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: Scott TeWinkle, Joseph Catalano, Richard Leszyk, Accountant Linda Yancey, Water Superintendent Adam Cummings, Attorney Richard Williams and Town Clerk Debra DeMinck.

Absent: Councilman Jason Ruffell

14 residents and visitors were present at portions of the meeting

Mr. Faulks led the Pledge of Allegiance.

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

A legal notice of public hearing to consider proposed Local Law #4 of 2018 to Override the 2% Tax Cap was published in the Sun & Record/Wayne County Mail on September 20th, in the Times of Wayne County on September 16th and on the Town Clerk’s bulletin board and on the town’s website on September 18th.

Supervisor Robusto opened the public hearing at 7:02 p.m. and asked for public comment.

Mr. Jim Switzer would like the Town Board to look at the long range tax rate. We don’t want to plan for an increase in taxes but we need to put a plan in place.

Mr. Don Anderson asked why we needed an increase above two percent.

Mr. Robusto responded that the board doesn’t plan on exceeding the tax cap. The purpose of this Local Law is to be prudent and to cover any unforeseen expenses. If the Local Law isn’t passed and the Board exceeds the tax cap, the town may face monetary penalties.

Attorney Richard Williams responded that Supervisor Robusto stated it well and to not pass this Local Law would not be prudent. It protects the town.

Mr. Catalano stated he hasn’t seen residents demanding services over the 2% tax cap.

A motion was made by Mr. TeWinkle, seconded by Mr. Leszyk, to close the public hearing at 7:07 p.m. 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

Public Comment – General Comments were received

Don & Nancy Anderson expressed their concerns with the building department on the length of time it took to split their two approved building lots. They also had drainage concerns.

Mr. Robusto stated he would meet with them and try to resolve their issues.

The bridge on Ridge Road between Lincoln and Lakeside Rd. is expected to be done at the end of the week. October 1st at the latest.

Approval of Minutes of Prior Meeting(s) – A motion was made by Mr. Catalano, seconded by Mr. TeWinkle, to approve the minutes of the September 5, 10th and 17th 2018 town board meetings as presented. 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED
Correspondence – The Town Clerk presented the Town Board with the Tentative/Preliminary Budget.
The amount of money to be re-levied on to the Town & County taxes for water is $186,859.95.

New Business – A motion was made by Mr. Leszyk, seconded by Mr. TeWinkle, to adopt the following resolution:

ENACTING LOCAL LAW #4
TO OVERRIDE THE 2% TAX CAP

WHEREAS, Local Law No. 4 of 2018 of the Town of Ontario would override the tax levy limit established in General Municipal Law §3-c for 2019; and

WHEREAS, the Town Clerk caused a copy of a Notice of a Public Hearing on proposed Local Law No. 4 of 2018 to be published in the Wayne County Mail, The Times of Wayne County and on the sign board of the Town maintained pursuant to Town Law §30(6), and on the Town of Ontario website (along with the proposed text of the law), all on or before September 17, 2018; and

WHEREAS, the Local Law has been on the desks of all Town Board members since August 27, 2018; and

WHEREAS, adoption of Local Law No. 4 of 2018 would be routine or continuing agency administration and management, and related local legislative decision-making, and therefore is a Type II action under the State Environmental Quality Review Act, pursuant to 6 N.Y.C.R.R. §617.5(c)(20, 27); and

WHEREAS, a public hearing was duly held on that Proposed Local Law on September 24, 2018 at 7:00 PM before the Town Board at the Ontario Town Hall, and all persons desiring to speak were heard;

NOW, on Motion duly made and seconded, it is

RESOLVED that, pursuant to the Municipal Home Rule Law and General Municipal Law §3-c (5), Local Law No. 4 of 2018 is hereby enacted, and shall be filed with the Secretary of State. 3 Ayes 1 Nay (Catalano) 1 Absent (Ruffell) RESOLUTION ADOPTED

A motion was made by Mr. TeWinkle, seconded by Mr. Leszyk, to authorize the Water Superintendent to purchase one 2018 Ford F-450 with Dump Body from Caskinette’s Ford in Carthage, NY for an amount not to exceed $40,881.11 from budget code F8340.2. This is a budgeted expense and will be purchased from the NYS OGS Mini Bid (#T18070006) as requested by the Water Superintendent in a memo dated September 20, 2018. 3 Ayes 1 Abstention (Catalano) 1 Absent (Ruffell) MOTION CARRIED

