



Letter to the Board

Michael Havens

Superintendent of Schools

Phone: 315-524-1001

Fax: 315-524-1049

February 1, 2008

The pessimist sees difficulty in every opportunity. The optimist sees the opportunity in every difficulty."
--Winston Churchill, British Prime Minister

Board Agenda:

1. **Executive Session:** We will be discussing administrative progress during executive session.
2. **2008-09 Budget Discussion – Program Portion:** Attached is the program portion of the budget for our review and discussion. Please let me know if you have any questions or comments you need clarification on prior to the meeting. Greg and I have been working through our entire budget. I feel very comfortable with how it is going. We are adding the programs we need, but are able to keep the overall budget in good shape.
3. **High School Student Internship:** Mr. Siracuse will give us an update on this program. You will have the chance to hear from a couple of students who have been through the program.
4. **Financial Update and Bus Purchase:** Mr. Atseff will give his financial update and information on the bus replacement program.
5. **Student Representative:** The student representative for this meeting is Mike Miles. Mike is a senior. He is a three sport athlete in cross country, indoor track and track and field. He has participated in the Rotary Oratorical contest, is a fine academic student and an all around outstanding representative of the Wayne Central student body.
6. **Business Items:** We have the November and December Treasurer's report for your acceptance. Recently you heard a report from Mrs. Scheik on the performance of a teacher on special assignment, Tina Cieplinski. You are being asked to approve her internship at this meeting as she continues to perform her duties in the district office as Assistant to the Director of Student Services. Also on the consent agenda is the surplus bus bid award, the

approval of the extra-classroom audit report, and the bus purchase recommendation that you will have heard about earlier in the meeting. Since this is our first affiliation with a national organization, I am asking that you approve the Freewill's "O Ambassador" club as a formality. I am recommending approval of all items as presented.

7. **Policy:** There is a large amount of policy attached for first reading, second reading and single reading. I recommend approval of all items.

Board Letter:

1. **Roof Damage:** With the high winds on Wednesday, we experienced some roof damage to the A wing HS roof. The wind tore off the flashing and an appx 80' x 25' section of the rubber membrane roofing lifted. The membrane material does not appear to sustain any damage, however, we lost much of the insulation from underneath it. Our maintenance staff got the loader and a load of pavers and carried them up onto the roof to secure the membrane back down until the contractor (Elmer Davis Company) would come out to repair it. (They deemed it too dangerous for their crews to come out in the high winds). This will require an insurance claim.
2. **Bleacher Steps:** A Board member asked about looking at putting steps and/or railing in our current bleachers in order to make it easier for people to get up and down. The bleachers are currently scheduled to be updated as part of our building project, and would have such accomodations. Last week, Mr. Blankenberg and Mr. Miller met with Steve Blanding whose firm does most of the bleacher work in this area. After viewing the bleachers he gave us an estimate of \$10,000 per bleacher set to do the update. While he could do the work, he recommended that because of the cost, it would be better to replace the bleachers.

This week, Mr. Atseff, Mr. Miller, Mr. Blankenberg and I met to consider other options. We could build temporary boxes that would fit into each of the bleacher aisles to create a set of steps. We could also install flanges on either side of the boxes to which railings would be attached. We would then put the boxes and railings in place each time we used the bleachers.

After much discussion we decided that probably wasn't the right thing to do. If one of the boxes was ever forgotten when the bleachers were powered back into place the box could either cause the frame to warp or burn out the motor. Also we were concerned about the stability of the boxes. If a box slipped while someone was stepping on it, there could be a serious accident. Finally, we believe the final product would not fit the Board's mantra of "Do it once, Do it right."

We will continue to look at possible solutions but right now we believe the prudent thing to do is to do the updates with the project.

3. **Cell Phone Policy:** There was a discussion about cell phones at last week's Board meeting. I told you I'd have Joe send you information about the high school policy. That information is listed below;

The cell phone policy was created by the high school CCC committee and approved by the entire staff in the spring of 2005. Prior to this date cell phone use was not prohibited and was widely viewed as a significant distraction from the teaching and learning process.

Cell Phone Policy:

The use of cell phones is **NOT** permitted during the school day (7:50 AM—2:23 PM). Cell phones are not to be visible or audible.

Students using cell phones anywhere in the building during regular school hours will have their phone taken away by any staff member.

1st offense— Phone taken away, turned into main office— returned after Detention

2nd offense— Phone taken away, turned into main office—returned after Detention

3rd offense— Phone taken away, turned into main office—Parent or Guardian required to come into the main office to pick up and sign for the cell phone.

As the technology continues to evolve, schools across the nation work to deal with the accompanying distractions that can result. Area school districts are not different. After reviewing the policies and practices of area Wayne county schools it is clear that our policy is right in line with others. Most area schools have a progressive plan that begins with confiscation and moves to detention and parental pick up.

The policy has resulted in referrals, but in large part has reduced the use of cell phones during the school day. It has cut down on classroom disruptions as well has improved the atmosphere in the cafeteria and the hallways. We continue to try and educate our parents on our policy and its purpose.

It looks to me as if the high school staff has created, and has agreed to, a procedure for handling this issue. While no system that deals with teenagers will be perfect, the data shown to me by the assistants suggests that over use is waning. Joe and I have talked over this issue, but as superintendent, I would not tell him what the rule should be. He needs to be able to do that.

Let me know if you desire any additional information.

4. **Weather:** We cancelled after school events Friday due to the weather. Weather permitting the Wrestling bus will be allowed to travel to their weekend tournament. Our telephone data showed we had 957 live calls, 969 answering machines, 10 busy, 17 hangups, 57 bad numbers (we follow up on these) and 32 no answer/no answering machines.

5. **Upcoming Events:**

1/30-2/4 – Freewill Book Fair

2/2 – Groundhog's Day....

2/4 – HS PTSO Meeting – HS Faculty Room – 7:00 p.m.

2/8 – Staff Training Day – School's Closed for Students

2/8 – Ontario Bicentennial Grand Finale “Ontario Through The Decades -200 Years of Music”
HS PAC – Free Performance (donations accepted to Pines of Peace & Food Pantry) – 7:00 p.m.

Athletic Events:

- 1/15 – Boys Freshman Basketball vs. Pal-Mac – 4:15 p.m.
- 1/16 – Girls JV & V Basketball vs. Pal-Mac – 6:00 & 7:30 p.m.
- 1/25 – Boys JV & V Basketball vs. Mynderse – 6:00 & 7:30 p.m.
- 2/1 – Girls’ JV & V Basketball vs. Victor – 6:00 & 7:30 p.m.
- 2/5 – Boys’ JV & V Basketball vs. Canandaigua – 6:00 & 7:30 p.m.
- 2/8 – Girls’ JV & V Basketball vs. Geneva – 6:00 & 7:30 p.m.

6. Attachments

- A) Sen. Nozzolio letter re: SROs from M. Havens
- B) Sen. Nozzolio letter re: SRO’s from Supervisor Kelsch
- C) Ginna Unusual Event Emails – Bob Kelsch
- D) Ontario Town Board Meeting Minutes – 1/26/07
- E) Ontario Town Board Meeting Minutes – 1/02/08
- F) Ontario Town Board Meeting Minutes – 1/14/08
- G) Four County Newsletter



Wayne Central School District

Office of the Superintendent of Schools

P.O. Box 155
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Ontario Center, NY 14520
315-524-1001

January 30, 2008

Senator Michael F. Nozzolio
119 Fall Street
Seneca Falls, NY 13148

To the Honorable Senator Nozzolio:

I am writing you today regarding the Governor's proposal to remove School Resource Officers (SROs) from the schools and use the resources for patrolling the cities. The SRO program has been vital to the Wayne County schools in teaching children about police enforcement, avoidance of drugs, and character education. It has also helped to maintain a business and learning climate at our high schools. The SROs are effective in interacting with families in situations where families have lost their respect for schools and schooling. Respect for New York State Troopers is tremendous, so they are often able to help students make the right decisions about their life.

For many years our Sheriff's department ran the successful DARE program for our schools. As a result of cutbacks this drug resistance program for elementary students was eliminated in Wayne County. NYS Trooper Robert Chapman, our SRO, fills that gap for us. We know prevention is so much more effective, and less expensive, than incarceration and the court system.

