At the Farmington Town Board’s Organizational Meeting, held in the Town Hall on the 5th day of January 2010, at 4:00 PM, there were:

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

Also present were:  Ed McLaughlin – Highway Superintendent, Jim Crane – Water & Sewer Superintendent, Jim Morse – Code Enforcement Officer, Ed Hemminger – Zoning Board of Appeals Chairman, Donna LaPlant – Assessor and Ron Brand – Director of Planning & Development – Jessica Youngman- Confidential Secretary to the Supervisor – Margaret Hartsough Town Historian – Dean Lichterman – Victor Herald.

Town Historian Margaret Hartsough submitted her 2009 Farmington Historians Report which is attached and made part of the minutes.

ORDER OF BUSINESS:

RESOLUTION #1-2010:  
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:  

RESOLVED to set the regular Town Board meeting schedule for 2010 for 7:00 PM on the second and fourth Tuesday of each month in the boardroom of the Town of Farmington (Town Law S 62.63).  

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #2-2010:  
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:  

RESOLVED to set the Rules of Procedures and Purchasing Procedures for 2010 (Town Law S 63).  

1. Committees, Special: the Board may, from time to time, create and abolish special committees. Any resolution creating a special committee shall specify the powers and duties of the committee and the number of its members. The Supervisor shall appoint the members of all special committees.  

2. Order of Business: At each regular Board meeting the Order of Business shall be:  
   a. Call to Order and Pledge of Allegiance  
   b. Approval of the minutes  
   c. Privilege of the Floor and/or Public Concerns (includes Presentations)  
   d. Reports of Special or Standing Committees  
   e. Reports of Town Officials  
   f. Resolutions, Motions and/or Notices  
   g. Resolution to pay audited bills  
   h. Discussion Items  
   i. Executive Session - when applicable  

3. Agenda: An agenda shall be available at the Town Hall for each Board Member no later than 3 PM the day of the scheduled meeting. Resolutions shall be delivered to the Supervisor’s Secretary by noon on the Friday before the meeting; all others must request a waiver of the rule.  

4. Privilege of the Floor: Any resident of the Town of Farmington, upon request, may address the Town Board on a matter of public concern. The time allotted for addressing the Board shall be limited to three minutes unless the Supervisor has granted prior approval for additional time.  

5. Motions, when in order: When a question is under debate/discussion, no motion shall be received except a motion to amend the question, to put the question, to adjourn it to a day certain, to lay it on the table, to commit it to a committee, or a motion to adjourn the Board.  

6. Votes, when recorded: The ayes and nays upon a question shall be taken and entered in the minutes when required by law or if requested by any member of the Board.  

7. Rules, waiver of: No standing rule of order shall be rescinded, suspended or changed, or any additional rule or order be adopted thereto, except by unanimous vote of the members present and voting at a regular or special meeting.  

8. Layover: Every Resolution and Local Law, as amended before the Board, shall be laid over until the next regular session of the Board if so demanded by any member of the Board. No further action may be taken on the Resolution or Local Law or its amendments, but limited discussion may occur at the discretion of the Supervisor. No member shall be required to tell his/her reason for the lay over of the Resolution or Local Law. Any action on a laid-over Resolution or Local Law must take place at the next scheduled meeting. No Resolution or Local Law may be laid over a second time.  

9. Voting, requirement of: Every Council Member present when a vote is taken shall vote thereon. When abstaining, the reason may be stated publicly.  

10. No persons have a right to demand an answer to specific questions from a member of the Board.
11. In the Town of Farmington, every Legislator, Board Member, Officer or Employee who is present during an Executive Session is prohibited from disclosing matters discussed in Executive Session. At the start of Executive Session, the Town Clerk, when attending Executive Sessions, will make the verbal declaration at the beginning of each Executive Session and when an additional person is brought into the Session, and the Town Supervisor or Acting Town Supervisor (in the absence of the Town Supervisor) will make the declaration in the absence of the Town Clerk at an Executive Session.”

(added by Town Board Resolution in 2001)

RESOLVED to set the Purchasing Procedures for 2010.

General Office Supplies:
The Supervisor’s Office will oversee the central purchasing functions for all general office and printed supplies. The following procedures should be employed to secure such items:

1. Contact the Supervisor’s Secretary with supplies needed. If the order is for printed items, provide a sample. Allow 5 business days as a minimum for normal delivery and plan accordingly.
2. The Supervisor’s Secretary will be responsible for obtaining three (3) competitive written and/or verbal quotes for supplies if cost is over $500.00.
3. The Supervisor’s Secretary will place the order and ensure delivery of the merchandise to the requester.
4. When the invoice is received, the Supervisor’s Secretary will prepare the invoice for payment.

Methods of Purchase: The following purchasing methods are used by the Town to acquire products, services and equipment:

Highway Superintendent, Town Supervisor, and the Water & Sewer Superintendent can purchase expenditures of up to $2,500.00 without prior authorization from the Town Board. Anything between $2,500.00 and $10,000.00 needs three (3) written or verbal quotes and approval from the Town Board. Anything above $10,000.00 needs to be put out for Bid (See Bid Guidelines).

Code Enforcement Officer (Department Head), Town Clerk and Assessor can purchase expenditures of up to $1,000.00 without prior authorization from the Town Board. Anything above $1,000.00 needs three (3) written or verbal quotes and approval from the Town Board. Anything between $1,000.00 and $10,000.00 needs three written or verbal quotes and approval from the Town Board. Anything above $10,000.00 needs to be put out to Bid (See Bid Guidelines).

Bid Guidelines:

Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a decision will be made to determine whether the item of supply of service is subject to competitive bidding, taking into account past purchases. The following items are not subject to competitive bidding pursuant to Section 103 of the General Municipal Law: purchase contracts under $10,000.00 and public works contracts under $20,000.00; emergency purchases; goods purchased from agencies for the blind or severely handicapped pursuant to Section 175-b of the State Finance Law; goods purchased from correctional institutions pursuant to Section 186 of the Correction Law; purchases under State contracts pursuant to Section 175-b of the General Municipal Law; purchases under County contracts pursuant to Section 103 (3) of the General Municipal Law; and surplus and second-hand purchases from another governmental entity and professional services or services requiring special or technical skill, training, or expertise.

The decision that a purchase is not subject to competitive bidding will be documented in writing by the individual making the purchase. This documentation may include written or verbal quotes from vendors, a memo from the purchaser indicating how the decision was arrived at, a copy of the contract indicating the source which makes the item or service exempt, or any other written documentation that is appropriate.

Pursuant to General Municipal Law Section 104-b (2) (f), the procurement policy may contain circumstances when, or types of procurement for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. The lowest responsible proposal or quote shall be awarded the purchase or service contract unless the purchaser prepares a written justification providing reasons why it is in the best interest of the town and its taxpayers to make an award to another than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

A good faith effort shall be made to obtain the required number of proposals or quotes. If the purchaser is unable to obtain the required number of proposals or quotes, the purchaser shall document the attempt made at obtaining the proposals.

All purchases exceeding $10,000.00 for all departments shall be put out to bid according to the following procedures:
1. A Resolution should be presented to the Town Board authorizing the Department Head to seek bids for specific supplies, materials, services, etc., over $10,000.00.

ORGANIZATIONAL TOWN BOARD MEETING (Continued) January 5, 2010

RESOLUTION #2-2010: (Continued)

2. Once the Resolution is passed, a Legal Notice must be published in the local newspaper informing the public of the products or services being bid. It will be the responsibility of the Department Head to prepare and submit the Legal Notice with an informational copy filed with Town Board correspondence.

3. The Department Head prepares bid packages with detailed specifications and conditions including items bid, units and total quantity desired, instructions for bidding, delivery information, bid opening date and any special requirements for bidding.

4. Bid notices are sent via mail, fax and e-mail to vendors, or can be picked up at the Town Clerk’s Office.

5. All sealed bids will be opened at the time and date listed in the Resolution at the Town Clerk’s Office. Any bids not received prior to the bid-opening deadline will be rejected. Sealed bids are publicly opened and read at the time and place designated in the bid documents and Legal Notices. All bid tabulations showing bid results are available for public inspection during regular business hours at the Town Clerk’s Office upon receipt from the Department Head. The Department Head will provide the Town Clerk with the bid tabulation, normally within 5 business days after the opening of the bid.

This policy shall be reviewed annually by the Town Board at its Organizational Meeting. (Adopted by the Town Board May 23, 2006.)

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #3-2010: Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLVED that The Daily Messenger is designated as the Official Newspaper for the Town in 2010 (Town Law S 64 (11)).

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #4-2010: Councilman Holtz offered the following Resolution, seconded by Councilman Mickelsen:

RESOLVED to designate Canandaigua National Bank and Five Star Bank (formerly National Bank of Geneva) as the Official Depositories for the Town in 2010 (Town Law S 64 (1)).

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #5-2010: Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLVED to designate Riley & Graff, LLP as Attorneys for the Town for 2010.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #6-2010: Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

RESOLVED to designate Brenna, Brenna & Boyce and Boylan & Brown, Attorney’s at Law; and Harris Beach LLP as Special Counsels to the Town for 2010.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #7-2010: Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLVED to designate MRB Group as the Town Engineering firm for 2010.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #8-2010: Councilman Holtz offered the following Resolution, seconded by Councilman Mickelsen:

RESOLVED to designate the Supervisor as Budget Officer for the Town and all Special Districts for 2010.

All voting “Aye”, the Resolution was CARRIED.
RESOLUTION #9-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

ORGANIZATIONAL TOWN BOARD MEETING (Continued) January 5, 2010
RESOLUTION #9-2010 (Continued)

RESOLVED to reappoint Water & Sewer Superintendent James Crane, and Code Enforcement Officers Floyd Kofahl, Jim Morse and Phil Robinson for 2010.

All voting "Aye", the Resolution was CARRIED.

RESOLUTION #10-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

RESOLVED to reappoint the Supervisor and Town Clerk to the Town Board of Health for 2010.

All voting "Aye", the Resolution was CARRIED.

RESOLUTION #11-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLVED to appoint the Town Clerk, Michelle Finley as Marriage Officer, Records Management Officer and Records Access Officer for 2010.

All voting "Aye", the Resolution was CARRIED.

RESOLUTION #12-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Mickelsen:

RESOLVED to reappoint Ed Hemminger as Chairman to the Zoning Board of Appeals for a one-year term, expiring December 31, 2010 (Town Law S 267-271).

All voting "Aye", the Resolution was CARRIED.

Supervisor Fafinski thanked Mr. Hemminger for his leadership on the Zoning Board of Appeals.

RESOLUTION #13-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLVED to reappoint David Degear as a Chairman of the Planning Board for a one-year term, expiring December 31, 2010 (Town Law S 267-271).

All voting "Aye", the Resolution was CARRIED.

RESOLUTION #14-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

RESOLVED to reappoint Glenn Hall and Frederick Boglione to the Conservation Board for two-year term, expiring December 31, 2011 (Town Law S 239-X).

All voting "Aye", the Resolution was CARRIED.

RESOLUTION #15-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLVED to reappoint John Kasper as Chairperson to the Conservation Board for a one-year term, expiring December 31, 2010 (General Municipal Law S 239-x).

All voting "Aye", the Resolution was CARRIED.

RESOLUTION #16-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Mickelsen:

RESOLVED to authorize the Town Supervisor, Highway Superintendent and the Water and Sewer Superintendent expenditures of up to $2,500.00, through the procurement policy procedure, without prior authorization of the Town Board. In addition, expenditures of up to $1,000.00, for all other Department Heads, through procurement policy procedures, without prior authorization from the Town Board.

All voting "Aye", the Resolution was CARRIED.

RESOLUTION #17-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:
RESOLVED to authorize the Supervisor to invest all surplus monies and that a monthly report of finance be distributed to Town Officials.

All voting “Aye”, the Resolution was CARRIED.

**ORGANIZATIONAL TOWN BOARD MEETING (Continued) January 5, 2010**

**RESOLUTION #18-2010:**
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

RESOLVED to set the Town’s mileage reimbursement rate, for the use of personal vehicles on Town business, at $.35 per mile for 2010 (Town Law S 116).

All voting “Aye”, the Resolution was CARRIED.

**RESOLUTION #19-2010:**
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

**CANANDAIGUA-FARMINGTON CONSOLIDATED WATER DISTRICT SERVICE CHARGES – 2010**

**WHEREAS,** the service charges are established, from time to time, by the Town Board for the Canandaigua-Farmington Water Districts and extensions thereof.

**NOW, THEREFORE BE IT RESOLVED** that the Town Board of the Town of Farmington, acting on behalf of the Canandaigua-Farmington Water District, hereby establishes the service charges per the attached Service Charge Schedule for 2010.

**BE IT FURTHER RESOLVED** that all service charge rates shall be on file with the Town Clerk’s office.

All voting “Aye”, the Resolution was CARRIED.

**SERVICE CHARGES FOR 2010**

<table>
<thead>
<tr>
<th>Type of Service</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hydrant Flow Test</td>
<td>$150.00</td>
<td>$150.00</td>
<td>$150.00</td>
<td>$150.00</td>
<td>$150.00</td>
<td>$150.00</td>
</tr>
<tr>
<td><strong>Labor &amp; Equipment Charges</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administration-Superintendent</td>
<td>$63.00</td>
<td>$65.00</td>
<td>$66.00</td>
<td>$66.00</td>
<td>$66.00</td>
<td>$67.00</td>
</tr>
<tr>
<td>Construction Inspector</td>
<td>$38.75</td>
<td>$40.00</td>
<td>$42.00</td>
<td>$42.00</td>
<td>$42.00</td>
<td>$43.00</td>
</tr>
<tr>
<td>Administration-Office</td>
<td>$22.50</td>
<td>$23.00</td>
<td>$24.00</td>
<td>$24.00</td>
<td>$24.00</td>
<td>$25.00</td>
</tr>
<tr>
<td>Labor Per Hour/Per Man</td>
<td>$27.50</td>
<td>$28.00</td>
<td>$30.00</td>
<td>$30.00</td>
<td>$30.00</td>
<td>$31.00</td>
</tr>
<tr>
<td>Truck Time</td>
<td>$17.50</td>
<td>$18.00</td>
<td>$19.00</td>
<td>$19.00</td>
<td>$19.00</td>
<td>$20.00</td>
</tr>
<tr>
<td>Backhoe</td>
<td>$53.00</td>
<td>$53.00</td>
<td>$54.00</td>
<td>$54.00</td>
<td>$54.00</td>
<td>$55.00</td>
</tr>
<tr>
<td>Flusher Or Dump Truck</td>
<td>$53.00</td>
<td>$53.00</td>
<td>$54.00</td>
<td>$54.00</td>
<td>$54.00</td>
<td>$55.00</td>
</tr>
<tr>
<td><strong>Hydrant Meter Fee</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Minimum $3.00 per 1,000 Gallons)</td>
<td>$500.00</td>
<td>$500.00</td>
<td>$500.00</td>
<td>$500.00</td>
<td>$500.00</td>
<td>$500.00</td>
</tr>
<tr>
<td><strong>Water Meter Replacement Cost</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Damaged or Neglect)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3/4” to 1” In Size</td>
<td>$200.00</td>
<td>$200.00</td>
<td>$200.00</td>
<td>$200.00</td>
<td>$200.00</td>
<td>$200.00</td>
</tr>
<tr>
<td>1 ½” In Size</td>
<td>$400.00</td>
<td>$400.00</td>
<td>$400.00</td>
<td>$400.00</td>
<td>$400.00</td>
<td>$400.00</td>
</tr>
<tr>
<td>2” In Size</td>
<td>$500.00</td>
<td>$500.00</td>
<td>$500.00</td>
<td>$500.00</td>
<td>$500.00</td>
<td>$500.00</td>
</tr>
<tr>
<td>(All Other Units Are Billed Per Cost of Parts Plus Labor.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Water Shut Off Fee</strong></td>
<td>$17.50</td>
<td>$17.50</td>
<td>$20.00</td>
<td>$20.00</td>
<td>$20.00</td>
<td>$20.00</td>
</tr>
<tr>
<td><strong>Water Turn On Fee</strong></td>
<td>$17.50</td>
<td>$17.50</td>
<td>$20.00</td>
<td>$20.00</td>
<td>$20.00</td>
<td>$20.00</td>
</tr>
</tbody>
</table>

**RESOLUTION #20-2010:**
Councilman Holtz offered the following Resolution, seconded by Councilman Mickelsen:

**CANANDAIGUA-FARMINGTON CONSOLIDATED WATER DISTRICT WATER RATES – 2010**
WHEREAS, the water rates are established, from time to time, by the Town Board for the Canandaigua-Farmington Water Districts, and extensions thereof; and

ORGANIZATIONAL TOWN BOARD MEETING (Continued) January 5, 2010

RESOLUTION #20-2010 (Continued)

WHEREAS, the City of Canandaigua has projected the wholesale rate for 2010 will increase by approximately 7.6% over the 2009 rate.

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Farmington, acting on behalf of the Canandaigua-Farmington Water District, hereby establishes the water rates for 2010 as listed in the Rate Schedule below.

BE IT FURTHER RESOLVED that all rates shall be in effect for 2010-2011, subject to any rate increase from the City of Canandaigua, and shall be on file with the Town Clerk’s office.

All voting "Aye", the Resolution was CARRIED.

WATER RATES FOR 2010

<table>
<thead>
<tr>
<th>Meter Size</th>
<th>Gallons of Consumption</th>
<th>Minimum Bill $3.25 Per M Gallon</th>
<th>Additional @ $3.80 per M Gallon</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/4&quot; - 1&quot;</td>
<td>0 To 6,000 Gallons</td>
<td>$20.40</td>
<td>&quot;</td>
</tr>
<tr>
<td>1&quot;</td>
<td>0 To 10,000 Gallons</td>
<td>$34.00</td>
<td>&quot;</td>
</tr>
<tr>
<td>1-1/2&quot;</td>
<td>0 To 16,000 Gallons</td>
<td>$54.40</td>
<td>&quot;</td>
</tr>
<tr>
<td>2&quot;</td>
<td>0 To 30,000 Gallons</td>
<td>$102.00</td>
<td>&quot;</td>
</tr>
<tr>
<td>3&quot;</td>
<td>0 To 50,000 Gallons</td>
<td>$170.00</td>
<td>&quot;</td>
</tr>
<tr>
<td>4&quot;</td>
<td>0 To 80,000 Gallons</td>
<td>$272.00</td>
<td>&quot;</td>
</tr>
<tr>
<td>6&quot;</td>
<td>0 To 160,000 Gallons</td>
<td>$544.00</td>
<td>&quot;</td>
</tr>
<tr>
<td>8&quot; to 12&quot;</td>
<td>0 To 200,000 Gallons</td>
<td>$680.00</td>
<td>&quot;</td>
</tr>
</tbody>
</table>

**Town/Village of Manchester = First 40,000,000 gallons at $2.17 per 1,000 and additional @ $2.09 per 1,000.

Town of Macedon Rate is $2.17 per 1,000 gallons.

**Town of Victor Rate is $2.17 per 1,000 gallons.

Farmington Sewer Rate is $70.00 per unit. (Adopted January 27, 2009)
Farmington Sewer Rate is $65.00 per unit. (Adopted January 2, 2008)
Victor Sewer Rate is $70.00 per unit. (Adopted January 27, 2009)
Number of units determined by Town Code 26-2 Section A through CC.

*Cline Road Residents using Town of Victor water are billed Town of Victor rates.

**Denotes Rate change.

RESOLUTION #21-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLVED to reappoint Mary Neale as Chairperson to the Historic Preservation Board and Margaret Hartsough as Vice Chairperson for one-year terms, expiring December 31, 2010 (Code of the Town of Farmington S 15-3C).

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #22-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

RESOLVED designating the official letterhead of the Town of Farmington.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #23-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

AUTHORIZING THE PURCHASE OF VARIOUS HIGHWAY MATERIALS
WHEREAS, it is required by New York State Department of Audit and Control that documentation be on file to substantiate the fact that the Town of Farmington will be purchasing commodities within the bidding statutes of New York State.

ORGANIZATIONAL TOWN BOARD MEETING (Continued) January 5, 2010
RESOLUTION #23-2010: (Continued)

NOW, THEREFORE BE IT RESOLVED that the Town of Farmington desires to utilize Ontario County bids for the purchase of certain Highway supplies for the year 2010; and

BE IT FURTHER RESOLVED that the Town Clerk send a certified copy of this Resolution to the Ontario County Purchasing Director, Ontario County Purchasing Department and the Ontario County Public Works Commissioner and the Town of Farmington Highway Superintendent.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #24-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Mickelsen:

RESOLVED to approve agreement for expenditure of Highway monies (Section 284 of the Highway Law). (Signatures Required)
All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #25-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLVED to authorize the Highway Superintendent to purchase Highway equipment and materials through the New York State OGS bids for 2010.
All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #26-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

RESOLVED to authorize the signatures of Theodore M. Fafinski and Peter Ingalsbe for all Town bank accounts.
All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #27-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLVED to appoint the Town Board Audit Committee for 2010, as follows, in the event a third party audit is not conducted in 2010:

Town Justices’ Accounts: P. Ingalsbe and M. Casale
Town Clerk’s Accounts: S. Holtz and T. Mickelsen
All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #28-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Mickelsen:

RESOLVED to reappoint Margaret Hartsough as Farmington Town Historian for a one-year term, expiring December 31, 2010. (Arts & Cultural Affairs Law S 57.07).
All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #29-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLVED to authorize the Supervisor to sign, on behalf of the Town, an agreement with the Victor – Farmington Ambulance Corps. for general ambulance services, for the year 2010, in the amount of $6,600.00 to be paid in two (2) payments: March 1st (or as soon as this contract is fully executed) and September 1, 2010).
All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #30-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

RESOLVED to approve the temporary assignment of the Town Justices to preside in other towns and villages, as the need arises, during the year 2010 and approve judges from other towns and villages for our courts.
RESOLUTION #31-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLVED to reappoint Ronald Brand, Director of Planning and Development, DBA RLB Planning Group, at a billed hourly rate of $38.11, at a cost not to exceed $61,434.00, effective January 2, 2010.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #32-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Mickelsen:

RESOLVED to delegate to the Supervisor, powers and duties of administration and supervision of Town or Special or Improvement District functions, to be performed on behalf of such Board (Town Law S 29 (16).

