A regular meeting of the Ontario Town Board was called to order by Supervisor Frank Robusto at 7:00 p.m. in the Ontario Town Hall. Present were Supervisor Robusto, Council members: Joseph Catalano, Richard Leszyk, Scott TeWinkle, Jason Ruffell, Code Enforcement Officer Brian Smith, Town Engineer/Water Superintendent Adam Cummings, Business Manager Paul Liess, Assessor Melissa Halstead, Library Director Sandra Hylen, Attorney for the Town Richard Williams and Town Clerk Debra DeMinck.

Absent: Superintendent of Highways Marilee Stollery and Director of Recreation & Parks William Riddell

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

Mr. Ruffell led the Pledge of Allegiance.

A legal notice of public hearing for proposed Local Law #2 of 2018-To amend the Town Code to amend the provisions for Solar Energy Systems was posted on the Town Clerks Board May 21, 2018 and in the Sun and Record/Wayne County Mail May 31, 2018 and in the Times June 3, 2018.

A motion was made by Mr. Ruffell, seconded by Mr. Leszyk, to open the Public Hearing at 7:01 p.m. 5 Ayes 0 Nays MOTION CARRIED

Supervisor Robusto and the Town Attorney gave an overview of the proposed Local Law.

Supervisor Robusto asked for public comment or questions.

Steve with Renewable Energy was concerned with remote net metering which would allow the excess to go to the business owner’s home or be sold.

Attorney Williams explained that that would be large scale, for sale or consumption, and this is not addressed.

Mr. Ruffell explained that it is limited to 20% of lot coverage, 10 feet in height with a minimum 25 foot setback.

Mr. TeWinkle stated that should account for 90% of applications and they can go through the building department for a permit.

Mr. Ruffell stated the Town supports alternative energy systems.

Mr. Robusto stated the electric grid can only handle so much overage.

Dan Craft, a local farmer, was concerned that the law read the town was putting large scale with residential. He felt some businesses might want to put panels on their roofs for their business or home.

Attorney Williams replied that if any excess was sold it would be considered large scale.

Mr. Craft felt large scale should be a separate law.

Mr. Robusto stated the town is only changing the process for small scale to make it easier on residents to obtain permits.

Mr. Craft feels people will take advantage and sell it back. He asked if the town was against large scale.
Mr. Ruffell stated that it is.

Attorney Williams stated the only change is for personal panels so residents won’t need a variance.

Mr. Craft is concerned for farmland.
Mr. Catalano stated it is a concern all over the county.
The electrical grid can’t handle the overload.

A motion was made by Mr. Ruffell, seconded by Mr. TeWinkle, to close the public hearing at 7:16 p.m. 5 Ayes 0 Nays MOTION CARRIED

Approval of the Agenda – A motion was made by Mr. Ruffell, seconded by Mr. Catalano, to approve the agenda as presented. 5 Ayes 0 Nays MOTION CARRIED

Comments from the Public – General comments were received.
There was concern over the agenda attachments not being on the website. The Supervisor is waiting for clarification on putting the attachments on line with the agenda.
The new town website will be available in the next few days.

Approval of Minutes - Mr. Robusto asked for approval of the minutes of the May 29, 2018 Town Board Meeting. A motion was made by Mr. Leszyk, seconded by Mr. TeWinkle, to approve the minutes as presented. 4 Ayes 0 Nays 1 Abstention (Ruffell) MOTION CARRIED

Correspondence – None

Attorney for the Town Report – None

Department Head Reports -
Supervisor’s Financial Statement – A motion was made by Mr. Ruffell, seconded by Mr. Leszyk, to accept the May 2018 Supervisor’s Financial Statement as presented. 5 Ayes 0 Nays MOTION CARRIED

Town Clerk – A motion was made by Mr. Leszyk seconded by Mr. Ruffell, to receive the May 2018 report as presented. 5 Ayes 0 Nays MOTION CARRIED

Superintendent of Water Utilities/Town Engineer – A motion was made by Mr. Ruffell, seconded by Mr. TeWinkle, to accept the May 2018 report as presented. 5 Ayes 0 Nays MOTION CARRIED
Superintendent Cummings stated that Gary Rose and Chad Pitre did a great job leading the charge with the recent water main break. They did a great job.
Mulch will be available for residents in a month.

