

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 28th day of September, at 7:00 PM, there were:

PRESENT: Theodore Fafinski – Supervisor
Peter Ingalsbe – Councilman
Timothy P. Mickelsen – Councilman –necessarily absent
Michael Casale – Councilman
Steven Holtz – Councilman
Michelle Finley – Town Clerk

Also present were: **Edward McLaughlin**- Highway/Parks Superintendent – **Donna LaPlant**- Assessor, **Brandon LaPlant**- student, **Mrs. Colleen Austin**- Resident, **Floyd Kofahl** – Code Enforcement Officer, **Mr. & Mrs. Neale**-Planning Board Member, **Paul Conrad**-Fire Chief, **Wesley Pettee**-Resident and VSC Students.

PUBLIC HEARINGS:

APPROVAL OF MINUTES:

A motion was made Councilman Holtz, seconded by Councilman Casale, that the minutes of the August 24, 2010, meeting, given members for review, be approved. Carried.

PRIVILEGE OF THE FLOOR: Colleen Austin-Auburn Meadows resident

Mrs. Austin thanked the Highway Superintendent for placing a Blind Child sign in the neighborhood.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Ingalsbe reported:

Water & Sewer:

1. Purdy Road Water Project will start tomorrow.
2. I & I Inspections.
3. Continued work on man hole sealing.
4. Watermain leak protection-get down to a loss of 10%.

Highway & Parks:

1. Discussed purchasing an air gas plasma cutter at a cost of \$1,800.
2. EPA sent a 165 page questionnaire for the MS4 regulations.
3. Discussed Highway Complex land purchase – no hunting on properties owned by the town.
4. Discussed Route 332 repair at intersection-waiting for county contractor to do stripping.
5. Discussed training attended for Ash Bohr.
6. Discussed trails in Auburn Meadows that require mowing.

Town Operations Committee: Councilman Holtz reported:

1. Discussed Building Department being busy-record number of permits (500).
2. Working on taking care of fire inspections.
3. Discussed new state code books that take effect November 14, 2010. Discussed section of code pertaining to sprinkler systems in every house and businesses that would go into effect January 2012.

Town Finance Committee: None.

Town Public Safety Committee: None.

REPORTS OF TOWN OFFICIALS:

Supervisor Fafinski :

1. Gave summary of 2011 Tentative Budget – No tax increase, major increases are it the lighting districts.

Highway& Parks Superintendent Ed McLaughlin: None.

1. Discussed questionnaire from EAP concerning the MS4 Program- writing more regulations into the permit.

- Supervisor Fafinski stated that's another example of an unfunded mandate.
1. Discussed filling gutters at Whitetail Lane and Suede Circle – soft spot needs fixing.
 3. Discussed Farmbrook Park parking lot.
 4. Discussed Parks – mowing grass and catching up on maintenance.

Town Clerk Michelle Finley:

1. Presented 2011 Tentative Budget to Town Board.
2. Discussed attending County Clerk Meeting last week to discuss the dog licensing issues, Town Attorney has drafted a Local Law.

Supervisor Fafinski added that this is another unfunded mandate.

Water & Sewer Superintendent Jim Crane: None.

Code Enforcement Officer Floyd Kofahl:

1. Discussed NYSERTA paying for code books.
2. Discussed Saratoga Crossing-clearing woods.
3. Discussed Senior Housing-ribbon cutting ceremony in November.
4. Discussed Finger Lakes Race Track project- State is providing the inspections they are advisory only.
5. Discussed Beaver Creek.

Director of Planning and Development: None.

Assessor Donna LaPlant:

1. Continuation with Reval.
2. Discussed State administering a \$500,000 income level for STAR requirement.

Fire Chief Paul Conrad:

1. Fire House open house – October 9th.

Planning Board Member Mary Neale:

1. Farmington Gardens coming along nicely.

Supervisor Fafinski thanked the Town Clerk for assisting in his office in the absence of his Secretary.