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #33-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLVED to establish petty cash funds for the Receiver of Taxes in any amount up to $1,000.00 and for any other town officer up to $200.00.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #34-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

RESOLVED to authorize the Tax Collector to deposit tax collections, in interest bearing accounts, (per an Ontario County Resolution dated July 27, 2000) as a temporary investment measure.

All voting “Aye” to the amendment, the Resolution was CARRIED.

RESOLUTION #35-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLVED to designate Ronald Brand as voting delegate to the Association of Towns for 2010 and Certificate of Designation.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #36-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Mickelsen:

RESOLVED to authorize the Supervisor to submit to the Town Clerk, within 60 days after the close of the fiscal year or a date approved by the State Comptroller, a copy of his report to the State Comptroller, and require the Town Clerk to cause a summary of such report or notice, that a copy of such report is on file and available for inspection and copying, to be published within 10 days in the official newspaper of the Town.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #37-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLVED to set Agriculture Advisory Committee’s annual organizational meeting for January 21, 2010, at 7:30 PM, at the Farmington Town Hall (Code of the Town of Farmington 1A-4).

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #38-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

RESOLVED to authorize the Water and Sewer Superintendent to bid water and sewer supplies, materials and equipment for the operation and maintenance of all that department’s facilities.
All voting “Aye”, the Resolution was CARRIED.

ORGANIZATIONAL TOWN BOARD MEETING (Continued) January 5, 2010

RESOLUTION #39-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLVED to reappoint Peter Maslyn as Chairman to the Agricultural Advisory Committee and Jim Ochterski as Vice-Chairman, for one-year terms, expiring December 31, 2010.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #40-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Mickelsen:

RESOLVED to reappoint Ed Hemminger as Chairman to the Zoning Board of Appeals for a one year term, expiring December 31, 2010 (Town Law 267-271).

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #41-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLVED to reappoint Meg Godly as a member of the Planning Board for a five year term, expiring December 31, 2014 (Town Law 267-271).

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #42-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLVED to adopt the Cash Management and Investment Policy for 2010 (on file in the Town Clerk’s office).

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #43-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

RESOLVED authorizing the expenditure of up to $200.00 for the installation of wireless internet services in the Town Hall.

All voting “Aye”, the Resolution was CARRIED.

Supervisor’s appointments for 2010:
Deputy Supervisor: Peter Ingalsbe (Town Law S42)
Confidential Secretary: Jessica Youngman

2010 Standing Committees:
- Financial Management: Councilmen Ingalsbe, Mickelsen
- Human Resources/Town Operations: Councilmen Casale, Holtz
- Public Works: Councilmen Ingalsbe, Mickelsen
- Public Safety: Councilmen Casale, Holtz

Supervisor - Ex-Officio - * Will be assigned to all committees in the absence of one or both of the committee members.

Highway Superintendent’s appointments for 2010:
Deputy Highway Superintendent: Scott Whittaker
Group Leader – Highway Dept.: Gerald Bowerman
Working Foreman – Parks Dept.: Edward Vanderwall

Town Clerk’s appointments for 2010 (Town Law S 30 (10):
Deputy Clerk: Jennifer L. Grattan
Deputy Clerk: Tammy Means

Salaries for elected officials (Town Law S 27): (Paid bi-weekly except the Special District Budget Officer is paid bi-annually.)
- Town Supervisor: $36,450.00
- Budget Officer: $ 8,960.00
- Special District Budget Officer: $ 4,790.00
Supervisor’s Total $50,200.00
Town Board Members $ 4,600.00
Town Clerk and Receiver of Taxes $49,273.00
Highway Superintendent $59,202.00
Town Justices $18,870.00

ORGANIZATIONAL TOWN BOARD MEETING (Continued) January 5, 2010

With no further organizational business before the Board, Councilman Casale offered a motion to adjourn, seconded by Councilmen Mickelsen. The meeting adjourned at 4:33 PM.

Michelle A. Finley, Town Clerk:

TOWN BOARD MEETING January 12, 2010

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 12th day of January, 2010, at 7:00 p.m. there were:

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


A motion was made by Councilman Mickelsen, seconded by Councilman Casale, that the minutes of the December 22, 2009, given to members for review, be approved as presented. CARRIED.

PRIVILEGE OF THE FLOOR: (Walt Baker-D.S.B. Engineers & Ernie Ackerman-A&D Development)

Mr. Baker stated they were there tonight regarding the incentive zoning concept plan Beaver Creek West Subdivision and possibly moving forward with the project knowing full well that Auburn Meadows is moving along as well. Mr. Baker said that Beaver Creek fits in with the Auburn Meadows site and that they have approval from the Planning Board. He added that the incentive would be that Mr. Ackerman would be willing to donate or put improvements in for this project to be approved under incentive zoning versus going with conventional size lots. Mr. Baker stated that they would be asking for a smaller size lot which would be a 10,000 sq. ft. size lot and in turn Mr. Ackerman would provide a 12 inch watermain loop and they would also install a 12 inch watermain to support the area located on County Road 41. Mr. Baker provided the Board an Engineers Estimate along with a letter that shows the cost that would be associated with the improvements if they were could get the project approved under incentive zoning. Mr. Baker referred to a letter received a couple of years ago stating that the Board wanted to see all the improvements done on Auburn Meadows before the Board entertained another project with incentive zoning, and stated that Auburn Meadows is going along pretty well and that they have installed the water and sewer all the way through the project and that they are selling houses. Mr. Baker stated the Section 4 in Auburn Meadows will be under construction in early spring.

Councilman Ingalsbe asked Mr. Baker if the Estates @ Beaver Creek had 63 approved lots, Mr. Baker replied yes and that they are working on the first 19 lots. Councilman Ingalsbe asked out of the 469 lots in Auburn Meadows Sections 1, 2, and 3, how many houses are actually built, Mr. Baker replied about 100. Councilman Ingalsbe stated that he would like to see more of Auburn Meadows completed and to get Estates @ Beaver Creek up and going with the 19 lots, therefore he is not in favor of incentive zoning at this time. Supervior Fafinski stated that the Board was not interested in entertaining any incentive zoning at this time. Mr. Baker asked if it was something the Board would consider later, Councilman Ingalsbe replied that they are not necessarily opposed to it just not at this time.

REPORTS OF STANDING COMMITTEES:

Public Works Committee – Councilman Ingalsbe reported:

Water & Sewer:
1. One resolution on table tonight authorizing a budget transfer to pay 2009 City Water Bill.
2. Water Project on Purdy Road- Water & Sewer Superintendent is working on revisions to request for proposals.
3. There have been six watermain breaks since the last Town Board Meeting.
4. Have not heard from NYS Dept. of Labor regarding PESH Notice on training.

TOWN BOARD MEETING                                          January 12, 2010

Highway & Parks:
1. Working on the Environmental wording for the SEQR process for the Whitetail and
   Suede Circle Reconstruction that was budget in the Highway Budget for this year.
2. Salt delivery problems – sometime only getting 35 to 70 tons a day when he needs
   100 tons a day and the storage shed can only hold about 700 tons which is about 2 to
   3 days worth of salt at any given time. The Highway Superintendent has requested
   from the vendor to increase the salt order.
3. Permission was given to order a 10 wheel highway truck with dump body and plow
   with sand and the truck is on order for a summer delivery.

Town Operations Committee – Councilman Casale reported:
1. Met with Floyd Kofahl and Ron Brand to discuss the letter to Eric Massa concerning
   the grants for trails, the Broadway Theatre League, and handicapped grants for parks.
   (Ron Brand to draft letter reminding them of these).
2. Met with Donna LaPlant to discuss the Cold War Veterans Exemption, she will get
   information to the Board since they are interested in it.

REPORTS OF TOWN OFFICIALS:

Supervisor:
1. Organizational Meeting was held - Various openings on Boards and Committees and
   they will be actively seeking candidates for particularly for the Recreational
   Advisory Committee that they recently formed. The Recreation Commission
   members were contacted to see if they were interested in serving but have had no
   responses yet.
2. Met with Mark Cain, Recreation Director, there are a number of incentives that he
   has proposed. One was the visit with Santa that was very well attended. We will
   have an Easter Egg Hunt this year, might bring back the Easter coloring page again.
3. A number of Officials will be attending the Association of Town New Elected
   Officials School January 13-15, in Rochester NY.

Highway & Parks:    None.

Town Clerk:       1. Just settling in and getting organized and doing taxes at the moment.
                  Found temperature report for vault downstairs, will submit spreadsheet with results for
                  Town Board Members.
                  2. Evening Hours have started- now open until 7 p.m. on Wednesdays. Supervisor
                     Fafinski thanked the Town Clerk for bringing Government closer to the people.
                  3. Credit Card reader has been ordered and should be up and running in the beginning of
                     February.

Water & Sewer:     None.

Building/Zoning:
1. Park Place looking a Mid-February opening.
2. Saratoga Crossing- 2 buildings and the community center to be opened by the
   end of April.
3. Senior Housing
4. Beaver Creek estates did get approved and signed the contract with At Home
   Builders.
5. Easement form needs to be standardized.

Councilman Ingalsbe requested 2009 year end reports. Also would like 2008 year end reports sent
electronically to him for website.

Director of Planning & Development:
1. Planning Board Organizational Meeting-January 16, 2010, at 9:00 a.m.
2. Resolution for next meeting regarding State Grant Agriculture Protection
   Program.
3. Working with Town Clerk updating the Official Zoning Map.
Town Attorney: None.

Fire:
1. Business as usual.
2. New Members.

**TOWN BOARD MEETING**  
**January 12, 2010**

**COMMUNICATIONS:**

2. Letter to Sheryl Robbins, Sanitary Engineer at the state Department of Health, from Jim Crane. Re: Canandaigua-Farmington Consolidated Water District.
5. Traffic Safety Board Minutes from Dec. 2, with emphasis on the follow up to a County Road 41 traffic complaint.
6. Public notice of the Town Board’s workshop with the Agricultural Advisory Committee.
7. E-mail from the state Bureau of Water Permits to Supervisor. Re: Stormwater management manual.
16. Letter from the DEC to the Supervisor. Re: Approval of sanitary sewer extension, Farmington 332 LLC senior housing.
17. Notice from the Ontario County Safety Coordinator. Re: Drug and alcohol testing for CDL drivers.
18. Letter from the state Department of Health to Supervisor. Re: Requirements for the federal Safe Drinking Water Act.
23. Invoices from the town to Florida West Land Corp. for engineering services for Farmington 332 LLC; Michael Nasello for engineering services for the Route 96 medical care building; and to A&D Development for Auburn Meadows, Section 3.
25. Notices of conditional renewal of coverage from Selective Insurance.
27. Notice from Jeff Graff to the Supervisor. Re: Easements to Emporium Leasing LLC, Ontario Square Realty Corp. and Farmington Venture LLC.
28. Notice of changes to Notice of Compliance from First Rehabilitation Life Insurance Co.
29. Notice of claim from Selective Insurance.

**REPORTS & MINUTES:**

2. Town Clerk’s annual report for 2009.

**EXECUTIVE SESSION:**
A MOTION WAS MADE BY COUNCILMAN CASALE AND SECONDED BY COUNCILMAN INGALSBE TO GO INTO EXECUTIVE SESSION AT 7:35 P.M. TO DISCUSS THE PROPOSED ACQUISITION, SALE, OR LEASE OF REAL PROPERTY. MOTION CARRIED.

A MOTION WAS MADE BY COUNCILMAN MICKELSEN AND SECONDED BY COUNCILMAN INGALSBE TO EXIT EXECUTIVE SESSION AT 7:47 P.M. MOTION CARRIED.

TOWN BOARD MEETING January 12, 2010

ORDER OF BUSINESS:

RESOLUTION # 44-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Mickelsen:

Town Board Resolution concurring with the New York State Department of Transportation conditions for the Phased Development of the Farmington Senior Housing Project and the balance of the Farmington Route 332 LLC Incentive Zone Site.

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has a long standing agreement of cooperation with the staff at the Region 4 Office of the New York State Department of Transportation (hereinafter referred to as DOT) concerning access management regulations along State Highways in our community; and

WHEREAS, the Town Board has contributed to the State DOT’s Model Access Management Report; and

WHEREAS, the Town Board has enacted in Chapter 165 of the Town Code, access management regulations pertaining to this subject in the form of the model Major Thoroughfare Overlay District (MTOD) Regulations; and

WHEREAS, the Town Board has recently adopted the “Official Major Thoroughfare Overlay District Map,” a part of the access management regulations contained in Chapter 165 of the Town Code; and

WHEREAS, the Town Board continues to support the DOT’s general policy that traffic impacts resulting from a new development should be mitigated, based upon full build out on opening day, so that the level of service is maintained on all New York State Highways as they would have otherwise operated absent new development; and

WHEREAS, the Town Board has officially coordinated the desires for and need for a new signalized intersection on State Route 332, between State Route 96 and County Route 41, to the Region 4 Traffic Engineer, as part of the Official MTOD Map adoption procedures; and

WHEREAS, the Town Board has determined based upon meetings of Town Officials with the staff at the Region 4 Office of the DOT that the proposed location for access to and from State Route 332 for the Senior Housing Project now under construction is in the desired location; and

WHEREAS, the Town Board has received and reviewed the DOT’s December 14, 2009 letter (a copy of which is hereby made an attachment to this Resolution) to Amy Dake, SRF & Associates, the Town’s consulting Traffic Engineering firm, which states the conditions of approval for the first of three phases for providing safe access to the Senior Housing Project along with future phases of development of land recently rezoned by the Town Board to Incentive Zoning; and

WHEREAS, the Town Board understands that before a highway work permit for the Farmington Senior Housing Project may be issued by the DOT, the Town Board needs to concur with the phased mitigation plan set forth in the above cited DOT’s December 14, 2009 letter to Amy Dake.

NOW, THEREFORE, BE IT RESOLVED that the Town Board agrees with the phased solution for providing sound access management to the Farmington Senior Housing Site, along with stated solutions for future phases of development of the remaining lands in accordance with the Official Incentive Zoning Site Plan for the Farmington Route 332 LLC Property, as is further made reference to in the above cited DOT’s December 14, 2009 letter to Amy Dake.

BE IT FURTHER RESOLVED that the Town Board supports the DOT’s conditions which are consistent with the Town Planning Board’s conditions of Final Subdivision Plat Approval and Final Site Plan Approval for the Farmington Senior Housing Project (the above referenced Phase 1 Project).

BE IT FURTHER RESOLVED that the Town Board does hereby direct the Town Code Enforcement Officer (CEO) to insure that all conditions set forth in the above cited DOT’s December 14, 2009 letter to Amy Dake will be complied with prior to the Town issuing Certificate(s) of Occupancy for any portion of the Farmington Senior Housing Project.
BE IT FURTHER RESOLVED that the Town Board does hereby direct the Town Planning Board to not grant Final Plat approval(s) for any additional subdivision of land located within the Official Farmington Route 332 LLC Incentive Zoning Site, or for the CEO to issue any additional Building Permits beyond Phase 1 as defined in the above cited December 14, 2009 DOT letter to Amy Dake, until the Region 4 DOT Traffic Engineer receives and approves a traffic impact study conducted by the developer or successors, that defines the mitigation necessary to maintain the level of service along this segment of the New York State Route 332.

TOWN BOARD MEETING January 12, 2010
ORDER OF BUSINESS (Continued)

BE IT FURTHER RESOLVED that the Town Board does hereby direct the Town’s CEO to not issue any additional Certificates of Occupancy affecting future phases of development upon the aforementioned Incentive Zoned property, until all highway mitigation is completed to the satisfaction of the DOT’s Region 4 Traffic Engineer, or the DOT’s Region 4 Regional Director.

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to transmit five (5) certified copies of the foregoing resolution to the DOT’s Region 4 Traffic Engineer, at the DOT’s Regional Office, 1530 Jefferson Road, Rochester, New York 14623.

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to transmit: one (1) certified copy of the foregoing resolution to the Town CEO; one (1) certified copy to the Town Planning Board Chairperson; one (1) certified copy to Edward McLaughlin, Town Highway Superintendent; one (1) certified copy to Gregory McMahon, P.E., McMahon LaRue Associates, P.C.; one (1) certified copy to the Town Director of Development; one (1) certified copy to Gregory Trost, P.E., Resident Engineer, New York State Department of Transportation, Ontario County; one (1) certified copy to Amy Dake, at SRF Associates; one (1) certified copy to Lance Brabant, MRB Group, P.C., Farmington Town Engineers; and one (1) certified copy to Kristen Rogers, Edgemere Development, agent for Farmington 332 LLC Development.

BE IT FINALLY RESOLVED that this resolution shall take effect immediately.

All voting “Aye”, the Resolution was CARRIED.

Resolution #45-2010:

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

RESOLUTION- PURCHASING OF 50 ACRES FOR HIGHWAY COMPLEX

WHEREAS, the Town is interested in purchasing approximately 50 acres of real property owned by the Herendeen family (the “Owner”) located on Collett Road, in the Town of Farmington, being part of tax map #17.00-2-15.200 (the “Property”) to use for various public needs including, but not limited to, storage and building construction for the Town Highway Department; and

WHEREAS, the Town has determined that $4,500 per acre is a fair and reasonable price to offer for this property.

NOW THEREFORE, BE IT RESOLVED, that the Town Board authorizes the offering of the Purchase and Sale Contract, attached hereto and made a part hereof, to Owner with the contingencies attached thereto; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized and directed to execute the purchase offer concerning the Property on behalf of the Town of Farmington and the Town Board; and

BE IT FURTHER RESOLVED, that, if the Owners accept the Town’s offer and if all of the contingencies of such purchase and sale contract are fulfilled, the Town Supervisor is authorized to pay to the Owners the agreed purchase price and he hereby is authorized and directed to sign all necessary documents to effectuate such purchase.

This resolution shall be subject to a permissive referendum, as required by law.

All Voting “Aye”, the Resolution was CARRIED.

Resolution #46-2010:

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

RESOLUTION AUTHORIZING THE ROCHESTER BICYCLING CLUB TO USE THE FARMINGTON TOWN PARK AND ITS SHELTER FOR A BIKING EVENT JULY 24-25.
WHEREAS, the Rochester Bicycling Club has an annual riding event that will travel through Farmington on July 24 through early July 25 and,

WHEREAS, the club has requested that they again be allowed use of the shelter in the Farmington Town Park on County Road 8 for a 24 hour period, from 7 a.m. Saturday July 24 to 7 a.m. Sunday, July 25, therefore be it

RESOLVED, the Farmington Town Board authorizes the Rochester Bicycling Club to use the shelter in the Town Park on the requested dates, and therefore be it

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

All Voting “Aye”, the Resolution was CARRIED.

Resolution #47-2010:

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

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN AN ANNUAL SOFTWARE SUPPORT CONTRACT WITH THE WILLIAMSON LAW BOOK COMPANY.

WHEREAS, the Williamson Law Book Company of Victor provides the town with software support for municipal accounting software and a contract renewal is needed for continued services in 2010 at an annual cost of $825, therefore be it

RESOLVED, the Farmington Town Board authorizes the Supervisor to sign the Williamson Law Book agreement, and further be it

RESOLVED, that the Town Clerk forward the signed agreement to the Williamson Law Book Company and a copy of resolution to the Finance and Accounts Specialist.

All Voting “Aye”, the Resolution was CARRIED.

Resolution #48-2010:

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

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE WATER DISTRICT FOR EQUIPMENT AND CONTRACTURAL COSTS (2009 Budget)

RESOLVED, the Farmington Town Board authorizes the following budget amendment for the water district for equipment and contractual costs:

FROM:  
SW1-8310.2 Water Administration – Equip. $7,900.00  
SW1-8310.4 Water Administration –CE $14,000.00  
SW1-8340.4 Transmission/Dist.–CE $28,741.00  

TO:  
SW1-8320.4 Source of Supply – CE ($50,641.00)  

And further be it, RESOLVED, the Town Clerk forward a copy of this resolution to the Accounts and Finance Specialist.

All Voting “Aye”, the Resolution was CARRIED.

Resolution #49-2010:

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

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FROM THE GENERAL FUND FOR OFFICE SUPPLIES.
RESOLVED, the Farmington Town Board authorizes the following budget amendment for the general fund for 2009 for the purchase of office supplies:

FROM: A599 Appropriated Fund Balance $298.20
TO: A1660.4 Central Storeroom – CE ($298.20)

TOWN BOARD MEETING January 12, 2010
ORDER OF BUSINESS (Continued)

And further be it, RESOLVED, the Town Clerk forward a copy of this resolution to the Accounts and Finance Specialist.

All Voting “Aye”, the Resolution was CARRIED.

Resolution #50-2010:

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

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FROM THE GENERAL FUND FOR 2009 FOR ADDITIONAL PHONE SERVICES AT THE LODGE AT MERTENSIA PARK.

