

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 14th day of June, at 7:00 PM, there were:

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

Also present were: **Tammy Means** – Deputy Town Clerk, **James Crane**- Water & Sewer Superintendent, **Ed McLaughlin** – Highway Superintendent, **Tom Crown** – resident, **Dave Degear** – Planning Board Chairman, **Floyd Kofahl**- Code Enforcement Officer, **Mr. & Mrs. David Cooper** – residents and students.

PUBLIC HEARINGS:

APPROVAL OF MINUTES:

A motion was made by Councilman Ingalsbe, seconded by Councilman Casale, that the minutes of the May 24, 2011, meeting, given members for review, be approved. Carried.

PRIVILEGE OF THE FLOOR: David Cooper-Request to rezone Tax Map #42.00-1-50.00

Mr. Cooper stated that he is requesting to rezone a parcel of land from RR80 Rural Residential to GB General Business for the purpose of selling Amish sheds. Supervisor Fafinski stated that he would forward this request to the Planning Board as a general practice. Councilman Ingalsbe asked if the applicant had talked with the Comprehensive Plan Update Committee, the applicant replied that he talked with Floyd and Ron and is aware the plans to already rezone that property. Councilman Mickelsen asked about the residential property located to the west, Mr. Cooper replied that he was just asking for his property to be rezoned. Code Enforcement Officer Kofahl stated that the Comprehensive Plan they are looking to rezoning both properties. Councilman Mickelsen asked Code Enforcement Officer Kofahl is the property is currently being used what it's zoned for, he replied yes. Mr. Cooper showed a site plan to the board, it's a 5 acre lots. Councilman Ingalsbe asked what the price ranges is; Mr. Cooper replied \$2,000 – 6,000 range.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Mickelsen reported:

Water & Sewer:

1. Discussed resolutions on for tonight.
2. Discussed pumpstations.
3. Discussed switching FSI control monitoring cells to town Verizon cell phone bill.
4. Discussed fire hydrants.
5. Discussed working supervisor position.

Highway & Parks:

1. Update on Farmbrook Park.
2. Discussed petty cash fund for the Highway Department.
3. Discussed design of new Highway Campus.
4. Discussed possible delivery of salt through railroad.
5. Discussed quote of mini excavator.
6. Discussed meeting with Ontario Drill – Fawn Meadows.
7. Discussed park signs need to be lettered and installed.

Town Operations Committee: Councilman Holtz reported:

1. Discussed upcoming projects and things in the works. Farmington Gardens Senior Housing will start another project similar to what is already there. CVS is looking at DiPacifcs property, meeting this Friday with staff to review site plan.
2. Farmington Gateway project paperwork has been handed into the State.
3. Resumes for the part-time CEO position were handed to Code Enforcement Officer.
4. Discussed receiving inspection reports on Manufactured Home parks next meeting.

Town Personnel Committee: None.

Town Comprehensive Plan Committee: Councilman Holtz reported:

1. Voted to accept draft plan and to present at a workshop. Supervisor Fafinski stated to present it at the next board meeting and have the Director of Planning and Development prepare resolution setting a public hearing for July 12, 2011. Councilman Ingalsbe asked if the maps changed, Councilman Holtz replied no.

Town Finance Committee: Councilman Mickelsen reported: None.

Town Public Safety Committee: None.

REPORTS OF TOWN OFFICIALS:

Supervisor Fafinski :

1. Update on Gateway Project – tentative date for groundbreaking is July 18th.
2. Update on Board of Assessment Review Grievance Day. There were 18 appointments to appear before the BAR, 27 requested that the BAR make a determination without the property owner being there for a total of 45 grievances; 18 were changed for a total reduction of \$868,200 and there were 26 stipulations agreed upon prior to grievance day with the assessor and the property owners, the stipulations to reductions totaled \$2,283,973.

Highway & Parks Superintendent Ed McLaughlin:

1. Meet with MRB regarding the railroad service/site plan. Genesee Valley Transportation Council will be having a meeting to discuss the railroad. Supervisor Fafinski commented to push GTC for feasibility study.
2. Mowing.
3. Drainage project – Old Mill Road.