COMMUNICATIONS:

1. Certificates of Completion for Water & Sewer Employees, Preventing Workplace Violence Training.
2. Letter to RG&E, Verizon, Frontier, and Broadview from Supervisor informing them of the Town's engagement with Troy & Banks, Inc.
3. Letter from RG&E regarding Street Lighting Adjustments.
4. Letter to the Town Board Public Safety Committee from Supervisor outlining the County's Capital Project on Emergency Radio Communications.
5. Certificates of Worker's Compensation Insurance, Townsend Oil Corp, Dave Horn Contracting.
6. Letter to Town Clerk from DOT, Regional Traffic Engineer regarding traffic conditions on Hook Road between Allen Padgham Rd and .2 miles north of Curran Road.
7. Letter from Time Warner Cable updating new Channel Services and fees.
8. Letter to Town Clerk from NY State Comptroller acknowledging receipt of the establishment and extensions for various districts at the Estates at Beaver Creek Subdivision.
9. Letter to Ron Brand from NY Dept of Ag and Markets, re: Waiver- Purchase of Development Rights for Farmington Friend Meetinghouse.
10. Memo to Town Board from Ron Brand, Re: State Smart Growth Public Infrastructure Policy Act.
11. Letter from Ron Brand, Re: Project Notification Letter Request to be designated Lead Agency for the Hook Road Sanitary Sewer Extension.
12. Memo from Highway Superintendent to the Supervisors Secretary, Re: Sign in sheet for Workplace Violence Prevention and Safety Training.
13. Memo from Water & Sewer Superintendent to Water & Sewer Employees, Re: Sexual Harassment and Proper Workplace Behavior Training.
14. Certificate of Liability Insurance, Victor Band Boosters.
15. Letter from Supervisor to Victor Arsenault, KOA Campground, re: Responses from the Town Attorney regarding amenities for the Sewer Line for the business.
16. Farmbrook Homes Association, Inc Newsletter.
17. Letter to Town Clerk from VP of Farmington Volunteer Fire Association, Re: additions, removals and change in volunteer status.

- 18. Letter to Town Board from the Supervisor, Re: Farmington Volunteer Fire Association Financial Statements and Audit Report.
- 19. Letter of Acknowledgement from the Supervisor to the Citizens Campaign for the Environment.
- 20. Letter from Ron Brand to Town Attorney, Re: Letter of Agreement – Auburn Trail/Ontario Pathways Trail Connection Feasibility Study-Genesee Transportation Council Grant Award.

REPORTS & MINUTES: None.

ORDER OF BUSINESS:

RESOLUTION #277-2010: (Laidover @ 9/15/2010 Mtg)

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

RESOLUTION ACCEPTING INVENTORY OF HIGHWAY MACHINERY, TOOLS AND EQUIPMENT

WHEREAS, the Highway/Parks Superintendent has submitted the Inventory of Highway Machinery, Tools, and Equipment as required by Highway Law Section 142 (3), therefore be it

RESOLVED, the Town Board accepts the Inventory of Highway Machinery, Tools, and Equipment, and further be it

RESOLVED, that the Town Clerk forward a copy of this resolution to the Highway Department.

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

RESOLUTION #278-2010:

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

RESOLUTION AUTHORIZING A BUDGET TRANSFER FROM THE GENERAL FUND CONTINGENCY TO TOWN BOARD CONTRACTUAL FOR EAP SEXUAL HARASSMENT TRAINING

RESOLVED, that the Farmington Town Board authorizes the budget amendment from the General Contingency Fund to the Town Board Contractual for EAP Sexual Harassment Training that was provided to all Town Employees:

FROM:	A1990.4	Contingency	\$135.00
TO:	A1010.4	Town Board CE	(\$135.00)

And, further be it, **RESOLVED**, that the Town Clerk provide a copy of this resolution to the Bookkeeper.

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

RESOLUTION #279-2010:

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

RESOLUTION AUTHORIZING THE TOWN BOARD TO CREATE A PART TIME TEMPORARY POSITION OF CONFIDENTIAL SECRETARY TO THE SUPERVISOR DURING THE ABSENCE OF THE CURRENT CONFIDENTIAL SECRETARY.

WHEREAS the current Confidential Secretary to the Supervisor is out on disability for an undetermined amount of time and,

WHEREAS, there is a need to appoint a part time temporary position to fulfill the duties during the absence of the current Confidential Secretary,

NOW, THEREFORE BE IT RESOLVED, that the Farmington Town Board authorizes the creation of a part time temporary position of Confidential Secretary to the Supervisor during the absence of the current Confidential Secretary.