RESOLVED, the Farmington Town Board authorizes the following budget amendment for the general fund for 2009 for the purchase of office supplies:

FROM: A599 Appropriated Fund Balance $173.46
TO: A1650.41 Central Communications – CE ($173.46)

And further be it, RESOLVED, the Town Clerk forward a copy of this resolution to the Accounts and Finance Specialist.

All Voting “Aye”, the Resolution was CARRIED.

Resolution #51-2010:

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

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE GENERAL FUND FOR 2009 FOR ADDITIONAL EXPENDITURES RELATED TO A NEW CAPITAL PROJECT FOR THE HIGHWAY LAND PURCHASE.

RESOLVED, the Farmington Town Board authorizes the following budget amendment for the general fund for 2009 for additional expenditures related to a new capital project for the highway land purchase.

FROM: A599 Appropriated Fund Balance $1,029.00
TO: A8020.41 Planning & Development – CE ($1,029.00)

And further be it, RESOLVED, the Town Clerk forward a copy of this resolution to the Accounts and Finance Specialist.

All Voting “Aye”, the Resolution was CARRIED.

Resolution #52-2010:

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

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE GENERAL FUND FOR 2009 FOR ADDITIONAL EXPENDITURES FOR BOYLAN BROWN/MIDLAND APPRAISAL AND RILEY GRAFF.

RESOLVED, the Farmington Town Board authorizes the following budget amendment for the general fund for 2009 for additional expenditures for legal services.

FROM: A1990.4 Contingency $6,682.00
FROM: A599 Appropriated Fund Balance $6,108.03
TO: A1420.4 Attorney – Contractual ($12,790.03)

And further be it, RESOLVED, the Town Clerk forward a copy of this resolution to the Accounts and Finance Specialist.

All Voting “Aye”, the Resolution was CARRIED.

TOWN BOARD MEETING January 12, 2010
ORDER OF BUSINESS (Continued)

Resolution #53-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE GENERAL FUND FOR 2010 FOR THE ANNUAL ALLOTMENT FOR HIGHWAY ROAD REPAIR FROM THE 2007 VLT MONIES.

RESOLVED, the Farmington Town Board authorizes the following budget amendment for the general fund for 2010 for the allotment for highway road repair from the 2007 VLT monies:

FROM: A599 Appropriated Fund Balance $100,000.00
TO: A9901.96 VLT Transfers to Other Funds ($100,000.00)
FROM: DA5031VLT Interfund Transfer $100,000.00
TO: DA5110.46VLT General Road Repairs – CE- VLT ($100,000.00)

And further be it, RESOLVED, the Town Clerk forward a copy of this resolution to the Accounts and Finance Specialist and the Highway Department.

All Voting “Aye”, the Resolution was CARRIED.

Resolution #54-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE HIGHWAY FUND

RESOLVED, the Farmington Town Board authorizes the following budget amendment for the general fund for 2009 for a payroll expenditure:

FROM: A599 Appropriated Fund Balance $.02
TO: A8020.1 Planning & Development – PS (.02)

And further be it, RESOLVED, the Town Clerk forward a copy of this resolution to the Accounts and Finance Specialist.
All Voting “Aye”, the Resolution was CARRIED.

Resolution #55-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE HIGHWAY AND GENERAL FUNDS TO COVER PAYROLL EXPENSES FOR THE END OF 2009

RESOLVED, the Farmington Town Board authorizes the following budget amendment for the highway and general funds to cover payroll expenses for the end of 2009 for lines that were underbudgeted:

FROM: A-7110.12 Parks – OT $7.44
TO: A-7110.1 Parks - PS ($7.44)
FROM: DA-5142.12 Snow Removal – OT $8,476.18
TO: DA-5142.1 Snow Removal – PS ($7,000.00)
DA-5148.1 Services to Other Govts.- PS ($1,192.38)
RESOLVED, the Town Clerk forward a copy of this resolution to the Accounts and Finance Specialist and the Highway Department.

All Voting “Aye”, the Resolution was CARRIED.

TOWN BOARD MEETING: January 12, 2010
ORDER OF BUSINESS (Continued)

Resolution #56-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION THANKING ROSE KLEMAN FOR 36 YEARS OF SERVICE AS FARMINGTON TOWN CLERK

WHEREAS, Rose Kleman served the residents of the Town of Farmington for 36 years as Town Clerk and has contributed to the community through her participation in various community organizations including the Farmington Chamber of Commerce and the Humane Society of Ontario County and,

WHEREAS, she has worked to get the Farmington name added to the New York State Thruway Exit with the support of a former Assemblyman, therefore be it

RESOLVED, the Farmington Town Board wishes to thank Rose Kleman for her years of service and her contribution to the community and therefore be it

RESOLVED, that the Town Clerk forward a copy of this resolution to Rose Kleman.

All Voting “Aye”, the Resolution was CARRIED.

Resolution #57-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

RESOLUTION CONCURRING WITH THE FINDINGS OF THE CODE ENFORCEMENT OFFICER AND SETTING A PUBLIC HEARING BEFORE THE TOWN BOARD FOR THE AFOREMENTIONED PROPERTY

WHEREAS, Town Code Enforcement Officer, Floyd D. Kofahl, prepared a written report to this Town Board dated December 22, 2009 (attached hereto and made a part hereof and hereafter referred to as the “Report”) which Report detailed his findings from his inspection of the property located at 1637 New Michigan Road, Town of Farmington and building located thereon (hereinafter referred to as the “Property”) for purposes of complying with Chapter 65 of the Code of the Town of Farmington – Unsafe Buildings; and

WHEREAS, CEO Kofahl’s Report details the following:
1. That he performed an inspection of the Property in January 2009;
2. That he personally witnessed the following conditions affecting the building on the Property:
   a. The roof of the building has several holes in it;
   b. The siding of the building has not been maintained;
   c. The south and east sides of the building have fallen in;
   d. Windows and doors of the building have been removed;
   e. The entrance ways of the building have rotted away; and
   f. The east foundation wall of the building has caved into the building.
3. That, based on these personal observations during the inspection, he has formed the following opinion:
   a. That the conditions cited above create a very unsafe building on the Property; and
   b. That the building poses a threat to the life and safety of the Town’s residents;
4. That, based on his observations and opinions, it is his recommendation, pursuant to Section 65-4 of the Town Code, that the building on the Property be demolished and removed from the Property; and

WHEREAS, this Town Board has fully considered the Report and the opinions and finding of CEO Kofahl contained in his Report.
NOW, THEREFORE, BE IT RESOLVED, that this Board concurs with CEO Kofahl’s recommendation in his Report and finds that the building on the Property is unsafe and dangerous to the health and safety of the public; and be it further

RESOLVED, that the building on the Property is hereby ORDERED to be demolished and removed from the Property; and be it further

TOWN BOARD MEETING 
ORDER OF BUSINESS (Continued)

RESOLVED, that a hearing be scheduled before this Town Board on January 26, 2010 at 7:00 p.m. at the Farmington Town Hall, 1000 County Road 8, Farmington, New York, in relation to such dangerous and unsafe building; and be it further

RESOLVED, that a notice be served upon the persons and in the manner provided in Chapter 65 of the Code of the Town of Farmington – Unsafe Buildings.

All Voting “Aye”, the Resolution was CARRIED.

Resolution #58-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

PAY AUDITED BILLS-The following claims/vouchers were audited by the Town Board and approved for payment:

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<th>ABSTRACT #25-2009</th>
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<tr>
<td>General</td>
<td>$22,456.10</td>
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<th>ABSTRACT #1-2010</th>
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<tbody>
<tr>
<td>General</td>
<td>$58,267.71</td>
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<td>Payroll</td>
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<td>Water District</td>
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<td>$ 94,230.10</td>
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All Voting “Aye”, the Resolution was CARRIED.

DISCUSSION:

1. The Annual Meeting of the New York State Association of Towns-proposed resolutions for delegate Ron Brand.

   The Town Board reviewed each resolution and stated how the delegate should vote.

With no further business, the meeting was adjourned at 8:20 p.m., by a motion from Councilman Mickelsen, seconded by Councilman Casale. Carried.

Michelle Finley, Town Clerk: ____________________________________________

TOWN BOARD MEETING 
January 12, 2010

At the Farmington Town Board Meeting, held in the Town Hall on the 19th day of January 2010, at 4:00 PM, there were:

PRESENT: Theodore Fafinski – Supervisor
          Peter Ingalsbe – Councilman
          Timothy P. Mickelsen – Councilman
          Michael Casale – Councilman
          Steven M. Holtz - Councilman
          Michelle Finley – Town Clerk
Also present were: Ron Brand – Director of Planning & Development.

Supervisor Fafinski led the Pledge of Allegiance.

TOWN BOARD MEETING

ORDER OF BUSINESS:

RESOLUTION # 59-2010:

A motion was made by Councilman Ingalsbe and seconded by Councilman Mickelsen to recall the following resolution that was tabled at the December 22, 2009, Town Board Meeting, authorizing the attendance of the Town Justices and one Court Clerk to the NYS Association of Towns conference in New York City.

RESOLUTION AUTHORIZING THE ATTENDANCE OF THE TOWN JUSTICES AND ONE COURT CLERK TO THE NYS ASSOCIATION OF TOWNS CONFERENCE

WHEREAS, both Justices and one Court Clerk would like to attend the New York State Association of Towns annual conference in New York City, February 14 – 17, 2010, at a total cost of $3,122.00, and

WHEREAS, the court would like to use funds from the 2010 budget to pay for registration fees and hotel costs, therefore be it

RESOLVED, the Farmington Town Board authorizes the attendance of the Town Justices and one court clerk to attend NYS Association of Towns conference, February 14-17, 2010, at a total cost of $3,122.00 and the use of 2010 funds available and further be it

RESOLVED, the Farmington Town Board authorizes any budget amendment needed for this conference, and further be it

RESOLVED, that the Town Clerk forward a copy of this resolution to the Town Court and Finance & Account Specialist.

All Voting “Aye”, the Resolution was CARRIED.

EXECUTIVE SESSION:

At 4:04 p.m., a motion was made by Councilman Casale, seconded by Councilman Holtz, that the Town Board go into Executive Session to discuss the proposed acquisition, sale or lease of real property. The motion was CARRIED.

A motion was made by Councilman Ingalsbe, seconded by Councilman Casale, to return to regular session at 4:23 p.m.. The motion was CARRIED.

Councilman Ingalsbe noted that no decision was made during Executive Session.

With no further business, the meeting was adjourned at 4:24 p.m., by a motion from Councilman Casale, seconded by Councilman Mickelsen. The motion CARRIED.

TOWN BOARD MEETING

At the Farmington Town Board Meeting, held in the Town Hall on the 26th day of January 2010, at 7:00 PM, there were:

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

Also present were: Jim Crane, Water & Sewer Superintendent – Floyd Kofahl, Code Enforcement Officer – Donna LaPlant, Assessor - Brandon LaPlant – Phil Robinson, Farmington Volunteer Fire

Hearing on condemnation of property located at 1637 New Michigan Road – Supervisor asked the Code Enforcement Officer to give a brief overview of the process. Floyd Kofahl asked the Board for a continuation of the hearing in order to contact the property owner properly since the owner is located in another state. He added that they have to properly verify the delivery of the notice to the owner.

TOWN BOARD MEETING                                                                  January 26, 2010

Supervisor Fafinski asked Floyd Kofahl to give some background on the property. Floyd Kofahl stated that the property has been vacant for a long time, the structure is falling down in the back, interior structure is extremely weak, and an animal infestation is starting there.

Supervisor Fafinski stated that the hearing is continued until February 9, 2010.

Pledge of Allegiance

A motion was made by Councilman Mickelsen, seconded by Councilman Casale, that the minutes of the January 5, 2010, Organizational Meeting and the January 19, 2010 Special Town Board Meeting, given to members for review, be approved as presented. CARRIED.

PRIVILEGE OF THE FLOOR:  None.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Ingalsbe reported:
Water & Sewer:

1. New billing software is in place, working out the kinks, and getting additional training.
3. No update on cellular tower agreement.
4. Purdy Road water project in Canandaigua.
5. 3 watermain breaks since last meeting.
6. KOA Sewer Project.

Highway/Parks:

1. Preliminary start on work on stormwater management at the Stonehedge property (Townline Road and Route 332).
2. Working on drainage pipes at the Racetrack.
3. Working on roadwork at Yellowmills Road.
4. Discussed heating at the lodge for the outside bathrooms.
5. Preliminary work in parking lot at Farmbrook Park.

Town Operations: Councilman Holtz reported:

1. Met with CEO Floyd Kofahl but will have him report.
2. Report from Mark Cain-Recreation Director.
   a. Dealing with Department of Health for summer recreation program
   b. Marketing ideas for program.
   c. Easter egg hunt- tentatively set for March 27th.
   d. Ways to utilize the lodge for winter – movie night during February break.
   e. Cross country skiing.
   f. Speaking with a yoga instructor to have classes at the lodge.

REPORT OF TOWN OFFICIALS:

Supervisor Fafinski:

1. Is pleased that the Town Clerk’s Office is opened until 7:00 on Wednesday nights.

Highway/Parks Superintendent Ed McLaughlin:

1. SEQR-Whitetail Lane.

Town Clerk Michelle Finley:

1. Taxes – collected over $2 million so far.
2. Dog Enumeration.
3. Reader for credit card will be arriving next week and will be up and running soon.
Water & Sewer Superintendent: None.

Building & Zoning: Floyd Kofahl reported:

1. **2009 Year End Report – Highlights:**
   a. 56 New Homes
   b. Commercials were up over previous 2 years.
   c. Construction cost reported equaled $37,330,798.00.
   d. Permit Fees collected equaled $244,557.67.
   e. 424 permits were issued.

TOWN BOARD MEETING January 26, 2010

Assessor Donna LaPlant:

1. Reviewing Commercial Properties.
2. Exemptions.
3. Resolution setting a Public Hearing on Cold War Veterans Exemption.

Fire Department- Paul Conrad (new Chief) reported:

1. Busy Sunday about a week ago (Farmington Service).

COMMUNICATIONS:

1. Letter to Rose Kleman, former Town Clerk, from David C. Goehring from the New York State Department of Transportation. Re: Auburn Meadows speed limit.
2. Annual schedule of taxes for 2010 from Shelley Reddout at the Ontario County Real Property Tax Services Office.
3. Letter from Supervisor Fafinski to Jaylene Folkins, chair of the Ontario County Planning Board. Re: Town Board’s vote to override county board recommendations on zoning changes.
9. Letter to Supervisor Fafinski from resident Melvin Townsend. Re: Requested use of Mertensia Park Lodge on July 26 for the Victor seniors group.
10. Letter from Supervisor Fafinski to resident Melvin Townsend responding to his request to use the park lodge.
12. Letter to Town Clerk Finley from Town Attorney Jeff Graff. Re: Notice that Local Law No. 6 (zoning changes) has been filed with the state.
18. Invoice from the Town of Farmington to A&D Development for engineering services at Beaver Creek.
19. Letter from the New York State Department of State to Ontario County Administrator Geoff Astles. Re: Denial of the Local Government Efficiency Grant.

REPORTS & MINUTES:

None

ORDER OF BUSINESS:

Resolution #60-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:
RESOLUTION AUTHORIZING THE VICTOR SENIORS CLUB TO USE THE LODGE AT MERTENSIA PARK ON JULY 26 AND WAIVING THE RENTAL FEE.

WHEREAS, the Victor Senior Citizens Club has requested they be allowed to use the Lodge at Mertensia Park on July 26 for their annual summer picnic gathering, and

WHEREAS, they have asked the town to consider waiving the usual rental fee of $250 for an out-of-town resident and $150 for a Farmington resident,

TOWN BOARD MEETING                                                                  January 26, 2010
ORDER OF BUSINESS (Continued)

THEREFORE BE IT RESOLVED, the Farmington Town Board authorizes the Victor Seniors to reserve the Lodge on July 26 and waives the rental fee but still requires the organization to pay the refundable deposit of $100 prior to the event, and

BE IT FURTHER RESOLVED that the Town Clerk forward a copy of this resolution to the Highway Department and the Victor Senior Citizens (letter attached).

All Voting “Aye”, the Resolution was CARRIED.

Resolution #61-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING SCHEDULING OF PUBLIC HEARING FOR A LOCAL LAW ADOPTING AN ALTERNATIVE TAX EXEMPTION FOR COLD WAR VETERANS

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 adopting certain benefits under §458-b of the Real Property Tax Law authorizing an alternative tax exemption for Cold War veterans; and

WHEREAS, the Town Board of the Town of Farmington has reviewed the draft of the aforementioned proposed Local Law attached hereto as Exhibit "I" 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 February 9, 2010, 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 newspaper(s) 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.

Supervisor Fafinski and Councilman Ingalsbe disclosed that they are Cold War Veterans but are ineligible because they were in too long.

All Voting “Aye”, the Resolution was CARRIED.

Resolution #62-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

Councilman Ingalsbe stated that this was discussed in Public Works and is part of the 2010 Town Budget and they have reviewed the SEQ forms for completion.

State Environmental Quality Review Determination on White Tail Lane and Suede Circle Reconstruction Action

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a Part 1 of the Short Environmental Assessment Form, from James Peet, P.E., MRB Group, P.C., the Town’s Engineering Firm, on the above described Reconstruction Action (hereinafter referred to as Action); and
WHEREAS, the Town Director of Planning and Development (hereinafter referred to as Director) has reviewed said Form and accompanying information prepared by James Peet; and

WHEREAS, the Director has also reviewed Section 617.5 of the State Environmental Quality Review (SEQR) Regulations to determine whether said Action is a Type II Action; and

WHEREAS, the Director finds that the Action involves maintenance or repair involving no substantial changes in an existing structure or facility; and

WHEREAS, the Director further finds that the Action involves the rehabilitation or reconstruction of a structure or facility, in kind, on the same site; and

WHEREAS, the Director further finds that the Action involves the repaving of existing highways not involving the addition of new travel lanes.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board concurs with the Director’s findings above herein.

BE IT FURTHER RESOLVED that the Town Board determines that the Action is a Type II Action as defined under the provisions of Section 617.5 (a), (b) and (c) (1), (2) and (4) of article 8 of the State Environmental Conservation Law.

BE IT FURTHER RESOLVED that the Town Board in making this determination has satisfied the procedural requirements of the SEQR Regulations in that Type II Actions have been determined by the SEQR Regulations not to have a significant impact upon the environment and are otherwise precluded from environmental review under the Environmental Conservation Law, article 8.

BE IT FINALLY RESOLVED that this determination shall be placed with the Project File and also filed with the Town Clerk.

All Voting “Aye”, the Resolution was CARRIED.

Resolution #63-2010:

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

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE GENERAL FUND FOR 2009 TO COVER PAYROLL ACCRUALS EXPENDITURES

RESOLVED, the Farmington Town Board authorizes the following budget amendment from the general fund for 2009 for payroll accruals expenditures:

FROM: A599 Appropriated Fund Balance $977.23
TO: A1410.1 Town Clerk- PS ($977.23)

And further be it, RESOLVED, the Town Clerk forward a copy of this resolution to the Finance and Account Specialist.

All Voting “Aye”, the Resolution was CARRIED.

Resolution #64-2010:

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

AUTHORIZATION FOR GRANT APPLICATION TO THE NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS AND COMMITMENT TO 25% LOCAL MATCH FOR THE PREPARATION OF A TOWN OF FARMINGTON AGRICULTURAL AND FARMLAND PROTECTION PLAN

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a draft Application for State Assistance Payments for Municipal Agricultural and Farmland Protection Plan Development, Forms A and B-1, a copy of which is hereby attached to and made part of this resolution (hereinafter referred to as Action), from the Town of Farmington Agriculture Advisory Committee (hereinafter referred to as Ag Committee); and

WHEREAS, the Town Board has held a workshop with the Ag Committee on Tuesday, January 12, 2010 at which the Town Board was made aware of the Grant’s local match commitment, the reimbursement procedure and anticipated date of announcement of award later in 2010; and
WHEREAS, the Town of Farmington is a leader among other municipalities in Ontario County for having created an Ag Committee and enacting Right To Farm Regulations, Chapter 117 of the Farmington Town Code; and

WHEREAS, the Town Board is currently initiating an update to the adopted 2003 edition of “The Town of Farmington Comprehensive Plan” (hereinafter referred to as Plan); and

WHEREAS, the Town Board again will be seeking input from the Ag Committee on the existing Plan’s goals, objectives and policies pertaining to agricultural promotion and farmland protection; and

WHEREAS, the Town Director of Planning and Development (hereinafter referred to as Director) has since reviewed said Forms with James Ochterski, Vice-Chair of the Ag Committee; and

TOWN BOARD MEETING January 26, 2010
ORDER OF BUSINESS (Continued)
WHEREAS, the Forms have been amended to reflect the twenty-five percent (25%) local match of cash and in-kind services required by the Department of Agriculture and Markets (hereinafter referred to as Department of Ag & Markets); and

WHEREAS, the Director has also reviewed Section 617.5 of the State Environmental Quality Review (SEQR) Regulations to determine whether said Action is a Type II Action; and

WHEREAS, the Director finds that the Action involves information collection including basic data collection and research that do not commit the agency to undertake, fund or approve any Type I or Unlisted Action under the SEQR Regulations; and

WHEREAS, the Director further finds that the Action involves the routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment; and

WHEREAS, the Director further finds that the Action involves the conducting of studies and planning and budgetary processes necessary to the formulation of a proposed action, providing those activities do not commit the agency to commence, engage in or approve such action.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board concurs with the Director’s findings above herein.

