

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 24th day of August, at 7:00 PM, there were:

PRESENT: Theodore Fafinski – Supervisor
Peter Ingalsbe – Deputy Supervisor
Timothy P. Mickelsen – Councilman
Michael Casale – Councilman
Steven Holtz – Councilman
Michelle Finley – Town Clerk

Also present were: **James Crane** – Water & Sewer Superintendent, **Dotti Mickelsen, Edward McLaughlin**- Highway/Parks Superintendent, **Mrs. Austin**- Resident, **Jim Morse** – Code Enforcement Officer, **Mr. & Mrs. Neale**-Planning Board Member, **Paul Conrad**-Fire Chief, and **Dottie Mickelsen**-Resident.

PUBLIC HEARINGS: 1. Estates at Beaver Creek Subdivision Lighting District.
2. Estates at Beaver Creek Subdivision Sidewalk District.
3. Estates at Beaver Creek Subdivision Sanitary Sewer District.
4. Estates at Beaver Creek Subdivision Water District Extension to the Canandaigua-Farmington Consolidated Water District.

A motion was made by Councilman Mickelsen and seconded by Councilman Holtz to waive the reading of all legal notices due to length. Motion Carried.

At 7:00 PM, on this date, a Public Hearing was called to order to hear all persons/citizens, in interest, concerning the creation of the Estates at Beaver Creek Subdivision Lighting District.

Supervisor Fafinski opened the public hearing. No one wishing to be heard, for or against the foregoing subject matter, the Hearing was declared closed at 7:01PM.

At 7:01 PM, on this date, a Public Hearing was called to order to hear all persons/citizens, in interest, concerning the creation of the Estates at Beaver Creek Subdivision Sidewalk District.

Supervisor Fafinski opened the public hearing. No one wishing to be heard, for or against, concerning the foregoing subject matter, the Hearing was declared closed at 7:02 PM.

At 7:02 PM, on this date, a Public Hearing was called to order to hear all persons/citizens, in interest, concerning the creation of the Estates at Beaver Creek Subdivision Sanitary Sewer District.

Supervisor Fafinski opened the public hearing. No one wishing to be heard, for or against, concerning the foregoing subject matter, the Hearing was declared closed at 7:03 PM.

At 7:03 PM, on this date, a Public Hearing was called to order to hear all persons/citizens, in interest, concerning the creation of the Estates at Beaver Creek Subdivision Water District Extension to the Canandaigua-Farmington Consolidated Water District.

Supervisor Fafinski opened the public hearing. No one wishing to be heard, for or against, concerning the foregoing subject matter, the Hearing was declared closed at 7:04 PM.

APPROVAL OF MINUTES:

A motion was made by Councilman Ingalsbe, seconded by Councilman Casale that the minutes of the August 10, 2010, meeting, given to members for review, be approved. **Carried** – Supervisor Fafinski Abstained.

PRIVILEGE OF THE FLOOR: None.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Ingalsbe reported:

Water & Sewer:

1. Purdy Road Water Project update.
2. Highway Campus Update on timetable-sanitary sewer hook up and engineer design is completed- Short Form available and resolution for Lead Agency on for tonight. Hoping to award bid contracts in October.
3. Training- Public Works Emergency Workshop-August 26.
4. Water Shortage Data going back 3 years for future audits.

Highway & Parks:

1. Finalizing budget.
2. Add Stop Sign – Townline Road and Beaver Creek Estates.
3. Gasway pumpstation renewal agreement resolution.
4. Vac-All repairs-over \$4500.
5. Will be purchasing a broom for the Toro mower that was purchased last year for sidewalk maintenance .
6. Conductive Lighting-Farmbrook Park and other sites-cost savings.
7. Hayride and Oatfield Streets- Mill and Fill is completed.
8. Invoice for new truck-\$177,883.77.
9. New mower cost \$42,000.

Town Operations Committee: Councilman Casale reported:

1. Still waiting to hear when the town will receive grant money for trails.
2. Discussed the change in the patio home situation where they could easily identify them-ask that the Board look over them and give Ron Brand comments to get it moving.

Town Finance Committee: None

Town Public Safety Committee: None.

REPORTS OF TOWN OFFICIALS:

Supervisor Fafinski :

1. Reminder - September 14th Board meeting moved to September 15th due to Primary Election Day.
2. Attended meeting in Livingston County – gave highlights in 2011 budget.
3. CHIPS money-not allocated beyond this year’s budget.

Highway& Parks Superintendent Ed McLaughlin:

1. Ash Borer insect-did audit of trees in parks- recommended replacing trees.
2. Recent thunderstorm knocked down half a dozen trees (Martz, Fox, and Allen Padgham Roads).

Town Clerk Michelle Finley:

1. Discussed offering taxes online-will have resolution for next town board meeting.

Water & Sewer Superintendent Jim Crane:

1. Public Works asked him to look at contractors working in Farmbrook.

Code Enforcement Officer Jim Morse:

1. Stated the Building Department was very busy.
2. Attending Electrical Codes class at Mertensia Lodge.

Director of Planning and Development: NONE.

Assessor Donna LaPlant:

1. Supervisor read a report from Assessor regarding the state aid program.

Fire Chief Paul Conrad:

1. Stated that the attendance at the Carnival was down and revenue was the same, costs were down. Supervisor Fafinski asked him to thank all the helped make that a great community event.

