

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 27<sup>th</sup> day of September, 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, **Jim Morse**- Code Enforcement Officer, **Donna LaPlant** - Assessor, **Brandon LaPlant** – resident, **Dotti Mickelsen** – resident, **Melody Burri** – Messenger Post, and **Paul Conrad** – Fire Chief.

**PUBLIC HEARINGS: None.**

**APPROVAL OF MINUTES:**

A motion was made by Councilman Mickelsen, seconded by Councilman Casale, that the minutes of the September 13, 2011, meeting, given members for review, be approved. Carried.

**PRIVILEGE OF THE FLOOR: None.**

**REPORTS OF STANDING COMMITTEES:**

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

**Water & Sewer: (Jack Henehan attended meeting)**

1. Resolution to purchase water supplies.
2. Discussed pumpstation at Gypsum Mills.
3. Discussed watermain at Leonard's Express is fully functional now.
4. Discussed Auburn Meadows Section 4.
5. Discussed Saratoga Crossings.
6. Discussed having three employees out for long term sicknesses/injuries.
7. Discussed expenditures going forward and fund balances.
8. Discussed expending money on the Gillis Road Pumpstation.
9. Discussed whether or not at this time they want to expend money for sewer inspections for the I & I program.
10. Discussed Verizon invoice overage- credit will appear on the next invoice.

**Highway & Parks: No meeting – Highway Superintendent on vacation.**

**Town Operations Committee: None.**

**Town Personnel Committee: Councilman Casale reported:**

1. Met with Judge Lew – discussed part-time court clerk position.

**Town Comprehensive Plan Committee: None.**

**Town Finance Committee: None.**

**Town Public Safety Committee: None.**

**REPORTS OF TOWN OFFICIALS:**

**Supervisor Fafinski :**

1. Discussed 2012 Tentative Budget. Supervisor Fafinski stated he did come underneath the tax cap however it was costly, for example, in addition to the normal amount of fund balance he allocated another \$181,450, he added that the budget it looking at almost a million dollars in fund balance being eaten up in order to come in under the tax cap. He added that on the bright side if you come in under the tax cap they get a credit in 2013. He stressed that this was only the tentative budget and that the board has not yet held their budget workshops, which are scheduled for next week, and that will produce the real budget. He stated that this was a difficult budget and that tax rates have dropped slightly but tax rates are deceiving because not only are they affected by less spending but also by increased property values and as a result they come as an unreliable measure of taxation hence the state legislation in focusing on the amount to be raised by taxes is a measure of accountability.

**Highway & Parks Superintendent Ed McLaughlin: None.**

**Town Clerk Michelle Finley:**

1. Presented 2012 Tentative Budget to Town Board Members.

**Water & Sewer Superintendent Jim Crane:**

1. Stated that a traffic device will be installed at the intersection of State Route 96 and County Road 28.
2. Discussed Joint Water Meeting – Tentatively October 25<sup>th</sup> at 6p.m.

**Code Enforcement Officer Jim Morse:**

- 1. Part-time CEO started last Monday.
- 2. Discussed Farmington Manufactured Home Community-2 new units, cleaned up nice, and roads are sealed.

**Director of Planning and Development: None.**

**Assessor Donna LaPlant:**

- 1. Stated that she was just catching up on things since she been out – she added that her Aid, Donna Ciardi, did a great job in her absence and even won two small claims on her behalf.

