

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 28<sup>th</sup> 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

Also present were: **James Crane**- Water & Sewer Superintendent, **Ed McLaughlin** – Highway Superintendent, **Tom Crown** – resident, **Dave Degear** – Planning Board Chairman, **Floyd Kofahl**- Code Enforcement Officer, **Donna LaPlant** – Assessor, **Brandon LaPlant** - student, and **Paul Conrad** – Fire Chief.

### **PUBLIC HEARINGS:**

### **APPROVAL OF MINUTES:**

A motion was made by Councilman Mickelsen, seconded by Councilman Casale, that the minutes of the June 14, 2011, meeting, given members for review, be approved. Carried.

### **PRIVILEGE OF THE FLOOR: FARMINGTON MOBILE HOME COMMUNITY**

Jason Daack, Regional Manager and Jim McDonnell, Site Manager appeared before the board. Jason Daack made a presentation on who they are and what they plan on doing for the Farmington Mobile Home Community. He stated that Parkland Ventures, Inc. started in 2008 and is based in Glen Allen Virginia. He added that they currently own 27 manufactured mobile home communities. Mr. Daack stated that they purchased the park last September and need more than a few months to make changes. He added that even though there have been growing pains he feels they are moving in the right direction. He added that they demolished four homes that were unlivable. Their intent is to get rid of homes that are unlivable and replace with newer homes. Councilman Mickelsen asked if there was a specific date of a home they were looking at. Mr. Daack replied 1990 and newer, vinyl and shingle, and to get rid of metal on metal. He added that they provide a trash pickup for the community which has saved the residents money. He also stated that they did work on both lift stations, replacing four pumps, and the site manager checks them once a week and rotates the pumps. He stated that they also had a spring cleanup where they brought in dumpsters for residents to fill up to make sure the park looks clean. They also installed a playground and will be installing grills and picnic tables for the residents to use. They are also resurfacing the roads which includes milling, filling, and 2 inches of armor asphalt. Councilman Casale asked what the timeline was for that to happen, Mr. Daack replied that they started the prep work last week and should be completed by the next board meeting. Councilman Mickelsen asked how much was the lot rent, Mr. Daack replied \$395. Councilman Mickelsen asked if that included the trash pickup, Mr. Daack replied no that is \$12 per month. Councilman Mickelsen asked who they negotiated a price with, Mr. Daack replied Waste Management. Superintendent Crane stated that the residents also have to pay for sewer and water. Code Enforcement Officer Kofahl stated that he had no issues with what they were proposing. Mr. Daack stated that they plan on doing another fall clean up. He added that they will be adding two new homes in July, August, and September next year. Mr. Daack added that with the roads they hope to sealcoat in 2012 and 2013 to help maintain them longer. Supervisor Fafinski asked where the playground and picnic area will be located, Mr. Daack replied where Tidd Avenue and Tidd Circle meet. Supervisor Fafinski asked Mr. Daack if he were to ask the residents who they feel about the new changes what would they tell him. Mr. Daack replied that they would say it was an improved community and that he has received many compliments on the improvements. Councilman Mickelsen asked the Code Enforcement officer if there is an age limit on how long a mobile home can reside, CEO Kofahl replied no as long as it is habitable but cannot move in any mobile home built prior to 1978, if they are already in existence they can stay there. Councilman Mickelsen asked CEO if the town can restrict that, CEO replied no it's a HUD law. Councilman Casale asked what would the owners do if a resident did not comply with

code issues. Mr. Daack replied that they would send a letter to the resident and give them a week to correct the issue after that they would force the maintenance and charge a fee for that service. CEO Kofahl stated that the only code issue he has with the property is the roadways and the items they have out there have permits and because they are fixing them those are considered in compliance. Water & Sewer Superintendent Crane stated that the water system would need to improve at some point because it is a very old system and can't adequately shut it off and that there are not adequate fire hydrants in the park. Councilman Mickelsen asked if a mobile home was to be built today what would be required, Mr. Crane replied an 8 inch main with fire hydrants every 500 feet. Councilman Mickelsen asked what size main is there currently, Mr. Crane replied a 4 inch. Councilman Ingalsbe asked if the pumpstations had locks on them, Mr. Daack replied yes.