Planning Board Member Mary Neale:

1. Stated they were really busy with subdivisions and buildings.

COMMUNICATIONS:

1. Letter to Farmbrook resident from Highway/Parks Superintendent Ed McLaughlin. Re: Construction in the park.
2. Letter to the Town Board from the NYS Dept. of Health. Re: Saratoga Crossing, Lot 2, water supply.

3. Letter to Ontario County Sheriff Phil Povero from the Supervisor. Re: Traffic concerns in Farmbrook.
4. Copy of updated letter to be provided to Troy & Banks for ongoing utility audit.
5. Letter to the Town Board from Lois Dilworth, Supervisor from Broome County, encouraging a resolution supporting horizontal gas drilling in NYS.
6. Letter to the Town Board from Leslie O'Malley, clerk of the Planning Board. Re: Herendeen Estate, final subdivision (Hook Road campus)
7. Notice of decision in Workers Comp case.
8. Letter from Water & Sewer Superintendent to Victor Senior Properties/Legacy at the Fairways. Re: Unpaid sewer fees.
9. Memos from Finance and Accounting Specialist to the Supervisor. Re: Inventory, encumbrances and vacation accruals.
10. Thank you card to the Town Board from Helen Thiel, secretary of the Victor Seniors.
11. Letter to the Town Clerk from the NYS Comptroller's Office. Re: Stonewood Extension No. 1 to the Farmington Sewer District.
12. Letter to the Ontario County Real Property Tax Agency from the Supervisor. Re: Request that mowing fees be added to the property tax bill of a Farmington property owner.
13. Letter to Sandra Kramer from the Highway/Parks Superintendent. Re: Farmbrook Park project.
14. Letter to Troy & Banks from the Supervisor's Secretary. Re: Requested information for utility audit.
15. Letter to the Town Board from the NYS Dept. of Health. Re: Goodman Apts. water supply.
16. Letter to the Town Board from the NYS Dept. of Health. Re: Purdy Road water supply.
17. Request from Rochester Gas & Electric for Auburn Meadows house numbers from A&D Development.
18. Registration information for a Recovery Workshop by the State Emergency Management Office.
19. Certificates of liability insurance for Gerber Homes, Kelly Atlantic Corp, and Irondequoit Garden Center, Inc.
20. Certificate of Workers Comp insurance for Paynes Construction.

REPORTS & MINUTES: NONE.**ORDER OF BUSINESS:****RESOLUTION #243-2010:**

Councilman Holtz offered the following Resolution, seconded by **Councilman Casale**:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF FARMINGTON, ONTARIO COUNTY, NEW YORK, DETERMINATION OF SIGNIFICANCE THE ESTATES AT BEAVER CREEK SUBDIVISION WATER DISTRICT EXTENSION TO THE CANANDAIGUA/FARMINGTON WATER DISTRICT

WHEREAS, the Town of Farmington Town Board, hereinafter referred to as Town Board, has determined the above referenced action to be an Unlisted Action under the State Environmental Quality Review (SEQR) Regulations, and,

WHEREAS, the Town Board has reviewed and accepted the Environmental Record prepared on said action, and

WHEREAS, the Town Board has considered the potential impacts associated with said action.

NOW, THEREFORE, BE IT RESOLVED THAT the Town Board makes this Determination of Non-Significance based upon: the map and plan prepared by DSB Engineers & Architects, P.C.; the August 24, 2010, Town Board Public Hearing Record on said action; and, the Environmental Record prepared on said action.

BE IT FURTHER RESOLVED THAT, the Town Board makes this Determination of Non-Significance based on the following reasons supporting this determination:

1. The Town Board considered the action as defined in subdivisions 617.2(b) and 617.3(g) of Part 617 of the SEQR Regulations; and,
2. The Town Board did review the EAF, the criteria contained in subdivision (c) of 617.7 and other supporting information to identify the relevant areas of environmental concern; and,
3. The Town Board did thoroughly analyze the identified relevant areas of environmental concern to

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- determine if the action may have significant adverse impact on the environment; and
- The Town Board did set forth its determination of significance in written form containing a reasoned elaboration and providing reference to all supporting documentation.

I, Michelle Finley, Town Clerk of the Town of Farmington do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Farmington on August 24, 2010, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Theodore M. Fafinski	x	
Timothy Mickelsen	x	
Michael Casale	x	
Peter Ingalsbe	x	
Steven Holtz	x	

All Voting "Aye", the Resolution was **CARRIED**.

