

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 7th day of November, 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, **James Morse**- Code Enforcement Officer, **Ed McLaughlin** – Highway Superintendent, **Donna LaPlant** – Assessor, **Messenger Post**, **Adrian Bellis** – Recreation Advisory Member.

PUBLIC HEARINGS:**APPROVAL OF MINUTES:**

A motion was made by Councilman Casale, seconded by Councilman Holtz, that the minutes of the October 25, 2011, meeting, given members for review, be approved. Carried.

PRIVILEGE OF THE FLOOR:**REPORTS OF STANDING COMMITTEES:**

Public Works Committee: Councilman Mickelsen reported:

Water & Sewer:

1. Resolution – Pass to Tax.
2. Working on repairing hydrants.
3. Update on Billing Software.
4. WWTP Maintenance Update.
5. Discussed pumpstation at Gypsum Mills.
6. Discussed BAS software training.

Highway & Parks: (employee Jack Henehan attended meeting)

1. Discussed Highway Campus.
2. Discussed the relocation of the 1816 Meeting House.
3. Discussed Farmbrook Park-lights will be installed before next meeting, striped in 2012, and 10 ft. chain link fence.
4. Discussed drainage issue with resident on Honeysuckle Lane.

Town Operations Committee: Councilman Holtz reported:

1. Gave an update on projects going on-Gateway Drive (received final approval with minor conditions that have to be met), Organic Farm (final approval), CVS (going through Planning Board process), and the Mini Warehouse project (going through Planning/Zoning process).
2. Discussed bids for new vehicle in Building Department.
3. MRB has given staff a copy of the new DOT map for review.

Ambulance Corp. Liaison: Councilman Casale reported:

1. Discussed substation area on eastern end of town (corner of County Road 28 and Shortsville Road).

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. Discussed audits of Town Clerk, Receiver of Taxes, and Town Courts – there were no discrepancies and standards were used and all is in order.

Highway& Parks Superintendent Ed McLaughlin:

1. Assisting in the moving of the Quaker Meeting House.

Town Clerk Michelle Finley:

1. Attending Tax Collector meeting – November 10th.

Water & Sewer Superintendent Jim Crane:

1. Discussed out of district extensions – Brickyard Road near airport.

Code Enforcement Officer James Morse:

1. Working on expired permits.

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

1. Working on commercials for 2012.

Fire Chief Paul Conrad: None.**Planning Board Chairman Dave Degear: None.****Ontario County Planning Board Member Mary Neale: None.****COMMUNICATIONS:**

1. Letter to the Town Board from Hyland Hartsough of the NYS Department of Health. Re: Community water supply notice.
2. Memo from the Bookkeeper to various department heads. Re: Inventory.
3. Memo from the Director of Development to the Supervisor. Re: Consolidated funding application for the town Highway Campus Project.
4. Copies of invoices from the Supervisor's Office for legal fees.
5. Copies of invoices from the Supervisor's Office for engineering fees.
6. Letter from the Supervisor to the Town Clerk, Highway Superintendent, Water and Sewer Superintendent and U.S. Army Corps of Engineers; NYS Dept. of Health and NYS DEC. Re: Town Highway Campus Project.
7. Letter to Robert Torzynski of the Genesee Transportation Council from the Director of Development. Re: Auburn Trail/Ontario Pathways Trail Connection Feasibility Study.
8. Letter to Darleen Carmel and David and Kathy Cooper from the Director of Development and Code Enforcement Officer. Re: Notice of rezoning proposal.
9. Letter to the Director of Development from William Sitzman of Independent Broadcast Consultants Inc. Re: Cell tower proposal.
10. Letter to the Supervisor from Assemblyman Sean Hanna. Re: Resolution opposing the "Power of New York Act" of 2011.
11. Memo to the Supervisor from Gary Baxter, Ontario County Treasurer. Re: Foreclosure list.
12. Comments on the Auburn Trail Feasibility Study submitted to the town by the Buskus family.
13. Notice of Chapter 7 Bankruptcy Case from U.S. Bankruptcy Court.
14. Letter to Sue Beck from the Highway/Parks Superintendent. Re: Reservation at Mertensia Lodge.
15. Letter to the Supervisor from Laurie Moore of the NYS Office of Parks, Recreation and Historic Preservation. Re: Mertensia Park expenses.
16. Letter to the Town Clerk from the Farmington Fire Association. Re: Update for member listing.
17. Copy of application for approval of plans for public water supply improvement for the town Highway Campus Project.
18. Certificates of Workers Compensation insurance for Perkins Construction; Townsend Oil; David Horn.
19. Cancellation of Workers Compensation insurance for Tim Strang and Bounds Building & Remodeling Inc.
20. Certificates of Liability Insurance for Finger Lakes Ambulance; McKenna Builders Inc; DGA Builders NY Inc.; Northeastern Pools, Inc.
21. Letter to the Supervisor from K.W. Kelly of Finger Lakes Ambulance. Re: Request to park ambulance on town property.

