officer – A motion was made by Mr. Smith, seconded by Mr. Catalano, to **accept the April 2017 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

Sole Assessor – A motion was made by Mr. Robusto, seconded by Mr. Leszyk, to **accept the April 2017 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

Ontario Public Library – To be submitted quarterly

Ontario Town Court – A motion was made by Mr. Leszyk, seconded by Mr. Ruffell, to **receive the April 2017 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

Director of Recreation & Parks – A motion was made by Mr. Robusto, seconded by Mr. Ruffell, to accept the **April 2017 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

Economic Development Department – A motion was made by Mr. Ruffell, seconded by Mr. Catalano, to **accept the April 2017 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

Watershed Management Advisory Council – A motion was made by Mr. Leszyk, seconded by Mr. Robusto, to **accept the April 2017 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

Animal Control Officer – A motion was made by Mr. Smith, seconded by Mr. Ruffell, to **accept the April 2017 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

Old Business – A motion was made by Mr. Ruffell, seconded by Mr. Robusto, to **adopt the following resolution to establish the “Community Ridge PUD” Planned Unit Development District:**

Resolution to Set Public Hearing

WHEREAS, true and correct copies of proposed Local Law No. 1 of 2017: Establishment of the Community Ridge Planned Unit Development, were delivered to each member of the Town Board; and

WHEREAS, due consideration has been given to the adoption of said proposed Local Law No. 1 of 2017, by all members of the Town Board who were present; and

WHEREAS, it was the considered opinion of all members of the Town Board who were present that a public hearing should be held on the 22nd day of May, 2017, at 7:00 p.m. at the Town Hall, 1850 Ridge Road, Ontario, New York, to consider the adoption of said proposed Local Law No. 1 of 2017;

NOW, on motion duly made and seconded, it was

RESOLVED, that a public hearing be held on the 22nd day of May, 2017, at 7:00 P.M., Local Time, at the Town Hall, 1850 Ridge Road, Ontario, New York, on the question of the adoption of said proposed Local Law No. 1 of 2017; and be it further

RESOLVED, that a Notice of Hearing and a copy of said proposed Local Law No. 1 of 2017, or a summary thereof, be published in a newspaper previously designated as an official newspaper for publication of public notices, not less than five (5) days prior to said hearing; and be it further

RESOLVED, that the Town Clerk shall post certified copies of both this Resolution and said proposed Local Law No. 1 of 2017, or a summary thereof, on the bulletin board, maintained by the Town Clerk pursuant to § 40(6) of the Town Law, for a period of not less than five (5) days prior to said public hearing. 5 Ayes 0 Nays RESOLUTION ADOPTED

New Business – Dr. Mathis Calvin III and Gregory Atseff presented the Wayne Central School District 2017/2018 budget. The school budget vote is Tuesday, May 16th from 9 a.m. to 9 p.m.

A motion was made by Mr. Ruffell, seconded by Mr. Leszyk, to **approve the 5 (five) day vacation carry over for Shelley LaRocca to be used by July 31, 2017 as requested by the Town Clerk in a memo dated May 8, 2017.** 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Smith, seconded by Mr. Ruffell, to **accept the 2016 Review of the Justice Court Accounts prepared by Ray Wager, CPA, P.C.** 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Smith, seconded by Mr. Ruffell, to **approve the public announcement for wastewater plant flow levels. It is illegal to have sump pumps, eaves, gutters and driveway drains hooked up to the sanitary sewer system. The Interim Water Superintendent is urging all residents that have any of the above hookups to please disconnect them and drain the water to the appropriate storm drains. There was a brief discussion among board members regarding language with the final decision being left to the Interim Water Superintendent and the Supervisor's Office.** 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Smith, seconded by Mr. Ruffell, to **approve the Main Pump Station pump replacement for an amount not to exceed \$37,857 from Siewert Equipment. This will be paid from budget code SS1.8130.4 as recommended by Interim Water Superintendent Stephen Johnville in a memo dated 5/8/2017.** 5 Ayes 0 Nays MOTION CARRIED

