

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 10<sup>th</sup> day of May, 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: **Floyd Kofahl**– Code Enforcement Officer, **James Crane**- Water & Sewer Superintendent (excused due to training), **Ed McLaughlin** – Highway Superintendent, **Donna LaPlant** – Assessor, **Paul Conrad** – Fire Chief, **Dotti Mickelsen** – resident, **John Malvaso** – Farmington Business Council, **Maureen Murphy** – Farmington Business Council, **Mark Cain** – Recreation Director, and students.

### **PUBLIC HEARINGS: PROPOSED CREATION OF THE FARMINGTON PONDS LIGHTING DISTRICT**

At 7:00 p.m., on the date, a Public Hearing was called to order. The Town Clerk read the legal notice. Supervisor Fafinski opened the Hearing for comments from the public and staff. Hearing none the Hearing was closed at 7:02 p.m.

### **APPROVAL OF MINUTES:**

A motion was made by Councilman Ingalsbe, seconded by Councilman Casale, that the minutes of the April 26, 2011, meeting, given members for review, be approved. Councilman Mickelsen abstained. Carried.

### **PRIVILEGE OF THE FLOOR: JOHN MALVASO-FARMINGTON BUSINESS COUNCIL**

Mr. Malvaso asked the board to consider being the applicant for the Gateway project. He stated that he spoke with NYSDOT and if Farmington Business Council does the permit then they would have to get the suitable insurance to do it as a builder and post the bond for the project which is about \$20,000.00 but for the town to do it they would waive that bond fee. Councilman Mickelsen asked how much money would that save them. Mr. Malvaso replied that typically on a \$20,000 bond it would cost anywhere from \$1,500-\$2,500 and that would be right off the top of the budget. He added that they would have to maintain contractors insurance and that the Farmington Business Council and the Farmington Chamber of Commerce are not set up to do that so that would be another burden on the project. Mr. Malvaso stated that with the Town as the applicant the NYSDOT agreed to waive the permitting fee and the bond fee and the process would move along a little faster. He added that there are basically three permits required: the first being the Town permit for the sign, he spoke with Code Enforcement last week, and since the town is issuing the permit the town could be the construction foreman for the permit that would be all internal for the town, then there are more significant permits with the NYSDOT, one is the use and occupancy permit which one section is done by them and the other the town would need to apply for. The next would be the highway work permit which is done by the local DOT and both would have to be done at the same time. He added that even with the sign permit the DOT would need to bless it because anything visual from the road the DOT has to approve. Mr. Malvaso stated that the request is for the town to be applicant for the permits in order to move this project along. Supervisor Fafinski stated that they have spoken with the Town Attorney and there are no liability issues since they do not own the property, he also spoke with the Town's insurance carrier and since the property is not owned by the town it is privately held. Highway Superintendent stated that he did not have any issues and has handled highway permits with the DOT all the time. No issues with the Building Department. Councilman Mickelsen asked Mr. Malvaso if he had a timeline in mind, Mr. Malvaso replied that he hopes to break ground this summer. Councilman Mickelsen asked if funding was in place, Mr. Malvaso replied they have enough to do much of the infrastructure, excavation, and concrete pillar for clock. Councilman Casale asked who supervisor's the project, Code Enforcement Officer Kofahl replied that since the property is on state land it doesn't go through the whole process and the Building Department would be doing the inspections to insure no safety issues. He added that DOT has approved the design already and it meets and exceeds the town's standards. Councilman Mickelsen thought it was a good project. Councilman Ingalsbe requested that a resolution be coordinated with Town Operations for the next town board meeting.