The New York State Police mission statement denotes that it is to provide a police force in rural areas that could not otherwise support law enforcement. Wayne County is that rural community and our relationship with the State Police is an extremely successful one.

I do not quarrel with the Governor's budget in general, but this one provision, during the post Columbine era, is not healthy for your Wayne County residents, students and school employees.

Respectfully,

Michael Havens
Superintendent of Schools

MH/les
Xc: Board of Education

"Students First - Excellence For All"

Michael,

Please let me know what you think. All suggestions welcome. I will put this on town stationery and send it to Bob Oaks and Mike Nozzolio. Bob

I am writing in support of the School Resource Officer (SRO) program. It is my understanding that Governor Spitzer is considering shifting the SRO resource to the cities to bolster Project Impact. While I do support an increased effort to fight crime in our cities, taking the SROs out of our schools will have a long term negative effect.

At Wayne Central our SRO has become an intricate part of the education program. By providing an increased sense of security and well being for our teacher and student population, the focus of the day can be on learning and not on personal safety. The biggest payoff will come from the students' understanding of and appreciation for the work of these fine public servants.

Parts of our culture, through music and the written word, denigrate those in law enforcement; those who put on the uniform and put themselves in harm's way to protect the rest of us. The SRO program creates a positive image of law enforcement starting at a very early age and continues that image building through the years. It is my opinion that it is programs like this that will serve in the long term to lower crime rates. The friendships developed through the years of public education will translate into partnerships that will ultimately make our communities and cities safer.

I ask that you do what you can to keep the SRO program in our schools. If I can be of any assistance in this effort please let me know.

Sincerely,

Robert J. Kelsch
Ontario Town Supervisor

It's not confidential. I just confirmed that with George Bastedo, Director of Wayne County Emergency Management. If you write something on this event it is important to know that I received a call from Ginna as soon as it happened and that George Bastedo and his Emergency Management Folks were in constant touch with Ginna.

From: Smith, Lori [mailto:lsmith@wayne.k12.ny.us]
Sent: Friday, February 01, 2008 8:30 AM
To: Robert Kelsch
Subject: RE: Yesterday's Unusual Event at Ginna

Actually, I really appreciate this. Is this considered confidential information?

I prepare weekly letters to our Board and I would like to include an item like this.

From: Robert Kelsch [mailto:kelsch@ontariotown.org]
Sent: Thursday, January 31, 2008 4:33 PM
To: Smith, Lori
Subject: FW: Yesterday's Unusual Event at Ginna

Lori,

I'm sending this to you as ,my deputy. Dave from Ginna did call me as soon as they declared the UE. In the future would you like me to let you know or only if it goes to the next level of concern?

Bob

From: EM- Bastedo, George [mailto:GBastedo@co.wayne.ny.us]
Sent: Thursday, January 31, 2008 11:39 AM
To: COTB- Hoffman, James; COTB- Marquette, James; kelsch@ontariotown.org; rplant@rochester.rr.com; rcolacino@newarkelectric.com; superar@rochester.rr.com; tmarionus@yahoo.com; huronsupervisor@verizon.net; Steve LeRoy
Subject: Yesterday's Unusual Event at Ginna

Here is a synopsis of yesterday's Unusual Event:

At 7:42 a.m. yesterday, Ginna lost a telephone pole to high winds. The pole powers offsite communications. Redundancy is provided by a diesel generator, which failed. The supporting battery pack, which worked for about five hours, exhausting its power without support from the diesel generator.

Ginna declared an unusual event (UE) yesterday at 12:30 p.m. due to the loss of offsite notification capabilities. The procedure involved calls for the UE to be declared if the plant's control room loses all "routine" communications with offsite authorities. The control room had use of satellite and cell phones. However, they are not considered routine methods.

Ginna employees responded to the situation well. Ginna exited the unusual event at 8:15 p.m. when all offsite communications were restored and reliability achieved.

The Emergency Preparedness team at Ginna did an outstanding job of communicating with us. The 911 center received information from Ginna and completed 10 "Part One" forms through the course of the event. Wayne County Emergency Management received regular phone call updates regarding the plant status from Constellation's Emergency Preparedness Team. At no time was there a functional or radiological problem with the reactor.

Please call me with any questions that you may have.

Best regards,

George Bastedo
Director
Wayne County Emergency Management
7336 Route 31
Lyons, NY 14489-9101

gbastedo@co.wayne.ny.us
315-946-5664
Fax: 315-946-9721

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DECEMBER 26, 2007

ONTARIO TOWN BOARD MEETING

A regular meeting of the Ontario Town Board was called to order by Supervisor Joseph Molino at 7:00 PM in the Ontario Town Hall. Present were Supervisor Joseph Molino, Council members: Jason Ruffell, Lori Eaton-Smith, James Switzer, Stephen Tobin, Building Inspector/Code Enforcement Officer Edward Collins, Attorney for the Town Alan Knauf and Town Clerk Cathy Herzog.

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

Mr. Tobin led the Pledge of Allegiance.

Revisions to the Agenda – The following revisions to the agenda were made:

- Postpone action on an amendment to Section 810 of the employee handbook, schedule executive session on the matter
- Accept the resignation of Jerry Santangelo from the Highway Department
- Mr. Knauf provided two resolutions to add to the agenda relative to the purchase, construction and erection of two (2) tensioned membrane structures and accessories for the Community Center; the Declaration of Official Intent for reimbursement to Summit Structures US, LLC and the execution of the lease agreement and establishment of the lease escrow
- Motion to close Capital Project H-74-06 Downtown Revitalization Project
- Authorize the Supervisor to execute an agreement with Wayne County for snow and ice control on county roads
- Add a budget transfer for the purchase of computers
- Acknowledge Allan Tyo for his years of service on the Watershed Management Advisory Council
- Acknowledge Susan Brown for her service on the Library Board of Trustees
- Authorize the purchase of notebook computers for the Superintendent of Highways, elect and Supervisor, elect

A motion was made by Mr. Switzer, seconded by Mr. Ruffell, to **approve the agenda as revised**.
5 Ayes 0 Nays MOTION CARRIED

Comments from the Public – None

Approval of Minutes – Mr. Molino asked for approval of the minutes of the December 10, 2007 Town Board meeting. A motion was made by Mr. Switzer, seconded by Mr. Ruffell, to **approve the minutes with a correction on page 1, paragraph 11, change “Department” to “Board”, page 5, paragraph 11, change “annual interest” to “annual lease”, page 6, paragraph 9 change “plan” to “plans”, and page 8, paragraph 1 add “Western” before “Wayne County”**. 5 Ayes 0 Nays
MOTION CARRIED

Correspondence – None

Old Business – None

New Business - A motion was made by Mr. Switzer, seconded by Mr. Ruffell, **to accept the Supervisor's fiscal report for the month of November 2007 as presented.** 5 Ayes 0 Nays
MOTION CARRIED

Mr. Molino stated the Business Improvement District (BID) proposal for snow removal on Main Street was not available at this time.

A motion was made by Mr. Switzer, seconded by Mr. Tobin, to **adopt a RESOLUTION**

**AUTHORIZING BUDGET ADJUSTMENTS FOR
FISCAL YEAR ENDING DECEMBER 31, 2007**

WHEREAS, budgetary adjustments are required to provide amounts sufficient in each appropriation account to provide for payment of just claims audited and approved by this Town Board and,

WHEREAS, due to the routine bookkeeping time lag, not all needed transfers will be immediately known as of December 31, 2007 and,

WHEREAS, Section III of the Town Law provides that each appropriation, to the extent that it shall not have been expended or obligated, shall lapse at the close of the fiscal year for which made and become part of the Fund Balance.

THEREFORE, BE IT RESOLVED, that the Supervisor and his Bookkeeper be authorized to make all appropriate adjustments to the amounts budgeted in each appropriation account such that the budget equals the amount expended therefrom as soon as may be conveniently possible after the close of the books on December 31, 2007. The Supervisor and his Bookkeeper are instructed to make a complete list of the amounts so transferred among the various budget accounts and a copy of that list of transfers shall be appended to and become a part of the minutes of this board meeting dated December 26, 2007. 5 Ayes 0 Nays RESOLUTION ADOPTED

A motion was made by Mr. Switzer, seconded by Mrs. Smith, **to amend the 2008 Salary Schedule for full, part-time, elected and appointed, salaried, hourly, and exempt personnel, adopted 12/10/07, to establish the annual salary for the Sole Assessor at \$41,000.** 5 Ayes 0 Nays
MOTION CARRIED

Action to amend Section 810 of the Employee Handbook was postponed.

