



Michael Havens  
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Wayne Central School District

## LETTER to the BOARD

June 25, 2004

*“Graduation day is tough for adults. They go to the ceremony as parents. They come home as contemporaries. After twenty-two years of child-raising, they are unemployed.” - - Erma Bombeck*

Greetings from Wayne Central School District. This will be a short newsletter since we just met. Below are some items of interest.

### Newsletter:

1. **OP Incident:** This week we had a parent bring a dog to school as part of their child's show and tell. The dog bit a child breaking the skin. The child went to the doctor and received an antibiotic. The dog has been quarantined for 10 days. It does not appear that the dog was up-to-date with his rabies shots. The parents appear fine with the situation but we are reviewing our procedures for allowing pets into school and assuring they are safe.
2. **Regents Exams** – It looks like we have great news in English with a 92% passing rate. We also had an 89% passing rate in Math A and 91% passing in chemistry. I will have all of the scores for you at our Board/administrative retreat.
3. **Parent Letters** – Attached are two letters complimenting teaching staff members and programs. Too often we only hear the bad things – it is good to be reminded of the multitude of good things that occur every day.
4. **Events:**  
6/25 – Graduation – FLCC – 8:00 p.m.  
7/13 – Board Goals Workshop  
7/15 – Board of Education Reorganizational Meeting – 7:30 p.m.
5. **Attachments:**
  - a) Town of [Walworth](#) Town Board Meeting Minutes – 6/17
  - b) Town of [Ontario](#) Town Board Meeting Minutes – 6/14
  - c) Kim Meisenzahl Letter
  - d) Eileen and Tony Kerr Letter

17 JUNE 2004

WALWORTH TOWN BOARD MEETING MINUTES

The regular Town Board meeting, held at the Walworth Town Hall, 3600 Lorraine Drive, was called to order at 7:30 P.M. by Supervisor Frank Guelli. Board members present: Daniel Keyes, Frank Maciuska, Patti Marini and Thomas Yale.

Other town employees present: Norman Druschel, Building Inspector  
Michael Frederes, Highway Superintendent  
Debora Germain, Recreation Director  
Richard Morris, Attorney for the Town  
Paul Russell, Engineer for the Town  
George Schaller, Sewer Superintendent  
Phil Williamson, Code Enforcement Officer  
Marcia Englert, Town Clerk

MINUTES:

Motion by Councilwoman Marini to approve the minutes of June 3, 2004 as presented. Seconded by Councilman Keyes and unanimously carried.

MAY 2004 SUPERVISOR'S REPORT:

Motion by Councilwoman Marini to approve the May 2004 Supervisor's report as presented. Seconded by Councilman Keyes and unanimously carried.

CLAIMS:

1. DRAINAGE:

Motion by Councilman Keyes to approve payment of Drainage Claims totaling \$540.71. Seconded by Councilwoman Marini.

Roll call vote:	Supervisor Guelli	Aye	
	Councilman Keyes	Aye	
	Councilman Maciuska	Aye	
	Councilwoman Marini	Aye	
	Councilman Yale	Aye	Motion carried.

2. GENERAL:

Motion by Councilman Yale to approve payment of General Claims totaling \$60,018.81.  
Seconded by Councilwoman Marini.

Roll call vote:	Supervisor Guelli	Aye	
	Councilman Keyes	Aye	
	Councilman Maciuska	Aye	
	Councilwoman Marini	Aye	
	Councilman Yale	Aye	Motion carried.

3. HIGHWAY:

Motion by Councilman Keyes to approve payment of Highway Claims totaling \$22,518.17.

Seconded by Councilwoman Marini.

Roll call vote:	Supervisor Guelli	Aye	
	Councilman Keyes	Aye	
	Councilman Maciuska	Aye	
	Councilwoman Marini	Aye	
	Councilman Yale	Aye	Motion carried.

4. LIGHTING:

Motion by Councilman Maciuska to approve payment of the following Lighting Claims:

Walworth Light District	\$ 666.44
Harvest Hills Light District	644.11
Gananda Light District	3,033.33
Brookside Light District	9.89

Seconded by Councilman Yale.

Roll call vote:	Supervisor Guelli	Aye	
	Councilman Keyes	Aye	
	Councilman Maciuska	Aye	
	Councilwoman Marini	Aye	
	Councilman Yale	Aye	Motion carried.