Supervisor Robusto read the following:

Proclamation Commending Pines of Peace for 20 Years of Service

WHEREAS, more than 1.5 million Americans living with life-limiting illness receive care annually from the nation’s hospice programs in communities throughout the United States; and

WHEREAS, the palliative care philosophy places the needs of the individual at the center of care, allowing patients and family caregivers to focus on quality of life, surrounded and supported by family and loved ones, despite serious and life-limiting illness; and

WHEREAS, the Pines of Peace is currently the only comfort care home in the Town of Ontario, NY and Wayne County; and

WHEREAS, the Pines of Peace has serviced approximately 500 patients with life-limiting illness the last 20 years statewide; and

WHEREAS, the Town of Ontario Town Board recognizes the Pines of Peace for providing an affordable, comfortable, and supportive home for those with life-limiting illness;
NOW THEREFORE BE IT RESOLVED, on the 24th Day of September, 2018, that the Town Board commends the Pines of Peace for 20 Years of Service to those with life-limiting illness in the Town of Ontario and beyond.

A motion was made by Mr. Catalano, seconded by Mr. Leszyk, to authorize the repair of the roof at the Highway Department and to award the job to Kanga Roof for an amount not to exceed $29,795 with the condition that the work be done this year. 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

A motion was made by Mr. Robusto, seconded by Mr. Catalano, to amend the cell phone policy adopted at the September 17, 2018 meeting and replace it with the one presented this evening. 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

Public Comment – General comments were received

Budget Adjustments/Transfers – A motion was made by Mr. Robusto, seconded by Mr. TeWinkle, to authorize the following budget adjustments:

- SS1 510 – Estimated Revenues $13,500 Debit
- SS1 960 – Appropriations $13,500 Credit
- SS1 3090 – NYS EPG Grant $13,500 Debit
- SS1 1440.4 – Engineering $13,500 Credit
- A960 – Appropriations $1,019.76 Debit
- A960 – Appropriations $1,019.76 Credit
- A1930.4 – Judgements & Claims $225.01 Debit
- A1950.4 – Taxes & Assessments $225.01 Credit

4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

Appointments/Resignations – A motion was made by Mr. Leszyk, seconded by Mr. Catalano, to accept memo #18-17 from the Highway Superintendent terminating her seasonal hires, Michael Gonzalez and Sean Prinsen, effective Thursday, September 13, 2018 as they are no longer needed due to the restructuring of the drainage department. 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

Board reports – Mr. Leszyk stated trends going on with mobile phones are that 1 in 5 American adults use smart phones only, no computers.

As elected officials we should be mindful of how we deliver information to the public.

Mr. Robusto stated that Palmer Hall improvements were almost complete and the Judges should be in their chambers next week.

The Town Board meeting scheduled on Columbus Day, October 8th will be held on that Monday. The Town Board meeting scheduled for November 12th, in observance of Veteran’s Day, will be held on Tuesday, November 13th.

Mr. TeWinkle attended the Chamber of Commerce dinner last week. Joan Stark was recognized for life time achievement and Linda Wyse for lifetime volunteer. Also Joe Huss on his work on homes around town.

Mr. Catalano stated he feels the county has done a great job on fixing the bridge on Ridge Road and completing the work in a timely manner.

He also feels that Mr. Robusto is doing a great job and that he started out with many difficulties.
Approval of Claims – A motion was made by Mr. Leszyk, seconded by Mr. TeWinkle, to approve the abstract of claims for September 24, 2018 including vouchers #2548 through #2668 (2552, 2557-2563 used by the Business Office) with a grand total of $271,690.34 and to authorize the Supervisor to issue payments for same. 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

Executive Session – A motion was made by Mr. Leszyk, seconded by Mr. Catalano, to move into an executive session at 8:08 p.m. on a personnel matter leading to said dismissal, removal, promotion, appointment, employment, discipline, demotion or suspension and a pending legal matter. 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

Reconvene – 9:29 p.m.

Adjourn – A motion was made by Mr. Leszyk, seconded by Mr. TeWinkle, to adjourn at 9:30 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.