

Resolution No. _____ of 2012

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

Names	Ayes	Nays	Abstain	Absent
Supervisor Mr. Fafinski				
Councilman Mr. Ingalsbe				
Councilman Mr. Mickelsen				
Councilman Dr. Casale				
Councilman Mr. Holtz				
Total				

The following was presented

By _____

Sec'd by _____

Date of Adoption:

RESOLUTION AUTHORIZING THE KIWANIS CLUB OF FARMINGTON-VICTOR TO USE THE LODGE AT MERTENSIA PARK ON APRIL 28, 2012

WHEREAS, the Kiwanis Club of Farmington-Victor has asked the Town Board permission to use the Lodge at Mertensia Park on April 28, 2012 for a fundraiser for its annual Relay For Life team for the American Cancer Society, and

WHEREAS, the club has asked the town waive the normal fee for renting the space,

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Kiwanis Club to use the Lodge at Mertensia Park on April 28, 2012 for their gathering, with the rental fee waived, but still requires the mandatory refundable cleanup deposit of \$100, and be it further

RESOLVED that the Town Clerk forward this resolution to Barbara Years at 5117 Collett Road, Shortsville, NY 14548, and keep a copy for her office.

Board Resolution Number _____

Kevin Scherbyn – Course to Become a Certified Operator

Class: Grade 3 Supervision and Technical Operations

June 18 – 22, 2012

February 14, 2012

WHEREAS, under Civil Service requirements, the Waste Water Treatment Plant Operator Trainee must complete training per the requirements of the New York State Department of Environmental Conservation, and

WHEREAS, the Department of Environmental Conservation has required training methods to be taken to become a Certified Operator.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington acting on behalf of the Water and Sewer Districts, hereby authorizes Kevin Scherbyn to attend SUNY at Morrisville to meet the training requirements for a Certified Operator at a total cost of \$925.00 (course: \$550.00, lodging: \$375.00), plus textbook required for class, meals and travel expenses.

BE IT FURTHER RESOLVED, that this is budgeted from SS-8130.4 Treatment Plant expenses.

Roll Call Vote

Name Ayes Nays Abstain Absent

The following was presented

By: _____

Sec'd by: _____

Date of Adoption: _____

Name	Ayes	Nays	Abstain	Absent
Supervisor Theodore M. Fafinski				
Councilman Timothy P. Mickelsen				
Councilman Steven Holtz				
Councilman Michael J. Casale				
Councilman Peter V. Ingalsbe				

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Roll Call Vote

Names	Ayes	Nays	Abstain	Absent
Supervisor Mr. Fafinski				
Councilman Mr. Ingalsbe				
Councilman Mr. Mickelsen				
Councilman Dr. Casale				
Councilman Mr. Holtz				
Total				

The following was presented

By _____

Sec'd by _____

Date of Adoption:

RESOLUTION APPOINTING CYRIL OPETT JR. TO FILL A VACANT SEAT ON THE TOWN ZONING BOARD OF APPEALS

WHEREAS, Town Zoning Board of Appeals member Christopher Dunfey resigned effective December 31, 2011, and

WHEREAS, the town received a previous letter of interest from resident Cyril Opett Jr. for any vacancy on the ZBA and interviewed him in early 2011, finding him to be well-qualified, and

WHEREAS, ZBA Chairwoman Leslie O'Malley recently interviewed Mr. Opett and recommends that the Town Board appoint him to fill Mr. Dunfey's vacancy, now therefore be it

RESOLVED that the Town Board hereby appoints Cyril Opett Jr. of 1361 County Road 8, Shortsville, to a three-year term on the ZBA, expiring December 31, 2016, and be it further

RESOLVED that the Town Clerk forward a copy of this resolution to the Supervisor's Secretary, ZBA Chairwoman Dr. O'Malley and Mr. Opett and prepare an Oath of Office to be taken by Mr. Opett.

Resolution No. _____ of 2012

**THE TOWN OF FARMINGTON
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Sec'd by _____

Date of Adoption:

Names	Ayes	Nays	Abstain	Absent
Supervisor Mr. Fafinski				
Councilman Mr. Ingalsbe				
Councilman Mr. Mickelsen				
Councilman Dr. Casale				
Councilman Mr. Holtz				
Total				

RESOLUTION AUTHORIZING A BUDGET AMENDMENT

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the following budget amendment for the Water and Sewer Department:

From: SW1 599 Fund Balance \$275.50

To: Sw1 Taxes Receivable \$275.50

AND BE IT FURTHER RESOLVED that the Town Clerk provide a copy of this resolution to the Bookkeeper and the Water and Sewer Department.