REPORTS & MINUTES:

1. Building permits report for the month of October 2011.
2. Town Zoning Board of Appeals meeting minutes for August 22, 2011.
3. Historic Preservation meeting minutes from September 8, 2011.
4. Historic Preservation meeting minutes from October 6, 2011.
5. Conservation Board meeting minutes from September 26, 2011.
6. Recreation Advisory Board meeting minutes from September 19, 2011.
7. Recreation Advisory Board meeting minutes from August 15, 2011.
8. Judge Morris Lew's monthly report for October 2011.
9. Judge John Gligora's monthly report for October 2011.

ORDER OF BUSINESS:**RESOLUTION #305-2011:**

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

RESOLUTION ADOPTING THE 2012 TOWN BUDGET

WHEREAS, a Public Hearing was held October 25, 2011, for the 2012 Town Budget, and

WHEREAS, the Town's tax rate will remain flat at \$1.06 per thousand dollars of assessed property value and the total tax levy of all funds is below the New York State Property Tax Cap by more than \$112,000.00, and,

(Order of Business Continued):

WHEREAS, the Town Board nevertheless voted on October 25, 2011 to override the state’s 2 percent Property Tax Cap as a precautionary measure should any errors in calculation be found subsequent to the budget’s adoption, or changes in interpretation of the state legislation occur after the Town Budget’s adoption, now therefore be it

RESOLVED, the Farmington Town Board adopts the 2012 Town Budget as attached, and further be it

RESOLVED, that the Town Clerk is directed to furnish two copies to Ontario County along with a certified copy of this resolution adopting the budget.

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

RESOLUTION #306-2011:

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

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN THE 2012 RATE SHEETS FOR EMPLOYEE HEALTH INSURANCE WITH THE INTENT OF AMENDING THE EMPLOYEE HANDBOOK

WHEREAS, the Town Board’s Town Operations/Personnel Committee, working with the Town Supervisor and Confidential Secretary have met with the Town’s insurance brokers from Brown and Brown and reviewed several health insurance plans for employees in 2012, and

WHEREAS, the current fully funded MVP plan, Basix, will no longer be available in 2012 and the Committee is recommending the Town go with the replacement plan being offered by MVP that has similar co-pays and other benefits for all current full-time employees, and

WHEREAS, the Committee intends to later amend the Town Employee Policy, with the assistance of the Town Attorney, to offer a second fully-funded health insurance plan offered by MVP with slightly higher co-pays for all new full-time employees hired on or after January 1, 2012, and

WHEREAS, should the Town Board amend the Employee Policy as described above, the Committee intends to further include a provision allowing all new hires to “buy up” - or pay for from payroll deductions, the difference between the two plans to enroll in the plan offered to current employees, now be it

RESOLVED, that the Town Board authorizes the Supervisor to sign the attached 2012 MVP rate sheets, provided by Brown and Brown, for the plan for all current full-time employees as well as those hired on or after January 1, 2012, and be it further

RESOLVED, that the Town Clerk provide a copy of this resolution to the Supervisor’s Secretary, along with the original signed rate sheets so that the Secretary may forward them to Brown and Brown to be processed.