Councilman Casale stated that they went over to Farmbrook Park and stated that it was nice and beautiful.

Town Clerk Michelle Finley (Tammy Means reported):

1. Town Clerk in Lake Placid at a Tax Collectors Meeting.
2. Delinquent Dog Licenses.

Water & Sewer Superintendent Jim Crane:

1. Mentioned that last week they had a positive water sample, they are required to take five repeat samples and they were negative.

Code Enforcement Officer Floyd Kofahl:

1. Busy closing out the Manufactured Home Parks.

Director of Planning and Development: None.

Assessor Donna LaPlant: None.

Fire Chief Paul Conrad:

1. Mentioned that they were at about 200 calls this year. Supervisor Fafinski stated that the Ambulance Corps. was on track for about 2800 calls compared to the 2400 they had last year.

Planning Board Chairman Dave Degear:

1. Discussed Auburn Meadows.

Ontario County Planning Board Member Mary Neale: None.

COMMUNICATIONS:

1. Email to Town Board from Calvin Cobb, Chairman Board of Assessment Review. Re: summary of the grievance results for 2011.
2. Memo from Town Supervisor to Town Board Members. Re: Ontario County Industrial Development Agency.
3. A thank you note to Town Supervisor and Town Clerk from Ginnie Kratzenberg, President of Farmington Historical Society. Re: finding the funding and arranging the restoration of the Betz Store Ledger Book.

4. Letter to Town Supervisor from Patrick Gallivan, Senator 59th District. Re: Thanking Supervisor for joining the opening of the Ontario County Satellite Office.
5. Letter to Farmington Historical Commission from Candy Burson. Re: Ms. Burson is resigning.
6. Continued education for David Degear. Re: Attended the Southern Tier West Local Government Conference at Houghton College, Houghton, NY; Participation of the Spring Local Government Workshop in Pittsford, NY; Completion of Protecting New York's Natural Resources with Better Construction Site Management.
7. Continued education for Leslie Omalley. Re: Participation of Spring Local Government Workshop in Pittsford, NY.
8. Continued education for S Scott Makin. Re: Participation of Spring Local Government Workshop in Pittsford, NY.
9. Letter to the Town Supervisor from Robert Groves, United States Department of Commerce. Re: Thanking for efforts made in helping with making the 2010 Census a success.
10. Memo to Town Assessor, Donna LaPlant from Pat Holland, Manager of Equalization and Central Services. Re: Granting basic STAR after school tax bills.
11. Letter from Shelley Reddout, Ontario County Real Property Tax Services to Town Assessor, Donna LaPlant, Re: Judicial Proceedings
12. Letter from Shelley Reddout, Ontario County Real Property Tax Services to Town Assessor, Donna LaPlant, Re: Small Claims Petitions.
13. Policy from Steve Van Dyke Agency. Re: Commercial Fire Policy Summary Declaration.
14. Letter to Brianna Hutton, President Victor-Farmington Ambulance Corps from Town Supervisor. Re: To have a static display on hand for the July 3rd fireworks.
15. Letter to Farmington Fire Department from Town Supervisor. Re: Requesting Fire Police to provide assistance with traffic control for the July 3rd fireworks.
16. Email from Town Supervisor to the Sheriff's Department. Re: Requesting bike patrol for crowd control and traffic assistance for the July 3rd fireworks.
17. Letter to Gregory Trost, Resident Engineer from Ron Brand, Director of Planning and Development. Re: Town of Farmington Highway Work Permit for Non-Utility Work Southwest corner of Route 96 & 332.
18. Certificate of Workers' Compensation Insurance. Re: RSM Construction Co LLC; JM Romich Enterprises Inc T/A; Chemung Supply Corp; Santelli Lumber Co Inc.; Michael Bagwell
19. Certificate of Insurance coverage under the NYS Disability Benefits Law. Re: RSM Development Co LLC.
20. Certificate of Insurance. Re: David Schlossnagle Building & ENDT #1.
21. Cancellation of Certificate of Workers' Compensation Insurance. Re: Michael Bagwell
22. Certificate of Liability Insurance. Re: Decks Unlimited of Western NY Inc.; Rochester Gas & Electric Corp.