5. MEMORIAL TREE FUND:

Motion by Councilman Maciuska to approve payment of Memorial Tree Fund Claims totaling \$458.10. Seconded by Councilman Yale.

Roll call vote:	Supervisor Guelli	Aye	
	Councilman Keyes	Aye	
	Councilman Maciuska	Aye	
	Councilwoman Marini	Aye	
	Councilman Yale	Aye	Motion carried.

6. SEWER DISTRICT:

Motion by Councilman Maciuska to approve payment of Sewer District Claims totaling

\$21,522.42. Seconded by Councilman Yale.

Roll call vote:	Supervisor Guelli	Aye	
	Councilman Keyes	Aye	
	Councilman Maciuska	Aye	
	Councilwoman Marini	Aye	
	Councilman Yale	Aye	Motion carried.

7. TRUST & AGENCY:

Motion by Councilwoman Marini to approve payment of Trust & Agency Claims totaling \$18,162.91. Seconded by Councilman Keyes.

Roll call vote:	Supervisor Guelli	Aye	
	Councilman Keyes	Aye	
	Councilman Maciuska	Aye	
	Councilwoman Marini	Aye	
	Councilman Yale	Aye	Motion carried.

8. WATER EXTENSIONS:

Motion by Councilman Keyes to approve payment of the following Water Extension Claims:

Ext. 5	\$ 307.13
Ext. 12	1,462.50
Ext. 15	1,301.62
Ext. 16	1,360.00
Ext. 17	2,210.00
Ext. 18	1,700.00

Seconded by Councilwoman Marini.

Roll call vote:	Supervisor Guelli	Aye	
	Councilman Keyes	Aye	
	Councilman Maciuska	Aye	
	Councilwoman Marini	Aye	
	Councilman Yale	Aye	Motion carried.

PUBLIC PARTICIPATION:

1. SHERBURNE ROAD PARK TREES:

Tom Clark, 1960 Sherburne Road, stated that the trees recently planted in the park by the Boy Scouts are a great addition.

2. PRE-DISASTER MITIGATION PLAN:

Tom Clark stated that as part of the Stafford Act, FEMA requires the Town to have a pre-disaster mitigation plan in place by 11-1-2004 in order to receive federal relief in the event of a disaster. Frank Maciuska stated that it is in process.

3. FIREWORKS COMPLAINT:

Sue Yara, 3816 West Walworth Road, stated that the fireworks display recently held at Carey Lake created "a dangerous situation with the neighboring animals, particularly horses." She further stated that the N.Y.S. Police informed her that Bruce Carey had advised them that he had a permit from the Town. Ms.Yara later learned that the Town does not issue permits for fireworks and she requested that the Public Assembly Permit be amended to include a statement that fireworks are prohibited and if violated, the Permit would be revoked. Ms.Yara noted that State law requires that a fireworks permit be obtained from the local government. The Attorney for the Town will research the town's jurisdiction. She was advised to call the N.Y.S. Police when a fireworks event occurs, as it is their responsibility to enforce state laws.

4. GANANDA GARAGE SALE:

Patti Holdraker, 3363 Nonesuch Court, thanked the Highway Department and the town officials involved with the Gananda Garage Sale.

5. NONESUCH COURT TREE:

Patti Holdraker, 3363 Nonesuch Court, thanked the Highway Department, Deb Germain and the Boy Scouts for planting an ornamental pear tree in the center of the Nonesuch Court cul-de-sac. The purchase of the tree was funded by a grant.

ASSESSMENT TRAINING APPROVED:

Motion by Councilman Keyes authorizing Karen Ambroz to attend an Income Property Appraisal course August 9-13 in Utica, for a cost of \$775.00. Seconded by Councilwoman Marini.

Roll call vote:	Supervisor Guelli	Aye	
	Councilman Keyes	Aye	
	Councilman Maciuska	Aye	
	Councilwoman Marini	Aye	
	Councilman Yale	Aye	Motion carried.