**Fire Chief Paul Conrad: None.**

**Planning Board Chairman Dave Degear: None.**

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

**COMMUNICATIONS:**

- 1. Notice of membership change in the Farmington Volunteer Fire Association.
- 2. Letter to W. A. Krapf Inc. from the Highway/Parks Superintendent. Re: Mertensia Lodge deposit.
- 3. Completed application for Real Property Tax Exemption and PILOT agreement for Badger Technologies.
- 4. Revised list of Orion Meters from Jean Bresnan, Water & Sewer Department.
- 5. Copies of e-mails to and from the Water and Sewer Superintendent regarding unusually high billing for data collection by Verizon.
- 6. Memo from the Bookkeeper to the Town Supervisor. Re: Budget amendments.
- 7. Copies of e-mails to and from the Water and Sewer Department regarding out of district water use.
- 8. Memo from Richard Perrin, Executive Director of the Genesee Transportation Council, to GTC Board members and alternates. Re: Unified Planning Work Program call for projects.
- 9. Copy of Resolution No. 284 of 2011, adopted by the Victor Town Board, authorizing the purchase of a double-sided self-propelled road widener to be shared with the Town of Farmington Highway Department.
- 10. Letter to the Town Supervisor from Shelley Reddout, Assessment Control Clerk for Ontario County. Re: Return of small claims filing fee.
- 11. Letter from the US Postal Service to the Town of Farmington. Re: area mail processing study.
- 12. Cancellation of Workers Comp insurance for Horning Builders.
- 13. Certificates of Liability Insurance for Calvary Chapel of the Finger Lakes; Gerber Homes, Inc.
- 14. Certificates of Workers Comp insurance for Tim Strang; McNamara Construction; RSM Construction; Pro Construction; Horning Builders.
- 15. Cancellation of Liability Insurance for Townsend Oil Corp.; CB Phillips LLC.
- 16. Notice of Total Coliform Bacteria to residents of the Canandaigua-Farmington Water District from the Water and Sewer Superintendent.
- 17. Letter to the Town Board from Hyland Hartsough of the NYS Department of Health. Re: Canandaigua-Farmington Water District.
- 18. Memo from the Town Supervisor to department heads. Re: Scheduling of the 2012 budget workshops.
- 19. Letters to the Macedon Public Library, Victor Free Library, Wood Library, Victor-Farmington Ambulance, Farmington Recreation, and the Farmington Fire Department from the Town Supervisor. Re: 2012 budget workshops.
- 20. Letter to Hyland Hartsough of the NYS Department of Health from the Water and Sewer Superintendent. Re: Total Coliform notice.

**REPORTS & MINUTES:**

- 1. Minutes from the Historic Preservation Committee’s September 8, 2011, meeting.

**ORDER OF BUSINESS:**

**RESOLUTION #265-2011:**

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

**RESOLUTION AUTHORIZING THE TOWN JUSTICES TO APPLY FOR A JUSTICE COURT ACTION PLAN GRANT**

**Whereas**, the Town of Farmington Court has asked for the Town Board’s support in obtaining a Justice Court Action Plan grant to help maintain its level of efficiency and

**Whereas**, the Justices as looking to add and or update office equipment as follows:

|   |                             |
|---|-----------------------------|
| AED Plus Defibrillator  | \$1,511.00                  |
| AED Plus alarmed wall cabinet   | \$350.00                    |
| Dell 19 inch widescreen monitors (4) @590.96 ea.                        | \$2,400.00                  |
| Omni page software for paper conversion (optical character recognition) | \$149.00 ea. X 4 = \$600.00 |
| First Alert fire safe   | \$750.00 ea. x 4=\$1,500.00 |
| Xerox document scanner  | \$399.99 ea. x 2 = \$800.00 |
| Xerox photocopier with supplies   | \$6,660.00                  |
| Hand held metal detector (2009 price \$120.00)                          | \$150.00                    |

**TOTAL SOUGHT:** \$13,971.00

**(Order of Business Continued):**

**Now therefore be it resolved** that the Town Board hereby supports the Town Justices in their application for a grant for \$13,971.00 and authorizes Town Supervisor Theodore M. Fafinski to sign the attached application, and be it

**Further resolved** that the Town Clerk provide a copy of this resolution to the Town Court and the Bookkeeper.

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

**RESOLUTION #266-2011:**

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

**RESOLUTION DECLARING A 2001 CHEVROLET PICKUP AND A 2001 FORD DUMP TRUCK SURPLUS**

**Whereas**, the Highway/Parks Superintendent has asked that a 2001 Chevrolet pickup and a 2001 Ford dump truck in his department be declared surplus so that they may be disposed of at the Monroe County municipal and Contractor Equipment Auction to be held on Saturday, October 1, 2011 in Rochester, and

**Whereas**, the Vehicle Identification Numbers (VIN) are as follows:

1GCEK14T91E272691 2001 Chevy pickup

1FDAF57F81EC92037 2001 Ford dump truck

**Now therefore be it resolved** that the Town Board hereby declares the 2001 Chevy pickup and the 2001 Ford dump truck with the aforementioned VINs surplus and authorizes them to be disposed of at the Monroe County Municipal and Contractor Equipment Auction, and be it

**Further resolved** that the Town Clerk provide a copy of this resolution to the Highway/Parks Department.

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

**RESOLUTION #267-2011:**

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

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN THE SNOW PLOWING CONTRACT WITH ONTARIO COUNTY PUBLIC WORKS**

**WHEREAS**, the Highway/Parks Superintendent has reviewed the attached snow contracts with Ontario County Public Works and agrees with the language and rates, and recommends that the Supervisor sign the snow contracts, therefore be it

**RESOLVED**, that the Farmington Town Board authorizes the Supervisor to sign the snow contracts with Ontario County Public Works and directs the Town Clerk to forward copies of this resolution to the Highway/Parks Superintendent along with the signed contract.