REPORTS & MINUTES:

1. Monthly report from Judge Lew for May 2011.
2. Monthly report from Judge Gligora for May 2011.
3. Town of Farmington Interfund Reconciliation report for May 2011.
4. Monthly report from the Supervisor for the month of May 2011.
5. Details of Expenditures for the Town of Farmington for May 2011.
6. Minutes from the May 5, 2011 Historic Preservation Meeting.

ORDER OF BUSINESS:

Resolutions 160-166 were blocked.

RESOLUTION #160-2011:

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

RESOLUTION AUTHORIZING A BUDGET AMENDMENT

WHEREAS, asking the Town Board for the transfer of Insurance Recoveries Revenue to Traffic Control Expenditure line

NOW THEREFORE BE IT **RESOLVED**, that the Town approves the following budget amendment to transfer money:

| | | |
|------|-----------------------------|----------|
| FROM | A2680 Insurance Recoveries | \$302.92 |
| TO | A3310.4 Traffic Control- CE | \$302.92 |

BE IT FURTHER **RESOLVED**, that the Town Clerk forward copies of this resolution to the Bookkeeper and Highway/Parks Superintendent.

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

(Order of Business Continued):

RESOLUTION #161-2011:

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

RESOLUTION AUTHORIZING A BUDGET AMENDMENT

WHEREAS, asking the Town Board for the transfer of Insurance Recoveries Revenue to Traffic Control Expenditure line

NOW THEREFORE BE IT **RESOLVED**, that the Town approves the following budget amendment to transfer money:

| | | |
|------|-----------------------------|----------|
| FROM | A2680 Insurance Recoveries | \$340.82 |
| TO | A3310.4 Traffic Control- CE | \$340.82 |

BE IT FURTHER **RESOLVED**, that the Town Clerk forward copies of this resolution to the Bookkeeper and Highway/Parks Superintendent.

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

RESOLUTION #162-2011:

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

RESOLUTION AUTHORIZING A BUDGET AMENDMENT

WHEREAS, asking the Town Board for the transfer of Insurance Recoveries Revenue to Traffic Control Expenditure line

NOW THEREFORE BE IT **RESOLVED**, that the Town approves the following budget amendment to transfer money:

| | | |
|------|-----------------------------|----------|
| FROM | A2680 Insurance Recoveries | \$386.03 |
| TO | A3310.4 Traffic Control- CE | \$386.03 |

BE IT FURTHER **RESOLVED**, that the Town Clerk forward copies of this resolution to the Bookkeeper and Highway/Parks Superintendent.

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

RESOLUTION #163-2011:

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

RESOLUTION AUTHORIZING A BUDGET AMENDMENT

WHEREAS, asking the Town Board for the transfer of Sale of Equipment Revenue to Equipment Expenditure Line

NOW THEREFORE BE IT **RESOLVED**, that the Town approves the following budget amendment to transfer money:

| | | |
|------|--------------------------------|-------------|
| FROM | DA2665 Sale of Equipment | \$17,775.00 |
| TO | DA5130.2 Machinery - Equipment | \$17,775.00 |

BE IT FURTHER **RESOLVED**, that the Town Clerk forward copies of this resolution to the Bookkeeper and Highway/Parks Superintendent.

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

(Order of Business Continued):

RESOLUTION #164-2011:

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

RESOLUTION AUTHORIZING A BUDGET AMENDMENT

WHEREAS, asking the Town Board for the transfer of Sale Equipment Revenue to Equipment Expenditure Line.

NOW THEREFORE BE IT **RESOLVED**, that the Town approves the following budget amendment to transfer money:

| | | |
|------|-------------------------|------------|
| FROM | A2665 Sale of Equipment | \$7,425.00 |
| TO | A7110.2 Park- Equipment | \$7,425.00 |

BE IT FURTHER **RESOLVED**, that the Town Clerk forward copies of this resolution to the Bookkeeper and Highway/Parks Superintendent.