A motion was made by Mr. Switzer, seconded by Mr. Ruffell, to **authorize the Superintendent of Highways to post and hire a full time M.E.O./Laborer for the Highway Department**, as requested by the Superintendent of Highways in a memo dated 12/26/07. 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Ruffell, seconded by Mrs. Smith, to **approve the 2008 Salaried Pay Schedule, 2008 Monthly Pay Schedule and the 2008 Hourly Pay Schedule, as presented.** 5 Ayes
0 Nays MOTION CARRIED

A motion was made by Mr. Ruffell, seconded by Mrs. Smith, to **approve the 2008 Holiday Schedule, as presented.** 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Tobin, seconded by Mrs. Smith, **approve the purchase of two (2) replacement computers for the Recreation Department from Advance 2000 Inc., the lowest quote, for an amount not to exceed \$1,700**, as budgeted and as requested by the Director of Recreation and Parks in memorandum PR35-2007. 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Switzer, seconded by Mr. Tobin, to **authorize the Town Clerk to post and advertise for two (2) vacant positions on the Watershed Management Advisory Council**. 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Switzer, seconded by Mr. Ruffell, to **designate the Superintendent of Water Utilities, Robert Wykle, as Stormwater Management Officer (SMO) for the Town of Ontario, as provided by in the Stormwater Management Law, Chapter 116 of the Town Code**. 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Ruffell, seconded by Mr. Switzer, to **adopt a**

RESOLUTION AUTHORIZING DECLARATION OF OFFICIAL INTENT

WHEREAS, on August 30, 2007, the Town of Ontario (the “Town”) issued a Request for Proposals for purchase, construction and erection of two tensioned membrane structures and accessories (one approximately 80 ft. x 160 ft and one approximately 70 ft. x 120 ft.), including engineering of structures, foundations and footers, for a Community Center in Casey Park (the “Portable Structures”); and

WHEREAS, the Town Board previously approved an installment purchase contract in the form of a lease (the “Lease”) of this apparatus and equipment for the current principal amount of \$585,000, paid over a ten-year period by payments not to exceed \$77,500 per year; and

WHEREAS, the Lease was approved by the voters of the Town in a permissive referendum; and

WHEREAS, the Town Board has previously made a Negative Declaration for this project under the State Environmental Quality Review Act; and

WHEREAS, the Town Board conditionally accepted the bid (the “Bid”) of Summit Structures US (“Summit”) of \$557,100 for the Portable Structures, by a Resolution adopted at its October 22, 2007 meeting, and amended at its December 10, 2007 meeting; and

WHEREAS, a proposal for the Lease in the amount of \$585,000 submitted by Municipal Leasing Consultants (“MLC”) at the interest rate of 3.710%, with annual payments in the amount of \$70,289.04 over ten years, was accepted by the Town Board at its December 10, 2007 meeting, contingent upon the approval, in form and substance, of the Lease by the Attorney for the Town and Municipal Solutions, Inc.; and

WHEREAS, following acceptance of the Bid, Summit and the Town entered into a Letter of Intent, which required payment of a \$10,000 non-refundable deposit (the “Deposit”) to render project shop drawings and foundation design drawings for the frame and fabric materials; and

WHEREAS, the Deposit was paid on November 26, 2007; and

WHEREAS, in order to authorize such an expenditure that would be reimbursable by MLC through the Lease financing, a declaration of official intent for the purpose of satisfying the official intent requirement of Treas. Reg. §1.150-2 must be made in the form currently before the Town Board (the “Declaration of Official Intent”);

NOW, THEREFORE, IT IS RESOLVED, that the Declaration of Official Intent is approved, and the Town Supervisor is authorized to execute it. 5 Ayes 0 Nays RESOLUTION ADOPTED

RESOLUTION LEASE ESCROW AGREEMENT WITH SUNTRUST BANK FOR THE STRUCTURES AT THE COMMUNITY CENTER

A motion was made by Mr. Switzer, seconded by Mr. Tobin, to **adopt a**

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER LEASE AGREEMENT, EQUIPMENT SCHEDULE NO. 01, AN ESCROW AGREEMENT, AND RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the Town Board of the Town of Ontario [LESSEE] (“Lessee”) desires to obtain certain equipment (the “Equipment”) described in Equipment Schedule No. 01 to the Master Lease Agreement (collectively, the “Lease”) with Municipal Leasing Consultants (MLC) [LESSOR], the form of which has been available for review by the Town Board of the Town of Ontario prior to this meeting; and

WHEREAS, the Equipment is essential for the Lessee to perform its governmental functions; and

WHEREAS, the funds made available under the Lease will be deposited with SUNTRUST BANK (the “Escrow Agent”) pursuant to an Escrow Agreement between Lessee and the Escrow Agent (the “Escrow Agreement”) and will be applied to the acquisition of the Equipment in accordance with said Escrow Agreement; and

WHEREAS, Lessee has taken the necessary steps, including those relating to any applicable legal bidding requirements, to arrange for the acquisition of the Equipment; and

WHEREAS, Lessee proposes to enter into the Lease with [LESSOR] and the Escrow Agreement with the Escrow Agent substantially in the forms presented to this meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF ONTARIO AS FOLLOWS:

Section 1. It is hereby found and determined that the terms of the Lease and the Escrow Agreement (collectively, the “Financing Documents”) in the forms presented to this meeting and incorporated in this resolution are in the best interests of Lessee for the acquisition of the Equipment.

Section 2. The Financing Documents and the acquisition and financing of the Equipment under the terms and conditions as described in the Financing Documents are hereby approved. The Chief Fiscal Officer of Lessee and any other officer of Lessee who shall have power to execute contracts on behalf of Lessee be, and each of them hereby is, authorized to execute, acknowledge and deliver the Financing Documents with any changes, insertions and omissions therein as may be approved by the officers who execute the Financing Documents, such approval to be conclusively evidenced by such execution and delivery of the Financing Documents. The Chief Fiscal Officer of the Lessee and any other officer of Lessee who shall have power to do so be, and each of them hereby is, authorized to affix the official seal of Lessee to the Financing Documents and attest the same.

Section 3. The proper officers of Lessee be, and each of them hereby is, authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this resolution and the Financing Documents.

Section 4. Pursuant to Section 265(b) of the Internal Revenue Code of 1986, as amended (the "Code"), Lessee hereby specifically designates the Lease as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Code.

The undersigned further certifies that the above resolution has not been repealed or amended and remains in full force and effect and further certifies that the Lease and Escrow Agreement executed on behalf of Lessee are the same as presented at such meeting of the governing body of Lessee, excepting only such changes, insertions and omissions as shall have been approved by the officers who executed

the same. 5 AYES 0 NAYS RESOLUTION ADOPTED

A motion was made by Mr. Switzer, seconded by Mrs. Smith, to **approve closing Capital Project H-74-06, Downtown Revitalization Project, and direct the Accounting Supervisor to return the remaining funds and interest to the General Fund (A).** 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Switzer, seconded by Mr. Tobin, to **authorize the Supervisor to execute the annual Agreement for Snow and Ice Control on County Roads with the County of Wayne for the winter season, from October 1, 2007 ending May 20, 2008, for a lump-sum fee per mile of \$3,300.** 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Tobin, seconded by Mrs. Smith, to **authorize the purchase of two (2) HP Compaq Business Notebook with docking station computers, one each for Supervisor-elect, Robert Kelsch and Superintendent of Highways-elect, Jerry Santangelo, from Advance 2000 Inc., for an amount not to exceed \$1,782.01 each, per quote #ADVQ6788.** 5 Ayes 0 Nays MOTION CARRIED

Budget Transfers/Adjustments – A motion was made by Mr. Switzer, seconded by Mr. Ruffell, to **approve the following budget transfers and adjustments as follows:**

GENERAL FUND transfer of \$7,140.00 from A 1930.4 to A 9045.8

GENERAL FUND transfer of \$250,000 from A 9950.9 to H-70 (Community Center)