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

RESOLUTION #307-2011:

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

RESOLUTION – PASS TO TAX- 2011

WHEREAS, the Farmington Town Board has been notified by the Water & Sewer Department of the unpaid water and sewer charges, and

WHEREAS, an Annual Statement has been filed with the Town Clerk listing all unpaid charges, fees, and rents for the 2012 Tax Levy which are broken down in the following special districts:

WATER/SEWER DISTRICT

WA-241	Andrews & North Road Water	\$115.89
WA-246	Canandaigua-Emerson-Townline Road (Canandaigua Only)	\$258.82
WD-241	Canandaigua-Farmington Water (Canandaigua Only)	\$9,835.25
WD-281	Canandaigua-Farmington Water (Farmington Only)	\$48,962.76
WD-284	Maxwell Road Water District	\$484.50
WD-285	Fox Road Water District	\$315.78
WD-286	North Farmington Water Extension #2 (Ellsworth)	\$510.35
WD-287	Sheldon Road Water District	\$225.23
WD-345	Canandaigua-Townline-Hopewell (Hopewell)	\$72.11
WD-248	Risser Road Extension	\$297.63
	Canandaigua Sanitary Sewer	\$1,307.49
	Farmington Sanitary Sewer	\$58,884.23
	Victor Sanitary Sewer	\$52,015.67

NOW, THEREFORE BE IT, **RESOLVED**, the Town Board acting through its Water and Sewer Superintendent, shall transmit such Statement to the Ontario County Board of Supervisors which shall such levy sums against the property liable.

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

(Order of Business Continued):

RESOLUTION #308-2011:

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

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN CONTRACT WITH FINGER LAKES AMBULANCE EMS INC.

WHEREAS, Finger Lakes Ambulance EMS Inc. has asked the Town to be allowed to park an ambulance on Town property, specifically at Meeting House Park at the intersection of County Road 28 and County Road 41 to better meet the needs of the public, and

WHEREAS, at the Town's request the ambulance corps provided an agreement, reviewed and amended by the Town Attorney, that includes a certificate of insurance naming the Town under the Corps' liability policy and that also indemnifies and holds the Town harmless from any claims of damage, liability or expense, now be it

RESOLVED, the Farmington Town Board authorizes the Supervisor to sign the three copies of the attached agreement and further be it

RESOLVED, that the Town Clerk is directed to return two of the signed copies to Finger Lakes Ambulance EMS Inc., to the attention of K.W. Kelly, and retain one for the Town.

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

RESOLUTION #309-2011:

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

Approval to Purchase Hydrant Parts & Water Supplies

WHEREAS, During the past few weeks, a number of Fire Hydrants have been hit or damaged by motorist or found needing repair during inspection, and

WHEREAS, This Department has had to purchase additional fire hydrant parts and water supplies. The purchase is in accordance with the Towns procurement policy for the available Mueller hydrant parts, and

WHEREAS, funds budgeted are from the Canandaigua/Farmington Water Distribution Account which has been established for Equipment and Supplies.

NOW, THEREFORE BE IT RESOLVED, that the Farmington Town Board authorizes the Water and Sewer Superintendent to purchase water supplies from Vellano Bros Inc of Rochester NY at a cost estimated not to exceed \$3244.19.

