A workshop 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, Jeremy Eaton, Superintendent of Highways Marilee Stollery and Deputy Town Clerk Shelley LaRocca.

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

Mr. Robusto led the Pledge of Allegiance.

**Revisions to the Agenda** - A motion was made by Mr. TeWinkle, seconded by Mr. Catalano, to revise the agenda by switching items A and B under New Business. 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Catalano, seconded by Mr. Eaton, to approve the revised agenda. 5 Ayes 0 Nays MOTION CARRIED

A legal notice of public hearing on the 5739 Arbor Road Pond Expansion was published in the Times of Wayne County on March 17, 2019 and in the Sun and Record on March 21, 2019 and posted in Town Hall on March 12, 2019.

Supervisor Robusto opened the public hearing at 7:04 p.m. and asked for questions or comments.

Mr. Jerold Edler questioned there being no sign in front of the property stating it was under review. He has concerns of the wetlands being moved along his property line and if it will carry over. Mr. Edler has a concern as to how this project will affect property values.

Mr. Jason Bogdanoff has concerns about the two wells on his property and if they will be adversely affected.

Mr. James Switzer feels the code should be amended for “under review” signs to follow along with part of the notification process for public hearings.

A motion was made by Mr. Leszyk, seconded by Mr. Catalano, to close the public hearing at 7:19 p.m. 5 Ayes 0 Nays MOTION CARRIED

**Public Comment** – General comments received.

**Reports from the Town Attorney** – The Attorney is going to start drafting paperwork for the potential of allowing dog kennels and townhomes in different districts.

**Old Business** – A motion was made by Mr. TeWinkle, seconded by Mr. Eaton, to authorize the same fee schedule for the 2019 Spring Clean Up as the one used in 2018. 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Leszyk, seconded by Mr. Eaton, to authorize the Supervisor to sign the contract to proceed with NY Power Authority for LED street lighting. 5 Ayes 0 Nays MOTION CARRIED

**New Business** – A motion was made by Mr. Catalano, seconded by Mr. TeWinkle, to adopt the following SEQRA resolution for the Arbor Road Pond Expansion:

WHEREAS, an application was submitted by McMahon LaRue Associates, P.C., dated February 15, 2019, on behalf of 4 Brothers Pond, LLC, requesting that the Town Board approve, pursuant to Chapter 75 of
the Town Code, an excavation for the expansion of an existing recreational pond, involving property located at 5739 Arbor Road, Town of Ontario, New York, Tax Account Number 64116-00-087963; and

WHEREAS, the above request was submitted to the Town Board for consideration and on April 15, 2019, a public hearing was held and all those wishing to comment on the proposed application were heard; and

WHEREAS, the Town Board has determined that the action proposed herein is an “Unlisted Action” under SEQRA, with the Town Board acting as Lead Agency; and

WHEREAS, a Short Part 1 and Part 2 EAF form have been prepared for the proposed Excavation Permit and carefully reviewed by the Town Board and attached hereto; and

WHEREAS, the completed Short EAF does not identify any significant adverse environmental impacts associated with the proposed excavation;

NOW, THEREFORE, be it

RESOLVED, that the Ontario Town Board, upon consideration of all written and oral submissions by the Applicant, appropriate agencies and public comment, and following due deliberation and consideration, finds that the proposed excavation will have no significant adverse impact on the environment; and, accordingly, issues a Negative Declaration of Environmental Significance.

5 Ayes 0 Nays RESOLUTION ADOPTED

A motion was made by Mr. Leszyk, seconded by Mr. TeWinkle, to adopt the following resolution for Arbor Road Pond Expansion:

WHEREAS, an application was submitted by McMahon LaRue Associates, P.C., dated February 15, 2019, on behalf of 4 Brothers Pond, LLC, requesting that the Town Board approve, pursuant to Chapter 75 of the Town Code, an excavation for the expansion of an existing recreational pond, involving property located at 5739 Arbor Road, Town of Ontario, New York, Tax Account Number 64116-00-087963; and

WHEREAS, the above application was previously reviewed by this Board and has been reviewed by the Planning Board, following which the Planning Board submitted to this Board a written report of its recommendations, dated April 9, 2019; and

WHEREAS, on April 15, 2019, a public hearing was held and all those wishing to comment on the proposed Excavation Permit were heard; and

WHEREAS, the Town Board issued a Negative Declaration of Environmental Significance, pursuant to SEQRA, on April 15, 2019;

NOW, on motion duly made and seconded, it was

RESOLVED, that the Town Board of the Town of Ontario makes specific Findings in this matter, as follows:

1. The Findings made by the Planning Board for the Town of Ontario, dated April 9, 2019, following its review of the application in this matter, are hereby incorporated, by reference, into this Resolution.

2. This Board Finds that the criteria for the granting of an Excavation Permit, as set forth in §75-4 of the Town Code have been fully and completely met; and be it further

RESOLVED, that the proposed excavation for the enlargement of a recreational pond at 5739 Arbor Road is hereby approved and a Permit for such excavation is hereby granted, in accordance with the provisions of Chapter 75 of the Ontario Town Code; and be it further
RESOLVED, that the within approval and the granting of the Excavation Permit, as aforesaid, is subject to the compliance, by the applicant, with all of the Conditions required by and set forth in §75-5 of the Ontario Town Code. 5 Ayes 0 Nays RESOLUTION ADOPTED

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

Resolution to Set Public Hearing – Local Law #1

WHEREAS, true and correct copies of proposed Local Law No. 1 of 2019: Amending Chapter 150 to Delete References to “Accessory Dwellings”, 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 2019, 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 20th day of May, 2019, 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 2019;

NOW, on motion duly made and seconded, it was

RESOLVED, that a public hearing be held on the 20th day of May 2019, 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 2019; and be it further

RESOLVED, that a Notice of Hearing and a copy of said proposed Local Law No. 1 of 2019, 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 2019, 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

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

Resolution to Set Public Hearing – Local Law #2

WHEREAS, true and correct copies of proposed Local Law No. 2 of 2019: Amending Section 111-9(J) of Chapter 111 – Recreation and Parks, of the Ontario Town Code, 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 2019, 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 20th day of May, 2019, 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 2019;

NOW, on motion duly made and seconded, it was

RESOLVED, that a public hearing be held on the 20th day of May 2019, 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. 2 of 2019; and be it further

RESOLVED, that a Notice of Hearing and a copy of said proposed Local Law No. 2 of 2019, 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. 2 of 2019, 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

A motion was made by Mr. Eaton, seconded by Mr. Leszyk, to authorize Justices Sucher and Benedict to attend the NYS Magistrates Association Annual Conference in Lake Placid, NY for an amount not to exceed $2,200 from budget code A1110.4 and the Court Clerks Dawn Yantch and Sara DeMay to attend the Association of Magistrates Court Clerks Annual Conference in Syracuse, NY with an amount not to exceed $1,900 from budget code A1110.4 as requested in a memo dated April 9, 2019. 5 Ayes 0 Nays MOTION CARRIED

Executive Session – A motion was made by Mr. Catalano, seconded by Mr. TeWinkle, to enter executive session at 8:11 p.m. for potential litigation. 5 Ayes 0 Nays MOTION CARRIED

Reconvene – 8:29 p.m.

Adjourn – A motion was made by Mr. Eaton, seconded by Mr. Catalano, to adjourn at 8:30 p.m.
5 Ayes 0 Nays MOTION CARRIED

Respectfully submitted,

Shelley LaRocca
Ontario Deputy Town Clerk

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