Superintendent of Highways – No report

Code Enforcement Officer – A motion was made by Mr. Ruffell, seconded by Mr. Leszyk, to accept the May 2018 report as presented. 5 Ayes 0 Nays MOTION CARRIED

Sole Assessor – A motion was made by Mr. Ruffell, seconded by Mr. Catalano, to accept the May 2018 report as presented. 5 Ayes 0 Nays MOTION CARRIED

Ontario Town Court – A motion was made by Mr. Leszyk, seconded by Mr. Ruffell, to receive the May 2018 reports as presented. 5 Ayes 0 Nays MOTION CARRIED

Director of Recreation & Parks – No report

Economic Development Department – No report
Watershed Management Advisory Council – No report

Animal Control Officer – A motion was made by Mr. Ruffell, seconded by Mr. Leszyk, to accept the May 2018 report as presented. 5 Ayes 0 Nays MOTION CARRIED

Library – A motion was made by Mr. Ruffell, seconded by Mr. Leszyk, to accept the May 2018 report as presented. 5 Ayes 0 Nays MOTION CARRIED

New Business – A motion was made by Mr. Ruffell, seconded by Mr. TeWinkle, to authorize the Supervisor and the Water Superintendent to sign the Settlement Agreement between the Town of Ontario and the Town of Ontario Water Utilities Department and DJ Acquisition Management Corp., (dba Weco Metal Products) at 6364 Dean Parkway, Ontario, NY for underbilled water service between 2003 and 2016 due to problems with the Department’s metering and billing system and Weco did not pay an annual fee to renew its Industrial Wastewater Discharge Permit from October 2005 until November 2017. 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Ruffell, seconded by Mr. TeWinkle, to authorize the Supervisor to sign the Waste Treatment Agreement between the Town of Ontario and the Town of Williamson as stipulated, which shall terminate May 31 2019. 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Ruffell, seconded by Mr. TeWinkle, to adopt the following:

SEQRA Resolution for Local Law #2

WHEREAS, true and correct copies of proposed Local Law No. 2 of 2018: Amending Chapter 150 to Amend the Provisions for Solar Energy Systems, 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. 2 of 2018, 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 11th day of June, 2018, 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. 2 of 2018;

WHEREAS, a single agency review of the SEQRA issues for the proposed Local Law No. 2 of 2018 by the Town Board was conducted; and

WHEREAS, a public hearing was held on June 11, 2018, at which time all interested parties wishing to speak on the proposed amendment were heard; and

WHEREAS, a Full Environmental Assessment Form has been prepared and carefully reviewed by the Town Board and is attached hereto; and

WHEREAS, the Full Environmental Assessment Form failed to identify any significant adverse environmental impacts associated with the proposed Local Law No. 2 of 2018;

NOW, THEREFORE, be it

RESOLVED, that the Ontario Town Board, upon consideration of all written and oral submissions, public comment, comment from appropriate agencies, as well as the Full Environmental Assessment Form, and upon having given this matter due deliberation and consideration, finds that Local Law No. 2 of 2018 and the proposed amendment of the Town Code to amend the provisions for solar energy systems will have no significant adverse impact on the environment; and be it further

RESOLVED, that the Town Board issues a Negative Declaration for the adoption of proposed Local Law No. 2 of 2018. 5 Ayes 0 Nays RESOLUTION ADOPTED

A motion was made by Mr. Catalano, seconded by Mr. Ruffell, to adopt the following:
Local Law #2 – Amending Chapter 150 to Amend the Provisions for Solar Energy Systems

WHEREAS, true and correct copies of proposed Local Law No. 2 of 2018: Amending Chapter 150 to Amend the Provisions for Solar Energy Systems, were placed upon the desks of all members of the Town Board of the Town Board, New York, more than seven (7) calendar days, exclusive of a Sunday, prior to the 11th day of June, 2018; and

WHEREAS, there was duly published in a newspaper previously designated as an official newspaper for publication of public notices, and posted upon the bulletin board maintained by the Town Clerk pursuant to §40(6) of the Town Law, a notice of public hearing to the effect that the Town Board would hold a public hearing on the 11th day of June, 2018, at 7:00 P.M., Local Time, at the Town Hall, 1850 Ridge Road, Ontario, New York, on said Local Law No. 2 of 2018.