### **PAUL GILLETT – SELF MINI STORAGE FACILITY**

Mr. Gillett stated that he is looking to build a mini storage facility in the Farash property area north of the medical center building on Corporate Drive. When he first looked at the property he thought it was zoned for the appropriate use but upon further discussion found it to be zoned PD therefore he would like to amend the zoning. Councilman Ingalsbe asked if he looked at other locations, Mr. Gillett replied that they had but didn't work out due to price and location. He added that this facility would have climate controls

which no one in the area has and hopes it will fill a need. Supervisor Fafinski stated that area is planned development and now they have a single applicant come in and request to change the zoning to accommodate that single business. Councilman Mickelsen stated for the record that he knows the applicants family. Councilman Mickelsen also stated his concern is the close proximity to Route 332 and asked if there were any discussions from the Comprehensive Plan for any recommendation for change in zoning. Councilman Holtz replied no there has been discussion for that area. Mr. Gillett submitted a rough sketch for the board to review. Supervisor Fafinski encouraged the applicant to look at other areas and that he cannot support cutting up the requested site. Councilman Ingalsbe stated that he believes there are other locations to choose from and still have a nice setup. Mr. Gillett stated that he chose this location due to easy access and has a good relationship with the company that owns it. Councilman Mickelsen thought it was a nice project for the right place and that it would be an asset to the town.

**REPORTS OF STANDING COMMITTEES:**

**Public Works Committee: Councilman Mickelsen reported:**

**Water & Sewer:**

No report due to Water & Sewer Superintendent being at training.

**Highway & Parks:**

1. Discussed Lock Box at Mertensia Lodge and alarm.
2. Discussed crash bar on door at Mertensia Lodge- needs to be replaced.
3. Discussed Town Clean Up – went well-351 trips.
4. Discussed dogs being in the town parks.
5. Discussed Farmbrook Park Improvements.
6. Discussed receiving check for MS4 Round 8/9 funding.
7. Discussed purchasing a mini excavator-possibility of sharing expense and use with Water & Sewer Department.
8. Discussed Auburn Meadows Phase 5.

**Town Operations Committee: Councilman Holtz reported:**

1. Discussed Auburn Trails Feasibility Study – first meeting tomorrow.
2. Letter of Credit – Leanard's Express.
3. Auburn Meadows – improvement to bridge.
4. Billy G's is opened.
5. Building Department working on inspections of Manufactured Home Parks.

**Town Personnel Committee: None.**

**Town Comprehensive Plan Committee: Councilman Holtz reported:**

1. Meeting last night went over Chapters 1 & 2 and finalizes – Public Hearing will be May 23, 2011, at 7:00 p.m.

Supervisor Fafinski asked that the Comprehensive Plan about the Legal Notice and to run it through the Town Clerk's Office. Councilman Holtz replied that he thinks Mr. Brand is handling that but will check with him.

Code Enforcement Officer will be meeting with the owner of the worm farm next week.

**Town Finance Committee: None.**

**Town Public Safety Committee: None.**

**REPORTS OF TOWN OFFICIALS:**

**Supervisor Fafinski :**

1. Mentioned that a several town officials attended Houghton College for training.
2. Highway Campus is on track.
3. Met with Finance Committee today.

**Highway & Parks Superintendent Ed McLaughlin:**

1. Mowing, Mowing, Mowing.
2. Activities in the parks are picking up.

**Town Clerk Michelle Finley:**

1. Discussed NYSTCA conference – Passed notary exam.

**Water & Sewer Superintendent Jim Crane: None.****Code Enforcement Officer Floyd Kofahl:**

1. Building Permits are coming in.
2. Discussed Manufactured Home Special Use Permit renewals.

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

1. Discussed Grievance Day in two weeks.

**Fire Chief Paul Conrad:**

1. Air packs are in service.

Supervisor Fafinski mentioned the July 3<sup>rd</sup> Fireworks Celebration – Fire Department is welcomed to come.

