

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 25th day of January, at 7:00 PM, there were:

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

Also present were: **Edward McLaughlin**- Highway/Parks Superintendent, **Floyd Kofahl**- Code Enforcement Officer, **James Crane**- Water & Sewer Superintendent, **Dave Degear**- Planning Board Chairman, **Mary Neale**- Planning Board Member, **Paul Conrad** – Fire Chief, and VCS Students.

PUBLIC HEARINGS:

APPROVAL OF MINUTES:

A motion was made by Councilman Holtz, seconded by Councilman Casale, that the minutes of the January 11, 2011, meeting, given members for review, be approved. Carried.

PRIVILEGE OF THE FLOOR:

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Ingalsbe reported:

Water & Sewer:

1. Discussed the Highway Complex Sewer Line-manholes are due in this week.
2. Discussed meeting with two vendors for billing software.
3. Chemical Bulk Storage Permit needs to be renewed again for two years.
4. Discussed part-time Account Clerk position.
5. Discussed 2011 projects – Sanitary Sewer station monitoring- five locations, also looking at Gypsum Mills Pumpstation upgrade.
6. Discussed as a group with Highway the Farmington Senior Apartments -Mercier Road dedication.
7. One resolution for equipment replacement.

Highway & Parks:

1. Discussed possibility of a MTOD Sidewalk district.
2. Discussed repairs needed at Mertensia Lodge.
3. Discussed resolutions on for tonight.
4. Stormwater Training.
5. Discussed equipment bids for Highway and Parks Dept.
6. No salt shortage as of yet.

Town Operations Committee: Councilman Casale reported:

1. Discussed resolution regarding letter of credit release for A&D Development – there are still safety concerns and would like a letter clarifying what needs to be done. Code Enforcement Officer Kofahl will prepare letter.
2. Discussed Shooters coming into town.
3. Discussed along Gateway Drive someone is interested in putting in storage and possibly office space.
4. Discussed A Taste of Italy going into old Movie Mania Building.
5. Discussed Letter of Credits for the Senior Housing.
6. Discussed Auburn Trails – RFP published tomorrow.

Town Personnel Committee: Councilman Holtz reported: None.

Town Comprehensive Plan Committee: Councilman Holtz reported:

1. Discussed Chapter 4 of the plan – changes in businesses and where development has occurred, current land use maps. He stated they were concerned with the level of involvement they are getting, hope to get more feedback from boards. Supervisor Fafinski suggested to have Ron Brand send out an email stating that they have not been getting a lot of feedback and that you are going to proceed and silence is their consent.
2. Next Meeting – January 27, 2011.

Town Finance Committee: None.

Town Public Safety Committee: None.

REPORTS OF TOWN OFFICIALS:**Supervisor Fafinski :**

1. Vacancies.
2. Attended open house for Senior Citizens.
- 3.

Highway & Parks Superintendent Ed McLaughlin: None.

Town Clerk Michelle Finley:

1. Taxes.

Water & Sewer Superintendent Jim Crane: None.

Code Enforcement Officer Floyd Kofahl:

1. Submitted 1203 draft annual report to board for their review and comment – resolution accepting the annual report will come at a later date. Submitted Comparison Chart shows permits are up a little bit as is construction cost. Councilman Ingalsbe asked to have this sent pdf format so he can add it to the website.
2. Discussed expansion of buffet area at Finger Lakes Gaming & Racing.

Director of Planning and Development: None.

Assessor Donna LaPlant: None.

Fire Chief Paul Conrad: None.

Planning Board Chairman Dave Degear:

1. Thanked the Town Board Members and the Supervisor for attending their 2011 Organizational Meeting last Saturday.

COMMUNICATIONS:

1. Letter from Riley & Graff LLP to the Town Clerk. Re: Filing of local law.
2. Letter from the Supervisor to the Office of the State Comptroller. Re: Request for an extension of the 90-day AUD.
3. Letter from Anne McFarland of the Ontario County Safety Coordinator's Office to the Supervisor. Re: Year end numbers.
4. Letter from Catherine Bentzoni of the Ontario County Department of Finance to the Town Clerk. Re: Detail of payments for 2010.
5. Notice of Conditional Insurance Renewal for the town.
6. Informational packet for the New York State Association of Towns meeting.
7. 2011 Ontario County Schedule of Taxes.
8. Copies of Ron Zavaglia's application for a liquor license from New York State and request for the town to waive the standard 30-day review period.
9. Letter to Robert Harris of Koch Container from the Water and Sewer Superintendent. Re: sewer petition.
10. Letter from Rochester Gas & Electric to the town. Re: cost of emergency repairs to damaged municipally-owned street lights.
11. Letter to the Supervisor from the Farmington Cub Scout Pack 50. Re: Invitation to the Blue and Gold Banquet on Feb. 12.
12. Certificates of Workers Comp Insurance for Unlimited Enclosures and Ulrich Sign Co.
13. Letter to Carl Webeck of Rochester Gas & Electric from the Supervisor. Re: Permission to hook up lights on Amber Drive and Lillybrook Court.
14. Letter to the Town Clerk from the New York State Department of Transportation. Re: Speed study on Ellsworth Road.
15. Copies of invoices from the Supervisor's Office to the Victor school district and Ontario County for legal fees in assessment cases.
16. Letter from Time Warner Cable to the town. Re: New technology in franchise area.
17. Certificate of liability insurance for the Nichols Team Inc.; R. Beardsley Management; Ulrich Sign Co.; and Time Warner.
18. Notice of carrier financial rating from Brown & Brown.
19. Ontario County Humane Society annual report.
20. Letter to the Supervisor from John Malvaso of FSI Systems. Re: NYSERDA quote.

REPORTS & MINUTES:

1. Minutes from the Historic Preservation meeting on December 2, 2010.
2. Building Department report for the month of December 2010.

ORDER OF BUSINESS:

RESOLUTION #49-2011:

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

RESOLUTION AUTHORIZING FARMINGTON CUB SCOUT PACK 50 TO USE THE PAVILLION AT PUMPKIN HOOK PARK ON JUNE 12

WHEREAS, Farmington Cub Scout Pack 50 has asked the Town Board permission to reserve the pavilion and surrounding grounds at Pumpkin Hook Park for an annual picnic on June 12, and

WHEREAS, the Scout pack has asked that the fee for using the pavilion be waived,

NOW THEREFORE BE IT **RESOLVED**, that the Town Board hereby authorizes the Farmington Cub Scout Pack 50 to use the Pumpkin Hook Park pavilion on June 12 at no fee, and be it further

RESOLVED that the Town Clerk forward this resolution to Annaliese Parker, chairwoman of the pack committee, and keep a copy for her office.

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

RESOLUTION #50-2011:

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

RESOLUTION AUTHORIZING THE VICTOR-FARMINGTON FOOD CUPBOARD TO USE THE LODGE AT MERTENSIA PARK ON FEBRUARY 25, 2011

WHEREAS, the Victor-Farmington Food Cupboard has asked the Town Board permission to use the Lodge at Mertensia Park on February 25, 2011 for a volunteer appreciation party, and

WHEREAS, the food cupboard committee has asked the town waive the normal fee for renting the space,

NOW THEREFORE BE IT **RESOLVED**, that the Town Board hereby authorizes the Victor-Farmington Food Cupboard to use the Lodge at Mertensia Park on February 25, 2011 for their gathering, with the rental fee waived, but still requires the mandatory refundable cleanup deposit of \$100, and be it further

RESOLVED that the Town Clerk forward this resolution to Karen Guidarelli and keep a copy for her office.

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

RESOLUTION #51-2011:

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

RESOLUTION AUTHORIZING SEWER CLEANING TRUCK

WHEREAS, repairs had to be made in the replacement of the vacuum hose on the Sewer Cleaning (Flush) Truck # 16, and

WHEREAS, the full replacement of the new hose is necessary due to a leak in the existing vacuum hose.

NOW, THEREFORE BE IT **RESOLVED**, that the Town Board of Farmington acting on behalf of the Farmington Sanitary Sewer District hereby authorizes the Water and Sewer Superintendent to pay all current invoices to Tracy Road Equipment, East Syracuse, NY for a total not to exceed \$2863.77.

BE IT FURTHER **RESOLVED**, that funds for said replacement will be from Budget Code SS-8110.4 (Sanitary Sewers-Contractual).