GENERAL FUND transfer of \$250,000 from A 9950.9 to H-67 (Landfill Closure)

GENERAL FUND transfer of \$200 from A 6989.4 to A 7020.2

GENERAL FUND transfer of \$3,564.02 from A 1990.4 to: \$1,782.01 to A 1220.2 and \$1,782.01 to A 5010.2

HIGHWAY FUND transfer of \$3,780 from DA 1910.4 to DA 9045.8

WATER FUND transfer of \$3,800 from F 1990.4 to F 9045.8

WATER FUND transfer of \$10,750 from F 8340.4 to F 1440.4

WATER FUND transfer of \$18,000 from F 1990.4 to F 8330.4

SEWER FUND transfer of \$2,500 from SS01 1990.4 to SS01 9045.8

SEWER FUND transfer of \$10,750 from SS 8120.4 to SS 1440.4

SEWER FUND transfer of \$5,000 from SS 1990.4 to SS 8130.2

DRAINAGE FUND transfer of \$10,000 from SD 9901.9 to SD 8540.4

TO APPROVE THE FOLLOWING BUDGET ADJUSTMENTS:

HIGHWAY FUND increase 960/expense HR5 (Highway Equipment Reserve) \$200,000 from 510/revenue DA 599 Appropriated Fund Balance

**DRAINAGE FUND increase 960/expense SD 8540.4 \$25,000 from 510/Revenue SD 599
Appropriated Fund Balance 5 Ayes 0 Nays MOTION CARRIED**

Mr. Switzer stated, for the record, that he would have liked to see the amount that was transferred into the Landfill Closure Project be more than what was transferred.

Appointments/Resignations – Mr. Switzer acknowledged the service rendered to the town by Allan Tyo, Chairman and long time member of the Watershed Management Advisory Council. He stated Mr. Tyo has chosen not to seek re-appointment after serving on the council for nearly fifteen (15) years. He asked the Town Clerk-elect to send him a letter thanking him for his years of service.

Mr. Switzer also acknowledged Ms. Susan Brown, a member of the Library Board of Trustees, for her service to the town. She, too, has elected not to seek another term and he asked that the Town Clerk-elect send her a letter thanking her for her service.

A motion was made by Mr. Switzer, seconded by Mr. Tobin, to **accept the resignation, with regret, from Michael Yantch, a member of the Watershed Management Advisory Council, effective 12/31/07, and to direct the Town Clerk-elect to send him a letter thanking him for nearly fifteen (15) years of service to the town.** 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Switzer, seconded by Mr. Tobin, to **accept the resignation of Jerry Santangelo, as MEO/Laborer, from the Highway Department effective 12/31/07.** 5 Ayes 0 Nays MOTION CARRIED

Mr. Switzer noted Mr. Santangelo is the Superintendent of Highways-elect and will take office effective 1/1/08.

A motion was made by Mr. Switzer, seconded by Mrs. Smith, to **appoint Carol Luety to the position of full-time Deputy Town Clerk effective 1/1/08, a wage grade 22, for an annual salary of \$36,500, as requested by the Town Clerk-elect, Debra Kloiber, in a memo dated 12/26/07.** 5 Ayes 0 Nays MOTION CARRIED

Reports by Town Board Members – Mr. Switzer asked if the Mobile Home Permit was issued to Orchard Grove Mobile Home Park with a condition that the fire hydrants are operational.

Mr. Collins stated the issue with the fire hydrants in the mobile home park is under the jurisdiction of the NYS Department of Health. He noted they have been informed and the 2008 permit was approved with the condition that the NYS DOH inspection shows that the hydrants are repaired.

There was a discussion on conditioning the permit. The Town Clerk was asked to provide Mr. Wykle and Orchard Grove Mobile Home Park with a copy of the conditions stated on their application by Mr. Collins.

A motion was made by Mr. Switzer, seconded by Mr. Ruffell, to **adopt a**

**RESOLUTION TO RECOGNIZE SERVICE
TO THE TOWN OF ONTARIO
BY JOSEPH P. MOLINO**

WHEREAS, Joseph P. Molino was elected to serve as town and county supervisor in and for the Town of Ontario and the County of Wayne from January 1, 2004 to December 31, 2005 and from January 1, 2006 to December 31, 2007, and

WHEREAS, the service of Joseph P. Molino to the Town of Ontario and Ontario Town Board was characterized by a strong sense of duty, responsibility, compassion and concern for residents and employees of the town and county which he represented, and

WHEREAS, Joseph P. Molino provided supervision and leadership for the operational and financial affairs of the Town of Ontario and served as budget officer and chairman of the town board and as town board liaison for highway, landfill, drainage and general government services throughout his terms of office, and

WHEREAS, completion of an addition to the Ontario Town Hall which doubled the size of the public library, renovation and improvements to provide access for persons with disabilities at the town hall and the offices for water utilities and the town historian were hallmarks of his terms in office, and

WHEREAS, efforts were started to address landfill closure issues in an economical and environmental manner as a pilot project in New York State and for construction of the new community center, and

WHEREAS, Joseph P. Molino served as a member of the Wayne County Board of Supervisors for four years with significant contributions as a member of stating committees on buildings, grounds and parks, public health, highway, and agriculture, aging, youth and recreation, the latter as chairperson, and

WHEREAS, said county service also included membership on the Wayne County Youth Board, the Aging and Youth Services Advisory Council and the Wayne County Rural Health Network, among others, and

WHEREAS, Joseph P. Molino is a charter member of the Board of Directors of the Wayne Central Education Foundation, a member of St. Mary's of the Lake Parish and a frequent donor and supporter of numerous community charities and special events, and

WHEREAS, Joseph P. Molino maintained a life-time interest in, and as, an athlete, as a wrestler and a referee and official for local, regional, sectional and state wrestling meets and was recognized on December 20, 2007 by induction into the Hall of Fame by the Wrestler's Booster Club, **NOW, THEREFORE,**

BE IT RESOLVED that the Ontario Town Board recognizes and commends Joseph P. Molino for his service and contributions to the residents of the Town of Ontario and County of Wayne, and the community at large, and

BE IT FURTHER RESOLVED that the text of this resolution be entered into the minutes of the meeting of the Ontario Town Board of Wednesday, December 26, 2007 and that the town clerk be, and is, hereby directed to present a certified copy of said to Mr. Molino, **THIS RESOLUTION SHALL TAKE EFFECT UPON ADOPTION 5 Ayes 0 Nays RESOLUTION ADOPTED**

Mrs. Smith acknowledged that this was Town Clerk, Cathy Herzog's, last meeting as Town Clerk. She thanked her for her many years of service. Mrs. Smith and Mr. Tobin also acknowledged outgoing elected officials, Superintendent of Highways Williams Slocum and Town Justice Mary Elizabeth Howard. They thanked all of the outgoing elected officials for their many years of service and stated they will be missed.

Mr. Tobin reported that additional health insurance options are available to town employees during an open enrollment in January. He asked the Supervisor to contact Bond Financial Services, Inc. for details and provide a memo to the employees with the options that are now available to them.

Approval of Claims – A motion was made by Mr. Switzer, seconded by Mrs. Smith, to **approve the abstract of claims for December 26, 2007 including vouchers # 2838 through # 2995 with a grand total of \$145,846.77 and to authorize the Supervisor to issue payments for same.** 5 Ayes 0 Nays MOTION CARRIED

Comments from the Public – None

Executive Session - A motion was made by Mr. Switzer, seconded by Mr. Tobin, to **move into an executive session at 7:32 p.m. for a personnel matter pertaining to specific persons.** 5 Ayes 0 Nays MOTION CARRIED

Reconvene- 7:59 p.m.

Adjourn – A motion was made by Mr. Switzer, seconded by Mr. Ruffell, **to adjourn at 8:00 p.m.** 5 Ayes 0 Nays MOTION CARRIED

Respectfully submitted,

Cathy Herzog
Ontario Town Clerk

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

JANUARY 2, 2008

ONTARIO TOWN BOARD ANNUAL ORGANIZATIONAL MEETING

The organizational meeting of the Ontario Town Board was called to order by Supervisor Robert Kelsch at 7:00 PM in the Ontario Town Hall. Present were Supervisor Robert Kelsch, Council members: James Switzer, Lori Eaton-Smith, Stephen Tobin, Jason Ruffell, Superintendent of Highways Jerry Santangelo, Building Inspector/Code Enforcement Officer Edward Collins and Town Clerk Debra Kloiber.