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

RESOLUTION #165-2011:

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

RESOLUTION AUTHORIZING A BUDGET AMENDMENT

WHEREAS, asking the Town Board for the transfer Insurance Recovery Revenue to Expenditure Line

NOW THEREFORE BE IT **RESOLVED**, that the Town approves the following budget amendment to transfer money:

| | | |
|------|------------------------------|----------|
| FROM | A2680 Insurance Recovery | \$367.42 |
| TO | A3310.4 Traffic Control – CE | \$367.42 |

BE IT FURTHER **RESOLVED**, that the Town Clerk forward copies of this resolution to the Bookkeeper and Highway/Parks Superintendent.

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

RESOLUTION #166-2011:

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

RESOLUTION AUTHORIZING A BUDGET AMENDMENT

WHEREAS, asking the Town Board for the transfer of money from contingency to cover the expenditures in Auburn Trails feasibility study

NOW THEREFORE BE IT **RESOLVED**, that the Town approves the following budget amendment to transfer money:

| | | |
|------|---|------------|
| FROM | A1990.4 Contingency | \$2,000.00 |
| TO | A8020.44 Planning & Development Auburn Trails FS | \$2,000.00 |

BE IT FURTHER **RESOLVED**, that the Town Clerk forward copies of this resolution to the Bookkeeper and the Director of Planning and Development.

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

RESOLUTION #167-2011:

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

RESOLUTION AUTHORIZING RONALD BRAND TO COMPLETE ENVIRONMENTAL RECORD FOR TOWN HIGHWAY CAMPUS

Whereas, the Town of Farmington needs to complete an environmental record for the highway campus,

Whereas, the Town Board wishes to contract with Ronald Brand to complete environmental record, charges are not to exceed \$4999.00,

Resolved, that Ronald Brand will complete environmental record to be paid out of the Highway Campus capital project fund,

(Order of Business Continued):

Resolved, that the Town Clerk of the Town of Farmington forward copies of this resolution to bookkeeper and Ronald Brand.

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

RESOLUTION #168-2011:

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

RESOLUTION AUTHORIZING MICHAEL DOLLARD TO PERFORM AUDIT OF TOWN CLERK AND TOWN COURTS FOR 2010 FINANCIALS.

Whereas, the Town Clerk and Town Court is required to complete an audit of financials in accordance with New York State Town law 562(1), 123

Whereas, the Town Board wishes to contract with Michael Dollard to perform required audits at a rate of \$20.00 per hour,

Resolved, that Michael Dollard is to perform audit of Town Clerk and Town Court's 2010 financials on behalf of the Town Board

Resolved, that the Town Clerk of the Town of Farmington forward copies of this resolution to Town Court.

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

RESOLUTION #169-2011:

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

RESOLUTION AUTHORIZING ESTABLISHMENT AND FUNDING OF CAPITAL PROJECT TO CONSTRUCT A TOWN HIGHWAY FACILITY.

Whereas, the purpose of the capital project is to construct a town highway facility.

Whereas, the town of Farmington wishes to construct a new highway facility for the general operation of the town highway operations. This will include the storage of goods and machinery, repairs of highway machinery, office and operational areas for highway purposes and the general conduct of highway department business.

The total estimated cost is:

| | |
|-------------------|------------------|
| Construction | \$4,200,000.00 |
| Misc & Contingent | 382,000.00 |
| Engineering | 368,000.00 |
| Administrative | <u>50,000.00</u> |
| Total | 5,000,000.00 |

The source of funding will be:

| | |
|-------------------------------|---------------------|
| Operating Funds | |
| 2007 VLT | \$ 544,485.62 |
| 2008 VLT | 1,777,318.05 |
| 2009 VLT | 516,409.70 |
| Highway Facility Reserve Fund | <u>2,161,786.63</u> |
| Total | 5,000,000.00 |

Resolved, that the Town Supervisor of the Town of Farmington hereby is authorized and directed to transfer from the Highway Facility Reserve Fund to the Highway Land Acquisition & Improvements Capital project, two million one hundred sixty one thousand seven hundred eighty six and 63/100 dollars (2,161,786.63) in said reserve fund to construct highway facility; and be it further