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The following was presented

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Sec'd by _____

Date of Adoption _____

Names	Ayes	Nays	Abstain	Absent
Supervisor Theodore Fafinski				
Councilman Peter Ingalsbe				
Councilman Steven Holtz				
Councilman Michael Casale				
Councilman Timothy Mickelsen				

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

WHEREAS, the Highway/Parks Superintendent has asked that he be allowed to send employees Paul Crandall and Jack Henehan to a MS-4 training session to be held February 7, 2012 at the Henrietta Fire Training Center in Henrietta, and

WHEREAS, the training session is part of the Western New York Stormwater Management Training Program and will cost \$230 per person for a total of \$460 for two attendees,

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes Mr. Crandall and Mr. Henehan to attend the aforementioned training session at a cost not to exceed, \$460 to be expended from Account SD8540.42

AND BE IT FURTHER RESOLVED, that the Town Clerk provide copies of this Resolution to the Highway/Parks Department, the Water & Sewer Department as well as the Supervisor's Secretary.

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**THE TOWN OF FARMINGTON
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Roll Call Vote

The following was presented

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Sec'd by _____

Date of Adoption _____

Names	Ayes	Nays	Abstain	Absent
Supervisor Theodore Fafinski				
Councilman Peter Ingalsbe				
Councilman Steven Holtz				
Councilman Michael Casale				
Councilman Timothy Mickelsen				

**RESOLUTION AUTHORIZING THE SUPERVISOR TO APPROVE A
HVAC SERVICE AGREEMENT RENEWAL FOR THE TOWN HALL
THRU JANUARY 31, 2014.**

WHEREAS, the Town of Farmington Highway/Parks Superintendent, Ed McLaughlin, has requested that the Town Supervisor sign an agreement with EMCOR Services-Betlem to renew the current HVAC service agreement for the Town Hall thru January 31, 2014, and

WHEREAS, the contract would cost \$4,365.00 annually with two (2) payments made in February and August each year in the amount of \$2,182.50 each to be made, and

WHEREAS, the service/labor rates with the company will be billed at \$85.00 per hour (straight time) and \$125.00 per hour (overtime) and \$160.00 per hour (holidays and Sundays) and a vehicle charge of \$75.00 per trip, now therefore be it

RESOLVED that the Supervisor is authorized to sign the contract, and

BE IT FURTHER RESOLVED, that the Town Clerk provide copies of this resolution with a copy of the signed contract to the Highway/Parks Superintendent and the Town Bookkeeper.

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Roll Call Vote

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Supervisor Mr. Fafinski				
Councilman Mr. Ingalsbe				
Councilman Mr. Mickelsen				
Councilman Dr. Casale				
Councilman Mr. Holtz				
Total				

The following was presented

By _____

Sec'd by _____

Date of Adoption: February 14, 2012

**RE: Letter of Credit - Saratoga Crossings, Lot #2 - Release # 1 (Partial)
in the total amount of \$ 165,099.24.**

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from the Town Planning Board a resolution dated February 1, 2012 recommending that the above referenced Letter of Credit Release #1, be approved in the total amount of \$ 165,099.24, for work completed in Lot #2 of the Saratoga Crossings Tract; and

WHEREAS, the Planning Board has reviewed the documentation submitted for the partial release of this Letter of Credit, including the MRB Group Letter of Credit Release Form Estimate No. 1 for the Saratoga Crossings Project Lot #2 and the signed Town Department Heads Release Form for the LOC #1, dated 1/17/12; and

WHEREAS, the total amount of this Letter of Credit is \$ 182,421.50; and

WHEREAS, there is a balance of \$ 17,322.26 remaining in the Letter of Credit after Release # 1; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby authorizes the Town Supervisor, to execute the release # 1 of the requested amount from the above referenced Letter of Credit.

FINALLY BE IT RESOLVED that the release is to be issued to Saratoga Crossing, LLC and a copy sent to Jess Sudol, P.E., Passero Associates.

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Date of Adoption: February 14, 2012

Names	Ayes	Nays	Abstain	Absent
Supervisor Mr. Fafinski				
Councilman Mr. Ingalsbe				
Councilman Mr. Mickelsen				
Councilman Dr. Casale				
Councilman Mr. Holtz				
Total				

**RE: Letter of Credit - Saratoga Crossing, Lot #1 - Release # 2 (Final)
in the total amount of \$ 46,986.00.**

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from the Town Planning Board a resolution dated February 1, 2012 recommending that the above referenced Letter of Credit Release #2, be approved in the total amount of \$ 46,986.00, for work completed in Lot #1 of the Saratoga Crossing Tract; and

WHEREAS, the Planning Board has reviewed the documentation submitted for the final release of this Letter of Credit, including the MRB Group Letter of Credit Release Form Estimate No. 2 for the Saratoga Crossing Lot #1 Project and the signed Town Department Heads Release Form for the LOC #2, dated 1/17/12; and

WHEREAS, the total amount of this Letter of Credit is \$ 360,843.00; and

WHEREAS, there is a balance of \$ 46,986.00 remaining in the Letter of Credit after Release # 1; and

WHEREAS, there will be a zero balance remaining in the Letter of Credit after Release # 2; and

WHEREAS, the Town Board earlier tonight did accept (Town Board Resolution No. __ of 2012) the Maintenance Bond (Bond No. 0512026) from International Fidelity Insurance Company for Lot # 1 of the Saratoga Crossings Project, in the total amount of \$26,753.00.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby authorizes the Town Supervisor, to execute the release # 2 of the requested amount from the above referenced Letter of Credit.