Six residents and visitors were present at the meeting.

Mr. Kelsch led the Pledge of Allegiance.

Revisions to the agenda – The following revisions to the agenda were made:

- in designated authorized signers change Robert Kelsch “and” Lois Buckalew to “or”
- Watershed Management Advisory Council vacancies add “two”
- change the word “appoint” to “affirm” for Richard Luety
- Remove the December 26, 2007 meeting minutes – postpone until January 14, 2008
- Under New Business: table the following agreement between the Deputy Attorney for the Town,
the cleaning contract for 2008 and the Superintendent of Highway’s memo request re: the vacant position of Crew Chief

A motion was made by Mr. Kelsch, seconded by Mr. Ruffell, to **approve the agenda as revised**.
5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Switzer, seconded by Mr. Tobin, to **establish the office of Deputy Town Supervisor for 2008 pursuant to Town Law 42**. 5 Ayes 0 Nays MOTION CARRIED

Mr. Kelsch appointed Councilwoman Lori Eaton-Smith as Deputy Supervisor for 2008.

Mr. Kelsch presented the following appointments for 2008 with the terms of office 1/1/08 to 12/31/08 unless stated otherwise:

Attorney for the Town of Ontario	Alan J. Knauf (Knauf Shaw LLP)
Deputy Attorney for the Town	Richard T. Williams II
Records Access Officer	Debra Kloiber
Deputy Records Access Officer	Carol Luety
Records Management Officer	Debra Kloiber
Deputy Records Management Officer	Carol Luety
Sub Registrar of Vital Statistics	JoAnn Amico
Engineer for the Town	MRB Group
Liability Insurance Agent	Concord Insurance Agency
Disability Insurance Agent	Thomas C. Briggs, Broker
Health Insurance Advisor	Bond Financial Network
Deputy Health Officer	Edward Collins
Code Enforcement Officer	Edward Collins
Deputy Code Enforcement Officer	William I. Riddell
Deputy Code Enforcement Officer	Maurice Luke

Civil Defense Coordinator
Budget Officer
Town Historian
Animal Control Officer
Secretary, Zoning Board of Appeals
Clerk to Planning Board

Robert Kelsch
Robert Kelsch
Elizabeth Albright
Mark Plyter
Donna Burolla
Donna Burolla

The following position is a continuing appointment:

Health Officer Dr. Norman Loomis (1/01/05-12/31/08)

A motion was made by Mr. Tobin, seconded by Mr. Ruffell, to **accept the preceding appointments for 2008, with the terms of office 1/1/08 to 12/31/08 and to accept the continuing appointment as presented.** 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Ruffell, seconded by Mr. Tobin, to **appoint the following:**

Registrar of Vital Statistics	Debra Kloiber (1/1/08-12/31/2011) 4 Year Term
Deputy Registrar of Vital Statistics	Carol Luety (1/1/08-12/31/2011) 4 Year Term
Receiver of Taxes & Assessments	Debra Kloiber (1/1/08-12/31/2009) 2 Year Term
Deputy Receiver of Taxes & Assessments	Carol Luety (1/1/08-12/31/2009) 2 Year Term

5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mrs. Smith, seconded by Mr. Tobin, to **make the following designations:**

- **designate the Wayne County Mail as the town's official newspaper for 2008**
- **designate Lyons National Bank, JP Morgan Chase Bank and Citizens Bank as official depositories for the Town of Ontario.**
- **Set the 2008 mileage rate at \$.505 per mile.**
- **adopt the 2008 Town Board meeting schedule as follows: Regular Business Meetings will be held on the 2nd and 4th Mondays of the month at 7:00 PM and Workshop Meetings on the 1st, 3rd and 5th Mondays at 7:00 PM. All meetings are to be held in the Town Hall meeting room, 1850 Ridge Road, Ontario, NY except town observed holidays and unless otherwise posted.**

4 Ayes 1 Nay (Switzer) MOTION CARRIED

A motion was made by Mr. Ruffell, seconded by Mr. Tobin, to **adopt a RESOLUTION for the financial institution for the Town of Ontario as follows: RESOLVED that Citizens Bank be and hereby is designated as the Financial Institution for the Town of Ontario and will act in normal banking capacity for the Town; BE IT FURTHER RESOLVED, that the following people are designated as authorized signers for financial transactions for 2008: Robert Kelsch or Lois Buckalew.**

5 Ayes 0 Nays RESOLUTION ADOPTED

A motion was made by Mr. Tobin, seconded by Mr. Switzer, to adopt a RESOLUTION to **establish \$10,000,000.00 as the maximum amount that may be on deposit at any one financial institution.**

5 Ayes 0 Nays RESOLUTION ADOPTED

A motion was made by Mr. Switzer, seconded by Mr. Tobin, to **amend the town's operating policies: 4052P Town Investment Policy and 4051 P Town Procurement Policy as reviewed on 01/02/08.**

5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Ruffell, seconded by Mr. Switzer, to **approve the fee schedule for 2008.**

5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Switzer, seconded by Mr. Ruffell, to **approve the following petty cash funds and change funds designations for 2008:**

<u>Department</u>	<u>Amount</u>	<u>Authorized Signatures</u>
Town Clerk	\$200.00	Debra Kloiber or Carol Luety
Recreation & Parks (Petty Cash)	\$125.00	William Riddell, Lonna Jesse or Kim Millard
Recreation & Parks (change fund)	\$ 75.00	William I. Riddell, Lonna Jesse or Kim Millard
Town Justice	\$100.00	Justice Reginald Higgins or Dawn Yantch
Town Justice	\$100.00	Justice Paul Sucher or Dawn Yantch
Building & Assessing	\$200.00	Edward Collins, Chris Luteyn or Katie Kelsch
Water Utilities Department	\$100.00	Robert Wykle or Donna Heald
Highway Department	\$100.00	Jerry Santangelo or Marilee Stollery

The vote to establish petty cash designations was 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Tobin, seconded by Mr. Switzer, to **establish the following additional annual designations for 2008: authorize Department Heads to make purchases from County and State Contracts/bids within the Town's Procurement Policy and to Adopt Robert Rules of Order except where Town Law conflicts.** 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Tobin, seconded by Mr. Ruffell, to **appoint**

- **Steve Leaty to the Planning Board for a term beginning 01/01/08 through 12/31/12**
- **Robin Schmidt to the Zoning Board of Appeals for a term beginning 01/01/08 through 12/31/12**
- **Lee Stramonine to the Recreation & Parks Advisory Board for a term beginning 01/01/08 through 12/31/12**
- **Lela Carney to the Recreation and Parks Advisory Board for a term beginning 01/01/08 through 12/31/12**
- **2 Watershed Management Advisory Council Vacancies**

4 Ayes 1 Abstention (Eaton-Smith) MOTION CARRIED

A motion was made by Mr. Ruffell, seconded by Mr. Switzer, to **establish monthly meeting days, as recommended by advisory board/councils, as follows:**

Planning Board	2 nd Tuesday
Zoning Board of Appeals	1 st Wednesday
Recreation & Parks Advisory Board	4 th Tuesday
Watershed Management Advisory Council	3 rd Wednesday

5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Tobin, seconded by Mrs. Smith, to **adopt a resolution to consent to the temporary assignment of the Town of Ontario's Judges to preside in other Town and Village**

Courts as the need arises during the year 2008 and approve the temporary assignment of Judges from other Town and Village Courts to Ontario's Court as needed during the year 2008. 5 Ayes 0 Nays RESOLUTION ADOPTED

A motion was made by Mr. Ruffell, seconded by Mrs. Smith, to **designate the Ontario Town Board as the Board of Water Commissioners for 2008 and appoint Robert Kelsch as Chairman of the Board of Water Commissioners for 2008. 5 Ayes 0 Nays MOTION CARRIED**

Mr. Kelsch affirmed that Richard Luety is the Town of Ontario's Representative on the Wayne County Fire Advisory Board for 2008.