And, further be it, **RESOLVED** that the Town Clerk provide a copy of this resolution to the Supervisors Office and the Ontario County Department of Human Services.

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

RESOLUTION #280-2010:

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO APPOINT A PART TIME TEMPORARY POSITION OF CONFIDENTIAL SECRETARY TO THE SUPERVISOR DURING THE ABSENCE OF THE CURRENT CONFIDENTIAL SECRETARY.

WHEREAS the current Confidential Secretary to the Supervisor is out on disability for an undetermined amount of time and,

WHEREAS, there is a need to appoint a part time temporary position to fulfill the duties during the absence of the current Confidential Secretary,

NOW, THEREFORE BE IT RESOLVED, that the Farmington Town Board authorizes the Town Supervisor to appoint a part time temporary position of Confidential Secretary to the Supervisor during the absence of the current Confidential Secretary.

FINALLY BE IT RESOLVED that the Supervisor will appoint this position at a rate between \$10 and \$11.00 per hour depending on experience.

And, further be it, **RESOLVED**, that the Town Clerk provide a copy of this resolution to the Supervisors Office.

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

RESOLUTION #281-2010:

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

RESOLUTION APPOINTING BENJAMIN BROWN TO THE BOARD OF ASSESSMENT REVIEW

WHEREAS the Farmington Town Board interviewed candidates to fill an anticipated vacancy on the town's Board of Assessment Review, and

WHEREAS the purpose of the Board of Assessment Review is to help ensure Farmington property owners are afforded a fair and unbiased review of their property values, and

WHEREAS, applicant Benjamin Brown of 249 Stonefield Lane, Farmington, impressed the Town Board with his eagerness to be part of the board, now be it.

RESOLVED, that the Town Board appoints Mr. Brown to the Board of Assessment Review effective October 1, 2010 and therefore be it .

RESOLVED that the Town Clerk forward a copy of this resolution to Assessor Donna LaPlant and Mr. Brown.

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

RESOLUTION #282-2010:

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

RESOLUTION AUTHORIZING THE TOWN CLERK TO APPOINT A DEPUTY TOWN CLERK

WHEREAS, Deputy Town Clerk Jennifer Grattan resigned effective October 1, 2010, therefore be it

RESOLVED, the Farmington Town Board authorizes the Town Clerk to appoint a Deputy Town Clerk at a rate not to exceed \$11.50, and further be it

RESOLVED, that the Town Clerk forward a copy of this resolution to the Supervisor's Office.

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

RESOLUTION #283-2010:

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

Granting the Town of Farmington Zoning Board of Appeals Authority to Hear and Decide Appeals Relative to the Conditions of Approval for Auburn Meadows Incentive Zoning District

WHEREAS, on June 8, 2004, the Farmington Town Board adopted Town Board Resolution #178-2004 which, among other things, established certain restrictions on the development of the Auburn Meadows Subdivision; and

ORDER OF BUSINESS: (Continued)

WHEREAS, on September 15, 2010, the Farmington Town Board adopted Resolution #262-2010 which, among other things, amended Town Board Resolution #178-2004 by deleting restrictions numbered 4 and 5 in Town Board Resolution #178-2004 and replacing them with new restrictions numbered 4 and 5; and

WHEREAS, §165-97 D. (1) of the Code of the Town of Farmington grants the Town of Farmington Zoning Board of Appeals authority to hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative officer of body in the enforcement of the Zoning Law of the Town of Farmington; and

WHEREAS, the Farmington Town Board wishes to clarify and extend the authority of the Town of Farmington Zoning Board of Appeals to hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative officer of body in the enforcement of Restrictions numbered 4, 5 and 6 of Town Board Resolution #178-2004, as amended by Town Board Resolution #262-2010.