CEO Kofahl stated that the issue they have before them is relative to Section 165-76 c4 of the Code, which basically states that mobile home parks have a one year special use permit that automatically gets renewed if they don't find any violations at their annual review which starts around April then they notify the parks in May of any issues that need to be corrected. He added that no matter what they are always going to find some issues in every park. He also stated that in this park they found many more issues therefore they could not to an automatic renewal. CEO Kofahl added that the owners have been very good to work with. He added that the board may want to consider a probationary period to see if they follow through.

Supervisor Fafinski stated that based on what the board was told tonight that the paving would be completed by their next meeting on July 12<sup>th</sup> and he asked that a representative appear before the board to give a report. He added that this board has to decide whether or not to renew the special use permit and his concern is that if the board doesn't approve it mobile home owners would have to move out. His concern is for the residents.

Councilman Mickelsen asked the CEO if the board were to approve this can they set an appropriate time frame for more hydrants to be installed, CEO Kofahl stated that he did not know the answer and that would be a question for the Town Attorney. Supervisor Fafinski asked the Water & Sewer Superintendent if the one hydrant in the park has ever been pressure tested, he replied that's out of his jurisdiction. Mr. Daack stated that they have never pressure tested it. CEO Kofahl stated that it is required as part of the inspection now that they mentioned it. Supervisor Fafinski requested that a pressure test be done by the next meeting as well. Councilman Holtz asked CEO Kofahl if that was one of the initial issues, Kofahl replied no. Councilman Holtz stated that he has a hard time throwing new things into when they already made a lot of progress and the road was the last issue to be completed to renew permit. Fire Chief Conrad stated that they have never used and won't use the one hydrant located in the park, they will continue to use the ones located on Mertensia Road. Councilman Holtz asked if the hydrants on Mertensia Road were sufficient and Fire Chief Conrad replied yes. Councilman Mickelsen asked if the other parks had the same issue with the hydrants. Water & Sewer Superintendent replied that Hunt's Mobile Home Park had their own throughout the park and Woodlawn only had the one located on Route 96.

## **REPORTS OF STANDING COMMITTEES:**

**Public Works Committee:** Councilman Ingalsbe reported:

### **Water & Sewer:**

1. Discussed Gypsum Mills Pumpstation improvements.
2. Discussed purchase of new billing software.
3. Discussed Asset Management.
4. Discussed sending last update report to DEC.
5. Discussed seminars that were attended.
6. Discussed certifying plant operators.
7. Discussed fire hydrant that was hit.
8. Discussed Meadowlark Lane-lateral needs to be replaced.

**Highway & Parks:**

1. Discussed resolutions for tonight's meeting.
2. Discussed railroad meeting.
3. Discussed highway campus committee meeting to be held on July 8<sup>th</sup> at 1:00 p.m.
4. Discussed receiving two of the pickup trucks placed out for bid.
5. Discussed road striping on various roads.
6. Discussed Park truck No. 4 in for repairs.

**Town Operations Committee: Councilman Casale reported:**

1. Discussed Part-time Code Enforcement Officer position.
2. Discussed Public Hearing on Comprehensive Plan-July 26<sup>th</sup>.

**Town Personnel Committee: None.****Town Comprehensive Plan Committee: None.****Town Finance Committee: None.****Town Public Safety Committee: None.****REPORTS OF TOWN OFFICIALS:****Supervisor Fafinski :**

1. July 3<sup>rd</sup> Fireworks Celebration.
2. Recreation started – 284 kids enrolled.

**Highway & Parks Superintendent Ed McLaughlin:**

1. Discussed the starting the first treatment of their cape seal projects.

**Town Clerk Michelle Finley:**

1. Discussed Tax Collectors conference.
2. Performed three marriages this month.

**Water & Sewer Superintendent Jim Crane:**

1. Discussed FEMA meeting.
2. Fire Hydrants painted purple for the Relay for Life Cancer walk. Permission was granted and no town staff or money was used to do this community project.