WHEREAS, the said public hearing was duly held on the 11th day of June, 2018, at 7:00 P.M., Local Time, at the Town Hall, Ontario, New York, and all persons present were given an opportunity to be heard, whether speaking in favor of or against the adoption of said Local Law No. 2 of 2018; and

WHEREAS, subsequent to the closing of said public hearing, and after all persons interested had been heard, the Town Board considered the adoption of said Local Law No. 2 of 2018; and

WHEREAS, the Town Board issued a Negative Declaration of Environmental Significance, pursuant to SEQRA, on June 11, 2018;

WHEREAS, it was the decision of the Town Board that said Local Law No. 1 of 2018 should be adopted;

NOW, on a motion duly made and seconded, it was

RESOLVED, that Local Law No. 2 of 2018: Amending Chapter 150 to Amend the Provisions for Solar Energy Systems, be adopted by the Town Board of the Town of Ontario, New York, to read as annexed hereto; and it was further

RESOLVED, that within twenty (20) days subsequent to the date of this Resolution, there shall be filed with the Secretary of State one certified copy of said Local Law No. 2 of 2018. 5 Ayes 0 Nays RESOLUTION ADOPTED

A motion was made by Mr. Catalano, seconded by Mr. Leszyk, to adopt the following:

THE DEDICATION OF A PARCEL OF LAND FOR HIGHWAY PURPOSES OF THE SUMMER LAKE SECTION 6 DEVELOPMENT

WHEREAS, Gerber Homes and Additions, LLC, by “Offer of Dedication of Land for Public Highway Purposes”, dated May 3, 2018, has offered to dedicate certain lands in the Town of Ontario, Wayne County, New York consisting of an extension of the existing “Autumn Breeze Lane”, as shown on a map entitled "Subdivision Plan of Land to be Developed by Gerber Homes – Summer Lake Section 6", prepared by Greene Land Surveying, PLLC, having Job No. 18-4454 SUB, dated April 12, 2018, and such Offer has been presented to the Town Board of the Town of Ontario, and it appearing therefrom to the satisfaction of the Town Board that the lands so offered for dedication have been and are properly surveyed and mapped and should be accepted as Lands of said Town, and that all claims for damage have been properly released;

NOW, on Motion duly made and seconded, it was

RESOLVED, that the Town Board of the Town of Ontario does hereby consent that the aforesaid land, located in the Town of Ontario, Wayne County, New York, and as more particularly described as set forth on “Schedule A” hereof, be accepted in dedication for highway purposes; and be it further

RESOLVED, that any taxes that are currently due or will become due on said parcel of land, as a result of the assessment roll in effect at the time of this acceptance, shall be the responsibility of the grantor dedicating the parcel of land to the Town. 5 Ayes 0 Nays RESOLUTION ADOPTED

Reports by Town Board Members – Mr. Catalano is working with the Code Enforcement Officer on repairing the roof leaks at the highway department.
He and the Supervisor met with a local home builder regarding excessive MRB engineering bills.
He also gave an update on the Zoning Board of Appeals and the County Planning Board meeting.
He will look into why the County Planning Board did not get back to the Town with their comments regarding Local Law #2.

Mr. TeWinkle stated the Parks and Recreation Board reports will be at the next meeting.

Mr. Robusto announced an Intern, Andrew, started with the Town last week. He is a senior at RIT majoring in public policy. He will be looking at our policies, starting with IT. He will get several quotes on IT pricing.

Mr. Leszyk gave a summary report on the Town Clean up provided by the Highway Superintendent. He also talked about cyber security.

Mr. Ruffell announced the American Flag banners for the BID (Business Improvement District) are up.

**Approval of Claims**  - A motion was made by Mr. TeWinkle, seconded by Mr. Ruffell, to approve the abstract of claims for June 11, 2018 including vouchers #1393 through #1529 (1411-1414 and 1416 used by the Business Office, 1415 voided) with a grand total of $163,970.07 and to authorize the Supervisor to issue payments for same. Mr. Catalano abstained from the two claims that pertained to his business. 5 Ayes 0 Nays MOTION CARRIED

**Executive Session**  - A motion was made by Mr. Leszyk, seconded by Mr. Ruffell, to move into an executive session at 8:20 p.m. for pending litigation and a personnel matter leading to said dismissal, removal, promotion, appointment, employment, discipline, demotion or suspension of a particular person. 5 Ayes 0 Nays MOTION CARRIED

**Reconvene**  – 9:16 p.m.

**Adjourn**  - A motion was made by Mr. TeWinkle, seconded by Mr. Catalano, to adjourn at 9:17 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.