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

1. Letter from Jeffery Harloff, Director of Ontario County Emergency Management Office to Town Supervisor. Re: Preliminary Damage Assessments.
2. Letter from Lance Brabant of the MRB Group to the Director of Development. Re: Woodhouse-Bowerman Road.
3. Letter from Mary Kay Bashaw of the Canandaigua National Bank to the Supervisor. Re: Public Improvement Bond.
4. Email from Judith Wellman Coordinator of the Farmington Quaker Meetinghouse Museum to the Supervisor. Re: Moving the Time Warner wires.
5. Copy of letter from Sheldon Boyce of Brenna, Brenna & Boyce, PLLC to Ms. Marie Toledo. Re: Leo Mendola and Joyce Mendola vs. The Town of Farmington Water and Sewer Department and James Crane.
6. Cancellation of Certificate of Workers Compensation. Re: Skylight Signs; Inc., Tim Strang DBA Tim Strang.
7. Certificate of Participation in Workers Compensation. Re: Fegley Construction, Inc.; Besroi Roofing & Siding Co Inc.; Chrisantha Construction Corp.; Pro Construction Inc.
8. Certificate of Liability Insurance. Re: Villager Construction, Inc.; Butler Fence Co. Inc.; T-Mobile USA, Inc.; Besroi Roofing & Siding Co Inc.; Vermi-Green LLC.
9. Certificate of Insurance Coverage NYS Disability. Re: Butler Fence Co Inc.
10. Notice for new application for a state liquor license. Re: Prosecco Italian Restaurant & Jazz Bar, LLC.
11. Letter from Thomas Seaman of Lippman O'connor to Town Clerk. Re: Mendola, Leo v. The Town of Farmington, et al.

**REPORTS & MINUTES:**

1. Recreation Advisory Board meeting minutes from January 4, 2011.
2. Conservation Board meeting minutes from January 24, 2011.
3. Recreation Board meeting minutes from February 8, 2011.
4. Conservation Board meeting minutes from February 28, 2011.
5. Recreation Board meeting minutes from March 7, 2011
6. Conservation Board meeting minutes from March 28, 2011.
7. Judge Gligora's monthly report from April 2011.
8. Judge Lew's monthly report from April 2011.

**ORDER OF BUSINESS:**

**RESOLUTION #131-2011:**

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

**RESOLUTION AUTHORIZING TOWN SUPERVISOR TO SIGN FIRE PROTECTION SERVICE AGREEMENT**

**WHEREAS**, the Highway/Parks Superintendent would like authorization for the Town Supervisor to sign the Fire Protection Services Agreement with Cintas, and

**WHEREAS**, the maintenance and inspection of the fire extinguishers throughout the Town, fuel island at the Highway Garage and the emergency and exit lights to the Town buildings as required by the law for a period of one year from the date of signing, and

**WHEREAS**, the cost will not exceed the prices listed in the agreement and to be expensed to the appropriate departments

NOW THEREFORE BE IT **RESOLVED** that the Town Board hereby authorizes the Town Supervisor to sign the Fire Protection Agreement.

FURTHER **RESOLVED** that the Town Clerk provide copies of this resolution to the Supervisor's Secretary and to the Highway/Parks Department.

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

**RESOLUTION #132-2011:**

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

**RESOLUTION TO CLOSE OUT CAPITAL PROJECTS**

**WHEREAS**, the Highway/Parks Superintendent has advised that the Racetrack Drainage Pond Capital Project has been completed and all financial obligations have been satisfied in November 2010, and

NOW THEREFORE BE IT **RESOLVED** that the Town Board authorizes the remaining balance of \$103,220.70 should be transferred to the 2007 A231VLT Municipal Fund Savings account thereby closing out the project.

**RESOLVED** that the Town Clerk provide copies of this resolution to the Supervisor's Office, the Highway/Parks Superintendent and the Bookkeeper.

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

**RESOLUTION #133-2011:**

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

**RESOLUTION TO CLOSE OUT CAPITAL PROJECTS**

**WHEREAS**, the Highway/Parks Superintendent has advised that the Mertensia Road Lodge Capital Project has been completed and all financial obligations have been satisfied in June 2010, and

NOW THEREFORE BE IT **RESOLVED** that the Town Board authorizes the remaining balance of \$87,805.73 should be transferred to the 2007 A231VLT Municipal Fund Savings account thereby closing out the project.

**RESOLVED** that the Town Clerk provide copies of this resolution to the Supervisor's Office, the Highway/Parks Superintendent and the Bookkeeper.

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

**RESOLUTION #134-2011:**

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

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT**

**WHEREAS**, asking the Town Board for the transfer of \$5,000.00 from contingency to cover expenditures in comprehensive plan.