NYS LAND PRESERVATION GRANT PROGRAM:

Councilman Yale offered the following resolution and moved its adoption, seconded by Councilwoman Marini to wit:

WHEREAS, the Walworth Comprehensive Plan states "One of the most important goals of the Walworth Comprehensive Plan is to preserve the rural atmosphere of the Town, making farmland and open space preservation one of the most critical aspects of implementation," and

WHEREAS, David Wilbert and Gary Craft are active, long-standing farmers in Walworth who own approximately 294 acres; and are willing to consider selling the development rights for their properties; and

WHEREAS, this project will provide a significant step toward accomplishing the Comprehensive Plan goal, and

WHEREAS, establishing the fair market value of the development rights will demonstrate both reasonable project cost and local support in a grant proposal, and

WHEREAS, Wayne County has agreed to pay one-third of the project cost as per resolution 65-03;

NOW, THEREFORE BE IT RESOLVED, that the Town Board enter into a contractual agreement with Pomeroy Appraisal Associates, 225 West Jefferson Street, Syracuse, New York, for the appraisal of the above mentioned properties, contingent upon the Landowner and County also entering into said agreement, for a cost to the Town not to exceed \$1,200, with the understanding that upon the sale of the development rights as part of this grant proposal, the Landowners will reimburse the Town for their portion of the above contracts.

Roll call vote: Supervisor Guelli	Aye	
Councilman Keyes	Abstained	
Councilman Maciuska	Aye	
Councilwoman Marini	Aye	
Councilman Yale	Aye	Resolution adopted.

#### **SHERBURNE ROAD PARK NAME:**

Motion by Councilman Maciuska to name the park on Sherburne Road the "Sherburne Road Park." Seconded by Councilwoman Marini.

Roll call vote: Supervisor Guelli	Aye	
Councilman Keyes	Aye	
Councilman Maciuska	Aye	
Councilwoman Marini	Aye	
Councilman Yale	Aye	Motion carried.

#### **TOWN OFFICE CARPET:**

Doyle Carpet and Carpet Spectrum will be contacted for quotes.

#### **EMPLOYEE HANDBOOK:**

Motion by Councilman Maciuska to adopt the Computer Usage Policy, the Cellular Telephone Usage Policy and the Sexual Harassment Policy. Seconded by Councilman Yale.

Roll call vote: Supervisor Guelli	Aye	
Councilman Keyes	Aye	
Councilman Maciuska	Aye	

Councilwoman Marini                    Aye  
Councilman Yale                            Aye    Motion carried.

**TOWN HALL JULY 4<sup>TH</sup> HOLIDAY CLOSING:**

Motion by Councilman Maciuska to close the Town Offices on Monday, July 5, 2004, instead of on Friday, July 2, 2004, as originally scheduled. Seconded by Councilwoman Marini.

Roll call vote:      Supervisor Guelli                    Aye  
                          Councilman Keyes                    Aye  
                          Councilman Maciuska                Aye  
                          Councilwoman Marini                Aye  
                          Councilman Yale                    Aye    Motion carried.

**PARKVIEW GREEN: NO BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY TO BE ISSUED:**

Paul Russell submitted a report that the Developer did not complete the punch list items by the June 15, 2004 deadline as stipulated at the April 1, 2004 Town Board meeting. Paul Dimick, Vice President of Prinzipal Homes, stated that the lights are not in because of his error scheduling the contractor. They should be installed by June 30, 2004. However, he stated that Mr. Russell's letter of June 17, 2004 contains several new items. Mr. Russell explained that those are the result of additional work started, such as the park, but not completed. Councilman Yale commented that drainage issues have been on going for several years.

**MOTION:**      Motion by Councilman Maciuska that until such time as the Developer is in compliance with the original agreement, no Certificates of Occupancy or Building Permits are to be issued for Parkview Green. Seconded by Councilman Yale.

Roll call vote:      Supervisor Guelli                    Aye  
                          Councilman Keyes                    Aye  
                          Councilman Maciuska                Aye  
                          Councilwoman Marini                Aye  
                          Councilman Yale                    Aye    Motion carried.

**LAWN MOWING AUTHORIZED: 5390 FOSDICK ROAD:**

Phil Williamson stated that the home has been abandoned and is in foreclosure.

**MOTION:**      Motion by Councilman Yale authorizing the Code Enforcement Officer to have the lawn mowed at 5390 Fosdick Road, the cost of which will be added to the property tax bill. Seconded by Councilwoman Marini.

Roll call vote:      Supervisor Guelli                    Aye

Councilman Keyes	Aye	
Councilman Maciuska	Aye	
Councilwoman Marini	Aye	
Councilman Yale	Aye	Motion carried.

**PROPOSED BUILDING PERMITS & FEES:**

Norm Druschel submitted a list of proposed building permits and fees which will be reviewed by the Attorney for the Town.