**Code Enforcement Officer Floyd Kofahl:**

1. Discussed open burning.

**Director of Planning and Development: None.****Assessor Donna LaPlant:**

1. Getting ready for small claims.
2. Article 7's should be starting in July.

**Fire Chief Paul Conrad: None.****Planning Board Chairman Dave Degear:**

1. Discussed Mini Storages-Collett Road.

**Ontario County Planning Board Member Mary Neale: None.****COMMUNICATIONS:**

1. Letter from Town Attorney, Jeff Graff to Mr. Lewis Martz. Re: 5825 Yahn Road Water Service.
2. Memo from Jeffrey Harloff, Director of Ontario County Emergency Management Office to Town Supervisor. Re: Applicant briefing for FEMA assistance.
3. Letter from Sheryl Robbins, P.E. of the New York Department of Health to Town Supervisor. Re: Unsatisfactory water sample take from water supply.
4. Letter to Ted Ball of Selective Insurance from the Highway/Parks Superintendent Ed McLaughlin. Re: Safety management survey.

- 5. Letter from Mitchell Morris, Office of the State Comptroller to Town Clerk. Re: Establishment of Farmington Ponds Lighting District.
- 6. Water District Bonds
- 7. Certificate of Workers' Compensation Insurance. Re: Santelli Lumber Co Inc.; Chemung Supply Corp; Sign & Lighting Services LLC; New Energy Works of Rochester Inc; RSM Construction Co LLC
- 8. Certificate of Insurance. Re: Country Cottage Home; G2 Enterprises LLC
- 9. Certificate of Insurance Coverage under the NYS Disability Benefits Law and Certificate of Participation in Worker's Compensation Group Self-Insurance for New York State DOT.
- 10. Cancellation of Certificate of Workers' Compensation Insurance. Re: JM Romich Enterprises Inc; RSM Construction Co LLC.

**REPORTS & MINUTES:**

- 1. Building Department permit report for May 2011.
- 2. Corrected minutes from the May 5, 2011 Historic Preservation Meeting.
- 3. Minutes from the May 23, 2011 Conservation Board Meeting.
- 4. Minutes from the June 2, 2011 Historic Preservation Meeting.

**ORDER OF BUSINESS:**

**Resolutions 178-179 were blocked.**

**RESOLUTION #178-2011:**

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

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT**

**WHEREAS**, asking the Town Board to approve a budget amendment to reimburse storm drainage expenditure line,

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

|      |                             |             |
|------|-----------------------------|-------------|
| FROM | SD2770 Misc Revenue         | \$30,000.00 |
| TO   | SD8540.4 Storm Drainage- CE | \$30,000.00 |

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 #179-2011:**

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

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT**

**WHEREAS**, asking the Town Board to approve a budget amendment to reimburse storm drainage expenditure line,

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

|      |                             |             |
|------|-----------------------------|-------------|
| FROM | SD2770 Misc Revenue         | \$27,864.31 |
| TO   | SD8540.4 Storm Drainage- CE | \$27,864.31 |

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 #180-2011:**

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

**RESOLUTION DECLARING BATTERY BACK UP SURPLUS**

WHEREAS, the Town Clerks Office and the Bookkeeper have had to purchase new battery back-ups for their computers to replace ones that stopped working and are not repairable, and

WHEREAS, the broken battery back ups are inventoried as item No. 20082, No. 20083, No. 20091 and No. 20154 on the Town's Inventory list,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby declares the battery back ups (inventory numbers 20082, 20083, 20091 and 20154) as surplus so that they may be disposed of by the Highway/Parks Department and be it

FURTHER RESOLVED that the Town Clerk provide copies of this resolution to the Highway/Parks Department, the Bookkeeper and the Town Court.

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

**RESOLUTION #181-2011:**

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

**RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN A SHARED EQUIPMENT AGREEMENT WITH THE TOWN OF VICTOR**

WHEREAS, the Town has received a contract agreement between the Towns of Farmington and Victor, and

WHEREAS, the agreement is for the Towns of Farmington and Victor to jointly purchase, maintain and insure large equipment that is used for public works and other municipal improvement projects, and

WHEREAS, the Towns of Farmington and Victor will equally split the purchase price, the ownership, the maintenance required and the insurance, and

WHEREAS, the Highway Superintendents for each town will agree on a reasonable and fair schedule for the sharing of the equipment.