RESOLUTION #244-2010:

Councilman Ingalsbe offered the following Resolution, seconded by **Councilman Casale**:

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF FARMINGTON APPROVING
CREATION OF THE ESTATES AT BEAVER CREEK SUBDIVISION WATER DISTRICT
EXTENSION TO THE CANANDAIGUA/FARMINGTON WATER DISTRICT**

WHEREAS, a written Petition dated January 28, 2010, has been presented and filed with the Town Clerk of the Town of Farmington, Ontario County, New York, requesting establishment of The Estates at Beaver Creek Subdivision Water District Extension to the Canandaigua/Farmington Water District ("District") with boundaries as described in a Map and Plan relating to the establishment of the District, attached hereto as Exhibit 1, prepared by D.S.B. Engineers & Architects, P.C. in a manner and such detail as has been determined by this Town Board to be sufficient and has been duly filed with the Town Clerk, in accordance with the requirements of Article 12 of the Town Law; and

WHEREAS, an Order was duly adopted by this Town Board on August 10, 2010, reciting the filing of said Map and Plan, the improvements proposed, the boundaries of the proposed District, the fact that the Map and Plan describing the same were on file in the Town Clerk's Office for public inspection, and stating all other matters required by law to be stated, and specifying August 24, 2010, at 7:00 p.m., at the Town of Farmington Town Hall, 1000 County Road 8, Farmington, New York, as the place where this Town Board would meet and consider said Map and Plan and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as required or authorized by law; and

WHEREAS, the hearing on said matter was duly held by said Town Board on August 24, 2010, at the Farmington Town Hall, at which all interested persons desiring to be heard were heard; and

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law it has been determined by the Town Board that approval of this District would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQR; and

NOW, THEREFORE, upon the evidence given at said public hearing, be it **RESOLVED** as follows:

- That said Petition is signed, acknowledged or proved as required by law and is otherwise sufficient;
- The Order Calling Public Hearing was duly published in the Town's official newspaper on August 13, 2010 and duly posted on the Town's official sign board on August 11, 2010, all as required by law and is otherwise sufficient;
- All of the property owners within the proposed District are benefited thereby;
- All of the property and property owners benefited are included within the limits of the proposed District;
- It is in the public interest to establish said District;
- The proposed expenses for on-going maintenance and capital improvements, as set forth in the Petition referred to herein, be and are hereby approved;
- The costs and expenses of the proposed on-going construction and on-going maintenance and improvements associated with said District be assessed, levied and collected from the several lots and parcels of land within said District for such purpose in the same manner and at the same time as other

Town charges, except as otherwise provided by law, all pursuant to Section 202(3) of the Town Law and in accordance with the ad valorem charge basis as outlined in the Map, Plan and Report referred to herein;

8. That the establishment of the District, as set forth in said Map and Plan, be and hereby is approved; that the improvements therein mentioned be constructed by the Petitioner; and such District shall be bounded and described as set forth in Exhibit 1 attached hereto and made a part hereof;

9. That the Town Board members execute the Order Establishing this District and that the Town Clerk be, and hereby is, authorized and directed to file a certified copy of the Order Establishing the District in the Office of the Clerk of the County of Ontario and in the office of the State Department of Audit and Control at Albany, New York.

I, Michelle Finley, Town Clerk of the Town of Farmington do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Farmington on August 24, 2010, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Theodore M. Fafinski	x	
Timothy Mickelsen	x	
Michael Casale	x	
Peter Ingalsbe	x	
Steven Holtz	x	

All voting "Aye", the Resolution was **CARRIED**.

RESOLUTION #245-2010:

Councilman Casale offered the following Resolution, seconded by **Councilman Holtz**:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF FARMINGTON, ONTARIO COUNTY, NEW YORK, DETERMINATION OF SIGNIFICANCE THE ESTATES AT BEAVER CREEK SUBDIVISION SIDEWALK DISTRICT

WHEREAS, the Town of Farmington Town Board, hereinafter referred to as Town Board, has determined the above referenced action to be an Unlisted Action under the State Environmental Quality Review (SEQR) Regulations, and,

WHEREAS, the Town Board has reviewed and accepted the Environmental Record prepared on said action, and

WHEREAS, the Town Board has considered the potential impacts associated with said action.

NOW, THEREFORE, BE IT RESOLVED THAT the Town Board makes this Determination of Non-Significance based upon: the map and plan prepared by DSB Engineers & Architects, P.C.; the August 24, 2010, Town Board Public Hearing Record on said action; and, the Environmental Record prepared on said action.

BE IT FURTHER RESOLVED THAT, the Town Board makes this Determination of Non-Significance based on the following reasons supporting this determination:

1. The Town Board considered the action as defined in subdivisions 617.2(b) and 617.3(g) of Part 617 of the SEQR Regulations; and,
 2. The Town Board did review the EAF, the criteria contained in subdivision (c) of 617.7 and other supporting information to identify the relevant areas of environmental concern; and,
 3. The Town Board did thoroughly analyze the identified relevant areas of environmental concern to determine if the action may have significant adverse impact on the environment; and
 4. The Town Board did set forth its determination of significance in written form containing a reasoned elaboration and providing reference to all supporting documentation.

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I, Michelle Finley, Town Clerk of the Town of Farmington do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Farmington on August 24, 2010, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Theodore M. Fafinski	x	
Timothy Mickelsen	x	
Michael Casale	x	
Peter Ingalsbe	x	
Steven Holtz	x	

All voting "Aye", the Resolution was **CARRIED**.