**SHERBURNE ROAD DRY WELL PROBLEM:**

Norm Druschel stated that a dry well at 1996 Sherburne Road, which is utilized by the owner of the property at 2024 Sherburne Road, is seeping gray water.

**MOTION:** Motion by Councilman Maciuska authorizing the Building Inspector to notify the property owner at 2024 Sherburne Road to disconnect from the dry well that is located on property at 1996 Sherburne Road. Seconded by Councilwoman Marini.

Roll call vote:	Supervisor Guelli	Aye	
	Councilman Keyes	Aye	
	Councilman Maciuska	Aye	
	Councilwoman Marini	Aye	
	Councilman Yale	Aye	Motion carried.

**TIFFANY ROAD:**

Mike Frederes stated that the Town has received a \$5,000 grant from Soil & Water Conservation, which will be used towards the cost of cleaning the ditches on Tiffany Road.

**TREE PLANTING:**

Deb Germain commented on how well the Highway Department, the Boy Scouts and the Parks Department coordinated their efforts which resulted in the successful planting of 51 trees around town.

**RECREATION DEPT. EXPENDITURES APPROVED:**

Motion by Councilman Maciuska authorizing the payment of \$1,986.25, from A7310.43, to Penfield Trophies for the purchase of baseball and softball awards. Seconded by Councilwoman Marini.

Roll call vote:	Supervisor Guelli	Aye
	Councilman Keyes	Aye
	Councilman Maciuska	Aye
	Councilwoman Marini	Aye





Councilwoman Marini                      Aye  
Councilman Yale                              Aye                      Resolution adopted.

**MEETING WITH THE ATTORNEY FOR THE TOWN:**

Motion by Councilwoman Marini to adjourn to a meeting with the Attorney for the Town.  
Seconded by Councilman Keyes and unanimously carried. Time: 8:53 P.M.

**RECONVENED:**

Supervisor Guelli reconvened the meeting at 9:28 P.M.

**ADJOURNMENT:**

Motion by Councilman Maciuska to adjourn. Seconded by Councilman Keyes and  
unanimously carried. Time: 9:29

Respectfully submitted,

Marcia Englert, RMC  
Town Clerk

JUNE 14, 2004

**ONTARIO TOWN BOARD MEETING**

A regular meeting of the Ontario Town Board was called to order by Supervisor Molino at 7:30 PM in the Ontario Town Hall. Present were Supervisor Joseph Molino, Councilmen: Mark Brewer, Donald Camp, Ronald Fillmore, Donald Shears and, Superintendent of Water Utilities Robert Wykle, Building Inspector/Code Enforcement Officer Edward Collins, Director of Recreation & Parks William Riddell, Accounting Supervisor Lois Buckalew, Sole Assessor Eileen Perkins, Library Director Laura Viau, Chairman of the Watershed Management Advisory Council Allan Tyo, Town Attorney Patricia Crippen and Deputy Town Clerk Diane Nichols

Absent: Superintendent of Highways William Slocum, Dog Control Officer Mark Plyter and Town Clerk Cathy Herzog

Twenty-six residents and visitors were present at portions of the meeting.

Mr. Camp led the Pledge of Allegiance.

**Comments From the Public** – Eric Lubberts, 6825 Knickerbocker Road, asked about the town board workshop held 6/7/04. He stated the board went into executive session and came out and voted on the purchase of property that also appears on tonight's agenda. He had many questions having to do with the town buying property and protocol for notification to the public.

Mr. Brewer explained how the real estate transaction was handled in executive session. He stated a draft letter has been prepared for property and business owners in the business district on Ridge Road. He noted in the letter are proposed plans for improving the business area, notification of the purchase of property at 2019 Ridge Road and a proposal for the use of the property and land.

There was a lengthy discussion.

Virginia Molino, 5485 Knickerbocker Road, had many questions concerning town board workshops and town board meetings. She attended the workshop on 6/7/04 when the board went into an executive session. She stated she is concerned because the board did not inform the audience that they would be coming back to vote on any matters. Everyone in the audience left and may have stayed if they had known this would happen.

Phyllis Beal, 1819 Kenyon Road, also expressed her concern over the workshop on 6/7/04 and wanted to know where the money was coming from to purchase property at 2019 Ridge Road. She stated she felt the public should have been informed because taxpayer's money is being used.