NOW, THEREFORE, BE IT RESOLVED that the Town of Farmington Zoning Board of Appeals shall hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative officer of body in the enforcement of Restrictions numbered 4, 5 and 6 of Town Board Resolution #178-2004, as amended by Town Board Resolution #262-2010, which read as follows:

4. for all patio lots the minimum front set back shall be 40 feet, the minimum side yard set back shall be 8 feet and the minimum rear yard set back shall be 25 feet; and
5. for all conventional lots the minimum front set back shall be 40 feet, the minimum side yard set back shall be 10 feet on one side and 25 feet total for both sides, and the minimum rear yard set back shall be 25 feet; and
6. no accessory structures shall be permitted within the patio home portion of the site and accessory structures shall be permitted on the other lots within the development, but only within the rear yard portion of the site provided that such rear yards are screened from adjacent public rights-of-ways.

BE IT FINALLY RESOLVED that this resolution shall be placed in the Town Development Office Project Files for the Auburn Meadows Subdivision, shall be filed with the Town Code Enforcement Officer, shall be filed with the Town Engineer, MRB Group, P.C. and with the Town Clerk.

Councilman Ingalsbe requested this resolution be **LAI D O V E R**.

RESOLUTION #284-2010:

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

Authorization for Supervisor to Sign an Inter-Municipal Agreement with the Town of East Bloomfield

WHEREAS, the Town of Farmington is desirous in contracting with the Town of East Bloomfield for the sale of gravel for the Water Main Replacement Project on Purdy Rd in the Town of Canandaigua; and

WHEREAS, this agreement is for the sale of the necessary gravel to replace roadside shoulder area along Purdy Road for and by the Town of Canandaigua Highway; and

WHEREAS, the Town of East Bloomfield is desirous of contracting with the Town of Farmington Water & Sewer Dist for the purpose of the Sale of said Gravel; and

NOW, THEREFORE BE IT RESOLVED, that the Farmington Town Board on behalf of the Water & Sewer Districts does hereby authorize the Supervisor to sign the Inter-Municipal Agreement with the Town of East Bloomfield, 99 Main Street, East Bloomfield, New York 14443, for the express purpose of Sale and Supply of Gravel for the Purdy Rd Watermain Project.

BE IT FURTHER RESOLVED, that funding for the purchase of the necessary gravel will be from CFWD Budget line SW1-8340.2 or SW1 8340.4 and Sewer Districts SS 8120.4

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

RESOLUTION #285-2010:

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN CONTRACT WITH INTEGRYS ENERGY SERVICES OF NEW YORK, INC. AS AN ENERGY PROVIDER AND SPRAGUE ENERGY CORP FOR NATURAL GAS SERVICES

WHEREAS, Troy & Banks, the Town's energy consultant, has recommended that the town consider securing fixed rate for electricity and natural gas to help insulate the town from price increases, and

WHEREAS, the Town Attorney has reviewed said contract and finds no legal issues with them, therefore be it

RESOLVED, that the Town Supervisor is authorized to sign a fixed rate price contract with Integrys Energy Services and Sprague Energy Corp. to help provide for a more stable public utility rate for the town, and further be it

RESOLVED, that the Town Clerk forward a certified copy of this resolution along with contract to Troy and Banks.

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

Councilman Holtz offered the following resolution, seconded by Councilman Casale:

RESOLUTION # 286-2010- TO PAY AUDITED BILLS

The bills were audited by the Town Board

ABSTRACT #18-2010

General	\$ 62,819.32
Highway Fund	\$ 65,129.40
Storm Drainage	\$ 2,022.02
Payroll	\$ 2,131.93
Sewer District	\$ 41,495.66
Water District	\$ 9,074.69
Lighting District	\$ 7,163.20

TOTAL \$189,836.22

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

WAIVER OF THE RULE: NONE.

DISCUSSION:

1. Budget Workshops.

TRAINING UNDER \$100:

1. Ed McLaughlin attended the 81st Town Highway Conference & Expo in Saratoga Springs September 14-17 at a cost of \$99.00.
2. Floyd Kofahl, CEO, training at Genesee Finger Lakes on Special Use permits and zoning at a cost of \$50.00.
3. Michelle Finley attended the Town Clerk Meeting in Bristol at no cost.

A motion was made by **Councilman Casale** and seconded by **Councilman Holtz** to adjourn the meeting at 7:49 p.m. All voted "Aye" **CARRIED**.

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