RESOLUTION #246-2010:

Councilman Holtz offered the following Resolution, seconded by **Councilman Ingalsbe**:

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF FARMINGTON APPROVING
CREATION OF THE ESTATES AT BEAVER CREEK SUBDIVISION SIDEWALK DISTRICT**

WHEREAS, a written Petition dated February 4, 2010, has been presented and filed with the Town Clerk of the Town of Farmington, Ontario County, New York, requesting establishment of The Estates at Beaver Creek Subdivision Sidewalk District ("District") with boundaries as described in a Map and Plan relating to the establishment of the District, attached hereto as Exhibit 1, prepared by D.S.B. Engineers & Architects, P.C. in a manner and such detail as has been determined by this Town Board to be sufficient and has been duly filed with the Town Clerk, in accordance with the requirements of Article 12 of the Town Law; and

WHEREAS, an Order was duly adopted by this Town Board on August 10, 2010, reciting the filing of said Map and Plan, the improvements proposed, the boundaries of the proposed District, the fact that the Map and Plan describing the same were on file in the Town Clerk's Office for public inspection, and stating all other matters required by law to be stated, and specifying August 24, 2010, at 7:01 p.m., at the Town of Farmington Town Hall, 1000 County Road 8, Farmington, New York, as the place where this Town Board would meet and consider said Map and Plan and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as required or authorized by law; and

WHEREAS, the hearing on said matter was duly held by said Town Board on August 24, 2010, at the Farmington Town Hall, at which all interested persons desiring to be heard were heard; and

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law it has been determined by the Town Board that approval of this District would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQR; and

NOW, THEREFORE, upon the evidence given at said public hearing, be it **RESOLVED** as follows:

1. That said Petition is signed, acknowledged or proved as required by law and is otherwise sufficient;
2. The Order Calling Public Hearing was duly published in the Town's official newspaper on August 13, 2010 and duly posted on the Town's official sign board on August 11, 2010, all as required by law and is otherwise sufficient;
3. All of the property owners within the proposed District are benefited thereby;
4. All of the property and property owners benefited are included within the limits of the proposed District;
5. It is in the public interest to establish said District;
6. The proposed expenses for on-going maintenance and capital improvements, as set forth in the Petition referred to herein, be and are hereby approved;
7. The costs and expenses of the proposed on-going construction and on-going maintenance and improvements associated with said District be assessed, levied and collected from the several lots and parcels of land within said District for such purpose in the same manner and at the same time as other Town charges, except as otherwise provided by law, all pursuant to Section 202(3) of the Town Law and in accordance with the ad valorem charge basis as outlined in the Map, Plan and Report referred to herein;

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8. That the establishment of the District, as set forth in said Map and Plan, be and hereby is approved; that the improvements therein mentioned be constructed by the Petitioner; and such District shall be bounded and described as set forth in Exhibit 1 attached hereto and made a part hereof;

9. That the Town Board members execute the Order Establishing this District and that the Town Clerk be, and hereby is, authorized and directed to file a certified copy of the Order Establishing the District in the Office of the Clerk of the County of Ontario and in the office of the State Department of Audit and Control at Albany, New York.

I, Michelle Finley, Town Clerk of the Town of Farmington do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Farmington on August 24, 2010, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Theodore M. Fafinski	x	
Timothy Mickelsen	x	
Michael Casale	x	
Peter Ingalsbe	x	
Steven Holtz	x	

All voting "Aye", the Resolution was **CARRIED**.

RESOLUTION #247-2010:

Councilman Casale offered the following Resolution, seconded by **Councilman Holtz**:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF FARMINGTON, ONTARIO COUNTY, NEW YORK, DETERMINATION OF SIGNIFICANCE THE ESTATES AT BEAVER CREEK SUBDIVISION SANITARY SEWER DISTRICT

WHEREAS, the Town of Farmington Town Board, hereinafter referred to as Town Board, has determined the above referenced action to be an Unlisted Action under the State Environmental Quality Review (SEQR) Regulations, and,

WHEREAS, the Town Board has reviewed and accepted the Environmental Record prepared on said action, and

WHEREAS, the Town Board has considered the potential impacts associated with said action.

NOW, THEREFORE, BE IT RESOLVED THAT the Town Board makes this Determination of Non-Significance based upon: the map and plan prepared by DSB Engineers & Architects, P.C.; the August 24, 2010, Town Board Public Hearing Record on said action; and, the Environmental Record prepared on said action.

BE IT FURTHER RESOLVED THAT, the Town Board makes this Determination of Non-Significance based on the following reasons supporting this determination:

1. The Town Board considered the action as defined in subdivisions 617.2(b) and 617.3(g) of Part 617 of the SEQR Regulations; and,
2. The Town Board did review the EAF, the criteria contained in subdivision (c) of 617.7 and other supporting information to identify the relevant areas of environmental concern; and,
3. The Town Board did thoroughly analyze the identified relevant areas of environmental concern to determine if the action may have significant adverse impact on the environment; and
4. The Town Board did set forth its determination of significance in written form containing a reasoned elaboration and providing reference to all supporting documentation.

I, Michelle Finley, Town Clerk of the Town of Farmington do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Farmington on August 24, 2010, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Theodore M. Fafinski	x	
Timothy Mickelsen	x	
Michael Casale	x	
Peter Ingalsbe	x	
Steven Holtz	x	

All voting "Aye", the Resolution was **CARRIED**.