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

RESOLUTION #52-2011:

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

RESOLUTION REAPPOINTING MICHELLE FINLEY REGISTRAR OF VITAL STATISTICS AND RECEIVER OF TAXES FOR 2011

WHEREAS, Town Clerk Michelle Finley generally holds the titles of Registrar of Vital Statistics and Receiver of Taxes as both are functions of her duties, and

WHEREAS, Finley's appointments to the two aforementioned positions was inadvertently omitted from the 2011 Organizational Meeting held on January 4, 2011,

NOW THEREFORE BE IT **RESOLVED**, that the Town Board hereby reappoints Finley Registrar of Vital Statistics and Receiver of Taxes for 2011, for a one year term to expire December 31, 2011, and be it further

RESOLVED that the Town Clerk keep a copy of this resolution and forward one to the Supervisor's Secretary.

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

RESOLUTION #53-2011:

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

RESOLUTION DECLARING A FAX/SCANNER/PRINTER IN THE HIGHWAY/PARKS DEPARTMENT SURPLUS AND DISPOSABLE

WHEREAS, Highway/Parks Superintendent Ed McLaughlin has asked that the Town Board declare a MFC 240C Brother fax/scanner/printer from his office surplus so it may be disposed of at his discretion,

NOW THEREFORE BE IT **RESOLVED**, that the Town Board declares the aforementioned item surplus so it can therefore be disposed of at the Highway/Parks Superintendent's discretion and be it further

RESOLVED that the Town Clerk forward this resolution to the Highway/Parks Department.

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

RESOLUTION #54-2011:

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

RESOLUTION AUTHORIZING THE HIGHWAY/PARKS SUPERINTENDENT TO SEND PAUL CRANDALL AND JACK HENEHAN TO MS-4 TRAINING IN HENRIETTA

WHEREAS, the Highway/Parks Superintendent has asked that he be allowed to send employees Paul Crandall and Jack Henehan to MS-4 training sessions to be held on Feb. 1 and March 29, 2011 at the Henrietta Fire Training Center in Henrietta, and

WHEREAS, the training sessions are part of the Western New York Stormwater Management Training Program, and will cost no more than \$230 per session, per person, for a total of \$920 for two attendees,

NOW THEREFORE BE IT **RESOLVED**, that the Town Board authorizes Crandall and Henehan to attend the aforementioned training sessions at a cost not to exceed \$920, including both sessions, to be expended from account SD8540.42, and be it

FURTHER RESOLVED that the Town Clerk provide copies of this resolution to the Highway and Water and Sewer departments as well as the Supervisor's Secretary.

Councilman Ingalsbe stated it was discussed at Public Works and that it is greatly needed to keep in compliance.

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

RESOLUTION #55-2011:

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

RESOLUTION AUTHORIZING THE HIGHWAY/PARKS SUPERINTENDENT TO SOLICIT BIDS FOR EQUIPMENT

WHEREAS, the Highway/Parks Superintendent has asked to be authorized to solicit bids for the following equipment:

- A loader tractor for the Parks Department
- A roadside boom mower for the Highway Department
- Two pickup trucks for the Highway Department
- Two one-ton dump trucks with plows; one for Parks, the other for Highway

NOW THEREFORE BE IT **RESOLVED**, that the Town Board hereby authorizes the Highway/Parks Superintendent to solicit bids for the aforementioned equipment, which has been included in the 2011 budget, and be it further

RESOLVED that the Town Clerk forward this resolution to the Highway/Parks Department and the Bookkeeper.

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

RESOLUTION #56-2011:

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

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR DOG CONTROL SERVICES IN 2011

NOW THEREFORE BE IT **RESOLVED** that the Town Board authorizes the Bookkeeper to make the following budget amendment to cover dog control expenses provided by Ontario County for 2011,

FROM: A1990.4	Contingency	\$1,000.00
TO: A3510.4	Control of Dogs	\$1,000.00

AND BE IT FURTHER **RESOLVED** that the Town Clerk provide copies of this resolution to the Bookkeeper and Supervisor's Secretary.