BE IT FURTHER RESOLVED that the Town Board determines that the Action is a Type II Action as defined under the provisions of Section 617.5 (a), (b) and (c)(18), (20) and (21) of article 8 of the State Environmental Conservation Law.

BE IT FURTHER RESOLVED that the Town Board in making this determination has satisfied the procedural requirements of the SEQR Regulations in that Type II Actions have been determined by the SEQR Regulations not to have a significant impact upon the environment and are otherwise precluded from environmental review under the Environmental Conservation Law, article 8.

BE IT FURTHER RESOLVED that the Town Board authorizes the Town Supervisor to enter into a Contract Agreement with the Department of Ag & Markets involving the total expenditure of $30,625.00 of Town funds upon the receipt of an award from the Department of Ag & Markets with the understanding that $24,500.00 will be reimbursements received from said Department, that $2,000.00 will be cash contribution from a dedicated line item in the Town Operating Budget; and that $4,125.00 will be in-kind contribution of professional services to be provided by the Director.

BE IT FURTHER RESOLVED that a certified copy of this resolution be submitted to the Department of Ag & Markets along with a cover letter from the Town Supervisor and the completed Grant Application Forms; and, copies thereof to be filed with the Town Clerk, the Town Director of Planning and Development, the Town Planning Board, the Town Agricultural Advisory Committee and the Town Conservation Board.

BE IT FINALLY RESOLVED that this resolution shall take effect immediately.

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 January 26, 2010, by the following vote:

<table>
<thead>
<tr>
<th>Aye</th>
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<tbody>
<tr>
<td>Theodore M. Fafinski</td>
<td>X</td>
</tr>
<tr>
<td>Timothy Mickelsen</td>
<td>X</td>
</tr>
<tr>
<td>Michael Casale</td>
<td>X</td>
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<tr>
<td>Peter Ingalsbe</td>
<td>X</td>
</tr>
<tr>
<td>Steven Holtz</td>
<td>X</td>
</tr>
</tbody>
</table>

All Voting “Aye”, the Resolution was CARRIED.
Resolution #65-2010:

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

Letter of Credit Estimate – Estates at Beaver Creek Subdivision, Section 1 in the total amount of $642,799.94

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a request from James R. Gresens, P.E., MRB Group, P.C., Farmington Town Engineers, dated January 18, 2010 to establish a Letter of Credit for required improvements within Section #1 of the Estates at Beaver Creek Subdivision; and

TOWN BOARD MEETING
January 26, 2010
ORDER OF BUSINESS (Continued)

WHEREAS, the Town Engineer’s recommendation is based upon a coordinated review with Jack Heneman, Town Construction Inspector and findings from their review of the detailed quantities and unit prices shown in the January 14, 2010 Engineer’s Estimate completed by D.S.B. Engineers and Architects, P.C.; and

WHEREAS, these quantities and unit prices identified are consistent with the items described in the signed Final Plat Subdivision 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 $642,799.94; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to notify the applicant Ernie Ackerman, Principal, A&D Development, and the applicant’s engineer Walt Baker, D.S.B. Engineers, 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 and the Town Engineer.

BE IT FINALLY RESOLVED that the Letter of Credit must be delivered to the Town not later than twelve noon on the 10th business day following the adoption of this resolution.

All Voting "Aye", the Resolution was CARRIED.

Resolution #66-2010:

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

Supervisor Fafinski stated that they originally authorized the purchase of land off of Collett Road and once they had the purchase offer ready, which was subject to permissive referendum, for the Highway Garage Facility, they were made aware of landlocks, therefore they were forced to look elsewhere.

RESOLUTION REPEALING RESOLUTION NO. 45-2010 AND AUTHORIZING THE OFFERING OF A PURCHASE AND SALE CONTRACT FOR APPROXIMATELY 45 ACRES ON HOOK ROAD

WHEREAS, on January 12, 2010, this Town Board adopted resolution number 45-2010 which authorized making a purchase offer for approximately 50 acres of real property owned by the Herendeen family (the “Owner”) located on Collett Road, in the Town of Farmington, being part of tax map #17.00-2-15.200, which said resolution was subject to a permissive referendum; and

WHEREAS, subsequent to the adoption of resolution number 45-2010, the Town learned that the land it approved making a purchase offer on pursuant to resolution number 45-2010 is bisected by a piece of property owned by Niagara, Lockport and Ontario Power Company, a property interest the Town had previously believed was merely an easement interest; and

WHEREAS, the Town is not interested in acquiring such parcel where the only means of access to the rear portion would be through an easement nor is the Town interested in pursuing negotiations with Niagara, Lockport and Ontario Power Company for such an easement; and

WHEREAS, the Town is now interested in purchasing approximately 45 acres of real property owned by the Owner located on Hook Road, in the Town of Farmington, being part of tax map #17.00-2-15.200 (the “Property”) to use for various public needs including, but not limited to, storage and building construction for the Town Highway Department; and

WHEREAS, the Town has determined that $4,500 per acre is a fair and reasonable price to
NOW THEREFORE, BE IT RESOLVED, that Resolution No. 45-2010 is hereby repealed; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the offering of the Purchase and Sale Contract for the Property, attached hereto and made a part hereof; (the “Purchase Offer”) to Owner with the contingencies attached thereto; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized and directed to execute the Purchase Offer on behalf of the Town of Farmington and the Town Board; and

BE IT FURTHER RESOLVED, that, if the Owners accept the Town’s Purchase Offer and, if all of the contingencies of such purchase and sale contract are fulfilled, the Town Supervisor is authorized to pay to the Owners the agreed purchase price and he hereby is authorized and directed to sign all necessary documents to effectuate such purchase.

This resolution shall be subject to a permissive referendum, as required by law.

All Voting “Aye”, the Resolution was CARRIED.

Resolution #67-2010: Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

PAY AUDITED BILLS

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<tr>
<td>Water District</td>
<td>$ 20,904.38</td>
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</tbody>
</table>

TOTAL $ 382,978.97

All Voting “Aye”, the Resolution was CARRIED.

WAIVER OF THE RULE:

DISCUSSION:
1. LC Land Conservation District Regulations (deferred until next meeting so the Director of Development can attend).

TRAINING UNDER $100.00:

NONE

With no further business, the meeting was adjourned at 7:39 p.m., by a motion from Councilman Mickelsen, seconded by Councilman Casale. CARRIED.

Michelle Finley, Town Clerk:

TOWN BOARD MEETING  
February 9, 2010

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 9th day of February, 2010, at 7:00 p.m. there were:

PRESENT: Theodore Fafinski – Supervisor  
Peter Ingalsbe –Councilman - Necessarily Absent  
Timothy P. Mickelsen – Councilman  
Michael Casale – Councilman  
Steven M. Holtz - Councilman  
Michelle Finley – Town Clerk

Also present were: Ron Brand – Director of Planning & Development, Ed McLaughlin-Highway and Parks Superintendent, Jim Morse –Code Enforcement Officer, Jim Crane-Water & Sewer Superintendent, Dean Lichterman-Victor Herald, Phil Robinson-Farmington Fire Department, Paul Conrad-Farmington Fire Department, Donna LaPlant-Assessor, Dotti Mickelsen, Brandon LaPlant and High School Students.
PUBLIC HEARINGS:  Cold War Veterans Exemption

At 7:00 PM, on this date, a Public Hearing was called to order to hear all persons/citizens, in interest, concerning the Cold War Veterans Exemption. The Town Clerk read the Legal Notice, as published in the Town’s designated newspaper.

Supervisor Fafinski opened the Hearing. Supervisor Fafinski stated that he received a phone call from Ralph Calabrese stating he wanted to attend tonight’s meeting but his wife was sick therefore he is unable too so he replayed his thoughts to him. Supervisor Fafinski stated that Mr. Calabrese wanted to congratulate the Town Board for moving forward on the proposed resolution recognizing the service of the Cold War Veterans.

With no one else wishing to be heard for or against the foregoing subject matter, the Hearing was declared closed at 7:08 PM.

TOWN BOARD MEETING  February 9, 2010

A motion was made by Councilman Casale, seconded by Councilman Holtz, that the minutes of January 12, 2010, January 26, 2010, and Agricultural Advisor Committee workshop on January 12, 2010, given to members for review, be approved as presented. CARRIED.

PRIVILEDGE OF THE FLOOR:  NONE.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Mickelsen reported:

Water & Sewer:
2. Employee cell phone usage and abuse.
3. One Watermain break in the last two weeks,
4. PESA Notice Training.
5. Looking at billing software options.

Highway & Parks:
1. Heating at Mertensia Lodge- Engineer will pay to have a separate heating zone installed in the outside restrooms, CEO will check the code for insulating the outside walls.
2. Renewal of HVAC Contract
3. MS-4 training.
4. Possible Railroad spurs for salt, sand and stone delivery.
5. Farmbrook Park parking lot expansion-plan on being done before Recreation starts this summer.
6. Working on Stonehedge drainage project along with Yellowmills Road piping (about 600 ft).
7. Finger Lakes Racetrack drainage is complete, just need to do cleanup work.

Town Operations Committee: Councilman Casale reported:

Councilman Casale stated that CEO Floyd Kofahl was out sick so he met with CEO Jim Morse and Director of Development and Planning Ron Brand.

1. Need more information on wind towers, moratorium ends June 3, 2010.
2. Proposed Used Car Lot – Rt. 96 & Rt. 332 – Special Use Permit section in Code needs to be address-nothing to follow. Ron Brand will work with Town Attorney.
3. Zoning Map issue généralement MRB Group updated map but this time they thought to have the County update the map but there is a snag in them doing it because they seem not to want to jump on updating for the town. Councilman Casale asked the Board if they just want to have MRB Group do it as in the past or pursue it at the County. Supervisor Fafinski stated to pursue with the County in writing.
4. Land Conservation District.

REPORTS OF TOWN OFFICIALS:

Supervisor: (Presentations)
1. Received Gold Award for Excellence for the Farmington WWTP Phase 1 & 2 Improvements from ACEC NY-April 4, 2009. (award will be hung in entryway at the Town Hall)
2. Donna LaPlant-5 Years of Service Award.
Highway & Parks Superintendent Ed McLaughlin:

1. Attended the Finger Lakes Rail kickoff meeting-$4.00 per ton for delivery, independent haulers charge $5.00 per ton. He is looking into it. Other Counties and municipalities are interested too. Supervisor Fafinski wondered if there was a grant for shared services that could be applied for to create a distribution point for rail delivery of salt, sand, or stone. He suggests surveying the other towns to see their thoughts on this.

Town Clerk Michelle Finley:

1. Update on taxes-$5,071,288.63 collected to date – Total Number of postings is 3,589 of which 2,406 were mailed in and 1,183 were at the counter.

TOWN BOARD MEETING February 9, 2010

2. Credit Card reader and program have been set up and now ready to accept credit cards for everything except water and sewer payments, we will need to get with Jim Crane and Sheree Hooper (Finance and Account Specialist) to discuss how we can accept credit cards for those payments due to them being split between accounts.

Water & Sewer Superintendent James Crane: None.

Code Enforcement Officer James Morse:

1. BAS is coming in 2 weeks to install program which will aid them in being more efficient with reports.
2. Saratoga Crossing is ahead of schedule other than problems with RG&E.
3. Senior Housing on Route 332 is on schedule.
4. Auburn Meadows-working with 3 project managers.
5. Snowmobile event at racetrack went well, no safety issues.
6. Park Place is scheduled to open in 2 weeks.

Director of Planning & Development Ron Brand:

1. Working with Assessor on Land Use Maps.
2. Planning Board cancelled next meeting due to applicant rescheduling.
3. Zoning Board of Appeals is meeting the last Monday of the month.
4. Town Clerk distributed Town Code books with changes in it to the Town Board.

Town Engineers: None.

Farmington Fire Department-Phil Robinson reported:

1. Snowmobile event went well, totally different than last year.

Assessor Donna LaPlant:

1. Cold War Veterans Exemption-10 applications so far. Assessor thanked the Board for considering the Exemption.

COMMUNICATIONS:

2. Invoices from the Supervisor’s Office for engineering services.
3. Letter to the Supervisor from Melissa Doyle at the Ontario County Office of Real Property Tax Services. Re: Vacancy on the Board of Assessment Review.
4. Summary of Work Related Injuries and Illnesses from the Ontario County Safety Coordinator.
7. Press releases seeking applicants to fill vacancies on the Recreation Advisory Board and advertising free movie at the lodge.
8. Letter from Ed McLaughlin to Jim Gresens at the MRB Group. Re: Heating issues at the restrooms at the Lodge at Mertensia Park.
9. Notice of Violation and Order to Comply from the NYS Department of Labor.
11. Letter to the Supervisor from Time Warner Cable. Re: possible changes to cable offerings for area residents.
15. Judge’s dismissal of assessment suit filed by RC McCarthy Holdings LLC against the Town Assessor.
16. Copy of Ontario County Board of Supervisors resolution levying maintenance fees against properties on Hook and Gannett roads.
17. Certificates of Workers Compensation Insurance for PRO Construction Inc. and Victor Roofing and Siding.
18. Letter to the Town Clerk from the state Department of Transportation. Re: Speed limit investigation for Route 332 near County Road 41.

TOWN BOARD MEETING February 9, 2010

REPORTS AND MINUTES:

ORDER OF BUSINESS:
Resolution No. 68-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION SETTING A PUBLIC HEARING FOR THE ESTABLISHMENT OF A LIGHTING DISTRICT IN THE PHILLIPS LANDING SUBDIVISION

WHEREAS, Joseph A. Pullen has prepared a map, plan and report entitled “Proposed Phillips Landing Subdivision” dated January 28, 2005, which the Town Board of the Town of Farmington, New York has determined was prepared in such manner and detail as the Town Board has required relating to the creation of the Phillips Landing Lighting District; and

WHEREAS, such map, plan and report has been duly filed in the office of the Town Clerk of the Town of Farmington, New York, and is available for public inspection thereat; and

WHEREAS, the boundaries of the proposed district are set forth in Exhibit 1, attached hereto and made a part hereof; and

WHEREAS, the improvements proposed consist of the construction and maintenance of street lights and necessary appurtenances to serve said District, in accordance with the aforementioned map, plan and report now on file in the office of the Town Clerk of said Town; and

WHEREAS, the Town will not bear any of the expenses of constructing the improvements within this District as the developer is paying 100% of these expenses.; and

WHEREAS, the cost of constructing any future improvements shall be assessed, levied and collected from the several lots and parcels of land within the district in the same manner and at the same time as other town charges.

NOW, THEREFORE, be it ORDERED, that a public hearing of the Town Board of the Town of Farmington will be held at the Farmington Town Hall, 1000 County Road 8, Farmington, New York, on February 23, 2010, at 7:00 p.m. on said day, to consider creation of said district including the environmental significance thereof and to hear all persons interested in the subject thereof, concerning the same, and for such other and further action on the part of said Town Board, with relation to the premises; and

BE IT FURTHER ORDERED, that this Order Calling for a Public Hearing shall be published and posted as required by law.

All voting "Aye", the Resolution was CARRIED.
Resolution No. 69-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF FARMINGTON OF LOCAL LAW NO. 1 OF 2010 ENTITLED “A LOCAL LAW TO ADOPT CERTAIN BENEFITS UNDER §458-b OF THE REAL PROPERTY TAX LAW AUTHORIZING AN ALTERNATIVE TAX EXEMPTION FOR COLD WAR VETERANS”

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Farmington for a public hearing to be held by said Town Board on February 9, 2010, at 7:00 p.m. at Farmington Town Hall, 1000 County Road 8, Farmington, New York, to hear all interested parties on a proposed Local Law entitled, “A Local Law to Adopt Certain Benefits Under §458-b of the Real Property Tax Law Authorizing an Alternative Tax Exemption for Cold War Veterans”; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Farmington, on January 31, 2010 and other notices required to give by law were properly served, posted or given; and

WHEREAS, said public hearing was duly held on February 9, 2010, at 7:00 p.m. at the Farmington Town Hall, 1000 County Road 8, Farmington, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

WHEREAS, the Town Board of the Town of Farmington, after due deliberation, finds it in the best interest of the Town of Farmington to adopt said Local Law,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Farmington hereby adopts said Local Law No. 1 of 2010, entitled “A Local Law to Adopt Certain Benefits Under §458-b of the Real Property Tax Law Authorizing an Alternative Tax Exemption for Cold War Veterans”, a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Farmington, and to give due notice of the adoption of said local law to the Secretary of State of 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 February 9, 2010 by the following vote:

Aye Nay
Theodore M. Fafinski, Supervisor X
Peter Ingalsbe, Councilman
Timothy Mickelsen, Councilman X
Steven Holtz, Councilman
Michael Casale, Councilman X

Local Law No. 1 of the year 2010

A local law to Adopt Certain Benefits Under§458-b of the Real-Property Tax Law Authorizing an Alternative Tax Exemption for Cold War Veterans

Be it enacted by the Town Board of the Town of Farmington as follows:

Section 1. Pursuant to subsection 2(a) of §458-b of the NYS Real Property Tax Law, the Town of Farmington hereby adopts the qualifying residential real property exemption under subsection 2(a)(i) of §458-b of the NYS Real Property Tax Law, that is, an exemption in the amount of ten percent of the assessed value of such property, provided however, that such exemption, as permitted by subsection 2(c)(iii), shall not exceed $4,000 or the product of $4,000 multiplied by the latest state equalization rate of such property's assessing unit, such exemption to be subject to the definitions, limitations and requirements of §458-b.

Section 2. Pursuant to subsection 2(b) of §458-b of the NYS Real Property Tax Law, the Town of Farmington hereby adopts the qualifying residential real property exemption under subsection 2(b) of §458-b of the NYS Real Property Tax Law, that is, where a Cold War veteran has received a compensation rating from the United States veterans affairs or from the United States department of
defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by fifty percent of the Cold War veteran disability rating; provided, however, that such exemption, as permitted by subsection 2(c)(iii), shall not exceed $20,000 or the product of $20,000 multiplied by the latest state equalization rate of such property's assessing unit, such exemption to be subject to the definitions, limitations and requirements of §458-b.

Section 3. If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been ordered.

Section 4. This local law shall take effect immediately upon filing with the Secretary of State.
RESOLUTION AUTHORIZING THE SUPERVISOR TO APPROVE A HVAC SERVICE AGREEMENT RENEWAL FOR THE TOWN HALL THROUGH JANUARY 31, 2012

WHEREAS, the Town of Farmington Highway and 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 through January 31, 2012, and

WHEREAS, the contract would cost $4,236 annually, with quarterly payments of $1,059 to be made, and

WHEREAS, service labor rates with the company will be billed at $82 an hour (straight time) and $120 an hour overtime (and $150 an hour on holidays and Sundays), now therefore be it

RESOLVED, the Supervisor is authorized to sign the contract, and therefore be it

RESOLVED, that the Town Clerk provide copies of this resolution to the Highway and Parks Superintendent and the Finance and Accounts Specialist.

All voting "Aye", the Resolution was CARRIED.

TOWN BOARD MEETING February 9, 2010
ORDER OF BUSINESS (Continued)

Resolution No. 73-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING THE HIGHWAY/PARKS SUPERINTENDENT TO SEND EMPLOYEE PAUL CRANDALL TO MS-4 TRAINING

WHEREAS, the Town of Farmington Highway and Parks Superintendent, Ed McLaughlin, has requested that he be authorized to send employee Paul Crandall to MS-4 training sessions as part of the Western New York Stormwater Management Training Program, and

WHEREAS, the training will be held on March 17, May 4 and May 5 at the Henrietta Fire Training Center at 60 Eric Station Road Ext. West in Henrietta, and

WHEREAS, the cost will not exceed $230 per session or a total of $690, therefore be it

RESOLVED, the Highway and Parks Superintendent is authorized to send Paul Crandall to the training sessions and therefore be it

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

All voting "Aye", the Resolution was CARRIED.

Resolution No. 74-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

RESOLUTION APPOINTING PETER MASLYN CHAIRMAN OF THE AGRICULTURAL ADVISORY COMMITTEE

WHEREAS, Peter Maslyn is a member of the Town of Farmington Agricultural Advisory Committee and was appointed Chairman of the Committee at the Town Board’s Organizational Meeting in early January and,

WHEREAS, Maslyn was unable to come to the Town Hall within the month-long deadline after his appointment to take the needed Oath of Office for the Town Clerk’s Office, voiding his Chairmanship and,

WHEREAS, Maslyn said he does indeed wish to serve as Chairman in 2010 and will promptly visit the Town Hall to take his oath, now therefore be it

RESOLVED, that the Town Board appoint Maslyn Chairman of the Agricultural Advisory Committee for 2010, and therefore be it

RESOLVED, that the Town Clerk keep a copy of this resolution for her office and forward a copy to Peter Maslyn.
Resolution No. 75-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION HONORING THE LATE ROBERT KLEMAN FOR HIS MANY CONTRIBUTIONS TO THE TOWN OF FARMINGTON

WHEREAS, Robert Kleman served as a member of the Town of Farmington’s Board of Assessment Review for 36 years, was the Deputy Town Supervisor for Lawrence Scott and was a member of the Planning Board since 2005, and,

WHEREAS, Mr. Kleman served Farmington residents as the greater community of Ontario County in his distinguished career as a lieutenant with the Ontario County Sheriff’s Department and,

WHEREAS, it was with great sadness that the Town Board learned of his passing on February 3, 2010, therefore be it

RESOLVED, that the Farmington Town Board now takes a moment of silence to honor and remember Mr. Kleman for his many contributions to the community, his generosity and friendship, and therefore be it

RESOLVED, that the Town Clerk provide copies of this resolution to Mr. Kleman’s wife, Rose, and Ontario County Sheriff Phil Povero.