RESOLUTION #248-2010:

Councilman Ingalsbe offered the following Resolution, seconded by **Councilman Casale**:

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF FARMINGTON APPROVING
CREATION OF THE ESTATES AT BEAVER CREEK SUBDIVISION SANITARY SEWER
DISTRICT**

WHEREAS, a written Petition dated February 4, 2010, has been presented and filed with the Town Clerk of the Town of Farmington, Ontario County, New York, requesting establishment of The Estates at Beaver Creek Subdivision Sanitary Sewer District ("District") with boundaries as described in a Map and Plan relating to the establishment of the District, attached hereto as Exhibit 1, prepared by D.S.B. Engineers & Architects, P.C. in a manner and such detail as has been determined by this Town Board to be sufficient and has been duly filed with the Town Clerk, in accordance with the requirements of Article 12 of the Town Law; and

WHEREAS, an Order was duly adopted by this Town Board on August 10, 2010, reciting the filing of said Map and Plan, the improvements proposed, the boundaries of the proposed District, the fact that the Map and Plan describing the same were on file in the Town Clerk's Office for public inspection, and stating all other matters required by law to be stated, and specifying August 24, 2010, at 7:02 p.m., at the Town of Farmington Town Hall, 1000 County Road 8, Farmington, New York, as the place where this Town Board would meet and consider said Map and Plan and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as required or authorized by law; and

WHEREAS, the hearing on said matter was duly held by said Town Board on August 24, 2010, at the Farmington Town Hall, at which all interested persons desiring to be heard were heard; and

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law it has been determined by the Town Board that approval of this District would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQR; and

NOW, THEREFORE, upon the evidence given at said public hearing, be it **RESOLVED** as follows:

1. That said Petition is signed, acknowledged or proved as required by law and is otherwise sufficient;
2. The Order Calling Public Hearing was duly published in the Town's official newspaper on August 13, 2010 and duly posted on the Town's official sign board on August 11, 2010, all as required by law and is otherwise sufficient;
3. All of the property owners within the proposed District are benefited thereby;
4. All of the property and property owners benefited are included within the limits of the proposed District;
5. It is in the public interest to establish said District;
6. The proposed expenses for on-going maintenance and capital improvements, as set forth in the Petition referred to herein, be and are hereby approved;
7. The costs and expenses of the proposed on-going construction, on-going maintenance and improvements associated with said District be assessed, levied and collected from the several lots and parcels of land within said District in proportion as nearly as may be to the benefit which each lot or parcel will derive there from, all pursuant to Section 202(2) of the Town Law;
8. That the establishment of the District, as set forth in said Map and Plan, be and hereby is approved; that the improvements therein mentioned be constructed by the Petitioner; and such District shall be bounded and described as set forth in Exhibit 1 attached hereto and made a part hereof;
9. That the Town Board members execute the Order Establishing this District and that the Town Clerk be, and hereby is, authorized and directed to file a certified copy of the Order Establishing the District in the Office of the Clerk of the County of Ontario and in the office of the State Department of Audit and Control at Albany, New York.

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I, Michelle Finley, Town Clerk of the Town of Farmington do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Farmington on August 24, 2010, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Theodore M. Fafinski	X	
Timothy Mickelsen	X	
Michael Casale	X	
Peter Ingalsbe	X	
Steven Holtz	X	

All voting "Aye", the Resolution was **CARRIED**.

RESOLUTION #249-2010:

Councilman Mickelsen offered the following Resolution, seconded by **Councilman Casale**:

RESOLUTION AUTHORIZING THE TOWN CLERK TO PETITION NYS DEPT. OF TRANSPORTATION TO DO A LINEAR SPEED LIMIT SURVEY

WHEREAS, the Highway/Parks Superintendent has requested that the Town Board direct the Town Clerk to petition NYS Dept. of Transportation to do a Linear Speed Limit Survey, for 45 mph, on Hook Road between Allen Padgham Road and North of Curran Road, therefore be it

RESOLVED, that the Farmington Town Board authorizes the Town Clerk to petition NYS Dept. of Transportation to provide a Linear Speed Limit Survey on a portion of Hook Road; and further be it

RESOLVED, that the Town Clerk forward a copy of this resolution to the Supervisor's Office, Highway/Parks Superintendent and Ontario County Public Works.

All voting "Aye", the Resolution was **CARRIED**.

RESOLUTION #250-2010:

Councilman Casale offered the following Resolution, seconded by **Councilman Holtz**:

Request report and recommendation from Town Planning Board regarding petition to amend the Official Zoning Map, Tax Map #29.00-2-9.100, from LI Limited Industrial to R-1-15 Residential.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from the Farmington Town Clerk a petition from Harold and Carolyn Herendeen, land owners of the above referenced Tax Map, to rezone their land from LI Limited Industrial to R-1-15 Residential, in accordance with the provisions of Chapter 165, Section 6, B. of the Farmington Town Code (hereinafter referred to as Town Code); and

WHEREAS, the Town Code, Chapter 165, Section 6. C., requires a referral to the Town Planning Board (hereinafter referred to as Planning Board) for an advisory report with reasons for recommending or opposing such an amendment before taking further action upon this petition to rezone land.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby request the Planning Board to review said petition and to prepare a report with reasons for their recommendation in accordance with the provisions set forth above herein.