FINALLY BE IT RESOLVED that the release is to be issued to Saratoga Crossing, LLC and a copy sent to Jess Sudol, P.E., Passero Associates.

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Date of Adoption: February 14, 2012

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Supervisor Mr. Fafinski				
Councilman Mr. Ingalsbe				
Councilman Mr. Mickelsen				
Councilman Dr. Casale				
Councilman Mr. Holtz				
Total				

**RE: Letter of Credit - Saratoga Crossings, Lot #2 - Release # 1 (Partial)
in the total amount of \$ 165,099.24.**

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from the Town Planning Board a resolution dated February 1, 2012 recommending that the above referenced Letter of Credit Release #1, be approved in the total amount of \$ 165,099.24, for work completed in Lot #2 of the Saratoga Crossings Tract; and

WHEREAS, the Planning Board has reviewed the documentation submitted for the partial release of this Letter of Credit, including the MRB Group Letter of Credit Release Form Estimate No. 1 for the Saratoga Crossings Project Lot #2 and the signed Town Department Heads Release Form for the LOC #1, dated 1/17/12; and

WHEREAS, the total amount of this Letter of Credit is \$ 182,421.50; and

WHEREAS, there is a balance of \$ 17,322.26 remaining in the Letter of Credit after Release # 1; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby authorizes the Town Supervisor, to execute the release # 1 of the requested amount from the above referenced Letter of Credit.

FINALLY BE IT RESOLVED that the release is to be issued to Saratoga Crossing, LLC and a copy sent to Jess Sudol, P.E., Passero Associates.

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Councilman Dr. Casale				
Councilman Mr. Holtz				

Total

RESOLUTION OF SYMPATHY FOR THE FAMILY OF LAUREN VASSELLO

WHEREAS, the Town Board was deeply saddened to learn of the passing of Lauren Vassello on Saturday, February 4, 2012 after a brave, almost year-long battle with cancer, and

WHEREAS, 13-year-old Lauren was the daughter of former Town Court Clerk Stephany Baldwin and step-daughter of Conservation Board member Christopher Baldwin, and a student in the Victor Central School District,

NOW THEREFORE BE IT RESOLVED that the Town Board adopts this resolution extending its sincere sympathy to Lauren's family, and spreading her memory upon the minutes of this board meeting, and be it

FURTHER RESOLVED that the Town Clerk forward a copy of this resolution to Stephany and Christopher Baldwin with deepest condolences from the Town Board and Town employees.

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Names	Ayes	Nays	Abstain	Absent
Supervisor Theodore M Fafinski				
Councilman Peter V Ingalsbe				
Councilman Timothy P Mickelsen				
Councilman Steven M. Holtz				
Councilman Michael J. Casale				
Total				

RESOLUTION AUTHORIZING LECHASE CONSTRUCTION SERVICES, LLC TO COMPLETE PROFESSIONAL COST ENGINEERING SERVICES RELATING TO PENDING LITIGATION INVOLVING THE FINGER LAKES RACING ASSOCIATION, INC.

WHEREAS, the Town is involved in tax certiorari actions for the 2009, 2010 and 2011 assessment roll years with Finger Lakes Racing Association Inc. and Canandaigua Enterprises Corporation, Inc. regarding real property located at 5757 State Route 96 in the Town, and

WHEREAS, several bids were obtained to perform the cost engineering services necessary to establish the cost of construction of the improvements on site; and

WHEREAS, the lowest bidder able to produce the detailed product requested is LeChase Construction Services, LLC (LeChase), and

WHEREAS, LeChase has proposed to produce a complete building and grounds estimate for a fee not to exceed \$52,900 and, if court appearances are necessary, a fee of \$175 per hour for pre-trial support and \$3,500 per day for court appearances will be charged; and

WHEREAS, Ontario County and Victor Central School have entered into

intermunicipal cooperation agreements with respect to the litigation on this property, and both have determined it is in their best interest to hire LeChase to provide professional cost engineering services regarding this litigation, therefore be it

RESOLVED, that the Farmington Town Board authorizes Lechase be retained to provide professional cost engineering services on the property.