A motion was made by Mr. Ruffell, seconded by Mr. Tobin, to **approve the continuing appointments of the following persons to the Economic Development Committee for 2008: Dean Beh, John Graziose, Ronald Kreiling, James Pedulla, Roger Bellows, Dwight Critchell, Robert Carr, Roland Heimberger, James Switzer, Timothy Weller, Frank Robusto and Robin Schmidt. 4 Ayes 0 Nays 1 Abstention (Switzer) MOTION CARRIED**

A motion was made by Mrs. Smith, seconded by Mr. Ruffell, to **appoint the following members of the Records Management Council: Supervisor Robert Kelsch, Town Clerk Debra Kloiber, Town Employee Jennifer Benedict, Superintendent of Water Utilities Robert Wykle, Councilman James Switzer and Building Department Clerk Katie Kelsch. 4 Ayes 1 Abstention (Switzer) MOTION CARRIED**

A motion was made by Mrs. Smith, seconded by Mr. Switzer, to **appoint the following persons as official Departmental Signers:**

<u>Department</u>	<u>Department Head</u>	<u>Official Alternate Signer</u>
Supervisor	Robert Kelsch	Lori Eaton-Smith
Town Clerk	Debra Kloiber	Carol Luety
Planning/Zoning	Robert Kelsch	Donna Burolla
Economic Development	William Riddell	Donna Burolla
Recreation/Parks	William Riddell	Lonna Jesse
Building	Edward Collins	Todd Luke
Assessing	Chris Luteyn	Laurie Dellafave
Accounting	Lois Buckalew	Debbie Larwood
Highway	Jerry Santangelo	Marilee Stollery
Court	Reginald Higgins/Paul Sucher	N/A
Water Utilities	Robert Wykle	Donna Heald
Watershed	Jerry Santangelo, Robert Wykle, Edward Collins	

The following is a list of the Supervisor's Designations – Town Board Liaisons for 2008:

Eaton-Smith – Recreation/Parks, Cemeteries, Dog Control, Assessor and Library

Kelsch – Economic Development, Highway, Town Buildings, Board of Health, General Government and Traffic Control

Ruffell – Planning, Zoning, Safety Inspection, Code Enforcement and Comprehensive Plan

Switzer – Water/Sewer, Watershed, Union Negotiations, Historian, Website, Chamber/Publicity and BID

Tobin – Courts, NEQUALS, Fire Department, Ambulance, Information Technology and Lighting Districts

Regular Town Board Meeting

Comments from the public – None

Correspondence – The Town Clerk presented the following correspondence:
The 2008 Training School and Annual Meeting of the Association of Towns will be held at the Hilton New York & Towers, New York City, February 17-20, 2008.

A motion was made by Mr. Switzer, seconded by Mrs. Smith, to **accept and file the correspondence.**

5 Ayes 0 Nays MOTION CARRIED

Old Business –

Mr. Ruffell will be scheduling a Public Hearing in the near future to make a minor change to Chapter 80 relative to fencing.

New Business – A motion was made by Mr. Switzer, seconded by Mr. Ruffell, to **adopt a**

***RESOLUTION IN RECOGNITION OF SERVICE
TO THE TOWN OF ONTARIO BY BILL SLOCUM***

WHEREAS, Bill Slocum has been a life long resident of the Town of Ontario and began his employment as Superintendent of Highways on January 1, 1992 and after 4 terms of office, 16 years of 24 hour on-call dedication, has elected to retire on December 30, 2007, and

WHEREAS, Bill Slocum has been a member of the Wayne County Highway Superintendents Association and served as President for 2 years and Vice President for 2 years, and

WHEREAS, Bill Slocum attended Annual Highway School and New York State Highway Superintendents' Conferences to keep up to date with cost saving technology for our residents, and

WHEREAS, Bill Slocum has worked to assure that the roads in the Town of Ontario were maintained and safe for public travel, and

WHEREAS, Bill Slocum served as a member of the Town of Ontario Watershed Management Council for 15 years providing the Council with extensive knowledge of the town pertaining to drainage, and

WHEREAS, Bill Slocum worked diligently to preserve the History of the Town of Ontario, and

WHEREAS, Bill Slocum provided assistance whenever needed to all town departments, the Ontario Fire District, O.V.E.S, the Wayne County Sheriff's Department and the New York State Police, and

WHEREAS, Bill Slocum has maintained highway vehicles and equipment, and

WHEREAS, Bill Slocum restored the old highway garage, added onto the new garage to provide shelter for trucks as well as the construction of a new salt storage facility to ensure safety to his men and the environment, and

WHEREAS, Bill Slocum served the residents of the Town of Ontario with great pride and sincere dedication

NOW, THEREFORE, in recognition of **Bill Slocum's** contributions and service to the Town of Ontario and the County of Wayne, **BE IT THEREFORE RESOLVED** that the Ontario Town Board would like to commend you for your dedication and

BE IT FURTHER RESOLVED, that this **RESOLUTION** be entered into the minutes of the Ontario Town Board Meeting on the 2nd day of January, 2008 and that a certified copy of this resolution be presented to Mr. Slocum by the Town Clerk. 5 Ayes 0 Nays **RESOLUTION ADOPTED**

A motion was made by Mr. Tobin, seconded by Mr. Ruffell, to **adopt a**

***RESOLUTION IN RECOGNITION OF SERVICE
TO THE TOWN OF ONTARIO BY CATHY HERZOG***

WHEREAS, Cathy A. Herzog began working for the Town of Ontario in 1984, for the Accounting Department and in 1986 was appointed Deputy Town Clerk, and

WHEREAS, Cathy A. Herzog was first elected Town Clerk in 1992, and was appointed Receiver of Taxes and Assessments, Registrar and Records Access Officer from 1992 to the present, and

WHEREAS, Cathy A. Herzog served on the NYS Local Government Records Regional Advisory Committee for Region 7 and as Records Management Officer for the Town of Ontario and was awarded four (4) Records Management Grants, and

WHEREAS, Cathy A. Herzog was designated as a Registered Municipal Clerk (RMC) by the New York State Town Clerks Association for meeting the educational, experience and participatory requirements to become an RMC, and

WHEREAS, Cathy A. Herzog was designated District Director for Region 7 of the New York State Town Clerks Association, and

WHEREAS, Cathy A. Herzog was a charter member of the Wayne County Town Clerks and Deputies Association, where she served as Vice President for 6 years and President from 2006 to 2007, and

WHEREAS, Cathy A. Herzog served the community by her involvement as past director for the Ontario Medical Loan Closet and a member of the Ontario Women's Civic Club, where she served as President, and

WHEREAS, Cathy A. Herzog, during her years of service as a public official, has diligently served the residents and officials of the Town of Ontario and the County of Wayne in a loyal and dedicated manner, and

NOW, THEREFORE, in recognition of her contributions and service to residents of the Town of Ontario

BE IT RESOLVED, that the Town Board of the Town of Ontario commends Cathy A. Herzog for her twenty-three and a half (23.5) years of service to the Town of Ontario and the community at large, and

BE IT FURTHER RESOLVED that this **RESOLUTION** be entered into the minutes of the Ontario Town Board meeting this 2nd day of January, 2008, and that a certified copy of this **RESOLUTION** is presented to Mrs. Cathy A. Herzog by the Town Clerk. 5 Ayes 0 Nays
RESOLUTION ADOPTED

A motion was made by Mr. Tobin, seconded by Mr. Ruffell, to **adopt a**

**RESOLUTION IN RECOGNITION OF SERVICE TO THE TOWN OF ONTARIO
BY MARY ELIZABETH HOWARD**

WHEREAS, Mary Elizabeth Howard began her employment with the Ontario Justice Court as a Justice on January 1, 1988, and

WHEREAS, Mary Elizabeth Howard after 20 years of 24 hour seven days a week dedicated service to the Town of Ontario and its residents, has elected to retire on December 31, 2007, and

WHEREAS, Mary Elizabeth Howard has attended and successfully completed annual training classes issued by the New York State Magistrates Association, and

WHEREAS, Mary Elizabeth Howard has served as a member of the Wayne County Magistrates Association, and

WHEREAS, Mary Elizabeth Howard has served as President of the Wayne County Magistrates Association, and

WHEREAS, Mary Elizabeth Howard has been a member of the New York State Magistrates Association, and