Nan Mazzuco, 6741 Knickerbocker Road, was upset the town didn't let someone else have the opportunity to buy the property and fix it up. She asked who was the agent for the sale?

Mr. Camp stated Robert Carr is representing the owner and the property was not listed.

Debbie Ferguson-Leaty, owner of Ferguson Hair Care, stated that a video store owner looked into buying the building and did not because his engineer stated the building was not sound.

There was further discussion on use of the property, how the purchase was conducted and communication with the public.

Mr. James Switzer, 1291 Centennial Drive, was concerned about violations of the Open Meeting Law in regards to town board minutes of the workshop on 6/7/04. He quoted law that a "meeting is a meeting" and minutes should be taken by the clerk for all matters that are voted upon.

Mr. Switzer discussed correspondence relative to a Ridge Road Business Improvement District.

Mr. Switzer offered that the Supervisor, as an elected official, can conduct any real estate transaction with or without a real estate license and can be the agent for the town.

**Approval of Minutes - Mr. Molino asked for approval of the minutes of the May 24, 2004, Town Board meeting and the June 7, 2004 workshop meeting.** A motion was made by Mr. Camp, seconded by Mr. Shears, to **approve the minutes as presented.** 5Ayes 0 Nays MOTION CARRIED

**Correspondence** – The Town Clerk received the following correspondence:

Notification that Local Law # 1 of 2004 has been filed with the Department of State (Land Development Regulations and Public Works Requirements)

Read a thank you note from the Cook family to the Recreation and Parks Department on renting the lodge at Casey Park

A motion was made by Mr. Brewer, seconded by Mr. Camp, to **accept and file the correspondence.**

5 Ayes 0 Nays MOTION CARRIED

**Town Attorney Report** – The Ridge Road parking lot easements have gone out to the property owners for renewal.

**Department Head Reports -**

**Superintendent of Water Utilities** – A motion was made by Mr. Brewer, seconded by Mr. Camp, to **accept the May 2004 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

Mr. Wykle reported that the sewer tank painting project was completed June 9th. He also stated that between May 23-25<sup>th</sup> the town was inundated with severe storms causing problems at Ontario on the Lake. There will be discussion later in the meeting.

**Superintendent of Highways** – A motion was made by Mr. Shears, seconded by Mr. Camp, to **accept the May 2004 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

**Building Inspector/Code Enforcement Officer** – A motion was made by Mr. Camp, seconded by Mr. Shears, to **accept the May 2004 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

**Director of Recreation & Parks** – A motion was made by Mr. Brewer, seconded by Mr. Camp, to **accept the May 2004 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

Mr. Riddell thanked Mr. and Mrs. Donald Anderson for the use of their tent for the Memorial Day ceremony at Memorial Point. He also thanked his staff for all their help.

Mr. Riddell reported that the new Recreation Supervisor Kimberly Millard is fitting in very nicely and that Richard Doyle has been hired to take care of the Ontario cemetery. He added Mr. Doyle is doing a fantastic job.

**Sole Assessor** – A motion was made by Mr. Shears, seconded by Mr. Camp, to **accept the May 2004 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

**Ontario Public Library** - A motion was made by Mr. Shears, seconded by Mr. Camp, to **accept the May 2004 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

Ms. Viau reported on the school children visiting the Library, the adult reading program and the prizes donated by the local merchants that will be given away during the summer reading program. She thanked the merchants for their generosity.

Ms. Viau informed the audience that the minutes from all town board meetings, school board meetings and the library board meetings are available in the Library.

**Ontario Town Court** – A motion was made by Mr. Fillmore, seconded by Mr. Shears, to **receive the May 2004 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

**Dog Control Officer** – A motion was made by Mr. Camp, seconded by Mr. Shears, to **accept the May 2004 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

**Watershed Management Advisory Council** – A motion was made by Mr. Fillmore, seconded by Mr. Camp, to **accept the May 2004 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

**Old Business** - None

**New Business** – A motion was made by Mr. Shears, seconded by Mr. Camp, to **adopt a RESOLUTION,**

**SETTING FEE FOR VARIANCE TO NOISE CONTROL ORDINANCE**

**WHEREAS,** the Town Board for the Town of Ontario adopted on July 28, 2003, an Ordinance regulating noise levels within the Town of Ontario; and

**WHEREAS,** the Ordinance requires at Section 35-7 (c) that the Town Board by Resolution set the fee for such application for permit; and

**WHEREAS,** the Town Board has received a request for an application for variance; it is

**THEREFORE, RESOLVED,** that the fee to submit an application for a variance to the Noise Control Ordinance be and the same hereby is set at the sum of Fifty Dollars (\$50.00) which shall be binding until further resolution of this Board; and it is further

**RESOLVED,** that the application for such a variance will be in a form annexed hereto. Dated 6/14/2004 5 Ayes 0 Nays RESOLUTION ADOPTED

The legal notice to bidders for a new articulated wheel loader was posted on the Town Clerk's bulletin board and published in the Wayne County Mail on 5/13/04. One bid was properly presented and opened on 5/28/04 from LB Smith.