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

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

RESOLUTION #310-2011:

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

RESOLUTION DECLARING A 1977 ROAD WIDENER SURPLUS

WHEREAS, Resolution #242-2011 authorized the Highway/Parks Superintendent to accept the bid for a new 2011 double-sided, road widener to replace a 1977 road widener from Gateway Equipment Corp; and

WHEREAS, the funds are included and available in the 2011 budget line item DA-5130.2 Machinery – Equipment and the cost will be equally split with the Town of Victor under the Shared Equipment Agreement at a cost of Eighty Thousand Seven Hundred Fifty-Five Dollars and Fifty Cents (\$80,755.50) each; now be it

RESOLVED, that upon delivery of the 2011 double-sided, self-propelled road widener, the existing 1977 road widener will be declared surplus and sold at auction with the proceeds split with the Town of Victor under the Shared Equipment Agreement; and further be it

RESOLVED that the Town Clerk forward a copy of this resolution to the Highway/Parks Superintendent, Bookkeeper, and the Town of Victor Highway Department.

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

RESOLUTION #311-2011:

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

Letter of Credit – Auburn Meadows Subdivision, Section 4 - Release # 7 in the total amount of \$ 37,800.92.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from the Town Planning Board a resolution dated November 2, 2011 recommending that the above referenced Letter of Credit Release # 7 be approved in the total amount of \$ 37,800.92 for work completed in Section 4 of the Auburn Meadows Subdivision Tract; and

WHEREAS, the Planning Board has reviewed the documentation submitted for the partial release of the Letter of Credit, including the Town Letter of Credit Release Form No. 7 for the Auburn Meadows Project signed by all of the town department heads; and

WHEREAS, the total amount of this Letter of Credit is \$ 1,195,824.87; and

(Order of Business Continued):

WHEREAS, there is a balance of \$ 454,593.64 remaining in the Letter of Credit after Release # 6; and

WHEREAS, there will be a balance of \$ 416,792.72 remaining in the Letter of Credit after Release #7.

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.

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

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

RESOLUTION #312-2011:

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

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN ANNUAL CONTRACTS FOR DOG CONTROL SERVICES FOR 2012

WHEREAS, the Town of Farmington budgeted monies in the 2012 Budget for Dog Control Services, and

WHEREAS, Ontario County has submitted the annual contracts for signature, therefore be it

RESOLVED, the Farmington Town Board authorizes the Supervisor to sign annual contracts for Dog Control Services with Ontario County for 2012, and further be it

RESOLVED, that the Town Clerk forward 3 signed originals to Ontario County.

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

RESOLUTION #313-2011:

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

RESOLUTION ACCEPTING AUDITS OF THE TOWN COURTS, TOWN CLERK AND TAX COLLECTOR

WHEREAS, the Town hired Michael Dollard to conduct audits of the finances of the Town Court, which includes two justices, the Town Clerk's Office and Tax Collector, and

WHEREAS, the audits conducted by Mr. Dollard found the finances in good order for the periods he reviewed, now therefore be it

RESOLVED, that the Town Board hereby accepts the attached audits, and be it further

RESOLVED, that the Town Clerk provide copies of this resolution and the audits to Judges Lew and Gligora and the Bookkeeper.

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

Resolutions 314 -316 were blocked:

RESOLUTION #314-2011:

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

RESOLUTION AUTHORIZING A BUDGET AMENDMENT - BUILDING DEPARTMENT

BE IT RESOLVED that the Town Board hereby authorizes the following budget amendment in the General Fund to cover expenditures by the Building Department:

FROM	A1990.4 Contingency	\$279.80
TO	A3620.4 Safety Inspection	\$279.80

AND BE IT FUTHER RESOLVED that the Town Clerk provide copies of this resolution to Floyd Kofahl and the Bookkeeper.