Resolved, that the usage of reserve funds in the amount of two million one hundred sixty one thousand seven hundred eight six and 63/100 dollars (2,161,786.63) shall be subject to permissive referendum, as required by law and the town clerk shall publish necessary public notices; and be it further

Resolved, that the Town Supervisor of the Town of Farmington hereby is authorized and directed to transfer from the General Fund Restricted Assets (VLT) to the Highway Land Acquisition & Improvements Capital project, two million eight hundred thirty eight thousand two hundred thirteen and 37/100 dollars (2,838,213.37) in said fund to construct highway facility; and be it further

Resolved, that the Town Clerk of the Town of Farmington forward copies of this resolution to Highway and bookkeeper.

TOWN BOARD MEETING

JUNE 14, 2011

(Order of Business Continued):

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 June 14, 2011, 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 #170-2011:

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

RESOLUTION AUTHORIZING ESTABLISHMENT OF TOWN OF FARMINGTON FUND BALANCE POLICY.

Whereas, the town of Farmington is desirous of establishing a Fund Balance Policy which is in the interest of sound financial management; and

Whereas, the Finance Committee has reviewed this policy and recommends the adoption; now, therefore, be it

Resolved, that the attached Fund Balance Policy be approved, and, be it further

Resolved, that the Town of Farmington Fund Balance Policy is hereby adopted and shall be effective on the date of this adoption; and be it further

Resolved, that the Town Clerk of the Town of Farmington forward copies of this resolution to Highway, Water and Sewer, and bookkeeper.

Discussion: Councilman Mickelsen stated that the Finance Committee has reviewed this policy and follows the County's policy. Supervisor Fafinski stated that this would bring the town in compliance with GASB 54.

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

RESOLUTION #171-2011:

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

RESOLUTION TO RECALL AND AMEND RESOLUTION NUMBER 137-2011

Whereas, the Water and Sewer Superintendent has requested to recall and amend resolution number 137-2011 to change the bids received date from June 9, 2011 to June 30, 2011

Now, therefore be it resolved that the Town Board authorizes the change in date for the bids

Be it further resolved that bids will be received until 10:00 A.M. June 30, 2011 at the office of the Town Clerk, 1000 County Road 8, Farmington, NY 14425.

Discussion: Supervisor Fafinski stated that this extends the bid date as a result of not receiving any bids from the first date. Water & Sewer Superintendent James Crane stated he wanted to move the bid date to July 7, Councilman Ingalsbe offered the amendment and Councilman Casale seconded it. All voting "Aye", the amendment carried.

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

(Order of Business Continued):

RESOLUTION #172-2011:

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN PROPOSAL FROM MRB GROUP FOR PROFESSIONAL SERVICES

Whereas, the Highway/Parks Superintendent would like the Town Board to authorize the Town Supervisor to sign the proposal from MRB Group for professional services, and

Whereas, the professional services by MRB Group is for the Highway Campus located off of Hook Road at a cost of \$398,600.00 and to be paid out of account HC-1440.21,

Now therefore be it resolved that the Town Board authorizes the Town Supervisor to sign the proposal with a cost not to exceed \$398,600.00,

Further be it resolved that the Town Clerk forward copies of this resolution to Highway/Parks Superintendent and the Bookkeeper.

Discussion: Supervisor Fafinski stated that this was for the Highway Campus.

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

RESOLUTION #173-2011:

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

RESOLUTION TO ESTABLISH A PETTY CASH FUND FOR THE HIGHWAY/PARKS DEPARTMENT

Whereas, the Highway/Parks Superintendent would like the Town Board to authorize the establishment of a Petty Cash Fund for the Highway/Parks Department, and

Whereas, the fund would be used to cover incidental expenses incurred in the day to day operations, and

Whereas, the amount of the Fund would not exceed \$150.00. Vouchers will be processed as needed to replenish the Fund.

Now therefore be it resolved that the Board approve a Petty Cash Fund for the Highway/Parks Department with an amount not to exceed \$150.00

Be it further resolved that the Town Clerk forward copies of this resolution to the Highway/Parks Superintendent and the Bookkeeper.