A motion was made by Mr. Brewer, seconded by Mr. Camp, to **award the bid for a new articulated wheel loader to the sole responsible bidder, LB Smith, for an amount not to exceed \$59,491.00,** as recommended by the Superintendent of Water Utilities in memo # 17-2004. 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Camp, seconded by Mr. Shears, to **authorize the Supervisor to execute the contract for the purchase of property at 2019 Ridge Road, 0.12 acres for an amount not to exceed \$65,000.00, plus closing costs retroactive to June 7, 2004.** 4 Ayes 0 Nays 1 Abstention (Molino) MOTION CARRIED

A motion was made by Mr. Shears, seconded by Mr. Camp, to **authorize the Supervisor to enter into a contractual agreement with Wayne County to assist with the funding of the counties**

**annual dues for a Board Membership on the Greater Rochester Enterprise for an amount not to exceed \$1,000.00 per year for a term of five years. 5 Ayes 0 Nays MOTION CARRIED**

A motion was made by Mr. Brewer, seconded by Mr. Camp, to **accept the five-year comprehensive plan from the Director of Recreation and Parks. 5 Ayes 0 Nays MOTION CARRIED**

**Policy Items** - A motion was made by Mr. Brewer, seconded by Mr. Shears, to **adopt the first reading of an amendment to Section 803 of the Town of Ontario Employee Handbook relative to part time holiday pay. 5 Ayes 0 Nays MOTION CARRIED**

Mr. Brewer stated the board has discussed this in workshop meetings and he has e-mailed the Department Heads and received input on the proposed policy change.

**Budget Transfers/Adjustments** - A motion was made by Mr. Brewer, seconded by Mr. Camp, to **approve a GENERAL FUND transfer of \$10,000.00 from 5650.4 to A 5132.4 and the following budget adjustments:**

**GENERAL FUND** increase 960/expense A 1940.2 \$70,000.00 from 599/appropriated fund balance (land purchase)

**WATER FUND** increase 960/expense F8330.2 \$19,830.00 from 599 appropriated fund balance

**SEWER FUND** increase 960/expense SS 8130.2 \$19,830.00 from 599 appropriated fund **balance**

**SEWER S-2** increase 960/expense S2 8120.2 \$19,830.00 from 599 appropriated fund balance (water, sewer and sewer 2 adjustments are for a new articulated wheel loader)

5 Ayes 0 Nays MOTION CARRIED

**Appointments/Resignations** –A motion was made by Mr. Brewer, seconded by Mr. Camp, to **approve the appointment of Andrew R. Kujawski Sr., to the vacant position of Assistant Operator/Laborer within the Water Utilities Department to begin a 26 week probationary period effective July 15, 2004 in accordance with NYS Civil Service Law and CSEA Local 1000 AFSCME Agreement, as recommended by the Superintendent of Water Utilities in memo # 16-2004. 5 Ayes 0 Nays MOTION CARRIED**

A motion was made by Mr. Brewer, seconded by Mr. Camp, to **amend the job description of the Parks and Recreation Director. 5 Ayes 0 Nays MOTION CARRIED**

A motion was made by Mr. Brewer, seconded by Mr. Camp, to **change the wage grade for the amended job description of the Parks and Recreation Director to a pay grade 27 from a pay grade 24. 5 Ayes 0 Nays MOTION CARRIED**

A motion was made by Mr. Brewer, seconded by Mr. Camp, to **adjust the Parks and Recreation Director's salary to a mid point of a wage grade 27, effective June 1, 2004 retroactively to \$52,378.00. 5 Ayes 0 Nays MOTION CARRIED**

**Reports by Town Board Members** – Mr. Shears commended Mr. Riddell on the Memorial Day ceremony at Memorial Point and he added what a great job Mr. Riddell did.