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

RESOLUTION #57-2011:

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

Letter of Credit Release #1 – Farmington 332 Senior Apartments.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a request from David Degear, Town Planning Board Chairperson, dated January 19, 2011 recommending that the above referenced Letter of Credit Release #1 be approved in the total amount of \$ 792,181.92 for work completed for the above referenced project; 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. 1 for the Farmington 332 Senior Apartments Project signed by all department heads; and

WHEREAS, there is currently a total of \$ 913,252.00 in this letter of credit; and

WHEREAS, there will be a balance of \$ 121,070.08 remaining in the Letter of Credit; and

WHEREAS, the Planning Board has, in a resolution adopted on January 19, 2011 recommended the release of the requested amount, \$ 792,181.92.

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, to the attention of Kristina Rogers, Edgemere Development.

Councilman Casale offered the following amendment and Councilman Holtz seconded it. That this resolution is approved on the condition that the appropriate sign offs are obtained prior to release of letter of credit.

All voting "Aye", on the amendment, **CARRIED**.

All voting "Aye", on the Resolution with amendment was **CARRIED**.

RESOLUTION #58-2011:

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

Letter of Credit Release # 2 – Farmington 332 Senior Apartments.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a request from David Degear, Town Planning Board Chairperson, dated January 19, 2011 recommending that the above referenced Letter of Credit Release # 2 be approved in the total amount of \$ 39,088.50 for work completed for the above referenced project; 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. 2 for the Farmington 332 Senior Apartments Project signed by all department heads; and

WHEREAS, there is currently a total of \$ 121,070.08 in this letter of credit; and

WHEREAS, there will be a balance of \$ 81,981.58 remaining in the Letter of Credit; and

WHEREAS, the Planning Board has, in a resolution adopted on January 19, 2011 recommended the release of the requested amount, \$ 39,088.50.

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, to the attention of Kristina Rogers, Edgemere Development.

Councilman Holtz offered the following amendment and Councilman Casale seconded it. That this resolution is approved on the condition that the appropriate sign offs are obtained prior to release of letter of credit.

All voting "Aye", on the amendment, **CARRIED**.

All voting "Aye", on the Resolution with amendment was **CARRIED**.

RESOLUTION #59-2011:

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

Letter of Credit – Auburn Meadows Subdivision, Phase 3 - Release #11 in the total amount of \$ 56,179.79.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from the Town Planning Board a resolution dated January 19, 2011 recommending that the above referenced Letter of Credit Release #11 be approved in the total amount of \$ 56,179.79 for work completed in the Phase 3 portion of the Auburn Meadows 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. 11 for the Auburn Meadows Project signed by all department heads; and

WHEREAS, there is currently a total of \$ 56, 179.79 remaining in this letter of credit; and

WHEREAS, there will be a zero balance remaining in the Letter of Credit; and

WHEREAS, the Planning Board has, in a resolution adopted on January 19, 2011 recommended the release of the requested amount, \$ 56,179.79.

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.

TOWN BOARD MEETING
ORDER OF BUSINESS: (CONTINUED)

JANUARY 25, 2011

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

Discussion: Councilman Casale stated that he wanted to table the resolution until further clarification is obtained regarding the safety issues. Councilman Ingalsbe offered that the resolution be table, seconded by Councilman Holtz.

All voting "Aye", resolution was **TABLED**.

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

RESOLUTION # 60-2011- TO PAY AUDITED BILLS

The bills were audited by the Town Board

ABSTRACT #2-2011

General	\$ 101,266.42
Highway Fund	\$ 40,839.83
Storm Drainage	\$ 5,436.25
Payroll	\$ 2,306.91
Sewer District	\$ 44,157.80
Water District	\$ 18,580.63
Highway Campus	\$ 5,799.32
Lighting District	\$ 543.00
TOTAL	\$218,930.01

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

DISCUSSION:

1. Town Board reviewed and voted on Proposed 2011 Legislative Resolutions for NYS Association of Towns Annual Meeting.

TRAINING UNDER \$100:

1. Highway Superintendent to attend the 2011 Grassroots Advocacy Campaign for Local Roads & Bridges in Albany March 8-9 at no cost.

A motion was made by **Councilman Ingalsbe** and seconded by **Councilman Casale** to adjourn the meeting at 7:52 p.m. Motion carried.

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