BE IT FINALLY RESOLVED that the Town Board hereby requests the Planning Board to submit its' report on or before noon on Friday, September 17, 2010 to allow the Town Board to consider said report and recommendation at its' meeting on Tuesday, September 28, 2010.

All voting "Aye", the Resolution was **CARRIED**.

RESOLUTION #251-2010:

Councilman Ingalabe offered the following Resolution, seconded by **Councilman Holtz**:

RESOLUTION REGARDING THE CONSENT OF THE TOWN BOARD TO DEDICATE ESTATE DRIVE IN THE ESTATES AT BEAVER CREEK, SECTION 1

WHERAS, Upon reading the dedication of Estate Drive in The Estates at Beaver Creek, Section 1, dated the 3rd day of June, 2010 and the Release related thereto dated the 3rd day of June, 2010, all in the above entitled matter, wherein the owner of lands described therein have released the same to the Town of Farmington and its Highway Superintendent for highway purposes; now, therefore, be it

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RESOLVED, that consent be and the same hereby is given to the Town Superintendent of Highways of the Town of Farmington to make an order laying out the lands described in said dedication, dated the 3rd day of June, 2010, for highway purposes, in accordance with the provisions of the Highway Law and other statutes applicable thereto.

I, Michelle Finley, Town Clerk of the Town of Farmington do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Farmington on August 24, 2010, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Theodore M. Fafinski	x	
Timothy Mickelsen	x	
Michael Casale	x	
Peter Ingalsbe	x	
Steven Holtz	x	

All voting "Aye", the Resolution was **CARRIED**.

RESOLUTION #252-2010:

Councilman Casale offered the following Resolution, seconded by **Councilman Holtz**:

RESOLUTION AUTHORIZING ACCEPTANCE OF EASEMENTS FROM A & D DEVELOPMENT COMPANY

WHEREAS, the Town of Farmington, by its officers or representatives, has engaged in discussions with A & D DEVELOPMENT COMPANY ("Owner") regarding the Town's obtaining Temporary Turn-Around, Sanitary Sewer & Utility, Sidewalk, Conservation, Drainage/Storm/Utility and Sanitary Sewer/Utility/Service Road Easements over portions of its respective properties in The Estates at Beaver Creek, as shown on maps previously delivered to the Town; and

WHEREAS, Town of Farmington officials have recommended to the Town Board that said Owner grants to the Town these easements over said lands of said Owner; and

WHEREAS, said easements have been offered by the Owner to the Town of Farmington; and

WHEREAS, the Town Board of the Town of Farmington is desirous of accepting said offered easements on behalf of said Town; and

WHEREAS, the Town Board of the Town of Farmington has examined said instruments and finds the consideration described in said easements to be fair and reasonable.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Farmington does hereby accept the Easements attached hereto as Exhibit 1 from Owner in accordance with the terms and conditions contained in said instruments and directs that the same be recorded in the Office of the Clerk of the County of Ontario, the fees for said recording to be borne by the Owner, and be it further

RESOLVED, that the Town Supervisor shall be and hereby is authorized to take any and all further action necessary to carry forth the intent of this resolution, including but not limited to the execution of all documents necessary to complete the conveyance of the premises referenced herein.

I, Michelle Finley, Town Clerk of the Town of Farmington do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Farmington on August 24, 2010, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Theodore M. Fafinski	x	
Timothy Mickelsen	x	
Michael Casale	x	
Peter Ingalsbe	x	
Steven Holtz	x	

All voting "Aye", the Resolution was **CARRIED**.

TOWN BOARD MEETING
ORDER OF BUSINESS: (Continued)

AUGUST 24, 2010

RESOLUTION #253-2010:

Councilman Holtz offered the following Resolution, seconded by **Councilman Ingalsbe**:

Letter of Credit Release #3 – The Estates at Beaver Creek Subdivision, Section 1, in the total amount of \$ 226,452.20.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a request from David Degear, Town Planning Board Chairperson, August 18, 2010 recommending that the above referenced Letter of Credit Release #3 be approved in the total amount of \$ 226,452.20 for work completed in the Section 1 portion of The Estates at Beaver Creek Subdivision; and

WHEREAS, the Planning Board has reviewed the documentation submitted for the release of the Letter of Credit, including the Town Letter of Credit Release Form No. 3 for The Estates at Beaver Creek Subdivision Project signed by all department heads; and

WHEREAS, there is currently a total of \$ 378,190.88 remaining in this letter of credit; and

WHEREAS, the Planning Board has, in a resolution adopted on August 18, 2010 recommended the release of the requested amount, \$ 226,452.20.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby authorizes the Town Supervisor, to execute the release of the requested amount, from the above referenced Letter of Credit, in the amount specified above herein.

FINALLY BE IT RESOLVED that the release is to be issued to the Letter of Credit holder, Ernie Ackerman of A & D Development Company.

All voting “Aye”, the Resolution was **CARRIED**.