All voting “Aye”, the Resolution was CARRIED.

Resolution No. 76-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

RESOLUTION TO PAY AUDITED BILLS

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<th>ABSTRACT #3-2010</th>
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<tr>
<td>General</td>
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<td>Highway Fund</td>
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<td>Storm Drainage</td>
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<td><strong>TOTAL</strong></td>
<td><strong>$96,013.01</strong></td>
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All voting “Aye”, the Resolution was CARRIED.

DISCUSSION:
LC Land Conservation District Regulations- Supervisor Fafinski stated that this was moved forward from Town Operations and asked what was the Boards pleasure in looking at the district regulations. He didn’t think they wanted to look at Epods or overlay districts but more into subdivision regulations with the intentions of preserving some of the land. He asked the Board if that is what they want to get involved with, Councilman Casale replied that that was part of it but there are other things such as the number of maps involved. Councilman Casale would like Ron Brand to give the Board input on changing things and possibly have a workshop on this. Ron Brand handed the Board Members a handout where he cut and pasted Section 165-32 of the Town’s Zoning Law regarding LC Land Conservation District onto it and edited it with his comments/suggestions. Mr. Brand stated that what the town has is basically a set of regulations that go back before 1980 and it was done with the intent of protecting the environmentally sensitive areas in the town, but the difficulty with it is the term development is too broad of a definition. He added that the difficulty in the intent language is that the delineated areas are not identified as an overlay, therefore, it is possible that one parcel of land could have two zoning districts. He added that the regulations state a minimum lot size shall be five acres and permitted uses are limited to Agricultural uses and Recreational uses unless a Special Use Permit is obtained. The restrictions state no structures but further down in the regulations its references special uses permits for Single Family detached homes. The Board decided to have Ron Brand draft proposed regulations and the Board will meet before a Town Board Meeting in a workshop at a later date. The Town Board also asks that after completing the LC District Regulations that workshop(s) be held to discuss Conservation Subdivision Regulations.
EXECUTIVE SESSIONS: At 8:07 PM, a motion was made by Councilman Casale, seconded by Councilman Mickelsen, that the Town Board go into Executive Session to discuss the acquisition of land and the employment history of a particular person. The motion was CARRIED.

A motion was made by Councilman Casale, seconded by Councilman Holtz, to return to regular session at 8:28 PM. The motion was CARRIED.

With no further business, the meeting was adjourned at 8:29 PM, by a motion from Councilman Casale, seconded by Councilman Holtz.

Michelle Finley, Town Clerk

TOWN BOARD MEETING FEBRUARY 23, 2010

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 23rd day of February, 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: Jim Crane – Water & Sewer Superintendent, Floyd Kofahl – Code Enforcement Officer, Ed McLaughlin – Highway & Parks Superintendent, Dotti Mickelsen, Daily Messenger Reporter, Dean Litcherman- Victor Herald, and approximately twenty others from Phillips Landing Subdivision.

PUBLIC HEARINGS:

At 7:00 PM, on this date, a Public Hearing was called to order to hear all persons/citizens, in interest, concerning the Phillips Landing Lighting District. The Town Clerk read the Legal Notice, as published in the Town’s designated newspaper.

Supervisor Fafinski opened the Hearing. Phillips Landing resident Sam Zebelman spoke on a positive level on behalf of the residents attending. They feel the lighting district should be approved. Another resident stated that he had heard that Farmington had other communities that were not paying for lighting. Supervisor Fafinski responded that every lighting district is a special district and taxed accordingly and that there is a Townwide Lighting District. A new resident to Phillips Landing asked why the lights were not turned on years ago. Supervisor Fafinski stated that Pooler Enterprises was hired to create documents before anyone bought the property and the Planning Board asked for light poles to be installed by the developer and the lots were selling too fast to keep track of who owned the land in the district and then there was an issue with signatures on the petition. Another concern from the homeowners was that cars were being broken into at night. Supervisor Fafinski suggested using external lighting for now because the district won’t be funded until January 2011 when the budget will begins, the taxes then would be used to fund the lighting.

The Hearing was declared closed at 7:25 PM.

HEARINGS: NEW MICHIGAN ROAD PROPERTY

At 7:25 PM, on this date, a Hearing was called to order concerning the New Michigan Road Property.

Floyd Kofahl, Code Enforcement Officer, updated the Town Board on safety issues concerning this property. He stated that over a year ago he started the process of bringing this property to a safe condition and it has become more of an eminent danger. He stated that the property owner was properly notified of this hearing on condemnation of property. Mr. Kofahl stated that the Town Board had two options to make the condemnation (1) the town employees could do it as long as it was under $25,000, (2) place out to bid. Supervisor Fafinski asked if there was any present for this hearing, hearing none, it was left up to the Town Board to rule on this action. Supervisor Fafinski asked the Town Board members if they were in agreement on approval to condemnation of the property by contracting with contractor for removal. Councilman Mickelsen asked if the cost could be placed on the property owners tax bill. Floyd Kofahl replied that it could be passed to tax. The Town Board directed the Code Enforcement Officer to solicit bids for removal and report back at next meeting.

The Hearing was declared closed at 7:28 PM.
A motion was made by Councilman Mickelsen, seconded by Councilman Casale, (Councilman Ingalsbe abstained due to being absent) that the minutes of the February 9, 2010, meeting, given to members for review, be approved as presented. CARRIED.

PRIVILEGE OF THE FLOOR: NONE.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Ingalsbe reported:

Water & Sewer:
1. Discussed Phillips Landing Lighting District.
4. One watermain break in past two weeks.
5. Billing inquiries for a couple of locations.
7. Water project on Purdy Road-sent request to Engineer for cost estimate to study project.

Highway & Parks:
1. Discussed Procurement Policy changes.
2. Discussed MS4 Webpage.
3. Discussed lodge heating issues-awaiting quotes.

Town Operations Committee: Councilman Holtz reported:
1. They discussed the Land Conservation District-Chapter 165 Section 32 of Town Code-recommendation to abolish the obsolete sections of the code due to being covered under Comprehensive Plan and is not needed as part of the code. The Director of Development and Planning will draft paperwork for Local Law and working on Zoning Map.
2. Discussed Section of Code on Special Use Permits regarding used car dealerships. It was suggested that the Board meet in workshops for direction on this. Floyd and Ron will email issues that need to be addressed to Board Members prior to workshop.
3. Discussed Windmills.
4. Discussed Conservation diversity subdivision regulations.
5. Discussed Auburn Meadows Section 3 project.
6. Discussed update Comprehensive Plan. Councilman Ingalsbe stated that the maps are online and he will hopefully have the text on by March 1st.

REPORTS OF TOWN OFFICIALS:

Supervisor Fafinski:
1. 2009 AUD was filed with the State Comptroller and a copy is available for review at the Town Clerks Office.
2. Interested candidates for Board of Assessment Review and Recreation Advisory Committee-need to set up interviews.

Highway & Parks Superintendent Ed McLaughlin: No report.

Town Clerk Michelle Finley:
1. Preparing to send out seconded notices for taxes.
2. Credit card usage is going good.
3. Officiated first wedding ceremony as Marriage Officer.

Water & Sewer Superintendent Jim Crane:
1. Shut Off notices were sent out-up 25-30% over last year.

Code Enforcement Officer Floyd Kofahl:
1. Discussed Parkplace Restaurant –C of O was issued, set to open soon.
2. Saratoga Crossing is moving along.
3. Received formal application for Crescent Moon Outhouses.

Director of Planning & Development Ronald Brand: No report.

Assessor Donna LaPlant: No Report.

Fire Chief Paul Conrad:
1. Thanked the Town for the use of equipment and their help for accident on Hook Road.
COMMUNICATIONS:

2. Invoices from the Supervisor’s Office for engineering and legal services.
5. Notice of Tentative Special Franchise Full Value for the assessment roll.
7. Letter to the Town Board from RG&E. Re: House numbers in The Estates at Beaver Creek.
8. Letter from the New York State Department of Environmental Conservation to the Supervisor. Re: The Estates at Beaver Creek, approval of sewer.
11. Certificates of Workers Compensation Insurance for Pro Construction Inc. and Daniel R. Kummerow.
13. Notice of cancellation of insurance for Povero Construction Corp.

TOWN BOARD MEETING
FEBRUARY 23, 2010

ORDER OF BUSINESS:

RESOLUTION #77-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF FARMINGTON
ONTARIO COUNTY, NEW YORK,
DETERMINATION OF SIGNIFICANCE
PHILLIPS LANDING LIGHTING DISTRICT

WHEREAS, the Town of Farmington Town Board, hereinafter 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

WHEREAS, the Town Board has considered the potential impacts associated with said action.

NOW, THEREFORE, BE IT RESOLVED THAT the Town Board makes this Determination of Non-Significance based upon: the Joseph A. Pullen map, plan and report entitled “Proposed Phillips Landing Subdivision” dated January 28, 2005; the February 23, 2010, 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 SEQR 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 concern; 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 February 23, 2010 by the following vote:

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<td>Aye</td>
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<tr>
<td>Theodore M. Fafinski</td>
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<tr>
<td>Timothy Mickelsen</td>
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<td>Michael Casale</td>
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<tr>
<td>Peter Ingalsbe</td>
<td>X</td>
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<tr>
<td>Steven Holtz</td>
<td>X</td>
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All voting “Aye”, the Resolution was CARRIED.

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TOWN BOARD MEETING  
FEBRUARY 23, 2010

ORDER OF BUSINESS (Continued)

RESOLUTION #78-2010:  
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF FARMINGTON, ONTARIO COUNTY, NEW YORK
APPROVING CREATION OF THE PHILLIPS LANDING LIGHTING DISTRICT

WHEREAS, a map, plan and report for the Phillips Landing Lighting District (“District”) dated January 28, 2005 has been prepared by Joseph A. Pullen, in a manner and in such detail as has been determined by the Town Board of the Town of Farmington to be acceptable and proper, and has been duly filed with the Town Clerk of said Town, in accordance with the requirements of Article 12A of the Town Law; and

WHEREAS, an Order was duly adopted by this Town Board on February 9, 2010, reciting the filing of said Map, Plan and Report, the improvements proposed, the boundaries of the proposed District, the fact that the Map, Plan and Report 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 February 23, 2010, at 7:00 p.m., at the Town of Farmington Town Hall, 1000 County Road 8, Farmington, New York, as the date, time and place where this Town Board would meet and consider said Map, Plan and Report and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as required or authorized by law; and

WHEREAS, such Order was duly published and posted as required by law; and

WHEREAS, the hearing on said matter was duly held by said Town Board on February 23, 2010 at 7:00 pm, at the Town of Farmington Town Hall, 1000 County Road 8, Farmington, New York, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the creation of said lighting district; 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 upon the environment and could be processed by other applicable governmental agencies without further regard to SEQR.

NOW, THEREFORE, upon the evidence given at said public hearing, be it RESOLVED as follows:

1. The Order Calling Public Hearing was duly published in the Town’s official newspaper on February 12, 2010 and duly posted on the Town’s official sign board on February 12, 2010, all as required by law and is otherwise sufficient;

2. All of the property and property owners within the proposed District are benefited thereby;

3. All of the property and property owners benefited are included within the limits of the proposed District;

4. It is in the public interest to establish said District; ; and be it further

RESOLVED AND DETERMINED:

The proposed expenses for on-going maintenance and capital improvements, as set forth in the Map, Plan and Report referred to herein, be and are hereby approved; and be it further
RESOLVED AND DETERMINED:

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, in accordance with the ad valorem charge basis; and be it further

RESOLVED AND DETERMINED:

That the establishment of the District, as set forth in said Map, Plan and Report, be and hereby is approved and that such District shall be bounded and described as set forth in Exhibit 1 attached hereto and made a part hereof, and that such District shall be designated and known as the Phillips Landing Lighting District in the Town of Farmington; and be it further resolved

RESOLVED AND DETERMINED:

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

TOWN BOARD MEETING FEBRUARY 23, 2010
ORDER OF BUSINESS: (Continued)

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; and be it further

RESOLVED AND DETERMINED:

That this Order is subject to a permissive referendum as provided in Section 209-e of the Town Law; and that the Order creating the Lighting District be published and posted as required by 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 February 23, 2010 by the following vote:

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<th>Aye</th>
<th>Nay</th>
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<tbody>
<tr>
<td>Theodore M. Fafinski</td>
<td>X</td>
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<tr>
<td>Timothy Mickelsen</td>
<td>X</td>
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<tr>
<td>Michael Casale</td>
<td>X</td>
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<tr>
<td>Peter Ingalsbe</td>
<td>X</td>
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<tr>
<td>Steven Holtz</td>
<td>X</td>
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</tbody>
</table>

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #79-2010:

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

RESOLUTION AUTHORIZING BUDGET AMENDMENT FOR THE GENERAL FUND

RESOLVED, the Farmington Town Board authorizes the following budget amendment from the general fund for 2010 for payroll expenses for the Assessor’s Office:

FROM: A1990.4 Contingency $1,000
TO: A1355.1 Assessor ($1,000)

And further be it, RESOLVED, the Town Clerk forward a copy of this resolution to the Finance and Accounting Specialist.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #80-2010:

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

RESOLUTION AUTHORIZING BUDGET AMENDMENT FOR THE HIGHWAY FUND FOR PAYROLL EXPENSES

RESOLVED, the Farmington Town Board authorizes the following budget amendment for the highway fund for 2010 for payroll expenses:
RESOLUTION #81-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION WAIVING TOWN FEES ASSOCIATED WITH THE RELOCATION OF THE 1816 MEETINGHOUSE.

WHEREAS, a dedicated committee of citizens devoted to historic preservation has spent the last several years raising funds and rallying to preserve a barn on County Road 8 that is believed to be the earliest Quaker meetinghouse still standing west of the colonial settlement area in the country, and

WHEREAS, the 1816 meetinghouse is associated with the civil rights movement and has played host to such historically significant figures as abolitionist Frederick Douglass and suffragist Susan B. Anthony spoke, and

WHEREAS, the building was rapidly deteriorating before the committee stepped in, and

WHEREAS, the building has just been stabilized and will eventually be moved from its current site onto property across the road owned by the Farmington Friends, and

WHEREAS, the Farmington Town Board discussed waiving fees associated with the move at its December 8, 2009 meeting, now therefore be it

RESOLVED, that the Farmington Town Board waive any variance fees or fees normally levied by the town Planning Board and Zoning Board of Appeals for the relocation of this historic building and therefore be it

RESOLVED, that a copy of this resolution be forwarded to the Building Department, the chairs of the Planning Board and Zoning Board of Appeals and to the 1816 Meetinghouse Committee.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #82-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING THE PURCHASE OF A COMPUTER FOR THE ASSESSOR’S OFFICE

WHEREAS, Assessor’s Aide Donna Ciardi has been using an outdated computer that has proven problematic for her in conducting her daily duties, and

WHEREAS, Assessor Donna LaPlant sought out estimates for a new computer after consulting with the Town’s Finance and Public Works Committee, and

WHEREAS, Keyser Computer Services provided the Town with an estimate of $1,174.07 for a computer, including the monitor and installation of Microsoft Office, now therefore be it

RESOLVED, the Town Board hereby authorizes Donna LaPlant to purchase the computer from Keyser at the estimated price and therefore be it, RESOLVED, that a copy of this resolution goes to the Finance and Accounting Specialist.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #83-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

RESOLUTION DECLARING TWO TELEPHONES AND OTHER EQUIPMENT FROM THE TOWN CLERK’S OFFICE SURPLUS
WHEREAS, two four-line telephones were purchased in January for the Town Clerk’s Office to replace two telephones that were in poor working condition, and

WHEREAS, the following equipment is also obsolete:
Inv. No. 085 – printer (cabinet)
Inv. No. 100 – Okidata printer
Inv. No. 1213 – HP printer
Inv. No. 232 – Computer stand

Therefore be it, RESOLVED, the Farmington Town Board declares the two telephones that have been replaced, with inventory numbers 11521 and 1011, surplus items for 2010 so that they may be discarded, and therefore be it

RESOLVED, the Farmington Town Board authorizes the Highway Superintendent to dispose of said equipment and further be it

RESOLVED, that a copy of this resolution go to the Town Clerk and the Highway Superintendent.

All voting “Aye”, the Resolution was CARRIED.

TOWN BOARD MEETING FEBRUARY 23, 2010
ORDER OF BUSINESS: (Continued)

RESOLUTION #84-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION TO PAY AUDITED BILLS

<table>
<thead>
<tr>
<th>ABSTRACT #4-2010</th>
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<tbody>
<tr>
<td>General</td>
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<tr>
<td>Highway Fund</td>
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<tr>
<td>Storm Drainage</td>
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<tr>
<td>Payroll</td>
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<tr>
<td>Sewer District</td>
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<tr>
<td>Water District</td>
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<tr>
<td>Lighting District</td>
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<tr>
<td><strong>TOTAL</strong></td>
</tr>
</tbody>
</table>

All voting “Aye”, the Resolution was CARRIED.

DISCUSSION:

1. Interviews for appointments to the Board of Assessment Review and the Recreation Advisory Board.

   Supervisor Fafinski stated that he will have his Secretary set up interviews for next week.

WAIVER OF THE RULE:

RESOLUTION #85-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING THE CREDIT OF PENALTY CHARGES LEVIED SINCE 2007 AGAINST 21 BARCHAN DUNE RISE IN VICTOR

WHEREAS, the sewer bill for the property at 21 Barchan Dune Rise in Victor has since 2007 erroneously been sent to the property’s previous owner in Monroe County, not the current occupant, and,

WHEREAS, this error in billing occurred because the Town of Victor did not notify the Town of Farmington of the property’s change in ownership, and,

WHEREAS, the unpaid bills were added to the property taxes in past years for the current owner, Paul Alfano, and,

WHEREAS, Paul Alfano, has contacted the Farmington Supervisor’s Office to express his concern over the $62.78 in penalty charges since he wasn’t aware he was responsible for the bills, and,

WHEREAS, the Public Works Committee has reviewed the request and has set a standard; which must be met for consideration of any removal. (See attached history & letter),
NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington hereby authorizes the Water and Sewer Superintendent to remove the ten percent (10%) penalties added to his account since September 12, 2007 in the amount of $62.78 for the Victor Sewer account number 30001693 and therefore be it

RESOLVED, that the Town Clerk forward copies of this resolution to the Water and Sewer Superintendent, Victor Town Supervisor Jack Marren as well as Paul Alfano.

Discussion: Councilman Mickelsen stated that the Public Works Committee reviewed this resolution and determined it was no fault of the property owner.

All voting "Aye", the Resolution was CARRIED.

RESOLUTION #86-2010: Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING TRANSFER OF SURPLUS FUNDS FROM FUND BALANCE TO THE HIGHWAY FACILITY RESERVE ACCOUNT

Whereas, The Annual update Document for Fiscal year ending 2009 has been completed and filed with the New York State Comptroller, and

TOWN BOARD MEETING FEBRUARY 23, 2010
ORDER OF BUSINESS: (Continued)

Whereas, There are excess funds available in the fund balance as a result of the close out of the 2009 fiscal year, and

Whereas, The Highway Garage will be in need of future expansion for additional equipment for highway operations with the projected increase in town road mileage that will occur as a result of the various subdivisions that have been approved and are under construction, and that the town engineer has completed a master plan several years ago to facilitate this expansion of highway facilities, Now be it

Resolved: that the Town Board of the Town of Farmington has determined that it would be in the best interest of the town to add surplus funds in the amount of $500,000 to the Highway Facility Reserve and authorizes the Town Supervisor acting in his capacity of Budget Officer to take the necessary action to increase the reserve account with those surplus funds available.

All voting "Aye", the Resolution was CARRIED.

With no further business, the meeting was adjourned, at 8:09 PM, by motion from Councilman Mickelsen, seconded by Councilman Casale. CARRIED.

Michelle A. Finley, Town Clerk:

TOWN BOARD MEETING MARCH 9, 2010

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 9th day of March, 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: Jim Crane – Water & Sewer Superintendent, Floyd Kofahl – Code Enforcement Officer, Daily Messenger Reporter, Dean Litcherman- Victor Herald, Donna LaPlant-Assessor, Brandon LaPlant, Edward Hemminger-ZBA Chairman, Dave Degear-Planning Board Chairman, Ron Brand-Director of Planning & Development, Paul Conrad-Farmington Fire Chief, and a Student with parent.

A motion was made by Councilman Ingalsbe, seconded by Councilman Casale, that the minutes of the February 23, 2010, meeting, given to members for review, be approved as presented. CARRIED.

PRIVILEGE OF THE FLOOR: NONE.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Mickelsen reported:
Water & Sewer:
1. Discussed employee out with heart attack.
2. Discussed wholesale water rates-resolution on for tonight.
3. 825 fire hydrants checked and updated to standards.
4. Continuing I&I program-reducing infiltration into sewer systems.
5. No water breaks to report.
6. Hydrant replaced on Sheldon Road due to car accident.
7. Victor High School Students to tour WWTP.

Highway & Parks:
1. Discussed redesign at Lodge for outside restrooms – creating separate heating zone.
2. Discussed Troop 50 request to have sleepover at Lodge.
3. Salt use down about 1000 tons-have to use a minimum of 4900 tons-they are looking at storage options.
4. Discussed injured employee.
5. Discussed getting quotes on Stonehedge Drainage Facility.
6. MS4 Meeting held yesterday-looking for new director/consultant.
7. Renewal of Maintenance Agreement on copier.

