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: Frank Robusto, Joseph Catalano, Richard Leszyk, Highway Superintendent Marilee Stollery, Interim Water Superintendent Stephen Johnville and Town Clerk Debra DeMinck.

Absent: Councilman Jason Ruffell

6 residents and visitors were present at portions of the meeting

Mr. Coyle led the Pledge of Allegiance.

**Revisions to the Agenda** - A motion was made by Mr. Leszyk, seconded by Mr. Robusto, to **approve the agenda as presented**. 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

**Approval of Minutes of Prior Meeting(s)** – A motion was made by Mr. Catalano, seconded by Mr. Robusto, to **approve the minutes of the January 9, 2017 Organizational meeting as presented**. 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

**Correspondence** – The Town Clerk presented the board with her 2016 annual report. A motion was made by Mr. Smith, seconded by Mr. Leszyk, to **accept the correspondence as presented**. 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

**New Business** – A motion was made by Mr. Smith, seconded by Mr. Catalano, to **approve the surplus of the eager beaver trailer and transfer it to the highway department for their use as requested by the Interim Water Superintendent in a memo dated January 23, 2017**. 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

A motion was made by Mr. Catalano, seconded by Mr. Leszyk, to **surplus the bobcat and accessories and transfer it to the highway department for their use as requested by the Interim Water Superintendent in a memo dated January 23, 2017**. 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

A motion was made by Mr. Smith, seconded by Mr. Catalano, to **authorize the purchase of a 2017 F-350 XLT from Van Bortel Ford, East Rochester for an amount not to exceed $28,567.82 from budget code F8340.2 to be used at the water plant and to surplus the 2000 Ford Ranger as requested by the Interim Water Superintendent in a memo dated January 23, 2017**. 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

A motion was made by Mr. Leszyk, seconded by Mr. Catalano, to **replace the sludge press pump through an exchange program from Koester Associates, Canastota, NY for a cost not to exceed $5,160 from budget code SS1.8120.4 as requested by the Interim Water Superintendent in a memo dated January 23, 2017. This is less expensive than repairing the pump at $6,015.72 or replacing without an exchange program.** 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

A motion was made by Mr. Leszyk, seconded by Mr. Catalano, to **authorize the Supervisor to attend the 2017 Smart Management for Small Communities Conference on April 25 to April 27, 2017 at the Minnowbrook Conference Center in Blue Mountain Lake, NY for a cost not to exceed $520.00 from budget code A1220.4.** 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

A motion was made by Mr. Smith, seconded by Mr. Catalano, to **authorize the Supervisor to sign the Watershed Grant proposal from MRB for an amount not to exceed $24,900.00 for GIS Mapping Updates.**
A motion was made by Mr. Robusto, seconded by Mr. Leszyk, to adopt the following resolution:

Johncox Drive, a Dedicated Road, and 1208 Route 104

WHEREAS, on or about August 13, 1985, the Town Board received an Offer of Dedication for land adjoining 1208 Route 104, recorded in the Wayne County Clerk’s Office on May 27, 1997 in Liber 937 of Deeds, page 490, for Highway purposes, which such Offer of Dedication was accepted by the Town Board with a stated condition that “access over said parcel to the premises commonly known as 1208 Route 104 shall continue to be provided for so long as said premises shall continue to be operated as a Pizza Hut restaurant”; and

WHEREAS, subsequent to the aforesaid Offer of Dedication and acceptance, the aforesaid parcel adjoining 1208 Route 104 became and has remained a public road known as “Johncox Drive”, connecting a Town Road known as “Wooster’s Way” to New York State Route 104; and

WHEREAS, as a result of the fact that the aforesaid land adjoining 1208 Route 104 is a public road, used by the owners of 1208 Route 104 and the general public, the Town Board’s stated condition referred to above is no longer appropriate;

WHEREAS, the Board has given this matter due deliberation and consideration

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board does hereby waive and forever remove the aforesaid stated condition of its prior acceptance of the aforesaid Offer of Dedication and affirms that the owners of and visitors to 1208 Route 104 may, in conjunction with the general public, use and access the aforesaid parcel, now known as Johncox Drive, as a public road. 4 Ayes 0 Nays 1 Absent (Ruffell) RESOLUTION ADOPTED