RESOLUTION #254-2010:

Councilman Mickelsen offered the following Resolution, seconded by **Councilman Casale**:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT TO CORRECT DEFICITS IN STREET LIGHTING DISTRICTS

BE IT RESOLVED THAT the Town Board hereby authorizes the following budget amendment to correct deficits in street lighting accounts:

FROM: A599	Appropriated Fund Balance	\$23,207.52
TO: A9901.9	Transfers to other funds	\$23,207.52
FROM: SL1-5031		\$23,207.52
TO: SL1-1001A	Doe Haven I	\$1020.10
SL1-1001C	Hook Road/Sunny Acres	\$5,853.00
SL1-1001D	Farmbrook	\$4,830.05
SL1-1001E	Doe Haven III	\$300.67
SL1-1001F	Covington Commons	\$4,620.50
SL1-1001G	Pheasant Crossing	\$2.85
SL1-1001I	Calm Lake	\$3,129.19
SL1-1001J	Fawn Estates	\$3,451.16

FURTHER BE IT RESOLVED that the Town Clerk provide a copy of this resolution to the Bookkeeper.

After noting the supporting documentation was not made a part of Resolution 254-2010 Councilman Mickelsen recalled the resolution and Councilman Ingalsbe seconded the motion. Motion Carried. Councilman Mickelsen offered the following Resolution to be included with Resolution 254-2010 and Councilman Casale seconded the motion. Motion was Carried.

Budget Amendment for Lighting Districts

Whereas, the Financial Management Advisory Committee to the town board (hereafter referred to as “the committee”) reviewed the forecasting model used to forecast estimated expenses for the various lighting district and as part of the review determined that the model used averaging for expense forecasting rather than actual expenses in each district, and

Whereas, the former averaging estimates were off in some of the lighting districts and did not provide for the best and most accurate data to base decisions on and as a result some lighting district budgets were determined to be in a deficit because of the estimates, and

Whereas, after careful analysis the committee determined that using actual expenses for the first half of the year and estimated expenses for the second half of the year would provide for a much more accurate expense forecast, and

Whereas, the deficits in those districts would place an additional property tax burden on the taxpayers in those districts and the Video Lottery Terminal Revenue received by the town which can be used to reduce or minimize tax increases is available to correct the problem, the committee recommends that this remedy be used to correct the projected deficits and minimize any significant tax increases;

Now be it Resolved: That the Town Board agrees with the recommendation and authorizes a budget amendment in the amount of \$23,207.52, to be applied to the affected lighting districts to minimize property tax increases based on the attached Schedule A, which is made a part of this resolution and a copy of this resolution be furnished the bookkeeper for the town to make the amendments immediately and to utilize in the future actual expenses for lighting districts in forecasting for budget purposes.

All voting “Aye”, the Resolution was **CARRIED**.

RESOLUTION #255-2010:

Councilman Ingalsbe offered the following Resolution, seconded by **Councilman Casale**:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR SUMMER RECREATION BUS TRANSPORTATION

WHEREAS the Town Board voted previously to allocate up to \$1,900 in additional funds for bus transportation for the Town’s 2010 Summer Recreation Season to pay for needed bus transportation for children in Farmbrook Park to various other parks because of an ongoing construction project,

BE IT RESOLVED THAT the Town Board hereby authorizes the following budget amendment:

FROM: A1990.4	Contingency	\$1,900
TO: A7310.4	Youth Programs – CE	\$1,900

FURTHER BE IT RESOLVED that the Town Clerk provide a copy of this resolution to the Bookkeeper.

All voting “Aye”, the Resolution was **CARRIED**.

RESOLUTION #256-2010:

Councilman Mickelsen offered the following Resolution, seconded by **Councilman Casale**:

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN THE GASBOY SUPPORT AGREEMENT FOR 9/20/10 TO 9/20/2011 AT A COST NOT TO EXCEED \$175

WHEREAS, the Highway/Parks Superintendent has asked that the Supervisor sign a renewal contract with Gasboy to provide software that operates the fuel pumps at the Town Highway Garage for the period of Sept. 20, 2010 to Sept. 20, 2011, and

WHEREAS, the contact is not to exceed \$175,

BE IT RESOLVED THAT the Town Board hereby authorizes the Supervisor to sign the renewal contract with Gasboy at a cost not to exceed \$175 and

BE IT FURTHER RESOLVED that the Town Clerk provide the Highway/Parks Department with a copy of this resolution and the original signed agreement to be returned to Gasboy.

All voting “Aye”, the Resolution was **CARRIED**.

TOWN BOARD MEETING
ORDER OF BUSINESS: (Continued)

AUGUST 24, 2010

RESOLUTION #257-2010:

Councilman Holtz offered the following Resolution, seconded by **Councilman Ingalsbe**:

Purdy Road Watermain Replacement Project Authorization to Commence Construction

WHEREAS, during the fall and winter of 2009 the Water & Sewer Department made numerous repairs to the existing Watermain on Purdy Road, with a recommendation for replacement by the Water and Sewer Superintendent, and

WHEREAS, the Water and Sewer Department has as part of its Capital Replacement Plan, budgeted in 2010 for a Replacement Project and was authorized by resolution on April 13, 2010 to proceed with Engineering Services for the Purdy Road Watermain Replacement Project, and

WHEREAS, on behalf of the Canandaigua/Farmington Water District the coordinated review for the Replacement Project was completed under the provisions of State Environmental Quality Review (SEQR) by the Farmington Town Board as lead Agency; with a determination of non-significance on July 27, 2010, and

WHEREAS, the New York State Department of Health has on August 10, 2010 completed and approved the Watermain Replacement Construction Plans submitted by MRB Group Engineers.