Town Operations Committee: Councilman Holtz reported:
1. Ron Brand to meet with Agricultural Advisory Committee to correct grant application and resubmit.

REPORTS OF TOWN OFFICIALS: (Continued)

1. Discussed Office Zoning Map updates-Director of Development and Planning to give presentation.
2. Discussed demolition of New Michigan Road Project.

REPORTS OF TOWN OFFICIALS:

Supervisor Fafinski:
1. Discussed Engineering Invoices his Secretary and Code Enforcement Officer worked on.
2. Census in mail.
3. Recreation Survey on Website.

Highway & Parks Superintendent Ed McLaughlin: Excused from meeting due to training.

Town Clerk Michelle Finley:
1. Discussed Record Management projects.
2. Credit card usage is growing.
3. Organizing the office.

Water & Sewer Superintendent Jim Crane: None.

Code Enforcement Officer Floyd Kofahl:
1. Parkplace Restaurant is open.

Planning Board Chairman Dave Degear: None.

Zoning Board of Appeals Chairman Ed Hemminger:
1. Signage for Urgent Care Facility.

Director of Planning & Development Ronald Brand:
1. Zoning Map Update.

Assessor Donna LaPlant:
1. Working on Roll.
2. Certiorari Assistance.
3. Census address error.

Fire Chief Paul Conrad: None.

COMMUNICATIONS:
1. Letter from Town Attorney Jeff Graff to Town Clerk Michelle Finley. Re: Local Law No. 1 for 2010.
2. Notice of free environmental compliance training in New Jersey and Syracuse.
3. Letter to the Supervisor from Bill Castiglione of Ontario ARC. Re: Castiglione’s retirement as executive director.
5. Notice of Claim against the town filed by Leo and Joyce Mendola.
6. Letter from the Supervisor to the Secretary of State supporting the Victor Central School District’s application for a grant to study a regional high school.
8. Copy of an e-mail from Paul Alfano to the Supervisor and Water & Sewer Superintendent. Re: Thanks for the help with his billing issue.
11. Letter to the Town Board from the State Health Department. Re: Canandaigua-Farmington Water District/Estates at Beaver Creek.
12. Notice of claim filed with Selective Insurance for alleged water damage.
13. Notices from the Supervisor’s Office to two developers that no further action will be taken on projects until their past due balances are paid.
16. Certificates of Workers Comp. insurance for Pro Construction Inc. and Richard Van Kouwenberg.
17. Letter from Judith Wellman, chair of the 1816 Farmington Quaker Meetinghouse Committee, to the Supervisor. Re: waiver of fees.
18. Letter to Court Clerk Claudia Seehoffer from Thomas VanStrydonck, Seventh Judicial District judge. Re: grant.

TOWN BOARD MEETING MARCH 9, 2010

19. Letter to the town from the New York State Comptroller’s Office. Re: reporting elected officials’ hours.
20. Letter from James Peet, senior engineer at the MRB Group, to Dave Secor, president of Gudabri Inc. Re: Heating at the Lodge at Mertensia Park.
21. Letters to the Senate and Assembly Transportation committees from Highway/Parks Superintendent Ed McLaughlin. Re: CHIPS funding.

REPORTS & MINUTES:


ORDER OF BUSINESS:

RESOLUTION #87-2010: Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

Canandaigua-Farmington Consolidated Water District Wholesale Water Rates – 2010 - Revised

WHEREAS, on January 4, 2010, at the Town of Farmington’s Organizational Meeting, the Farmington Town Board adopted Water Rates for the Canandaigua-Farmington Water Districts and extensions thereof, and

WHEREAS, the City of Canandaigua had projected the wholesale rate for 2010 will increase by approximately 7.6% over the 2009 rate.

WHEREAS, the City of Canandaigua has revised their Wholesale Water Rate for water purchased in a letter dated February 17, 2010, from a projected rate of $1.97 per thousand gallons to $1.95 per thousand gallons, and

WHEREAS, pursuant to Inter Municipal Water Sales agreements between Canandaigua-Farmington Water District and other Towns the District supplies water must also be revised (see attached schedule).

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Farmington acting on behalf of the Canandaigua-Farmington Water District hereby revise the Wholesale Rate and establishes the updated Water Rates per the attached Rate Schedule for 2010 effective the first billing quarter of 2010.

BE IT FURTHER RESOLVED, that all Rates shall be in effect for 2010-2011 subject to any rate increase from the City of Canandaigua and shall be on file with the Town Clerk’s office.
TOWN BOARD MEETING                                      MARCH 9, 2010
ORDER OF BUSINESS: (CONTINUED)

<table>
<thead>
<tr>
<th>Meter Size</th>
<th>Gallons of Consumption</th>
<th>Minimum Bill $3.40</th>
<th>Additional @ $3.95</th>
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<tbody>
<tr>
<td>3/4&quot; - 1&quot;</td>
<td>0 To 6,000 Gallons</td>
<td>$20.40</td>
<td>&quot;</td>
</tr>
<tr>
<td>1&quot;</td>
<td>0 To 10,000 Gallons</td>
<td>$34.00</td>
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</tr>
<tr>
<td>1-1/2&quot;</td>
<td>0 To 16,000 Gallons</td>
<td>$54.40</td>
<td>&quot;</td>
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<td>2&quot;</td>
<td>0 To 30,000 Gallons</td>
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<td>3&quot;</td>
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<td>4&quot;</td>
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<tr>
<td>6&quot;</td>
<td>0 To 160,000 Gallons</td>
<td>$544.00</td>
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<tr>
<td>8&quot; to 12&quot;</td>
<td>0 To 200,000 Gallons</td>
<td>$680.00</td>
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</tr>
</tbody>
</table>

** Town/Village of Manchester = First 40,000,000 gallons at $2.15 per 1,000 and additional @ $2.07 per 1,000.

** Town of Macedon Rate is $2.15 per 1,000 gallons.
** Town of Victor Rate is $2.15 per 1,000 gallons.

FARMINGTON SEWER RATE IS $70.00 PER UNIT.  (ADOPTED 01/27/2009)
FARMINGTON SEWER RATE IS $65.00 PER UNIT.  (ADOPTED 01/02/2008)
FARMINGTON SEWER RATE IS $58.00 PER UNIT.  (ADOPTED 07/27/2004)
VICTOR SEWER RATE IS $70.00 PER UNIT.  (ADOPTED 01/27/2009)
VICTOR SEWER RATE IS $65.00 PER UNIT.  (ADOPTED 01/02/2008)
NUMBER OF UNITS DETERMINED BY TOWN CODE 26-2 SECTION A THROUGH CC.

* Cline Road Residents Using Town of Victor Water Are Billed Town of Victor Rates
** Denotes Rate Change

Adopted: 01/06/2004
Revised 07/27/2004 (Sewer Rate/Unit Increased From $48.00/Unit to $58.00/Unit)
Adopted: 01/04/2005
Adopted: 03/22/2005 (City of Canandaigua's Whole Sale Rate Increased $.01 Than Reported)
Adopted: 01/03/2006
City Canandaigua Rate Wholesale Increase $.03 Letter Feb 14, 2006
City Canandaigua Rate Wholesale Increase $.08 Letter Sept 25, 2006
Adopted: 01/02/2008 Water Rates Minimum Bill From $17.70 to $18.60
Adopted: 01/02/2008 Farmington Sewer Rate/Unit Increased From $58.00/Unit to $65.00/Unit (Local Law # 7 of 2007)

TOWN BOARD MEETING

MARCH 9, 2010

ORDER OF BUSINESS:  (CONTINUED)

Adopted: 01/02/2008 Victor Sewer Rate/Unit Increased From $60.00/Unit to $65.00/Unit
Adopted: 01/06/2009 Water Rates Minimum Bill From $18.60 to $19.50
Adopted: 01/27/2009 Farmington Sewer Rate/Unit Increased From $65.00/Unit to $70.00/Unit (Local Law # 7 of 2007)
Adopted: 01/27/2009 Victor Sewer Rate/Unit Increased From $65.00/Unit to $70.00/Unit
City Canandaigua Rate Wholesale Decrease $.07 Letter February 13, 2009
Adopted: 01/05/2010 Water Rates Minimum Bill From $19.50 to $20.40 City of Canandaigua Wholesale Rate Increased by
City Canandaigua Rate Wholesale Decrease $.02 Letter February 17, 2010

All voting "Aye", the Resolution was CARRIED.

RESOLUTION #88-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION APPOINTING HANS FINKE TO THE BOARD OF ASSESSMENT REVIEW

WHEREAS, the Farmington Town Board on Monday, March 1 and Tuesday March 2 interviewed candidates to fill a 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 Dr. Hans Finke of 6006 Calm Lake Drive, Farmington, impressed the Town Board with his eagerness to be part of the board and breadth of experience as the head of Ontario County’s Records Management Office and participation on various organizations, now be it

RESOLVED, that the Town Board appoints Dr. Finke to the Board of Assessment Review and therefore
be it

RESOLVED, that the Town Clerk forward a copy of this resolution to Assessor Donna LaPlant and Dr. Finke.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #89-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION APPOINTING BRIAN C. MECK, JOHN PALMERINI, KATHLEEN S. SCHREINER AND GEOFFREY GERBASI TO THE RECREATION ADVISORY BOARD

WHEREAS, The Farmington Town Board created a Recreation Advisory Board to assist Recreation Director Mark Cain in creating and implementing programs for community residents and

WHEREAS, after advertising for seven openings on the board on the town’s Web site and in various news publications, the town received several applications from interested local residents, and
WHEREA, the Town Board on March 1 and 2 interviewed applicants Brian C. Meck of 586 Sheldon Road, Palmyra; John M. Palmerini of 267 Stonefield Lane, Farmington; Kathleen S. Schreiner of 214 Bowerman Road, Farmington; and Geoffrey V. Gerbasi of 5535 Kris Crossing, Farmington, and

WHEREAS, the board was impressed with their willingness to take a hands-on role in guiding the town’s recreational offerings, now therefore be it

RESOLVED, that the Town Board appoints them to the Recreation Advisory Board as follows: Meck and Palmerini to four year terms and Schreiner and Gerbasi to three year terms, and therefore be it

RESOLVED, that the Town Clerk forward copies of this resolution to Mark Cain, Highway and Parks Superintendent Ed McLaughlin and each of the appointees.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #90-2010:

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

Authorization for the Town Code Enforcement Officer to immediately cause the demolition of a previously designated abandoned and unsafe building located on the subject Property at 1637 New Michigan Road, the removal of all building materials from the subject Property and the reclamation of the disturbed areas on the subject Property in accordance with the provisions of Chapter 65 of the Farmington Town Code,

TOWN BOARD MEETING

MARCH 9, 2010

ORDER OF BUSINESS: (CONTINUED)

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a memorandum from Floyd D. Kofahl, Code Enforcement Officer (hereinafter referred to as CEO), dated March 5, 2010 which requests the Town Board accept his determination that the unsafe building located on the above described subject Property creates a clear and imminent danger to the life, safety or health of this community if allowed to continue in its present condition; and

WHEREAS, the CEO in his memorandum has determined that making repairs to the unsafe building or securing said building within the next two months will not eliminate the clear and imminent danger to the life, safety or health of the community; and

WHEREAS, the subject Property is further identified as Tax Map #41.00-1-30.300, located along the east side of New Michigan Road, north of Lillybrook Court, a dedicated subdivision street in Section 3 South, Auburn Meadows Subdivision; and

WHEREAS, the subject Property owner, Gary Kunes, now residing at 8027 Windjammer Drive, Tega Cay, South Carolina, 29708, was served, on the 8th day of February, 2010, a notice of the Town Board hearing, to be held on Tuesday, February 23, 2010 for the purpose to determine whether to designate the abandoned building located on the subject Property as being unsafe, dangerous to the health and safety of the public and to be demolished in accordance with the provisions in Chapter 65 of the Farmington Town Code; and

WHEREAS, the subject Property owner failed to personally attend, have representation at, or provide written information to be entered into the hearing record held on February 23, 2010; and

WHEREAS, the Town Board did make a determination, at said hearing, that the building is considered to be unsafe and dangerous to the health and safety of the public and in need of being demolished; and

WHEREAS, the CEO did post the Notice to Demolish upon the unsafe building located on the subject Property, on February 12, 2010 in accordance with the provisions of Chapter 65, Section 7 of the Farmington Town Code; and

WHEREAS, the initial 30 day period of the demolition procedure will end on Wednesday, March 10, 2010 with no communication or information having been received by the Town from the property owner or his agent which would indicate his intention to demolish the structure; and

WHEREAS, the CEO has learned from the Town Attorney that commencing on March 10, 2010 the subject Property owner is allowed an additional 60 days from that date to have the building demolished; and

WHEREAS, the CEO has informed the Town Board that said 60 day period will end on Monday, May 10, 2010; and

WHEREAS, the CEO has informed the Town Board that the effect of the freeze/thaw cycles upon the foundation walls of the structure will only continue to deteriorate the safety of the foundation walls before the May 10th deadline; and
WHEREAS, the CEO has informed the Town Board that the abandoned unsafe building has become a haven for rodents which constitutes an unsafe health condition that will only continue to worsen without corrective action being taken; and

WHEREAS, the CEO’s March 5th memorandum identifies there is now a new single family dwelling unit under construction within the adjacent Section 3 South of the Auburn Meadows Subdivision which will be issued a Certificate of Occupancy on the date of the CEO’s memorandum; and

WHEREAS, the CEO further identifies that there are additional dwelling units under construction that will also be seeking Certificates of Occupancy before the May 10, 2010 deadline; and

WHEREAS, the CEO further determines that there will be additional children moving into the new dwelling units within Section 3 of Auburn Meadows Subdivision that will be in close proximity to the unsafe building located on the subject Property, which will increase the public exposure to the unsafe building thereby presenting a heightened clear and imminent danger to the life, safety or health of the new residents unless the unsafe building is immediately demolished; and

WHEREAS, the CEO further informs the Town Board that there will be an unknown period of time after May 10th for the Town to request and review proposals for and to award an Agreement for the demolition of the unsafe building, the removal of building materials from the site and the restoration of the disturbed area on the site; and

TOWN BOARD MEETING
MARCH 9, 2010
ORDER OF BUSINESS: (Continued)

WHEREAS, the CEO estimates that it could be at least another 15 days from May 10, 2010 for the work to commence with as much as an additional thirty (30) to forty-five (45) days for the work to be completed on the demolition of the building, removal of the building materials from the site and site restoration to occur; and

NOW, THEREFORE BE IT RESOLVED that the Town Board finds that based upon its review of the record on this action that it is unlikely that the subject Property owner is going to take any immediate action to secure or make repairs to the subject unsafe building within the next few days; and

BE IT FURTHER RESOLVED that the Town Board finds that the building located on the subject Property has been abandoned for several months without regard to making needed repairs or to temporarily securing the structure; and

BE IT FURTHER RESOLVED that the Town Board finds the structure serves as an attractive nuisance for children who may be injured therein, as well as serve as a place of rodent infestation, thereby creating a health menace to the community; and

BE IT FURTHER RESOLVED that the Town Board finds that there is a clear and imminent danger to the life, safety or health of any person or property unless said unsafe building is immediately demolished; and

BE IT FURTHER RESOLVED that it is the expressed purpose of Chapter 65 of the Town Code to provide for the safety, health, protection and general welfare of persons and property in the Town of Farmington by requiring that such unsafe buildings be repaired, demolished or removed; and

BE IT FURTHER RESOLVED that the CEO is hereby directed to immediately cause, within the next ten (10) business days, commencement of the demolition process of the subject unsafe building located on the subject Property in accordance with the provisions of Chapter 65, Section 11, of the Farmington Town Code unless the subject Property owner provides written documentation to the CEO, on or before the tenth business day, his intentions to comply with Chapter 65 of the Farmington Town Code; and

BE IT FURTHER RESOLVED that the CEO shall provide, within five (5) business days of the date of this resolution, written notice of this decision to the subject Property owner described above herein by certified mailing and return receipt.

BE IT FINALLY RESOLVED that all expenses incurred by the Town in connection with this action, including the cost of actually demolishing and removing said building, shall be assessed against the land on which such building is located and shall be levied and collected in the same manner as provided in Article 15 of New York State Town Law for levy and collection of a special ad valorem levy.

Discussion: Supervisor Fafinski read memo from Code Enforcement Officer regarding the immediate demolition of the abandoned building at 1637 New Michigan Road. Councilman Mickelsen asked the Code Enforcement Officer is they have heard anything from the property
owner. He replied there has been no communication. Director of Planning & Development visited the site and found that there were no activities.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #91-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN AN ANNUAL MAINTENANCE AGREEMENT FOR THE CANNON COPIER IN THE HIGHWAY/PARKS DEPARTMENT

WHEREAS, the annual maintenance agreement with United Business Systems of Buffalo for service to the Cannon copier in the town Highway/Parks Department is up for renewal, and

WHEREAS, the contract would last through March 4, 2011 and cost the town $340, now therefore be it

RESOLVED, that the Town Board authorize the Town Supervisor to sign the annual agreement with United Business Systems and therefore be it

RESOLVED, that the Town Clerk forward copies of this resolution to the Parks and Highway Superintendent.

All voting “Aye”, the Resolution was CARRIED.

TOWN BOARD MEETING
MARCH 9, 2010
ORDER OF BUSINESS: (Continued)

RESOLUTION #92-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN THE ANNUAL GENERATOR MAINTENANCE RENEWAL AGREEMENT FOR THE HIGHWAY DEPARTMENT

WHEREAS, the Highway Department has received a form to renew its agreement with New York State SitePower Corp for its generator in the Lodge at Mertensia Park, and

WHEREAS, the cost would be the same as the current contract, at $807 for three years, if renewed by April 1, 2010, now therefore be it

RESOLVED, the Town Board authorizes the Supervisor to sign the agreement with New York State SitePower Corp. and therefore be it

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

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #93-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING JACK HENEHAN TO ATTEND MS-4 TRAINING SESSIONS IN HENRIETTA

WHEREAS, the Parks/Highway and Water & Sewer Superintendents would like to send Construction Inspector Jack Henehan to MS-4 training sessions as part of the Western New York Stormwater Management Training Program on May 4 and 5, 2010 at the Henrietta Fire Training Center, and

WHEREAS, the training cost will not exceed $230 per sessions, or a total of $460, now therefore be it

RESOLVED, the Town Board authorizes Mr. Henehan to attend the two sessions and therefore be it

RESOLVED, the Town Clerk forward a copy of this resolution to the Parks/Highway Superintendent and the Water & Sewer Superintendent.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #94-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING TOWN CLERK MICHELLE FINLEY TO ATTEND NYSTCA 2010 CONFERENCE IN SARATOGA SPRINGS
WHEREAS, the New York State Town Clerks Association will hold its 2010 conference April 25 to 28 in Saratoga Springs,

WHEREAS, Town Clerk Michelle Finley wishes to attend the conference for the training that it offers, and

WHEREAS, the registration fee is $75 and food and lodging, arranged by the conference organizers, cost $699.69 for the three-day conference, now therefore be it

RESOLVED, the Town Board authorizes the Town Clerk to attend the conference and authorizes the payment of the registration and food and lodging fees as well as other associated costs and therefore be it

RESOLVED, that the Town Clerk keep a copy of this resolution and provide another to the Finance and Accounts Specialist.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #95-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

RESOLUTION CREDITING JAMES GRAY WITH A $75 FEE FOR A SITE PLAN APPLICATION THAT HAS BEEN WITHDRAWN

WHEREAS, on January 4, 2010, James Gray of 4846 Route 96 submitted a Site Plan Application with the Town of Farmington Building Department for an airstrip on his property and

WHEREAS, Mr. Gray has since withdrawn his application and has requested a refund of the $75 application fee he paid the town, and

TOWN BOARD MEETING MARCH 9, 2010 ORDER OF BUSINESS: (Continued)

WHEREAS, Mr. Gray, as of March 5, 2010, still owes the Town of Farmington $180 for engineering fees, now therefore be it

RESOLVED, the Town Board authorizes the Supervisor’s Secretary to credit Mr. Gray’s outstanding balance with the $75 application fee, leaving a balance of $105 due to the town from Mr. Gray and be it

RESOLVED, the Town Clerk forward copies of this resolution to Mr. Gray of 4784 Route 96, Shortsville as well as the Building Department and the Supervisor’s Office.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #96-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION TO PAY AUDITED BILLS

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<td>Builder Guarantee</td>
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</tr>
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<td>TOTAL</td>
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</table>

All voting “Aye”, the Resolution was CARRIED.

TRAINING UNDER $100.00:
1. Ed McLaughlin and Paul Crandall to attend the Western New York Stormwater Conference and Tradeshow, March 25, 2010, in Buffalo, NY, at a cost of $75.00 each.

DISCUSSION: None.

WAIVER OF THE RULE: None

A motion was made by Councilman Mickelsen, seconded by Councilman Ingalsbe to enter in executive session to discuss the proposed acquisition, sale, or lease of real property at 7:34 PM. Motion carried.

A motion was made by Councilman Casale, seconded by Councilman Holtz to close the executive session at 7:49PM. Motion carried.
A motion was made by Councilman Holtz, seconded by Councilman Casale to adjourn the meeting at 7:50 PM. Motion Carried.