A motion was made by Mr. Smith, seconded by Mr. Catalano, to authorize the Supervisor and Councilmen to sign the 2017 Agreement to Spend Highway Funds in the sum of $284,000 for general repairs and $91,314 for capital improvements and submit to the County Highway Superintendent for approval. 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

A motion was made by Mr. Smith, seconded by Mr. Robusto, to authorize the Highway Superintendent and Crew Chief to attend the annual Highway school in Ithaca, NY from Sunday, June 11 – Wednesday, June 14, 2017 with all actual and necessary expenses to be a town charge from budget code A5010.4 for an amount not to exceed $800.00 as requested in memo 17-02. 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

A motion was made by Mr. Leszyk, seconded by Mr. Catalano, to authorize the Highway Superintendent to attend Advocy Day in Albany, NY March 7 & 8, 2017 in support of the Consolidated Highway Improvements Program (C.H.I.P.S.) Funding with all actual and necessary expenses to be a town charge from account A5010.4 at a cost not to exceed $500.00 as requested in memo 17-01. 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

A motion was made by Mr. Smith, seconded by Mr. Catalano, to authorize the purchase of a 2017 John Deere 6105E Cab tractor with side and rear mowers from Lakeland Equipment Corp., 3237 Union Street, N. Chili, NY at a cost not to exceed $77,556.54 from budget codes DA1.5130.2 $60,000 and DA1.9909.9 $17,556.54 (HR-5) and to surplus the New Holland TN75D Utility Tractor with side rear flail mowers as requested by the Superintendent of Highways in memo 17-03. 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

Board reports – Mr. Catalano reported that to take advantage of the Municipal Consolidation and Efficiency Competition competing for a $20 million award, a town would have to absorb another town or be absorbed.
Mr. Smith announced the passing of John Aman over the weekend, a member of our Board of Assessment Review.

He acknowledged Dennis Coyle, the new temporary Water Crew Chief, and a thirty year employee of the town. Two of the three collective bargaining agreements have been ratified, water and clerical, with blue collar voting on Tuesday. It will come for a vote before the town board at the February 13th meeting.

The NYS Comptroller audit continues.

There will be mandatory anti-violence training for all employees tomorrow.

Mr. Smith responded to a question from last meeting stating that the final attorney bills were received and the total spent on attorneys in 2016 was $73,000.

Mr. Robusto gave an update on the housing market, with Ontario leading the county in single family homes. He stated it is a nice economic recovery.

He asked about the status of the PILOT agreement bills that were sent out with errors. Is this being addressed?

Mr. Smith responded that with the change in assessments and real property data, some PILOTS may have been under billed. This has not been confirmed and is a work in progress.

Mr. Robusto also reported that the town has 47 acres of land preserved by the Genesee Land trust on Knickerbocker Road that Mr. Riddell plans to use for trails.

Mr. Leszyk stated it appears that it is unclear where the breakdown with the PILOT payments occurred. He feels the board should workshop this to be more knowledgeable. The town should perhaps have the Attorney for the Town review to make sure the county IDA has done the PILOT contracts correctly.

Mr. Leszyk also reported that Justice Higgins still is not able to take the bench and that Justice Sucher continues to cover the work load. He feels that additional compensation for Justice Sucher needs to be addressed. The quotes for the court doors are being put together for the grant.

**Public Comment** – A resident asked about economic development. Mr. Smith stated that there are several projects in process and that commercial enterprise is alive and well.

**Approval of Claims** – A motion was made by Mr. Catalano, seconded by Mr. Robusto, to approve the abstract of claims for January 23, 2017 including vouchers #3507 through #3576 for 2016 for a grand total of $133,046.85 and vouchers #13 through #89 (13-17, 22-23 and 68 used by the Business Office) with a grand total of $88,154.83 and to authorize the Supervisor to issue payments for same. 4 Ayes

0 Nays 1 Absent (Ruffell) MOTION CARRIED

**Adjourn** – A motion was made by Mr. Leszyk, seconded by Mr. Robusto, to adjourn at 8:12 p.m.

4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

Respectfully submitted,

Debra DeMinck
Ontario Town Clerk

The above minutes will become official upon approval of the town board.