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

RESOLUTION #174-2011:

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

RESOLUTION TO AUTHORIZE THE REOPENING OF THE FARMBROOK PARK

Whereas, the Highway/Parks Superintendent would like to officially reopen the Farmbrook Park, and

Whereas, the Improvement Project for the Park has been completed and the Board of Health has given the Park a "clean bill of health"

Now therefore be it resolved that the Board approves the reopening of the Farmbrook Park

Further be it resolved that the Town Clerk forward copies of this resolution to the Highway/Parks Superintendent.

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

RESOLUTION #175-2011:

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

Professional Service Agreement for Utility Billing Software Canandaigua-Farmington Water & Sewer Districts

WHEREAS, in 1998 authorization was approved to install new Billing software from Computer Services Incorporated (CSI), and

WHEREAS, in 2009 Harris Computer offered us an up-grade after they purchased CSI, Problem with the upgrade developed after the upgrade was installed, and

WHEREAS, after rejecting the Harris up-grade the dept started the process of reviewing new billing software packages.

NOW, THEREFORE BE IT **RESOLVED**, that the Town Board of Farmington acting on behalf of the Farmington Sanitary Sewer District hereby authorization the Water and Sewer Supt to enter into a Professional Services agreement with B.A.S. - Business Automation Services Inc of Clifton Park, NY for their Utility Billing Software; installed for a total cost not to exceed \$23,500 and an annual maintenance cost of \$3250.

BE IT FURTHER **RESOLVED**, that funding for this Software is from SW1 8310.2 and SS 8110.2 & SS 8110.4.

Discussion: Councilman Ingalsbe asked the Water & Sewer Superintendent if there were any discussion about the annual fee, JIM Crane replied that BAS lowered their fee to \$3,250. Councilman Ingalsbe stated that he did make a few calls and he was told that Microsoft SQL was one of the standards out there, and that FOX Pro was good for a desktop and with low use and had no support and the support from BAS was great. Councilman Mickelsen stated that he was voting Nay because he feels the other lower cost companies would work just as well. Councilman Ingalsbe stated that the software support from BAS was rated number one. Jim Crane stated that the communication with BAS from the start has been great.

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 June 14, 2011, 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 | |

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

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

RESOLUTION # 176-2011- TO PAY AUDITED BILLS

The bills were audited by the Town Board

ABSTRACT 11-2011

| | |
|----------------|--------------|
| General | \$ 59,252.54 |
| Highway Fund | \$ 5,760.23 |
| Storm Drainage | \$ 2,633.01 |
| Payroll | \$ 1,856.98 |
| Sewer District | \$ 83,318.03 |
| Water District | \$ 15,474.05 |
| Highway Campus | \$ 97.18 |
| Lighting | \$ 431.10 |

TOTAL \$ 168,823.12

Councilman Ingalsbe abstained on voucher NO. 11-1387. All voting "Aye", the Resolution was **CARRIED**.

WAIVER OF THE RULES:

RESOLUTION #177-2011:

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

Resolution Authorizing the Supervisor to settle a lawsuit with US Homes

Be it Resolved; the Town Board of the Town of Farmington, duly assembled in regular session on June 14, 2011:

1. The Supervisor is hereby authorized to execute all documents necessary to settle the pending lawsuit brought against the Town of Farmington by US Homes, upon the terms stated on the record in Supreme Court, Ontario County, before the Honorable Frederick G. Reed.
2. This resolution shall take effect immediately.

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

DISCUSSION: None.

TRAINING UNDER \$100: None.

EXECUTIVE SESSION:

A motion was made by **Councilman Mickelsen** and seconded by **Councilman Casale** to enter into executive session at 7:47 p.m. to discuss a pending litigation matter.

A motion was made by **Councilman Mickelsen** and seconded by **Councilman Holtz** to move out of executive session at 8:25 p.m.

A motion was made by **Councilman Mickelsen** and seconded by **Councilman Casale** to adjourn the meeting at 8:27 p.m. Motion carried.

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