Michelle A. Finley, Town Clerk:

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**TOWN BOARD MEETING**  
**MARCH 23, 2010**

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 23\textsuperscript{rd} day of March, 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:  

A motion was made by Councilman Casale, seconded by Councilman Holtz, that the minutes of the March 9, 2010, meeting, given to members for review, be approved as presented. **CARRIED.**

---

**PRIVILEGE OF THE FLOOR:**  
**NONE.**

**REPORTS OF STANDING COMMITTEES:**

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

1. Discussed upcoming resolutions for tonight (Budget Amendments, contract with Energy Conservation Services).
2. Discussed Billing Software.
3. 45 VCS students to tour WWTP on April 8, 2010.
4. Discussed water project in Canandaigua-Farmington Water District on Purdy Road. Proposals were mailed out and hopefully have a startup date for early June to replace the waterlines.
5. Discussed pending lawsuit-US Homes.

**Highway & Parks:**

1. Discussed upcoming resolution for tonight (Park summer help, Spring Cleanup dates, and concrete work under the Stormwater Management program).
2. Discussed Highway Superintendent training that he attended in Albany-fighting for Highway CHIPS money which is about $140,000 for the Highway program in Farmington.
3. Discussed minor repairs to Town Hall Building.
4. Discussed catch basin work that still needs to be done, Yellow Mills Road piping, and Farmbrook Park work that needs to done

**Town Operations Committee:**  
Councilman Casale reported:

1. Agricultural Advisory Committees grant application was sent to Albany with corrections.
3. Discussed new Zoning Map being sent to Lu Engineers.
4. Discussed setting workshop on On-Site Wind Legislation –April 13, 2010, at 6:00p.m.
5. Discussed archeological study on the Highway Campus site- Ron Brand will check to see if this is needed.

**REPORTS OF TOWN OFFICIALS:**

**Supervisor Fafinski:**

1. Reminded everyone about the Easter Egg Hunt – March 27, 2010, over 4,000 eggs.
2. Recreation programs are moving forward within the Town .
3. Discussed various vacancies on some of the boards, commissions, and committees.

**Highway& Parks Superintendent Ed McLaughlin:**

1. Discussed the Mertensia Lodge being zoned and appears to be working properly.
2. Discussed MS4 Coalition Meeting

**Town Clerk Michelle Finley:**
1. Reminded Town Board Members that the Order Establishing the Phillips Landing Lighting District needs to be signed on Friday.
2. Preformed second marriage ceremony last Friday.
3. Easter Coloring contest.
4. Discussed the use of credit/debit cards for water and sewer payments.

**Water & Sewer Superintendent Jim Crane:**
1. Stated that the Water & Sewer bills were out.
2. Discussed I & I Investigation.
3. Discussed Permit process for mail.

**Code Enforcement Officer Floyd Kofahl:**
1. Discussed State projects that are still underway.
2. Majority of permits are for finished basements.
3. Discussed gearing up for permits for swimming pools this Spring. He will get together with Councilman Ingalsbe to place information regarding pools on website. Supervisor Fafinski asked if there were any new requirements for pools. Mr. Kofahl responded that the single drain lines have to have a screen on them and he added that the new state codes will not be in effect until next year.
4. Discussed legislation that would require all detention ponds to have fencing around them including municipal property, the State has no exclusions. Supervisor Fafinski stated that they should express their concerns to Senator Nozzolio and Assemblyman Errigo to draw their attention to those mandates before they are enacted.

**Director of Planning & Development Ronald Brand:**
1. Discussed the setting of public hearings for two local laws on agenda for tonight – LC Land Conservation Regulations and adoption of Official Zoning Map. He added that the drafts will be posted on the town’s website so residents can review them from the homes.

**Assessor Donna LaPlant: (Supervisor reported)**
1. Working on commercial assessments.

**Fire Chief Paul Conrad:**
None.

**COMMUNICATIONS:**
1. Letter from the Supervisor to Brian Lawlor at the NYS Housing Trust Fund. Re: Support for grant application.
2. Letter to the Supervisor from Art Elliott of the Victor Lions Club. Re: Thanks for recent remarks.
3. Letter from Robert Plant, Supervisor, Town of Walworth, to the Ontario County Soil & Water District. Re: Request that rep. attend joint meeting March 18.
5. Note from the Highway Superintendent to the Town Board. Re: 10-hour days.
6. Memo from the Ontario County Board of Elections to the Town Board. Re: Possible special election to fill Massa’s vacancy.
7. Letter from the Supervisor to James Gray. Re: Account credit for withdrawn site plan application.
8. Letter from Brian Lawlor, NYS Division of Housing and Community Renewal, to the Supervisor. Re: Support of housing assistance.
9. 2010 Legislative Program for the Association of Towns.
10. Letter from the Supervisor to the Director of the U.S. Census Bureau. Re: Concern over Census form addresses.
12. Copy of Rochester Gas & Electric invoice for damage/insurance claim.
13. Note from Highway Superintendent to the Town Board. Re: Mertensia Lodge and the summer recreation program.
18. Letter from the Supervisor to Lucy Roberson, director of the Division of Fiscal Management for the NYS Dept. of Agriculture. Re: Grant application.


REPORTS & MINUTES: NONE

ORDER OF BUSINESS:

RESOLUTION #97-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Mickelsen:

Resolution Accepting Draft Local Law to amend Chapter 165, Section 32 of the Town Code, entitled “LC Land Conservation District,” by repealing said Section in its entirety; directing a referral to the Ontario County Planning Board under the provisions of Section 239-l & -m of the New York State General Municipal Law; sending a referral to the Town of Farmington Planning Board as provided for under the provisions of Chapter 165 of the Town Code; establishing a date for a public hearing to be held upon said local law; and directing the Town Clerk to publish and post a legal notice thereon.

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has received a final draft local law, dated March 17, 2010 to amend Section 32 of Chapter 165 of the Town Code; and

WHEREAS, said local law has been reviewed and discussed by the Town Board at a previous public workshop session held on February 9, 2010 and again at tonight’s public meeting; and

WHEREAS, the Town’s formal adoption process for such a local law requires the preparation of a referral to the Ontario County Planning Board, to the Town Planning Board, the setting of a public hearing date and the publishing and posting of a public hearing notice.

TOWN BOARD MEETING

ORDER OF BUSINESS: (Continued)

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Town Director of Planning and Development is to submit the Ontario County Planning Referral Form and accompanying information on the need to enact this local law for presentation to the Ontario County Planning Board at their meeting on April 14, 2010.

BE IT FURTHER RESOLVED that the Director of Planning and Development is to submit a copy of the final draft of said local law to the Farmington Planning Board for its review and recommendation, in accordance with the provisions of Chapter 165 of the Town Code, at either their April 7 or April 21, 2010 meeting and to provide a resolution of their findings to the Town Board, on or before noon on Friday, April 23, 2010.

BE IT FURTHER RESOLVED that the Town Board does hereby establish a public hearing to be held on said local law for Tuesday, April 27, 2010 commencing at 7:00 p.m., Eastern Daylight Savings Time, in the main meeting room in the Farmington Town Hall; and

BE IT FINALLY RESOLVED that the Town Board does hereby direct the Town Clerk to place a notice for said public hearing in the Town’s official newspaper and to post a copy of said notice on the Official Bulletin Board in the Town Hall.

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 March 23, 2010 by the following vote:

Aye Nay
Theodore M. Fafinski, Supervisor X
Peter Ingalsbe, Councilman X
Timothy Mickelsen, Councilman X
Steven Holtz, Councilman X
Michael Casale, Councilman X

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #98-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

Resolution accepting sellers Counter Offer on Property located on Hook Road in the town of Farmington NY

Whereas, the Town of Farmington has been negotiating the purchase of approximately 45 acres of land fronting on Hook Road located in the town of Farmington NY part of tax ID 17.00 2-15-200;

Now be it resolved: that the Town Board of the Town of Farmington NY accepts the counter purchase offer last dated and executed on March 16, 2010. Certified copies of this resolution shall be furnished to Mark
Palazzo The Rich Group, 2349 Monroe Ave, Suite 318 Rochester, NY and Jeffrey Graff, Riley and Graff
Attorney’s to the Town of Farmington.

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 March 23, 2010 by the
following vote:

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<thead>
<tr>
<th></th>
<th>Aye</th>
<th>Nay</th>
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<tbody>
<tr>
<td>Theodore M. Fafinski, Supervisor</td>
<td>X</td>
<td></td>
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<td>Peter Ingalsbe, Councilman</td>
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<td>Timothy Mickelsen, Councilman</td>
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<td>Steven Holtz, Councilman</td>
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<td></td>
</tr>
<tr>
<td>Michael Casale, Councilman</td>
<td>X</td>
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All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #99-2010:

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

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN AN INTERMUNICIPAL
COOPERATION AGREEMENT BETWEEN THE COUNTY OF ONTARIO, THE VICTOR CENTRAL SCHOOL DISTRICT AND THE TOWN OF FARMINGTON

WHEREAS, the Ontario County Board of Supervisors, pursuant to Resolution No. 285-2007, established a
policy and program for the County to share in the costs of defending legal challenges to real property tax
assessments; and

WHEREAS, the Ontario County Board of Supervisors, pursuant to Resolution No. 151-2010 authorized
the County to share in the cost of defending two certiorari proceedings in the Town of Farmington which
are I Gordon Corporation (Filing Index #103257) against the Town of Farmington and Finger Lakes Racing & Cdg. Enterprises Corp. (Filing Index #103279) against the Town of Farmington at a cost not to exceed
25% of defense costs including professional appraisal and legal fees; and

WHEREAS, the Town of Farmington requested that the School District also share in the cost of defending
the certiorari cases and pay 25% of defense costs, including professional appraisal and legal fees

RESOLVED, the Farmington Town Board authorizes the Supervisor to sign the intermunicipal
cooperation agreement and the Town Clerk forward three originals to Dawn Santiago-Marullo,
Superintendent of Victor Central School District and a copy of the signed original to the Assessor.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #100-2010:

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

FARMINGTON TOWN BOARD RESOLUTION ACCEPTING A MAINTENANCE BOND
ESTIMATE – COVERING A PORTION OF IMPROVEMENTS IN THE AUBURN MEADOWS
SUBDIVISION, SECTION 3 - IN THE TOTAL AMOUNT OF $70,543.50

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a request
from Ron Brand, Director of Planning and Development (hereinafter referred to as Director), to establish a
Maintenance Bond, for a portion of the required improvements for Section 3, Auburn Meadows
Subdivision (hereinafter referred to as Project); and

WHEREAS, the Director’s request is based upon the March 11, 2010 letter from Lance S. Brabant, MRB
Group, P.C., the Town’s Engineering Firm, recommending the Town Board to establish a Maintenance
Bond with the portion of the required improvements for Section 3, Auburn Meadows
Subdivision (hereinafter referred to as Project); and

WHEREAS, the recommendations are based upon the approved Letter of Credit for the project,
excluding the Letter of Credit amount for 2,439 lineal feet of asphalt top coat with a Construction Cost of
$29,268.00; 780 lineal feet of concrete sidewalks with a Construction Cost of $14,820.00; three (3) street
lights with a Construction Cost of $4,500.00; 1,086 lineal feet of stone dust trail with a Construction Cost
of $2,172.00; 908 lineal feet of maintenance road with a Construction Cost of $3,632.00; and land scaping
for all site drainage ponds with a Construction Cost of $2,900.00.

WHEREAS, the total Construction Cost of these excluded improvements total $57,292.00 and the
Maintenance Bond for these improvements would be $5,729.20.
NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby accepts the request and recommendations cited above herein and directs the Maintenance Bond in the total amount of $70,543.50 be established only for those items specified above that have been completed as of this date.

BE IT FURTHER RESOLVED that the applicants, A&D Development, are hereby given public notice that a separate Maintenance Bond in the total amount of $5,720.20 is to be submitted to the Town Engineer for his review and acceptance and forwarding to the Town Board, under separate cover, along with a separate request for establishing a separate Maintenance Bond upon the identified remaining items in the March 11, 2010 MRB Letter.

BE IT FURTHER RESOLVED that certified copies of this Resolution to: Walter Bakers, D.S. B. Engineers and to Ernie Ackerman, A&D Development, requesting them to establish the above referenced Performance Bond, in the amount specified above herein for those completed portions specified in the above referenced MRB Letter.

BE IT FURTHER RESOLVED that certified copies of this Resolution are also to be provided to the Town Finance and Account Specialist, the Director of Planning and Development, the Town Construction Inspector and the Town Engineer.

BE IT FINALLY RESOLVED that the Maintenance Bond (or Cash Deposit) must be delivered to the Town, in the total amount of $70,543.50 no later than twelve noon on the 8th business day following the adoption of this Resolution.

All voting “Aye”, the Resolution was CARRIED.

TOWN BOARD MEETING March 23, 2010
ORDER OF BUSINESS: (Continued)

RESOLUTION #101-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING BOY SCOUT TROOP 50 USE OF THE LODGE AT MERTENSIA PARK AND WAIVING USAGE FEE

WHEREAS, Boy Scout Troop 50 of Farmington has asked the Town Clerk’s Office permission to use the Lodge at Mertensia Park from 6 p.m. Friday, March 26, 2010 to 4 p.m. Saturday, March 27, 2010 for a night of camping, a hike and orientation exercises, and

WHEREAS, there will be about 13 boys and two Scout leaders, Steve Peacock and Greg Erway, on hand to supervise the minors at all times, and they have promised to “leave no trace” when they depart Saturday, now therefore be it

RESOLVED, that the Town Board grant Boy Scout Troop 50 permission to use the Lodge at Mertensia Park on the requested dates and therefore be it

RESOLVED, that the Town Board waives the $150 rental fee for use of the Lodge but still requires the payment of a $100 deposit, refundable upon departure, and therefore be it

RESOLVED, that the Town Clerk forward copies of this resolution to the Highway/Parks Superintendent, the Recreation Director and Tara Peacock, committee member of Troop 50.

All voting ”Aye”, the Resolution was CARRIED.

RESOLUTION #102-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION SETTING THE ANNUAL SPRING CLEANUP DATES FOR THE TOWN OF FARMINGTON AS MAY 6, 7 and 8, 2010.

WHEREAS, the Town of Farmington holds an annual spring cleanup for three days each May to give town residents an opportunity to rid themselves of unwanted waste and various household items, now therefore be it

RESOLVED, that the Town Board sets the 2010 spring cleanup for May 6, 7 and 8 from the hours of 7 a.m. to 7 p.m. Thursday through Friday and 7 a.m. to 3 p.m. Saturday, and therefore be it

RESOLVED, that the rules and regulations of the annual cleanup, such as that only town residents may take part and only certain items are accepted, are set by the Highway/Parks Department and posted on the town’s Web site, and therefore be it
RESOLVED, that the Town Clerk forward copies of this resolution to the Highway/Parks Superintendent, the Water and Sewer Superintendent, the Deputy Town Clerks (for posting) and the Supervisor’s Office.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #103-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE GENERAL FUND TO USE REVENUE FROM STATE AID CHECK FOR EXPENDITURE OF GRANT DOLLARS RECEIVED FOR THE 09-10 JUSTICE GRANT

Be it resolved that the Town Board authorizes the following budget amendment:

FROM: A3021 State Aid, Court Facilities ($5,056.30)
TO: A1110.22 Town Justice- EQ 09-10 Grant $3,326.30
     A1110.44 Town Justice- CE 09-10 Grant $1,730.00

And therefore be it

RESOLVED, that the Town Clerk forward a copy of this resolution to the town Finance and Accounts Specialist.

All voting “Aye”, the Resolution was CARRIED.

TOWN BOARD MEETING MARCH 23, 2010
ORDER OF BUSINESS: (Continued)

RESOLUTION #104-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE GENERAL FUND TO PAY THE 5 PERCENT FRANCHISE FEE TO FLTV FROM THE PROCEEDS OF THE TOTAL FRANCHISE FEE REVENUE FROM TIME WARNER

Be it resolved that the Town Board authorizes the following budget amendment:

FROM: A1170 Franchise Fee ($6,841.80)
TO: A8989.4 Other Home & Community Svs.-FLTV $6,841.80

And therefore be it

RESOLVED, that the Town Clerk forward a copy of this resolution to the town Finance and Accounts Specialist.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #105-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING THE HIGHWAY/PARKS SUPERINTENDENT TO FILL TWO SEASONAL MEO-LIGHT POSITIONS IN THE PARKS DEPARTMENT

WHEREAS, the Highway/Parks Superintendent has asked that he be allowed to hire two seasonal MEO-Light positions in the Parks Department as budgeted at a rate of $9.18 an hour, and

WHEREAS, the positions are not to exceed 20 weeks commencing from the date of hire or for a period ending September 18, 2010, whichever is sooner, now therefore be it

RESOLVED, that the Town Board authorizes the Highway/Parks Superintendent to hire two seasonal MEO-Lights for the Parks Department, and therefore be it

RESOLVED, that the Town Clerk forward copies of this resolution to the Highway/Parks Superintendent and the Supervisor’s Office.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #106-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION ACCEPTING A QUOTE FROM POOLER ENTERPRISES FOR THE CONSTRUCTION OF THE OUTFALL FOR THE STORM WATER MANAGEMENT FACILITY
WHEREAS, the town Highway/Parks Superintendent has received quotes for the construction of the outfall for the Storm Water Management Facility at Stonehedge, and

WHEREAS, three quotes were submitted as follows: $23,800 from D.C. Allen; $19,790 from Crane Hogan; and $17,434 from Pooler Enterprises, now therefore be it

RESOLVED, that the Town Board authorize the Highway/Parks Superintendent to accept the quote from Pooler Enterprises at a cost not to exceed $17,434 and therefore be it

RESOLVED, that the Town Clerk forward copies of this resolution to the Highway/Parks Superintendent and the Water & Sewer Superintendent.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #107-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION ACCEPTING THE RESIGNATION OF RICK PADGHAM FROM THE AGRICULTURAL ADVISORY BOARD AND APPOINTING JAMES GRAY TO FILL THE VACANCY

WHEREAS, the Town Supervisor’s Office received a resignation from Rick Padgham from the town’s Agricultural Advisory Board effective March 10, 2010, and

TOWN BOARD MEETING
MARCH 23, 2010
ORDER OF BUSINESS: (Continued)

WHEREAS, the Town Supervisor’s Office received a notice from town resident James Gray - a regular attendee of Agricultural Advisory Board meetings - expressing interest in filling the vacant seat, now therefore be it

RESOLVED, that the Town Board accepts the resignation of Rick Padgham and appoints James Gray to fill his term, due to expire 12/31/10, and therefore be it

RESOLVED, that the Town Clerk forward copies of this resolution to Rick Padgham, James Gray and the chairman of the board, Peter Maslyn.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #108-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION APPOINTING TOWN CLERK MICHELLE FINLEY TO THE TOWN BOARD OF ETHICS

WHEREAS, Town Clerk Michelle Finley wishes to be appointed to the town’s Board of Ethics, as customary for the Town Clerk, now therefore be it

RESOLVED, that the Town Board appoints Finley to the position for a three-year term to expire December 31, 2012, and therefore 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 #109-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION APPOINTING MARY NEALE TO THE TOWN OF FARMINGTON PLANNING BOARD

WHEREAS, the Town Planning Board has a vacancy due to the unfortunate passing of Robert Kleman on Feb. 3, 2010 and

WHEREAS, Mary Neale, chairwoman of the town’s board of Historic Preservation, expressed an interest in filling the vacancy and impressed Town Board members with her enthusiasm and knowledge during a recent interview, now therefore be it

RESOLVED, that the Town Board appoints Mary Neale of 6032 County Road 41, Farmington, to fill the unexpired term of Mr. Kleman, effective immediately, and therefore be it
RESOLVED, that the Town Clerk forward copies of this resolution to Mary Neale with instructions to take the oath of office within 30 days, as well as David Degear, chairman of the Planning Board.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #110-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

WHEREAS, the Farmington Town Board authorized the adoption of the 2010 Farmington Sanitary Sewer Budget and Revenues for the fiscal year 2010, and

WHEREAS, Funds were miss labeled during the transfer of information from the Water and Sewer submittals into the format of the Towns Adopted Budget, and

WHEREAS, there is no change to the total amounts of the Farmington Sanitary Sewer Districts Appropriation or Revenues as adopted, therefore be it

RESOLVED, that the Town Board of Farmington hereby authorizes the Supervisor to adjust journal entries for the Sanitary Sewer District of budgeted amounts of $10,000 placed incorrectly under code SS 2650 – Sale of Scrap be corrected and entered under budget code SS-2665-Sale of Equipment.

All voting “Aye”, the Resolution was CARRIED.

TOWN BOARD MEETING MARCH 23, 2010
ORDER OF BUSINESS: (Continued)

RESOLUTION #111-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT TO FUND EXPENDITURES FOR AUBURN LIGHTING FROM AUBURN POLE REPLACEMENT EXPENDITURE LINE

Be it resolved that the Town Board authorizes the following budget amendment:

FROM: SL1-5182.52 Auburn Meadows- Pole Replacement ($1,500)
TO: SL1-5182.52 Street Lighting-Auburn Meadows $1,500

And therefore be it, Resolved that the Town Clerk provide a copy of this resolution to the Finance and Accounts Specialist.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #112-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION TO PAY AUDITED BILLS

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<td>Storm Drainage</td>
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<tr>
<td>Payroll</td>
</tr>
<tr>
<td>Sewer District</td>
</tr>
<tr>
<td>Water District</td>
</tr>
<tr>
<td>Lighting District</td>
</tr>
<tr>
<td>Mertensia Lodge</td>
</tr>
</tbody>
</table>

TOTAL $256,765.16

All voting “Aye”, the Resolution was CARRIED.