5) A motion was made by Mr. Smith, seconded by Mr. Ruffell, to **adopt the following resolution:**

Set Public Hearing for CDBG to Support Establishment of Tomato Growing and Distribution Facility

WHEREAS, the Town Board wishes to assess the advisability of submitting a Community Development Block Grant (“CDBG”) application to the New York State Office of Community Renewal (the “OCR”) for a grant to support the establishment of a tomato growing and distribution facility in the Town of Ontario; and

WHEREAS, the Town Board is required to hold a public hearing to provide information to the public regarding the proposed project and grant application and to consider citizen comments regarding the community development and housing needs of the Town prior to submitting a CDBG application;

NOW, on motion duly made and seconded, it was

RESOLVED, that a public hearing be held on the 22nd day of May, 2017, at 7:00 P.M., at the Ontario Town Hall, 1850 Ridge Road, Ontario, New York, on the question of whether to submit a CDBG application to the OCR; and be it

FURTHER RESOLVED, that a Notice of Hearing on the question shall be published in the Times of Wayne County and The Wayne County Mail not less than five (5) days prior to that hearing; and be it further **RESOLVED**, that the Town Clerk shall post that Notice on the bulletin board maintained by the Town Clerk pursuant to Town Law §30(6), and on the Town of Ontario web site, for a period of not less than five (5) days prior to that public hearing. 5 Ayes 0 Nays RESOLUTION ADOPTED

A motion was made by Mr. Ruffell, seconded by Mr. Catalano, to **accept the list of items to be surplus from the Highway Superintendent as listed in memo 17-07. Two items will go to auction and the other three will be disposed of per town policy.** 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Robusto, seconded by Mr. Leszyk, to **authorize the Highway Superintendent to donate time, equipment and materials to assist Heritage Square with an upcoming project at their facility located on Ontario Center Road. They need approximately 70 tons of crushed concrete stone along with a roller and operator to compact the stone as requested in memo 17-08.** 5 Ayes 0 Nays MOTION CARRIED

Reports by Town Board Members – Mr. Catalano gave an update on the county planning board meeting.

Mr. Ruffell announced two events that are coming up sponsored by the Business Improvement District (BID) in Ontario: the Ridge Road Rummage Run June 2nd and 3rd from 9 – 4 and the eighth (8) annual Main Street Clean Sweep to be held Saturday, May 20th from 2 p.m. to 4 p.m.

Mr. Smith has had inquiries about the Gerber Planned Unit Development (PUD). There will be an extensive review at the planning board. He also announced the board will workshop the EPA audit next Monday at the workshop meeting.

Mr. Robusto urged everyone to check their smoke and carbon monoxide detectors to make sure they are working properly. They could save your life.

Mr. Leszyk made an appearance at the planning board and the zoning board of appeals meetings. He was very impressed with board members and Ontario should be proud.

He also had pictures of the new front doors at the Justice Court and feels the Sheriffs door will need to be replaced in the near future. They are also looking into replacing signs at Palmer Hall.

Approval of Claims - A motion was made by Mr. Robusto, seconded by Mr. Leszyk, to **approve the abstract of claims for May 8, 2017 including vouchers #925 through #1029 (930, 931, 943-947 and 985 used by the Business Office) with a grand total of \$109,855.11 and to authorize the Supervisor to issue payments for same.** 5 Ayes 0 Nays MOTION CARRIED

Executive Session - A motion was made by Mr. Smith, seconded by Mr. Ruffell, to **move into an executive session at 8:37 p.m. for pending litigation, collective bargaining and a personnel matter pertaining to a particular person.** 5 Ayes 0 Nays MOTION CARRIED

Reconvene – 9:44 p.m.

Adjourn - A motion was made by Mr. Smith, seconded by Mr. Leszyk, to **adjourn at 9:45 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.