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

RESOLUTION #315-2011:

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

RESOLUTION AUTHORIZING A BUDGET AMENDMENT - AUBURN TRAILS

BE IT RESOLVED that the Town Board hereby authorizes the following budget amendment in the General Fund to cover expenditures for the Auburn Trails Feasibility Study, which are subject to reimbursement:

FROM	A1990.4 Contingency	\$4,911.68
TO	A8020.44 Planning-Auburn Trail FS	\$4,911.68

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

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

(Order of Business Continued):

RESOLUTION #316-2011:

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

RESOLUTION AUTHORIZING A BUDGET AMENDMENT - AUBURN TRAILS

BE IT **RESOLVED** that the Town Board hereby authorizes the following budget amendment in the General Fund to cover expenditures for the Auburn Trails Feasibility Study, which are subject to reimbursement:

FROM	A2770AT Auburn Trails - Feasibility Study	\$12,451.20
TO	A1990.4 Contingency	\$12,451.20

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

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

RESOLUTION #317-2011:

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

RESOLUTION WAIVING THE FEE FOR THE USE OF THE PAVILION IN FARBROOK PARK FOR THE BOY SCOUTS

WHEREAS, Scott Parker of Boy Scout Troop 50 has asked the Town Board to waive the usual \$15 fee for the troop to use the pavilion at Farmbrook Park from 9 a.m. to 5 p.m. on Saturday, November 19, 2011, now therefore be it

RESOLVED, that the Town Board hereby waives the \$15 fee for the Boy Scouts and be it further

RESOLVED, that the Town Clerk provide copies of this resolution to Scott Parker and the Highway/Parks Department.

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

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

RESOLUTION # 318-2011- TO PAY AUDITED BILLS

The bills were audited by the Town Board

ABSTRACT 21-2011

General	\$ 32,427.02
Highway Fund	\$107,911.70
Storm Drainage	\$ 1,300.00
Payroll	\$ 158.28
Sewer District	\$ 9,861.44
Water District	\$ 14,189.22
Highway Campus	\$ 7,631.20
Lighting	\$ 6,741.72

TOTAL \$180,220.58

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

WAIVER OF THE RULE: No Objections

RESOLUTION #319-2011:

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

RESOLUTION AUTHORIZING THE HIGHWAY/PARKS SUPERINTENDENT TO SEEK BIDS FOR SITE WORK AT THE HIGHWAY CAMPUS PROPERTY

WHEREAS, the Town Highway/Parks Superintendent wishes to seek a bid for earth work to be done at the site of the new Highway Campus on Hook Road, and

WHEREAS, the bid is required under New York State municipal law for public works projects that may exceed the \$20,000 threshold, now therefore be it

RESOLVED, that the Town Board hereby authorizes the Highway/Parks Superintendent to seek bids for the earth work at the Highway Campus site.

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

DISCUSSION:

1. Town Employee smoking policy.

Councilman Ingalsbe stated that he got a phone call and decided to take a look at the Towns smoking policy (907) and the Towns Meal and Rest Breaks policy (503) which he believes are just simple policies that state the following:

(907) Policy Statement – All buildings and vehicles owned/leased by the Town of Farmington shall be smoke –free. Effective January 1, 1995, employees will not be permitted to use tobacco products of any kind in any building owned or under the control of the Town Board. In addition, the use of tobacco products of any kind will not be permitted in any town-owned vehicles. The appropriate outside areas for smoking will be designated by the Department Head. Disciplinary Action – Any violation of this rule by employees will be subject to disciplinary action.

(503) Rest Breaks – Rest breaks will be established as per departmental rules and procedures in accordance with operational requirements. An employee who chooses not to take a rest break will not be entitled to leave before the normal quitting time and will not receive extra pay for the time worked. Approval of Rest Breaks – rest breaks must be approved by the employees Department Head in accordance with the needs and requirements of the department. Unless otherwise specified by departmental rules, all rest breaks must be taken at the work-site and may not exceed the time allowed.