WHEREAS, Pending approvals are expected before the next Town Board meets from the NYS Dept Agriculture & Markets and the NYS Historic Preservation.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington acting on behalf of the Canandaigua/Farmington Water Districts hereby authorizes the Water and Sewer Superintendent to proceed with the Replacement Project for Purdy Road in the Town of Canandaigua once all agency approvals are in place.

BE IT FURTHER RESOLVED, that any supplies and purchases will be from budget lines SW1-8340.2 & SW1 8340.4.

All voting "Aye", the Resolution was **CARRIED**.

RESOLUTION #258-2010:

Councilman Holtz offered the following Resolution, seconded by **Councilman Ingalsbe**:

SEQR RESOLUTION DECLARING INTENT TO BE DESIGNATED LEAD AGENCY FOR THE COORDINATED REVIEW – HOOK ROAD SANITARY SEWER EXTENSION PROJECT

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has reviewed Part 1 of the Short Environmental Assessment Form prepared by James E. Crane, Town Water & Sewer Superintendent, upon the above referenced Hook Road Sanitary Sewer Main Extension Project (hereinafter referred to as Action); and

WHEREAS, the Town Board has determined that said Action is also subject to review and approval by other involved agencies under the provisions of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Town Board has identified that the other involved agencies include: the New York State Department of Environmental Conservation; the New York State Department of Health; the New York State Department of Agriculture and Markets; and the New York State Office of Parks, Recreation and Historic Preservation; and

WHEREAS, the Town Board understands that it is obligated to provide written notifications thereof to involved agencies for the purpose of conducting a coordinated review under the provisions of SEQR; and

WHEREAS, the Town Board further understands that it is obligated to provide the public with a review and comment period for the above described action.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby declare its' intent to designate itself as the lead agency for making the required Determination of Significance under the SEQR Regulations for the Action.

BE IT FURTHER RESOLVED that a Project Notification Review Letter (PNRL) is to be sent, by the Director of Planning and Development, to all involved agencies soliciting comments on the proposed Action.

BE IT FINALLY RESOLVED that the above described involved agencies shall have until noon on Friday, September 24, 2010 to provide written objection(s) to this declared intent.

All voting "Aye", the Resolution was **CARRIED**.

RESOLUTION #259-2010:

Councilman Mickelsen offered the following Resolution, seconded by **Councilman Ingalsbe**:

RESOLUTION AUTHORIZING THE PURCHASE OF A NEW COMPUTER FOR THE TOWN SUPERVISOR

WHEREAS the Town Board budgeted for a new computer for the Supervisor in 2010 since his computer is now eight years old and out-of-date, and

WHEREAS, the Supervisor's Office has requested an estimate from Shane Keyser of Keyser Computer Services, now

BE IT RESOLVED THAT the Town Board hereby authorizes the expenditure of up to \$1,400 for a new computer and set-up costs for the Supervisor, to be purchased from Keyser Computer Services and

BE IT FURTHER RESOLVED THAT the Town Clerk provide a copy of this resolution to the Supervisor's Office and the Bookkeeper.

All voting "Aye", the Resolution was **CARRIED**.

RESOLUTION #260-2010:

Councilman Casale offered the following Resolution, seconded by **Councilman Holtz**:

RESOLUTION AUTHORIZING THE HIGHWAY DEPARTMENT TO INSTALL A STOP SIGN ON ESTATES DRIVE

WHEREAS, the Highway/Parks Superintendent has asked that the Supervisor that he be allowed to put up a stop sign at Estates Drive in Beaver Creek Estates on Canandaigua-Farmington Townline Road,

BE IT RESOLVED THAT the Town Board hereby authorizes the Highway Superintendent to install the said sign, and

BE IT FURTHER RESOLVED that the Town Clerk provide a copy of this resolution to the Highway Department.

All voting "Aye", the Resolution was **CARRIED**.

RESOLUTION # 261 TO PAY AUDITED BILLS

The bills were audited by the Town Board

ABSTRACT #16-2010

General	\$ 86,522.70
Highway Fund	\$192,108.75
Storm Drainage	\$ 2,032.52
Payroll	\$ 1,597.60
Highway Campus	\$ 1,250.00
Lighting	\$ 4,947.97
Fire Protection	\$142,906.67
Sewer District	\$ 34,631.16
Water District	\$ <u>3,069.43</u>
TOTAL	\$469,066.80

All voting "Aye", the Resolution was **CARRIED**.

WAIVER OF THE RULE: NONE.

TRAINING UNDER \$100.00:

1. Floyd Kofahl and Jim Morse to attend National Electric Code training Thursday, August 26, 2010, at a cost of \$20.00 each.

DISCUSSION:

1. Time Warner telephone service proposal.
2. Beaver Creek Lighting District proposal.

TOWN BOARD MEETING
ORDER OF BUSINESS: (Continued)

AUGUST 24, 2010

EXECUTIVE SESSION: NONE.

A motion was made by **Councilman Mickelsen** and seconded by **Councilman Casale** to adjourn the meeting at 7:30 p.m. All voted "Aye" CARRIED.

Meeting was recorded and transcribed by
Michelle A. Finley, Town Clerk: _____