Mr. Brewer distributed to the board a draft letter to be sent to the merchants and business owners in the business district on Ridge Road. He stated he will present the letter to the Downtown Revitalization Committee on Wednesday night for their input and if it is acceptable they will decide who is going to assemble the addresses.

Mr. Brewer noted a new liaison chart for 2004; it is on file in the Town Clerk's office.

Mr. Camp spoke about the Memorial Day ceremony, he stated what a wonderful service it was and what a beautiful spot the Memorial Point Park is. He added it was a very moving ceremony to him and he thanked Mr. Riddell for the plaque placed on one of the stones at Memorial Point Park for his father and father-in-law

**Approval of Claims** - A motion was made by Mr. Camp, seconded by Mr. Shears, **to approve the abstract of claims for the month of May 2004, including vouchers #1233 through #1410 with a grand total of \$170,690.16 and to authorize the Supervisor to issue payments for same.** 5 Ayes  
0 Nays MOTION CARRIED

**Comments From the Public** – Bruce Lowenguth, 523 Ontario Drive, asked the town for their help with the sewage backup problems that occurred again on Ontario on the Lake. He stated he and his neighbors are having flooding problems from storm run off and he asked for help with drainage issues. He added the sewer backup problems have occurred three times and that is unacceptable to him.

There was a discussion on the history of these problems and the attempts in the past to solve the problems. Mr. Tyo explained that 100-year event storms cannot be predicted and municipal systems cannot be built to handle these occurrences. Under normal circumstances all systems that are in place work.

Charles Neumann, 423 Ontario Drive, stated he has lived here for four years and he has had two major incidents that have cost him over \$3,000.00. He asked that new construction be stopped until a solution is found.

Charles Bellittera, 599 Ontario Drive, stated he has had backup eight times in last six years. He wants inspections done of properties, letters sent to residents about sump pumps being hooked up to the sanitary sewers and notification given that it is illegal to do so. He strongly urged the town to do something.



Ms. Crippen told him that the town cannot go into a resident's home unless you can prove they are doing something illegal. There was a long discussion on violations and sump pump inspections.

Mr. Wykle agreed to send letters to all the residents on Ontario Drive about illegal actions in regard to sump pumps being hooked up to the sanitary sewer system.

Mr. Molino said, even if letters are sent, if they won't let you in you have no legal right to enter the home.

Fred Compertore, 447 Ontario Drive, stated he felt the first issue to take care of was storm water.

There was a lengthy discussion on the problems with different opinions on how to solve them. There was a lot of the discussion on the law, enforcement and the rights of homeowners.

Mr. Bellitter insisted letters be sent. He stated the DEC informed him that Federal Law mandates, if there is sewage discharge in the homes, the town must do something.

Mr. Wykle replied that they did do something about the problem two years ago. He added he will send letters and do whatever he can to resolve the problem with sump pumps being illegally hooked up to the sanitary sewer

Doreen Prindle, 7698 Chapman Drive, lives on the south side and she stated she had twenty-one inches of water in her family room with \$5,000.00 worth of damage and counting. She added all this came from the new housing development. She has been in the house over twenty years and this has not happened before.

Mr. Molino stated the Watershed Advisory Board will address the situation of storm water and do the best they can. But, he couldn't guarantee that they can solve the problem 100%.

Barbara Lowenguth 523 Ontario Drive ask if there was any way you could make the homeowner put in a drain line that they could hook the sump pump up to the drainage ditch.

Mr. Molino said it was a possibility but that you couldn't force people to do that. Mr. Wykle reiterated that he will send letters.

Debbie Ferguson-Leaty of Ferguson's Hair Care invited everyone to attend a downtown revitalization meeting at 7:00 PM on Wednesday night.

**Executive Session** - A motion was made by Mr. Brewer, seconded by Mr. Camp, to **adjourn for an executive session at 8:45 PM for a personnel matter pertaining to a specific person.** 5 Ayes  
0 Nays MOTION CARRIED

**Reconvene** – 9:15 PM

**Adjourn** - A motion was made by Mr. Camp, seconded by Mr. Shears, **to adjourn at 9:15 PM for a workshop meeting.** 5 Ayes 0 Nays MOTION CARRIED

Town Board minutes by the Town Clerk from notes of the Deputy Town Clerk Diane Nichols.

Respectfully submitted,

Cathy Herzog  
Ontario Town Clerk

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