Councilman Ingalsbe stated that New York State Law allows a lunch break for working over six hours and two fifteen minutes breaks, one in the morning and one in the afternoon. He added that they are pretty flexible on how that is taken. He stated that he spoke with Jim Crane (Water & Sewer Superintendent) and he doesn't have many smokers and Highway has a few more than Water & Sewer but the nice thing about those departments is that they are out of the way and out of the view of the public. He stated that Water & Sewer is fenced in and the public only comes to the front office area and don't get don't to the plant area and over at Highway the men are mostly on the road all the time and there is only one main entrance. At the Town Hall it is a little different, the public is in the building all the time and the phone call he got referenced whenever someone is coming into the town hall there is always someone on break and he knows how department heads make that work but it's the perception it is giving. He added that even though it isn't a large amount of complaints he doesn't want it to get out of hand. Councilman Mickelsen asked Councilman Ingalsbe what remedy he is suggesting. Councilman Ingalsbe replied he was going to leave that up to the board. Supervisor Fafinski stated that the intent of the state law on public buildings was that they didn't want smoking around public entrances to buildings and about 6 or 8 months ago the town posted on town buildings no smoking within 20 feet of the buildings. He added that was a change to get people who smoked away from the building and it meets the state requirements and he doesn't think they need to change anything except maybe to remind Department Heads to observe if you want to take a break in 5 minute increments instead of the 15 minutes that is fine but just be mindful of it. Councilman Casale asked is it the perception of smoking or the number of breaks that are being taken. Councilman Mickelsen asked if the non-smokers and smokers given the equal amount of breaks. Supervisor Fafinski replied yes. Councilman Mickelsen stated that from his perspective and he doesn't smoke, he doesn't allow smoking in his house or vehicles, and doesn't hire smokers in his business and that's him personally but smoking is legal in this state even though he isn't a big fan of it. He feels that as long as they are doing it in their designated areas and not having any advantage in the time of their break then he sees no issue with it. Councilman Ingalsbe stated that there is a perceived advantage by the non smokers about the amount of breaks. Councilman Mickelsen stated as long as there is a level playing field between non smokers and smokers he sees no issue with it. Councilman Casale stated that the gazebo could be used as a designated smoking area. A resident attending the meeting stated that he has come to the town hall on a few occasions and has seen the girls outside on break but he said when one of the girls couldn't answer his question they went right out and got another girl to answer it and as far as he is concerned from a customer service standpoint he was very pleased. Supervisor Fafinski thank the resident for his valuable input. Supervisor Fafinski stated that the important factor here is that the state guidelines are followed, which they are. He also stated that the Code Enforcement Officer is charged with enforcing that law and to be aware of that when out and about. Councilman Ingalsbe also wanted to stress that lunch breaks should be taken away from the desk area and stagger lunch breaks and he added that highway puts the answering machine on during lunch breaks. Councilman Mickelsen stated since they were talking about smoking he wanted to make sure no smoking was being done in the town vehicles. The Highway and Water & Sewer Superintendent agreed that there was no smoking in the vehicles. Councilman Ingalsbe stated that it has been months since he has seen that. Supervisor Fafinski stated that the policies stand as written.

2. Payphone outside Town Hall (new owner, higher monthly charge).

Supervisor Fafinski stated that the town has had a long battle over keeping the payphone at the Town Hall and received a notice from Pacific Telemanagement Services that stated the charge to keep the phone would be about \$100 per month versus the \$30 per month as before. The board was in agreement to terminate the payphone services.

TRAINING UNDER \$100:

1. Jim Crane, Josh Fagner and Tom Simonds to attend the winter meeting of the Finger Lakes Water Works Maintenance Assistants in Waterloo on December 1, 2011, at a cost not to exceed \$69.00 each.
2. Meg Godly to attend G/FLRPC fall training on November 17, 2011 at a cost of \$50.

EXECUTIVE SESSION:

At 7:45 p.m., a motion was made by Councilman Casale, seconded by Councilman Mickelsen, that the Town Board enter into Executive Session to discuss pending litigation.

A motion was made by Councilman Casale, seconded by Councilman Holtz, to return to regular session at 9:02 p.m. The motion was **CARRIED**.

A motion was made by **Councilman Casale** and seconded by **Councilman Ingalsbe** to adjourn the meeting at 9:02 p.m. Motion **CARRIED**.

Meeting was recorded and transcribed by:

Michelle A. Finley, Town Clerk: _____