WHEREAS, Mary Elizabeth Howard has been a member of the National Judges Association,

NOW, THEREFORE, in recognition of Mary Elizabeth Howard's contribution and service to the Town of Ontario, and the County of Wayne, and the State of New York, **BE IT THEREFORE RESOLVED** that the Ontario Town Board commends her for her service and dedication, and

BE IT FURTHER RESOLVED that this **RESOLUTION** be entered into the minutes of the Ontario Town Board Meeting on the 26th day of December, 2007 and that a certified copy of this resolution be presented to Justice Howard by the Town Clerk. 5 Ayes 0 Nays
RESOLUTION ADOPTED

A motion was made by Mrs. Smith, seconded by Mr. Tobin, to **authorize the Supervisor to execute the agreement between Alan J. Knauf and the Town of Ontario as Attorney for the Town for the calendar year 2008.** 5 Ayes 0 Nays **MOTION CARRIED**

A motion was made by Mr. Tobin, seconded by Mr. Switzer, to **authorize the Supervisor to execute the agreement with Advance 2000 for web hosting, e-mail and other related services for the calendar year 2008.** 5 Ayes 0 Nays **MOTION CARRIED**

A motion was made by Mr. Switzer, seconded by Mr. Tobin to **authorize Town Officials to attend the NYS 2008 Training School and Annual Meeting in New York City, February 17-20, 2008 with registration, meals, travel and all necessary and actual expenses as a town charge.** 5 Ayes
0 Nays MOTION CARRIED

Adjourn – A motion was made by Mr. Switzer, seconded by Mr. Tobin, **to adjourn at 8:08 PM.**
5 Ayes 0 Nays MOTION CARRIED

Respectfully submitted,

Debra Kloiber
Ontario Town Clerk

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

The next Town Board meeting will be January 14th at 7 PM

The next Town Board workshop will be February 4th at 7 PM

JANUARY 14, 2008

ONTARIO TOWN BOARD MEETING

A regular meeting of the Ontario Town Board was called to order by Supervisor Kelsch at 7:00 PM in the Ontario Town Hall. Present were Supervisor Robert Kelsch, Council members: Jason Ruffell, Lori Eaton-Smith, James Switzer and Stephen Tobin, Superintendent of Water Utilities Robert Wykle, Superintendent of Highways Jerry Santangelo, Building Inspector/Code Enforcement Officer Edward Collins, Director of Recreation & Parks William Riddell, Accounting Supervisor Lois Buckalew, Sole Assessor Christine Luteyn, Library Director Sandra Hysten, Dog Control Officer Mark Plyter, Attorney for the Town Alan Knauf and Town Clerk Debra Kloiber.

Thirty-two residents and visitors were present at portions of the meeting.

Mrs. Lori Eaton-Smith led the Pledge of Allegiance.

Mr. Switzer, on behalf of the Town Board, recognized Scott Tozier with a Commendation in recognition of his selection as the 2007 Charles Walter Nichol Award for Outstanding & Meritorious Achievement from the American Public Works Association. Mr. Tozier is chief Wastewater Treatment Operator for the Town of Ontario.

Approval of the Agenda – The following revisions to the agenda were made:

- Accept the Town Clerk's 2007 annual report and audit fiscal records for 2007
- Add a highway fund budget transfer
- Amend a motion to bid for Tension Fabric Structure, delete "components" add "foundations"
- Amend motion from Highway to delete "equipment purchases" and add "the purchase of a 2005 or newer Step Van"
- Amend the motion for the Water and Wastewater Agency Response Network Agreement, delete "Superintendent of Water Utilities" add "Supervisor"
- Amend motion to advertise for bid for Capital Project #H75-07, change "#01-2008" to "#02-2008"
- Accept Joelle Flatt's resignation and authorize the town justices to fill the vacant position

A motion was made by Mr. Switzer, seconded by Mr. Ruffell, to **approve the agenda as revised**.
5 Ayes 0 Nays MOTION CARRIED

Comments from the Public – None

Approval of Minutes - Mr. Kelsch asked for approval of the minutes of the December 26, 2007 Town Board meeting. A motion was made by Mr. Switzer, seconded by Mr. Tobin, to **approve the minutes as presented**. 5 Ayes 0 Nays MOTION CARRIED

Mr. Kelsch asked for approval for the minutes of the January 2, 2008 Town Board meeting. A motion was made by Mr. Switzer, seconded by Mr. Tobin, to **approve the minutes as presented**. 5 Ayes 0 Nays MOTION CARRIED

Correspondence – None

Attorney for the Town Report – Mr. Knauf will be setting up a meeting with the board to discuss the progress on a tax assessment claim for the Orchard Grove Mobile Home Park. He announced that he and Mr. Kelsch will be going to Albany on Friday January 18, 2008 for a high level meeting with Trevan Houser and the DEC relative to the Landfill Closure Project.

Department Head Reports -

Superintendent of Water Utilities – A motion was made by Mr. Switzer, seconded by Mr. Tobin, to **accept the December 2007 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

Superintendent of Highways – A motion was made by Mr. Kelsch, seconded by Mr. Switzer, to **accept the December 2007 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

Building Inspector/Code Enforcement Officer – A motion was made by Mr. Kelsch, seconded by Mr. Tobin, to **accept the December 2007 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

Director of Recreation & Parks – A motion was made by Mrs. Smith, seconded by Mr. Ruffell, to **accept the December 2007 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

Sole Assessor – A motion was made by Mrs. Smith, seconded by Mr. Switzer, to **accept the December 2007 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

Ontario Public Library - A motion was made by Mrs. Smith, seconded by Mr. Tobin, to **accept the December 2007 Library report as presented.** 5 Ayes 0 Nays MOTION CARRIED

Ontario Town Court – A motion was made by Mr. Tobin, seconded by Mr. Switzer, to **receive the December 2007 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

Dog Control Officer – A motion was made by Mrs. Smith, seconded by Mr. Switzer, to **accept the December 2007 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

Watershed Management Advisory Council – A motion was made by Mr. Switzer, seconded by Mrs. Smith to **accept the December 2007 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

Economic Development Department - A motion was made by Mr. Kelsch, seconded by Mr. Tobin to **accept the December 2007 report as presented.** 5 Ayes 0 Nays MOTION CARRIED

Old Business - None

New Business – A motion was made by Mrs. Smith, seconded by Mr. Tobin, to **authorize the Director of Parks and Recreation to accept the lowest responsible quote from Lakeside Roofing and Siding for cedar siding for the community center southern exposure at a cost not to exceed \$9035.00,** as requested by the Director of Parks and Recreation in memo #PR01-08. 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Switzer, seconded by Mrs. Smith, to **authorize the Supervisor to execute the Water and Wastewater Agency Response Network (WARN) Agreement,** as requested by the Superintendent of Water Utilities in memo #03-2008. 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Kelsch, seconded by Mr. Switzer, to **authorize the Superintendent of Highways to purchase a 2008 Ford F-250 Pickup Truck on State Bid Contract #PC62882, at a cost not to exceed \$24,500.00**, as requested by the Superintendent of Highways in memo #08-01. 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Kelsch, seconded by Mr. Tobin, to **authorize the Superintendent of Highways to seek bids for the purchase of a 2005 or newer Step Van and to authorize the Town Clerk to post and publish a legal notice to bidders** as requested by the Superintendent of Highways in memo #08-02. 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Kelsch, seconded by Mr. Ruffell, to **authorize the Code Enforcement Officer/Building Inspector to accept the lowest responsible quote from EMCO for carpet tile, vinyl flooring and installation, at a cost not to exceed \$15,500.00, and to authorize the Supervisor to execute the agreement for same installation in the Ontario Public Library**, in a memo dated 1/8/08. 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Switzer, seconded by Mr. Tobin, to **authorize the Superintendent of Water Utilities to seek bids for Capital Project #H76-07, Wastewater Treatment Plant Entrance Unit, and to authorize the Town Clerk to post and publish a legal notice to bidders** as requested in memo #01-08. 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Switzer, seconded by Mrs. Smith, to **authorize the Superintendent of Water Utilities to seek bids for Capital Project H75-07, Timothy Lane Road Improvements, and to authorize the Town Clerk to post and publish the legal notice to bidders** as requested by the Superintendent of Water Utilities in memo #02-08. 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Switzer, seconded by Mr. Ruffell, to **approve the purchase of four (4) Master Control Panel Upgrades from Casco Security Systems, Inc. for: Palmer Hall \$2,997.00, Parks and Recreation \$2,285.00, Highway Department \$1,890.00, and Town Hall \$2,580.00 and to authorize the Supervisor to sign the work orders**, as requested by the Code Enforcement Officer/Building Inspector in a memo dated 1/8/08. 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mrs. Smith, seconded by Mr. Tobin, **authorize the Supervisor to execute the agreement between Richard T. Williams, II and the Town of Ontario as Deputy Attorney for the Town for the calendar year 2008**. 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mrs. Smith, seconded by Mr. Tobin, **adopt a RESOLUTION to authorize the Superintendent of Highways to spend and to approve the Annual Agreement to Spend Town Highway Funds for improvements to Kenyon Road from Knickerbocker Road to Slocum Road, for an amount not to exceed \$150,000 and authorize the Supervisor, Superintendent of Highways and Town Board members to execute the agreement**. 5 Ayes 0 Nays RESOLUTION ADOPTED