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

**RESOLUTION #277-2011:**

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

**RESOLUTION RECLASSIFYING COURT CLERK POSITION**

**WHEREAS**, Town Justice John Gligora has asked the Town Board to allow for his full-time Court Clerk position to be reclassified to a part-time position to allow for it to be held by the current employee, Stephany Baldwin, and

**WHEREAS**, the Town Board wishes to make the change formal by way of this resolution and attached paperwork to be filed with the Ontario County Office of Human Resources, and

**WHEREAS**, the Judge understands that the change will mean that the position, as a part-time one, will not offer certain benefits such as health insurance,

Now therefore be it **RESOLVED** that the Town Board hereby reclassifies one full time Court Clerk position to part-time, effective October 3, 2011, and be it

Further **RESOLVED** that the Town Clerk provide copies of this resolution to the Supervisor's Secretary and Justice John Gligora.

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

**RESOLUTION #268-2011:**

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

**APPROVAL TO PURCHASE WATER SUPPLIES**

**WHEREAS**, This Department has received price quotes for its annual purchase of water supplies. The purchase is in accordance with the Towns procurement policy, 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 Martisco Corp of Syracuse NY at a cost estimated not to exceed \$5846.10.

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 #269-2011:**

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

**Letter of Credit – Auburn Meadows Subdivision, Section 4 - Release # 5 in the total amount of \$ 124,351.90.**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) has received from the Town Planning Board a resolution dated September 21, 2011 recommending that the above referenced Letter of Credit Release # 5 be approved in the total amount of \$ 124,351.90 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. 5 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

**WHEREAS**, there is a balance of \$ 646,669.81 remaining in the Letter of Credit after Release # 4; and

**WHEREAS**, there will be a balance of \$ 522,317.91 remaining in the Letter of Credit after Release #5.

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 #270-2011:**

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

**RESOLUTION INTRODUCING LOCAL LAW AND CALLING A PUBLIC HEARING**

**WHEREAS**, the Town Board of the Town of Farmington, after due deliberation, finds it in the best interests of the Town to schedule a public hearing to solicit public comment upon a proposed Local Law to override the tax levy limit established in General Municipal Law §3-c; and

**WHEREAS**, the Town Board of the Town of Farmington has reviewed the draft of the aforementioned proposed Local Law attached hereto as Exhibit "1" and deems it in the best interests of the Town of Farmington to proceed in accordance with the Code of the Town of Farmington and the Laws of the State of New York in adopting said Local Law,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Clerk be, and she hereby is, directed to schedule a public hearing to be held on October 11, 2011, at 7:00 p.m. at the Farmington Town Hall, 1000 County Road 8, Farmington, New York; and be it further

**RESOLVED**, that the Town Clerk, be and hereby is, authorized to forward to the official newspapers of the Town a Notice of Public Hearing in the form substantially the same as that attached hereto as Exhibit "2"; and be it further

**RESOLVED**, that the Town Clerk be, and she hereby is, directed to post a copy of the proposed Local Law on the Town of Farmington sign board and take any and all other necessary actions to properly bring the aforementioned Local Law before the Town Board of the Town of Farmington for its consideration; and be it further

**RESOLVED**, that the Town Clerk be, and hereby is, authorized to provide all other notices as required by law for the adoption of this local law.

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 September 27, 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 as amended was **CARRIED**.