NOW THEREFORE BE IT **RESOLVED** that the Town Board authorizes the Supervisor to sign the contractual agreement between the Towns of Farmington and Victor,

AND BE IT FURTHER **RESOLVED** that the Town Clerk provides copies of this resolution to Supervisors Offices in both Farmington and Victor, the Highway Superintendents in both Farmington & Victor and Jeff Graff.

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

**RESOLUTION #182-2011:**

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

**Resolution waiving all fees for an Official Meeting at the lodge at Mertensia**

**Whereas:** The Ontario County Administrator and the Farmington Town Supervisor (acting in the capacity of Chairman of the Ontario County Board of Supervisors) have requested the use of Mertensia Lodge for a county senior staff meeting, and

**Whereas:** The date and time of the meeting is Wednesday, July 13<sup>th</sup> from 10:00 a.m. to 12:00 noon, and the lodge is not scheduled for any other function at that time, and;

**Now be it Resolved:** that the town board of the Town of Farmington is pleased that the Ontario County Administrator has requested the use of the lodge for an official function and waives any and all fees for the official use during normal business hours of the lodge, and;

**Be it further Resolved:** that a certified copy of this resolution be furnished the Highway and Parks Superintendent and he is directed open the lodge, or have it opened no later than 9:45AM on July 13<sup>th</sup> and that the lodge shall be secured after 12:00 PM and in addition a copy of this resolution is furnished the Farmington Town Clerk for her records and confirming this no fee reservation.

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

**(Order of Business Continued):**

**RESOLUTION #183-2011:**

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

**Accepting the Final Draft of the 2011 Edition of the Town of Farmington Comprehensive Plan and Scheduling a Public Hearing thereon.**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board), has received from the Town Comprehensive Plan Update Committee (hereinafter referred to as Committee), a Final Draft of the 2011 Edition of the Town of Farmington Comprehensive Plan (hereinafter referred to as the 2011 Plan), dated May 2011; and

**WHEREAS**, the Committee did provide a public review period, did post the Preliminary Draft of the 2011 Plan upon the Town's website, did conduct a public hearing upon said Preliminary Draft of the 2011 Plan and did provide a record of said public hearing held by the Committee on May 23, 2011; and

**WHEREAS**, the Town Board, under the provisions of Section 272-a of New York State Town Law is required to schedule a public hearing upon the adoption of the Final Draft document within ninety (90) days of receipt of said 2011 Plan; and

**WHEREAS**, said Action is classified as a Type I Action under the provisions of Article 8 of the State Environmental Conservation Law, Part 617; and

**WHEREAS**, the Town Board, is the only involved Agency under the provisions of the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Action is subject to an advisory referral to the Ontario County Planning Board under the provisions of Sections 239-l & -m of the New York State General Municipal Law.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board does hereby designate itself as the Lead Agency for said Action.

**BE IT FURTHER RESOLVED** that the Town Board does hereby direct the Town Director of Planning & Development to prepare the environmental record upon said Action for review and acceptance by the Town Board at its meeting on Tuesday, July 12, 2011.

**BE IT FURTHER RESOLVED** that the Town Board does hereby direct the Town Director of Planning & Development to submit a copy of the Final Draft of the 2011 Edition of the Town of Farmington Comprehensive Plan along with the required referral form to the Ontario County Planning Board for its review at said Planning Board's July 13, 2011 meeting.

**BE IT FURTHER RESOLVED** that the Town Board does hereby establish a public hearing to be held on Tuesday evening, July 26, 2011, upon said Final Draft of the 2011 Edition of the Town of Farmington Comprehensive Plan, commencing at 7:00 p.m., Eastern Daylight Savings Time.

**BE IT FURTHER RESOLVED** that the Town Board does hereby direct the posting of the Final Draft of the 2011 Edition of the Town of Farmington Comprehensive Plan upon the Town's Official website.