SUMMERS PLACE DEDICATION

A motion was made by Mr. Kelsch, seconded by Mr. Switzer, to **adopt a RESOLUTION for the acceptance of the Offer of Dedication of land for public highway purposes from Summer Lake, LLC for Summer Lake Subdivision – Section 4, for the construction and /or the maintenance of a highway on said lands as described in Schedule A**, as presented. 5 Ayes 0 Nays RESOLUTION ADOPTED

A motion was made by Mr. Kelsch, seconded by Mr. Switzer, to **adopt a RESOLUTION for the DEDICATION OF A PARCEL OF LAND FOR HIGHWAY PURPOSES OF THE SUMMER LAKE SUBDIVISION – SECTION 4, TOWN OF ONTARIO, COUNTY OF WAYNE AND STATE OF NEW YORK**

WHEREAS, Summer Lake, LLC, by “Offer of Dedication of Land for Public Highway Purposes”, dated April 18, 2007, has offered to dedicate certain lands in the Town of Ontario, Wayne County, New York consisting of a portion of “Summers Place”, as shown on a map entitled “Summer Lake Subdivision Plat Map Section 4 and Resubdivision Map”, prepared by Costich Engineering, PC, dated January 22, 2007, having drawing Number 4060.04-1, 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 drainage control 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. Said matter having been put to a vote; the following votes were recorded:

5 Ayes 0 Nays RESOLUTION ADOPTED

CARRIAGE COURT PHASE 2, SUBDIVISION DRAINAGE FACILITY

A motion was made by Mr. Kelsch, seconded by Mr. Switzer, to **adopt a RESOLUTION for the acceptance of the Offer of Dedication of land for drainage facility from Daniel Lettro, Carriage Court, Phase 2 Subdivision. 5 Ayes 0 Nays RESOLUTION ADOPTED**

A motion was made by Mr. Kelsch, seconded by Mr. Switzer, to **adopt a RESOLUTION for the**

DEDICATION OF A PARCEL OF LAND OF THE CARRIAGE COURT – PHASE 2 SUBDIVISION, TOWN OF ONTARIO, COUNTY OF WAYNE AND STATE OF NEW YORK

WHEREAS, Daniel Lettro, by “Offer to Dedicate Land”, dated August 17, 2007, has offered to dedicate certain lands in the Town of Ontario, Wayne County, New York, for retention pond and other public purposes, consisting of approximately 1.115 acres of land and known as “Area to be Dedicated to the Town of Ontario”, as shown on the Drawing entitled “Subdivision Plat, Sheet 1 of 7, Final Plans, Carriage Court Subdivision – Phase 2”, prepared by Kreiling Associates, PE, LS, PC, having Project Number 04-3946-2, last dated September 27, 2006, 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 drainage control and other public 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. Said matter having been put to a vote; the following votes were recorded:

5 Ayes 0 Nays RESOLUTION ADOPTED

A motion was made by Mrs. Smith, seconded by Mr. Tobin, to **authorize the Director of Parks and Recreation to seek bids for labor necessary for the construction of the foundations for the two (2) tension fabric structure foundations and to authorize the Town Clerk to post and publish the legal notice to bidders** as requested by the Director of Parks and Recreation in memo #PR01-08. 5 Ayes 0 Nays MOTION CARRIED

A motion was made Mrs. Smith, seconded by Mr. Tobin, to **authorize the Director of Parks and Recreation to seek bids for foundation concrete necessary for the construction of two (2) tension fabric structure foundations and to authorize the Town Clerk to post and publish the legal notice to bidders** as requested in memo #PR02-08. 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Switzer, seconded by Mrs. Smith, to **authorize the Town Board to name Stephen Tobin as the voting delegate for the NYS Association of Town’s Annual Business meeting in New York City in February 2008.** 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mrs. Smith, seconded by Mr. Ruffell, to **authorize the Director of Parks and Recreation to accept the lowest responsible quote from Dana Enterprises for labor for siding the community center building, at a cost not to exceed \$7,600.00,** as requested in memo #PR3-2008. 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Kelsch, seconded by Mr. Switzer, to **authorize the Town Clerk to post and publish a Legal Notice of Public Hearing to be held on January 28, 2008, at 7:00 p.m. at the Ontario Town Hall, 1850 Ridge Road, Ontario, to consider enactment of proposed Local Law #1 of 2008 to amend Chapter 80 of the Town Code to eliminate the requirement for building permits for fences.** 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Switzer, seconded by Mr. Tobin, to **accept, audit and file the Town Clerk’s fiscal records and 2007 Annual Fiscal report,** as presented. 5 Ayes 0 Nays MOTION CARRIED

Budget Transfers/Adjustments - A motion was made by Mr. Switzer, seconded by Mr. Ruffell, to **approve the following Highway Fund budget transfer of \$2,066.48 from DA 9060.8 to DA 9050.8 (Unemployment Insurance).** 5 Ayes 0 Nays MOTION CARRIED

Appointments/Resignations –A motion was made by Mr. Tobin, seconded by Mr. Switzer, to **accept the resignation of Joelle Flatt from the position of court clerk in the justice court**

effective January 18, 2008 and authorize the town justices to advertise to fill the vacant position. 5 Ayes 0 Nays MOTION CARRIED

Approval of Claims - A motion was made by Mr. Switzer, seconded by Mr. Ruffell to **approve the abstract of claims for January 14, 2008, including vouchers #001 through #145 with a grand total of \$184,270.02 and to authorize the Supervisor to issue payments for same. 5 Ayes 0 Nays MOTION CARRIED**

Board Reports: - Mr. Switzer announced that there will be a Vision Workshop for the Business Improvement District (BID) on Saturday, January 26, 2008 at 10:00 AM at the Emmanuel United Congregational Church, 1973 Ridge Road Ontario, downstairs. All are invited to attend.

Mr. Riddell noted that the trash receptacles purchased by the town at the request of the BID should be delivered in 6-8 weeks.

The Town Board requested members of the BID to attend the workshop on February 4, 2008 to discuss proposals for snow removal.

Mrs. Smith announced that the grand finale for the town's bicentennial celebration entitled "Ontario Through The Decades" will be held on February 8, 2008 at 7 PM in the Performing Arts Center at Wayne Central High School.

Mr. Ruffell announced that there will be a special Planning Board and Zoning Board of Appeals meeting on January 22nd at 7 p.m. in the Ontario Town Hall, 1850 Ridge Road. It is open to the public.

Comments from the Public – Mr. Roger Legg asked if highway funds can be used for purposes other than highways. Mr. Knauf stated that they can if it is in the same tax base. He will, however, look into it further and come up with a procedure.

Executive Session - A motion was made by Mr. Ruffell, seconded by Mrs. Smith, to **adjourn into an executive session at 8:30 PM for the interviews of specific persons for the Watershed Management Advisory Council. 5 Ayes 0 Nays MOTION CARRIED**

Reconvene – 9:00 PM

Adjourn - A motion was made by Mr. Switzer, seconded by Mr. Ruffell, to **adjourn at 9:01 PM 5 Ayes 0 Nays MOTION CARRIED**

Respectfully submitted,

Debra Kloiber
Ontario Town Clerk

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