**(Order of Business Continued):****RESOLUTION #271-2011:****Councilman Mickelsen** offered the following Resolution, seconded by **Councilman Casale**:**RESOLUTION AUTHORIZING A BUDGET AMENDMENT TO COVER LEGAL FEES**

**Now therefore be it resolved** that the Town Board hereby authorizes the following budget amendment to cover legal fees for Vouchers 2427 and 2463 plus additional costs for the year:

|               |                 |            |
|---------------|-----------------|------------|
| FROM: A1990.4 | Contingency     | \$6,000.00 |
| TO: A1420.4   | Law-Contractual | \$6,000.00 |

**Be it further resolved** that the Town Clerk provide a copy of this resolution to the Bookkeeper.

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

**RESOLUTION #272-2011:****Councilman Casale** offered the following Resolution, seconded by **Councilman Holtz**:**RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE AUBURN TRAILS FEASIBILITY STUDY**

**Now therefore be it resolved** that the Town Board hereby authorizes the following budget amendment to cover expenditures subject to reimbursement for the Auburn Trails Feasibility Study:

|               |                                   |             |
|---------------|-----------------------------------|-------------|
| FROM: A1990.4 | Contingency                       | \$12,451.20 |
| TO: A8020.44  | Planning & Deve. Auburn Trails FS | \$12,451.20 |

**Be it further resolved** that the Town Clerk provide a copy of this resolution to the Bookkeeper.

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

**RESOLUTION #273-2011:****Councilman Casale** offered the following Resolution, seconded by **Councilman Mickelsen**:**RESOLUTION AUTHORIZING THE CREATION OF A TEMPORARY PART TIME CLERK TYPIST POSITION**

**Whereas**, an Account Clerk Typist in the Water and Sewer Department will be on disability leave as of September 27, 2011,

**Now therefore be it resolved** that the Town Board authorizes the creation of a temporary part-time clerk typist position, to be filled by Jennifer Finley at a rate of \$10 per hour, to assist in day-to-day operations including clerical duties, billing and payroll computing in the Water and Sewer Department, and be it

**Further resolved** that the position's effective date is September 20, 2011, when Jennifer Finley began training, and be it

**Further resolved** that the Town Clerk provide a copy of this resolution to the Water and Sewer Department and the Supervisor's Office.

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

**RESOLUTION #274-2011:****Councilman Mickelsen** offered the following Resolution, seconded by **Councilman Ingalsbe**:**RESOLUTION CHANGING TOWN BOARD MEETING DATE**

**Whereas**, General Election Day is November 8, 2011, the same day as the usually scheduled Town Board meeting and a scheduled holiday (day off) for Town of Farmington employees,

Now therefore be it **RESOLVED** that the Town Board changes the Town Board meeting date from November 8, 2011 to Monday, November 7, 2011 because of the conflict, and be it

Further **RESOLVED** that the Town Clerk place a notice of meeting change in the Town's legal newspaper and provide a copy of this resolution to the Supervisor's Office.

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

**(Order of Business Continued):**

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

**RESOLUTION # 275-2011- TO PAY AUDITED BILLS**

The bills were audited by the Town Board

**ABSTRACT 18-2011**

|                   |                     |
|-------------------|---------------------|
| General           | \$ 100,282.70       |
| Highway Fund      | \$ 57,470.71        |
| Storm Drainage    | \$ 5,294.20         |
| Payroll           | \$ 2,546.30         |
| Sewer District    | \$ 54,212.68        |
| Water District    | \$ 27,070.22        |
| Highway Campus    | \$ 46,100.74        |
| Lighting District | \$ 6,564.23         |
| <b>TOTAL</b>      | <b>\$299,541.78</b> |

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

**WAIVER OF THE RULE: (No Objections)**

**RESOLUTION #276-2011:**

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

**RESOLUTION WAIVING MERTENSIA LODGE FEE FOR SERENITY HOUSE**

**Whereas**, Serenity House, a Victor hospice, is holding a volunteer appreciation dinner at the Lodge at Mertensia Park on October 20, 2011, and has asked the Town Board to consider waiving the usual rental fee because it is a non-profit that operates on donations and fundraising,

**Now therefore be it resolved** that the Town Board hereby waives the rental fee for Serenity House to use the Lodge at Mertensia Park on October 20, 2011, but requires that the refundable lodge deposit fee of \$100 be paid to the Town Clerk's Office, and be it

**Further resolved** that the Town Clerk keep a copy of this resolution and forward a copy to Amy Carson, Director of Serenity House.

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

**DISCUSSION:**

- December Town Board Meeting dates.

**TRAINING UNDER \$100:**

- Jim Morse and Floyd Kofahl to attend the Genesee/Finger Lakes Regional Planning Council Annual Government Workshop at \$50 a piece.

**EXECUTIVE SESSION: None.**

A motion was made by **Councilman Casale** and seconded by **Councilman Mickelsen** to adjourn the meeting at 7:30 p.m. Motion carried.

Meeting was recorded and transcribed by:

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