**BE IT FURTHER RESOLVED** that the Town Board does hereby direct the Town Director of Planning & Development to prepare two (2) copies of said Plan for public review, with one copy being placed in the Town Clerk's Office and one copy being placed in the Town Development Office for public review during normal business hours.

**BE IT FURTHER RESOLVED** that the Town Board does hereby direct the Town Clerk to submit a legal notice of the above referenced public hearing to the Town's Official Newspaper, the Canandaigua Daily Messenger, for publishing and to post a copy of said legal notice on the Town Hall Bulletin Board.

**BE IT FURTHER RESOLVED** that the Town Board does hereby direct the Town Director of Planning & Development to prepare the Full Environmental Assessment Form for the Town Board's review at their July 12, 2011 meeting.

**BE IT FINALLY RESOLVED** that the Town Clerk is to prepare copies of this resolution for filing with the Town Clerk's Office and the Town Development Office.

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

(Order of Business Continued):

**RESOLUTION #184-2011:**

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

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT**

**WHEREAS**, asking the Town Board to approve the transfer of money from Contingency to Law-CE to cover current expenses (vouchers 1536, 1537, 1538, 1556)

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

|      |                           |            |
|------|---------------------------|------------|
| FROM | A1990.4 Contingency       | \$8,040.34 |
| TO   | A1420.4 Law – Contractual | \$8,040.34 |

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

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

**RESOLUTION #185-2011:**

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

**RESOLUTION AUTHORIZING TOWN CLERK TO PETITION TO DO AN AREA SPEED LIMIT SURVEY**

**Whereas**, the Highway/Parks Superintendent would like the Town Board to authorize the Town Clerk to petition the NYS Dept. of Transportation to do an Area Speed Limit Survey, and

**Whereas**, the survey would be for a 30 MPH speed limit in Stonewood Subdivision located on Green Road in Farmington,

**Now therefore be it resolved** that the Town Board will approve the Town Clerk to petition the NYS Dept. of Transportation for the area speed limit survey in the Stonewood Subdivision located on Green Road in Farmington

**And be it further resolved** that the Town Clerk provide copies of this resolution to the Highway/Parks Department.

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

**RESOLUTION #186-2011:**

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

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT**

**Whereas**, the Highway/Parks Superintendent is requesting the Town Board approve a monies transfer from the Highway Fund Balance into the Highway Fund Equipment Reserve (DA232) for the future expenditures as follows:

|                             |                   |                     |
|-----------------------------|-------------------|---------------------|
| Remainder from 2009 Budget: |                   |                     |
|                             | DA5130.2          | \$60,152.00         |
|                             | DA5130.4          | \$3,592.33          |
| Remainder from 2010 Budget: |                   |                     |
|                             | DA5130.2          | \$3,850.00          |
|                             | DA5130.4          | \$4,074.92          |
| From Current                |                   |                     |
|                             | DA Fund Balance:  | \$128,330.75        |
|                             | Existing Reserve: | \$129,203.00        |
|                             | <b>Total</b>      | <b>\$329,203.00</b> |

**Now therefore be it resolved** that the Town Board will approve this Budget Amendment for the Highway/Parks Superintendent

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

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

**(Order of Business Continued):**

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

**RESOLUTION # 187-2011- TO PAY AUDITED BILLS**

The bills were audited by the Town Board

**ABSTRACT 12-2011**

|                |                      |
|----------------|----------------------|
| General        | \$ 84,877.95         |
| Highway Fund   | \$ 19,336.01         |
| Storm Drainage | \$ 1,569.17          |
| Payroll        | \$ 819.02            |
| Sewer District | \$ 50,571.41         |
| Water District | \$ 16,756.05         |
| Lighting       | \$ 6,610.41          |
| <b>TOTAL</b>   | <b>\$ 180,540.02</b> |

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 Holtz** to adjourn the meeting at 8:17 p.m. Motion carried.

Meeting was recorded and transcribed by:

Michelle A. Finley, Town Clerk: \_\_\_\_\_