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

**TOWN BOARD MEETING**

**MAY 10, 2011**

**(Order of Business Continued):**

|      |                                |            |
|------|--------------------------------|------------|
| FROM | A1990.4 Contingency            | \$5,000.00 |
| TO   | A3989.1 Other Public Safety PS | \$5,000.00 |

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

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

**RESOLUTION #135-2011:**

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

**RESOLUTION DECLARING BATTERY BACK UP SURPLUS**

**WHEREAS**, the Highway/Parks Department has had to purchase (2) two new battery back-ups for two computers in the Highway Office that stopped working and are not able to be repaired, and

NOW THEREFORE BE IT **RESOLVED** that the Town Board hereby declares the battery back up (inventory No. 20075) as surplus so that it 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.

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

**RESOLUTION #136-2011:**

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

**Request to Authorize Jim Crane to Attend the New York and New England Water Environment Associations Spring Technical Conference & Exhibition**

**WHEREAS**, the Water and Sewer Superintendent has requested to attend the New York and New England Water Environment Associations Spring Technical Conference and Exhibition being held at the Sagamore Hotel located in Bolton Landing, New York from June 6 - 8, 2011 at a total cost not to exceed \$ 728.00 (conference: \$ 390.00, lodging: \$ 338.00), plus meals and travel expenses.

NOW, THEREFORE BE IT **RESOLVED**, that the Farmington Town Board authorizes the attendance of the Water & Sewer Superintendent of the New York and New England Water Environment Associations Spring Technical Conference and Exhibition, June 6 - 8, 2011 at a cost not to exceed \$ 728.00, plus meals and travel expenses.

BE IT FURTHER **RESOLVED**, that this is budgeted from SW1-8310.4 Water Administration-Contractual.

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

**RESOLUTION #137-2011:**

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

**Approval to Bid Generator Gypsum Mills Station**

**WHEREAS**, the Water and Sewer Department has budgeted for Improvements and Equipment replacement SS8 120.21f or the Gypsum Mill Pump Station, and

**WHEREAS**, the scheduling of this Improvement and replacement is in accordance with the W&S Departments Capital replacement program, and

**WHEREAS**, funds have been included in the 2011 budget from the Sewer Capital Reserve Account which had been established for Equipment Purchases.

NOW THEREFORE BE IT **RESOLVED**, that the Farmington Town Board authorizes the Water and Sewer Superintendent to seek bids for one new on-site Generator for the Gypsum Mills Station.

BE IT FURTHER **RESOLVED**, that bids will be received until 10:00A .M. June 9 .2011 at the office of the Town Clerk, 1000 County Road 8, Farmington, NY 14425

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

**RESOLUTION #138-2011:**

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

**Confirming Resolution authorizing Emergency Sewer Line Repair - Route 96**

**WHEREAS**, the sewer main along NY State Route 96 just west of NY State Route 332 has collapsed and has created an emergency condition, whereby this section will have to be replaced, and

**WHEREAS**, this resolution is to confirm the hiring of Skanex Pipe Services Corporation a Victor based company who was hired to assist in the repairs and install 255' of 10" CIP Chemical liner, and

**WHEREAS**, because of the existing pipe conditions the 255 ft of CIPP liner could not be installed and instead 1 0" HDEP pipe and the necessary work involved was installed at the collapsed area. The 10" Chemical Liner was then stored during this replacement to be installed in a second location along this Section of deteriorated pipe, and

**WHEREAS**, the scope of work involves Skanex Pipe Services Corporation's installing the CIPP Chemical liner pipe and the challenges involved with the second installation along NYS Route 96 whereby Excavation and installation of new 10" PVC pipe had to be done to complete this section as well.

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of Farmington acting on behalf of the Farmington Sanitary Sewer District hereby confirms the authorization of emergency repairs to the Water and Sewer Superintendent to pay Skanex Pipe Services Corporation of Victor, New York to perform the installation of CIPP Chemical Liner to the existing 1 0" sewer main at a total cost not to exceed \$16,445.00.

**BE IT FURTHER RESOLVED**, that funding for the pipe slip lining is from SS 8120.2.

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

**RESOLUTION #139-2011:**

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

**RESOLUTION AUTHORIZING THE RETURN OF ZONING BOARD APPLICATION FEES PAID BY ANDREA CORNISH**

**WHEREAS**, The Town Building and Development Office had received an application for an area variance at 30 Heritage Circle, and

**WHEREAS**, The owner, Mrs. Andrea Cornish paid \$50.00 for the Zoning Variance request, and

**WHEREAS**, The Code Enforcement Officer, upon review of said Zoning Variance request and in conversation with Mrs. Cornish, found that there was not a need for the variance, and

**WHEREAS**, The Code Enforcement Officer requests that the Town of Farmington Board approves the refund of the Variance Application Fee.

**NOW THEREFORE BE IT RESOLVED** that the Town Board of Farmington does herein approve the refunding of the \$50.00 Zoning Variance Fee to Mrs. Andrea Cornish and that a copy of this resolution be given to the Building Department and the Town Clerks Office.

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

**RESOLUTION #140-2011:**

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

**RESOLUTION AUTHORIZING THE RETURN OF ZONING BOARD APPLICATION FEES PAID BY SCOTT WHITTAKER**

**WHEREAS**, The Town Building and Development Office had received an application for an area variance at 4760 Rushmore Road, and

**WHEREAS**, The owner, Mr. Scott Whittaker paid \$50.00 for the Zoning Variance request, and

**WHEREAS**, The Code Enforcement Officer request that the Town of Farmington Board approves the refund of the Variance Application Fee.

**NOW THEREFORE BE IT RESOLVED** that the Town Board of Farmington does herein approve the refunding of the \$50.00 Zoning Variance Fee to Mr. Scott Whittaker and that a copy of this resolution be given to the Building Department and the Town Clerks Office.

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

(Order of Business Continued):

**RESOLUTION #141-2011:**

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

**RESOLUTION WAIVING THE RENTAL FEE FOR THE MERTENSIA LODGE FOR THE FARMINGTON METHODIST CHURCH**

**WHEREAS**, the Farmington Methodist Church paid the rental fee for the use of the Mertensia Lodge and due to weather did not use the lodge and originally asked if they could rent the lodge for another day, and

**WHEREAS**, after speaking with the Town Supervisor and Highway Superintendent it was agreed that churches are not for profit and could ask for a waiver of the rental fee by resolution if requested, and

**WHEREAS**, the church paid the rental fee of \$250.00 and requested that the fee be returned should the waiver be approved, therefore be it

**RESOLVED**, the Farmington Town Board waives the rental fee and authorizes the return of fees already paid for the rental of Mertensia Lodge for the Farmington Methodist Church.

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

**RESOLUTION #142-2011:**

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

**RESOLUTION AUTORIZING THE TOWN CLERK TO WAIVE PERMIT FEE FOR YOUNG EXPLOSIVES' FOR JULY 3<sup>RD</sup> TOWN FIREWORKS DISPLAY**

**WHEREAS**, The Recreation Director, Mark Cain, has received a contract for the town's Saturday, July 3<sup>rd</sup> fireworks display, to be launched across from the Town Park on the property of Royal Purdy, and

**WHEREAS**, Young Explosives Corp. has verified in the contract that they provide \$2 million in liability insurance and will charge the town \$3,000 for the exhibition of fireworks including all technicians, now therefore be it

**RESOLVED** that the Town Board authorizes the Town Clerk to waive the permit fee for Young Explosives to provide this fireworks display and therefore be it

**RESOLVED** that the Town Clerk keep a copy of this resolution for her staff and forward a copy to Young Explosives.

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

**RESOLUTION #143-2011:**

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

**Letter of Credit Estimate – Leonard's Express – Building No. 3 Addition No. 2 in the total amount of \$60,808.65**

**WHEREAS**, the Farmington Town Board (herein after referred to as Town Board) has received a request from Lance S. Brabant, CPESC, MRD Group, P.C., Farmington Town Engineers, dated May 2, 2011 to establish a Letter of Credit for required improvements associated with the above referenced project, and

**WHEREAS**, the Town Engineer's recommendation is based upon a coordinated review with Jack Henehan, Town Construction Inspector and finding from their review of the detailed quantities and unit prices shown in the April 21, 2011 Engineer's Estimate completed by McMahon LaRue Associates, P.C., and

**WHEREAS**, these quantities and unit prices identified are consistent with the items described in the signed Final Plat Site Plans and with the private contractor pricing respectively.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board hereby accepts the recommendations to establish the above referenced Letter of Credit in the total amount of \$60,808.65, and

**BE IT FURTHER RESOLVED** that the Town Clerk is hereby directed to notify the applicant Kenneth Johnson, President, Leonard's Express, and the applicant's engineer Greg McMahon, P.E., McMahon LaRue Associates, P.C., by U.S. Mailing of certified copies of this resolution to establish the above referenced Letter of Credit, in the amount specified above herein, and

**BE IT FURTHER RESOLVED** that certified copies of this resolution are to be provided to the Town Bookkeeper, the Director of Planning and Development, the Town Construction Inspector, Town Code Enforcement Officer and the Town Engineer.

**(Order of Business Continued):**

**BE IT FINALLY RESOLVED** that the Letter of Credit is to be delivered to the Town not later than Twelve noon on the 10<sup>th</sup> business day following the adoption of this resolution.

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

**RESOLUTION #144-2011:**

**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  
FARMINGTON PONDS LIGHTING DISTRICT**

**WHEREAS**, the Town of Farmington Town Board, herein after 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

**NOW, THEREFORE, BE IT RESOLVED THAT** the Town Board makes this Determination of Non-Significance based upon: the map and plan prepared by David W. Andersen; the May 10, 2011, 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 ESQR 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 concerns; 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 May 10, 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 #145-2011:**

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

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF FARMINGTON  
APPROVING CREATION OF THE  
FARMINGTON PONDS LIGHTING DISTRICT**

**WHEREAS**, a written Petition dated March 23, 2011, has been presented and filed with the Town Clerk of the Town of Farmington, Ontario County, New York, requesting establishment of Farmington Ponds Lighting 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 David W Andersen 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 May 10, 2011, 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 May 10, 2011, 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 person interested in the subject thereof, concerning the same, and 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 May 10, 2011, 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 up 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 otherwise sufficient;
2. The Order Calling Public Hearing was duly published in the Town's official newspaper on April 17, 2011 and duly posted on the Town's official sign board on April 13, 2011, 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;
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 all 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 May 10, 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**.

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

**RESOLUTION # 146-2011- TO PAY AUDITED BILLS**

The bills were audited by the Town Board

**ABSTRACT #9-2011**

|                |                    |
|----------------|--------------------|
| General        | \$ 23,377.05       |
| Highway Fund   | \$ 9,147.85        |
| Storm Drainage | \$ 699.55          |
| Payroll        | \$ 174.82          |
| Sewer District | \$38,542.20        |
| Water District | \$ 7,974.22        |
| Highway Campus | \$ 97.18           |
| Lighting       | \$ 1,700.00        |
| <b>TOTAL</b>   | <b>\$81,712.87</b> |

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

**DISCUSSION:**

1. Mark Cain would like a "lock box" for the Mertensia Road Lodge.

Mr. Cain stated that with the Recreation programs are growing it would make sense to have a lock box for the key to the lodge so that a key is available for the subcontractors to have access to. It would be one key onsite. He will still lock up each night. The board was in favor of having Mr. Cain look into cost and different types of lock boxes and to purchase.

2. Pumpkin Hook Parade on August 5<sup>th</sup>. Line up at 6:00 p.m.

**TRAINING UNDER \$100:**

1. Jim Crane, Paul Fleig and Matthew Curran to attend the Spring Meeting of the Finger Lakes Water Works Conference in Newark, New York on June 2, 2011 at a cost not to exceed \$60.00.

**EXECUTIVE SESSION: None.**

A motion was made by **Councilman Mickelsen** and seconded by **Councilman Ingalsbe** to adjourn the meeting at 8:10 p.m. Motion carried.

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