WAIVER OF THE RULE (no objections)

RESOLUTION #113-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING THE EXPENDITURE FROM THE TOWN COMPLEX FACILITIES AND LAND ACQUISITION RESERVE FUND
WHEREAS, the Town is interested in purchasing approximately 45 acres of real property owned by the Herendeen family (the “Owner”) located on Hook Road, in the Town of Farmington, being part of tax map #17.00-2-15.200 (the “Property”) to use for various public needs including, but not limited to, storage and building construction for the Town Highway Department; and

WHEREAS, on March 23, 2010, the Town of Farmington accepted, without further conditions, the Owner’s counteroffer to the Town of Farmington’s offer to purchase the Property with such purchase contract being subject to, among other things, the Town approving the expenditure of $400,000 from the Town of Farmington Town Complex Facilities and Land Acquisition Reserve Fund and either the passing of 30 days from the Town Board’s approval of such resolution without a petition calling for a referendum being filed with the Town or, should such a petition be filed, the approval of such expenditure at a duly called election.

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Farmington, pursuant to the provisions of Section 6-c of the General Municipal Law of the State of New York, hereby approves the expenditure of $400,000 from the Town of Farmington Town Complex Facilities and Land Acquisition Reserve Fund, duly established on December 18, 2001, for the purposes (i) of purchasing approximately 45 acres of real property on Hook Road in the Town of Farmington that are a part of tax map #17.00-2-15.200 to use for various public needs including, but not limited to, storage and building construction for the Town Highway Department, (ii) of constructing sewer lines for this new land, (iii) of paying for costs related to performing SEQRA, SHPO and other environmental tests and inspections, (iv) of paying for engineering and attorney expenses related to this project and (v) of paying for any other costs related to any other tests and inspections the Town finds necessary to perform related to this matter; and be it further

TOWN BOARD MEETING MARCH 23, 2010

RESOLVED, that the Town Supervisor of the Town of Farmington be and he hereby is authorized and directed to transfer from the Town of Farmington Town Complex Facilities and Land Acquisition Reserve Fund to the Highway Land Acquisition & Improvements Capital Project (Hwy Land Acq & Imp Cap Proj), Four hundred thousand and 00/100 dollars ($400,000) of the principal and/or accumulated interest in said Reserve Fund to purchase the Property from the Owner and to pay for any of the other expenses listed above.

This resolution shall be subject to a permissive referendum, as required by 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 March 23, 2010, by the following vote:

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<tr>
<td>Aye</td>
<td>Nay</td>
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<tr>
<td>Theodore M. Fafinski</td>
<td>X</td>
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<tr>
<td>Timothy Mickelsen</td>
<td>X</td>
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<tr>
<td>Michael Casale</td>
<td>X</td>
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<tr>
<td>Peter Ingalsbe</td>
<td>X</td>
</tr>
<tr>
<td>Steven Holtz</td>
<td>X</td>
</tr>
</tbody>
</table>

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #114-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING THE FARMINGTON SANITARY SEWER DISTRICT TO ENROLL IN THE POWER PAY NEW YORK PROGRAM WITH ENERGY CURTAILMENT SPECIALIST

WHEREAS, the Water & Sewer Superintendent has been reviewing agencies authorized under the New York State Power Pay Program, and

WHEREAS, the Power Pay Program is an incentive program to reduce energy across New York State by participation in a demand response or voluntary load reduction curriculum, and

WHEREAS, there are no fees or penalties involved to enroll, the Sewer District will be paid approximately $4,000.00 per year for the next 3 years for participating in the program, therefore be it

RESOLVED, that the Farmington Town Board hereby authorizes the Farmington Sanitary Sewer District to enroll in the Power Pay New York Program with Energy Curtailment Specialist, 4455 Genesee Street Building 6, Buffalo, NY 14225, and further be it

RESOLVED, that the Town Supervisor is hereby authorized to sign the enrollment agreement with ECS, once the Town Attorney has completed review of all documents,

All voting “Aye”, the Resolution was CARRIED.
RESOLUTION #115-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

Resolution Accepting Draft Local Law to: Adopt amendments to the Town’s Official Zoning Map; direct the Town Clerk to affix the Seal of the Town of Farmington to all new Official Zoning Maps and copies thereof; to Certify each new Official Zoning Map; and to Maintain all Official Zoning Maps; and directing a referral to the Ontario County Planning Board under the provisions of Section 239-l & -m of the New York State General Municipal Law; and sending a referral to the Town of Farmington Planning Board as provided for under the provisions of Chapter 165 of the Town Code; and establishing a date for a public hearing to be held upon said local law; and directing the Town Clerk to publish and post a legal notice thereon.

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has received a final draft local law, dated March 17, 2010 to amend, adopt, seal, certify and maintain a new Official Zoning Map, in accordance with the provisions of Section 12. A., B., C. and D. of Chapter 165 of the Town Code; and

WHEREAS, said local law has been received at tonight’s meeting, and the new Official Zoning Map previously discussed by the Town Board at a public meeting held on March 9, 2010 and again at tonight’s public meeting; and

TOWN BOARD MEETING MARCH 23, 2010

WHEREAS, the Town’s formal adoption process for such a local law requires the preparation of a referral to the Ontario County Planning Board, to the Town Planning Board, the setting of a public hearing date and the publishing and posting of a public hearing notice.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Town Director of Planning and Development is to submit the Ontario County Planning Referral Form and accompanying information on the need to enact this local law for presentation to the Ontario County Planning Board at their meeting on April 14, 2010.

BE IT FURTHER RESOLVED that the Director of Planning and Development is to submit a copy of the final draft of said local law to the Farmington Planning Board for its review and recommendation, in accordance with the provisions of Chapter 165 of the Town Code, at either their April 7 or April 21, 2010 meeting and to provide a resolution of their findings to the Town Board, on or before noon on Friday, April 23, 2010.

BE IT FURTHER RESOLVED that the Town Board does hereby established a public hearing to be held on said local law for Tuesday, April 27, 2010 commencing at 7:05 p.m., Eastern Daylight Savings Time, in the main meeting room in the Farmington Town Hall; and

BE IT FINALLY RESOLVED that the Town Board does hereby direct the Town Clerk to place a notice for said public hearing in the Town’s official newspaper and to post a copy of said notice on the Official Bulletin Board in the Town Hall.

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 March 23, 2010, by the following vote:

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<tbody>
<tr>
<td>Aye</td>
<td>Nay</td>
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<tr>
<td>Theodore M. Fafinski</td>
<td>X</td>
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<td>Timothy Mickelsen</td>
<td>X</td>
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<tr>
<td>Michael Casale</td>
<td>X</td>
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<tr>
<td>Peter Ingalsbe</td>
<td>X</td>
</tr>
<tr>
<td>Steven Holtz</td>
<td>X</td>
</tr>
</tbody>
</table>

All voting “Aye”, the Resolution was CARRIED.

TRAINING UNDER $100.00:
1. Highway Superintendent Ed McLaughlin to attend the 2010 Highway School in Ithaca June 7 - 9, with a registration fee of $90.
2. Finance and Accounts Specialist Sheree Hooper and Supervisor Ted Fafinski to attend 2010 Southern Tier West Center for Local Government and Community Services training May 5 at Houghton College, with a registration fee of $40 each.

DISCUSSION: Pumpkin Hook parade, Aug. 6, 2010 at 6 p.m.

EXECUTIVE SESSION:
A motion was made by Councilman Mickelsen, seconded by Councilman Casale to enter in executive session to discuss pending litigation and “the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation” at 7:43 PM. Motion carried.

A motion was made by Councilman Casale, seconded by Councilman Holtz to close the executive session at 9:15 PM. Motion carried.

A motion was made by Councilman Mickelsen, seconded by Councilman Holtz to adjourn the meeting at 9:15 PM. Motion Carried.

Michelle A. Finley, Town Clerk:

TOWN BOARD MEETING APRIL 13, 2010

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 13th day of April, at 7:00 PM, there were:

TOWN BOARD MEETING APRIL 13, 2010

PRESENT:

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

Also present were: Jim Crane – Water & Sewer Superintendent, Floyd Kofahl – Code Enforcement Officer, Daily Messenger Reporter, Dean Litcherman- Victor Herald, Ed McLaughlin – Highway/Parks Superintendent, Donna LaPlant- Assessor, and Students from Victor Central School.

A motion was made by Councilman Casale, seconded by Councilman Ingalsbe, that the minutes of the March 23, 2010, meeting, given to members for review, be approved as presented. CARRIED.

PRIVILEGE OF THE FLOOR: NONE.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Mickelsen reported:

Highway & Parks:

1. Discussed recommendation to withhold lodge rental clean up deposit.
2. Discussed getting confirmation from CEO regarding installation of the outside bathrooms.
3. MS4 Training.
5. Discussed window work at Town Hall.
6. Stonehedge project is continuing.
7. Street signs are being replaced.
8. Discussed Yellow Mills Road piping project, and Farmbrook Park work that needs to done.

Water & Sewer:

1. Discussed upcoming resolutions for tonight (WWTP repairs, annual purchase of water meters).
2. Discussed Saratogo Springs.
3. Received three requests to remove late charges-committee recommended denial of all three.
4. VCS Students toured Plant on April 8, 2010, and later RIT students will do the same.
5. Received RFPs for engineering proposals for the Purdy Road Water Project-2800 sq. ft.
6. Discussed getting cost to survey 45 acres for a sewer district.
7. No update on Billing Software issues.

Town Operations Committee: Councilman Casale reported:

1. Discussed the Land Conservation Legislation with Ontario County Planning.
2. Councilman Holtz mentioned that the committee met last Tuesday to prepare for the workshop.

REPORTS OF TOWN OFFICIALS:

 Supervisor Fafinski:

1. Discussed issue with a PILOT Agreement in relation to senior housing.

Highway & Parks Superintendent Ed McLaughlin:

1. Discussed litter pick up.
2. Discussed that plow damage has been taken care of.
3. Discussed Weigert Road mailbox issues and it was determined that it was not the Towns fault.
4. Parks started mowing today.
5. Discussed Stormwater Management project.

Town Clerk Michelle Finley:
1. Settled taxes with County – 94% were collected.
2. April 1st starting collecting water & sewer payments with credit cards.
3. Will not be at next town board meeting due to training – Deputy Tammy Means will be filling in.

Water & Sewer Superintendent Jim Crane:
1. Discussed cleaning up areas, has topsoil left, and is hauling away material.

Code Enforcement Officer Floyd Kofahl:
1. Apartment fire at Stonehedge.
2. Septic system training and certification.
3. Discussed Auburn Meadows-starting next phase.

TOWN BOARD MEETING APRIL 13, 2010

Councilman Mickelsen asked once the building lot is approved what is the life of the approval if it’s not built on. Floyd Kofahl responded once its approved and filed with the County then its good until it gets built on to current standards. Councilman Mickelsen asked if there was a way to put a life time on approval (limited shelf life) for when the approval would expire and they would have to come back. Floyd Kofahl stated that would be a question for the Town Attorney. Floyd will follow up with Town Attorney and report back to Town Board.

Assessor Donna LaPlant: (Supervisor reported)
1. Working on commercial assessments.
2. Resolution for Re-evaluation assistance from County- time with county is minimal; much of the cost is printing cost and sales sheets.

COMMUNICATIONS:
2. Letter from the Supervisor to Verizon Public Communications. Re: Pay phone at the Town Hall.
3. Notice from John Garvey, Ontario County Human Resources Director. Re: Code Enforcement Officer exam.
4. Letter from the Supervisor to real estate agent Mark Palazzo. Re: Hook Road property.
7. Letter from the Town Clerk to the state Liquor Authority. Re: License renewal application for the Econolodge.
8. Letter from the Highway/Parks Superintendent to the Ontario County Probation Department. Re: restitution for damaged to road sign.
10. Letter from the Supervisor to James Gray. Re: Appointment to the Agricultural Advisory Board.
11. Certificate of Final Special Franchise Full Value.
12. Letter to the Supervisor from Time Warner Cable. Re: changes to channel lineup.
13. Letter of interest for Recreation Advisory Board and response from Supervisor.
15. Invoices for engineering services and legal fees.
16. Letter from the Supervisor to Julie Everett of PathStone Development Corp. Re: Late PILOT payment for Alloway Estates.
19. Certificates of Workers Compensation Insurance for: Pace Window & Door; Paynes Construction; DGA Builders Inc.; Roger John Perrin; Hibbs Enterprises Inc.; Franq Marianacci Inc.; Penfield Plumbing and Heating; Design Pool & Spa; and Kenneth F. Mast DBA.
20. Letter to Supervisor from Carol Sharma, Director of Wood Library. Re: National Library Week, April 11-17.
22. Notice from John McDonald, Vice President of M&T Bank, to the Town. Re: A&D Development’s letter of credit application.
REPORTS & MINUTES:
2. Town of Farmington Bank Reconciliations for March and April 2010
3. Building permits report for March 2010
5. Town Justice Report for Judge Morris Lew, March 2010

RESOLUTION #116-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:
Resolution authorizing Chemical Building Repairs
WHEREAS, Major (emergency) repairs had to be made in the Chemical Building in December 2009, and
WHEREAS, the repairs were a result of a power interruption and possible fire, due to a transformer
damage within the Chemical Building.

TOWN BOARD MEETING APRIL 13, 2010
ORDER OF BUSINESS: (Continued)

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington acting on behalf of the
Farmington Sanitary Sewer District hereby authorizes the Water and Sewer Superintendent to pay all
current invoices to Colacino Industries for a total not to exceed $4712.25.

BE IT FURTHER RESOLVED, that funds for said Major (emergency) repair will be from Budget Code
SS-8120.4 (Sanitary Sewers-Contractual).

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #117-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:
RESOLUTION AUTHORIZING ACCEPTANCE OF EASEMENTS
FROM SARATOGA CROSSINGS I LLC, MORGAN PLASTERMILL LLC AND THE VILLAS
OF VICTOR, LLC

WHEREAS, the Town of Farmington, by its officers or representatives, has engaged in discussions with
Saratoga Crossings I LLC, Morgan Plastermill LLC and The Villas of Victor, LLC (“Owners”) regarding
the Town’s obtaining a Non-Exclusive Access Easement, a Water and Utility Easements and a Sanitary Sewer
and Utility Easement over portions of their respective properties in the Saratoga Crossing Subdivision
(Saratoga Crossings I LLC and Morgan Plastermill LLC) and in the Villas of Victor (The Villas of Victor,
LLC), as shown on maps attached to the easements; and

WHEREAS, Town of Farmington officials have recommended to the Town Board that said Owners grant to
the Town these easements over said lands of said Owners; and

WHEREAS, said easements have been offered by the Owners to the Town of Farmington; and

WHEREAS, the Town Board of the Town of Farmington is desirous of accepting said offered easements on
behalf of said Town; and

WHEREAS, the Town Board of the Town of Farmington has examined said instruments and finds the
consideration described in said easements to be fair and reasonable.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Farmington does hereby
accept the Easements attached hereto as Exhibit 1 from Owners in accordance with the terms and conditions
contained in said instruments and directs that the same be recorded in the Office of the Clerk of the County of
Ontario, the fees for said recording to be borne by the Owners, and be it further

RESOLVED, that the Town Supervisor shall be and hereby is authorized to take any and all further action
necessary to carry forth the intent of this resolution, including but not limited to the execution of all documents
necessary to complete the conveyance of the premises referenced herein.

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 April 13, 2010, by the following vote:

Aye  Nay
Theodore M. Fafinski, Supervisor  X
Peter Ingalsbe, Councilman  X
All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #118-2010:

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

RESOLUTION AUTHORIZING THE DISTRIBUTION OF PILOT MONIES RECEIVED FROM ALLOWAY ESTATES

WHEREAS, the town entered into a PILOT agreement with Alloway Estates in August 2005 which states they must pay a percentage of rents minus utilities to be distributed between the town, Ontario County and Victor Central School District, and

ORDER OF BUSINESS: (Continued)

WHEREAS, the town has received that apportionment from Alloway Estates and have allocated the monies as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
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<tbody>
<tr>
<td>Total amount received</td>
<td>$10,117.02</td>
</tr>
<tr>
<td>69 percent to Victor schools</td>
<td>$ 6,980.74</td>
</tr>
<tr>
<td>26 percent to Ontario County Treasurer</td>
<td>$ 2,630.43</td>
</tr>
<tr>
<td>5 percent to the Town of Farmington</td>
<td>$ 505.85</td>
</tr>
</tbody>
</table>

And, WHEREAS the Supervisor’s Office has billed Alloway an additional 2 percent, or about $204 in interest because the payment was received March 31, 2010, two months after its due date, and

WHEREAS, the interest payment will be allocated to the School District and County once it is received, therefore be it

RESOLVED, that the Farmington Town Board approves of the above allocations of the PILOT monies received from Alloway Estates, and further be it

RESOLVED, that the Town Clerk forward copies of this resolution to the Supervisor’s Secretary and the Finance and Accounts Specialist.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #119-2010:

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

Resolution authorizing the purchase of Water Meters

WHEREAS, in 1998 the Water and Sewer Department was authorized (Resolution 153-98 and 154-98) to make improvements to its billing and meter-reading capabilities, and

WHEREAS, the Water and Sewer Department has purchased and installed New Billing Software including the Itron Automated Meter Reading System, and

WHEREAS, in 1998 the Water and Sewer Superintendent was authorized (Resolution 201-98) to start the Meter Replacement Program, with the Badger/Itron AMR System.

NOW, THEREFORE BE IT RESOLVED, that the Farmington Town Board acting on behalf of the Water and Sewer Districts hereby authorizes the Water and Sewer Superintendent to purchase Badger/Itron water meters from Blair Supply for this year’s Meter Replacement Program at a budgeted expense not to exceed $14,696.50.

BE IT FURTHER RESOLVED, that funding for the purchase of water meters is appropriated under expense line SW1-8340.41 (Contractual Meters) at a budgeted amount of $35,000.00.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #120-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS FOR COUNTY ASSISTANCE FOR A REVALUATION PROJECT

WHEREAS, the Town of Farmington has undergone the data collection of real properties within the Town; the Town feels it is necessary to conduct a revaluation project of all properties in the 2011 assessment roll to maintain a uniform standard of assessment for the Town; and

WHEREAS, the State of New York will provide financial assistance, in the amount of approximately $4.29 per parcel, to the Town for the implementation of a system of real property tax administration which conforms to the standards established pursuant to Subdivision 1 of #1570 of the Real Property Tax Law.

THEREFORE BE IT RESOLVED, the Farmington Town Board hereby requests County assistance at a cost of $25.00 per hour, not to exceed $4,000, specifically from the Real Property Tax Department of Ontario County, to help do a revaluation project to achieve and maintain a uniform standard of assessment in accordance with Section 305 of the Real Property Tax Law; and

FURTHER BE IT RESOLVED that the Supervisor is authorized and directed to expend the necessary funds for the preparation of said plan and the establishment and maintenance of the Real Property Improvement Program and to make application to the Office of Real Property Tax

TOWN BOARD MEETING
APRIL 13, 2010
ORDER OF BUSINESS:  (Continued)

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #121-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Mickelsen:

RESOLUTION AUTHORIZING THE HIGHWAY/PARKS SUPERINTENDENT TO HIRE ALPCO RECYCLING AND REGIONAL COMPUTER RECYCLING & RECOVERY FOR DISPOSAL SERVICES FOR THE TOWN SPRING CLEANUP

WHEREAS, The Highway/Parks Superintendent solicited six quotes for disposal services at the 2010 Annual Town Spring Cleanup and

WHEREAS, the Highway/Parks Superintendent only received two responses, he would like to recommend Alpco Recycling Inc. and Regional Computer Recycling and Recover to provide the disposal services as per the following quotes:

<table>
<thead>
<tr>
<th>ALPCO:</th>
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<tbody>
<tr>
<td>Trash</td>
<td>$65 per ton</td>
</tr>
<tr>
<td>Tires</td>
<td>$160 per ton</td>
</tr>
<tr>
<td>Freon units</td>
<td>$160 per ton</td>
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<tr>
<td>Rebate on scrap metal</td>
<td>$180 per ton</td>
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<table>
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<tr>
<th>Regional Computer</th>
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<tbody>
<tr>
<td>TVs under 27”</td>
<td>$5</td>
</tr>
<tr>
<td>TVs 27” and above</td>
<td>$10</td>
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</table>

Therefore be it RESOLVED that the Town Board authorizes the Highway/Parks Superintendent to hire the two companies at their estimated rates for the town wide Spring Cleanup and be it RESOLVED that the Town Clerk give a copy of this resolution to the Highway Superintendent.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #122-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING A SALARY ADJUSTMENT FOR EMPLOYEE JANYCE FIESTEL

WHEREAS, a salary increase of 20 cents per hour was approved in the 2010 Building and Planning Department budget for secretary Janyce Fiestel to bring her pay in line with her years of experience and others in similar positions,

Now therefore be it RESOLVED that the Farmington Town Board approves the pay increase for Janyce Fiestel, from $15.05 per hour to $15.25 per hour, retroactive to March 1, 2010, when it was to go into effect under the budget, and therefore be it
RESOLVED that the Town Clerk forward copies of this resolution to the Building Department, the Supervisor’s Secretary and the Finance and Accounts Specialist.

Supervisor Fafinski abstained, Board Members voted “Aye”, the Resolution was CARRIED.

RESOLUTION #123-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AMENDING THE PURCHASING PROCEDURES FOR THE TOWN OF FARMINGTON

WHEREAS, the Town Board of the Town of Farmington adopted by resolution on January 2, 2007 Purchasing Procedures for the Town of Farmington, otherwise known as the Town’s Procurement Policy (hereinafter referred to as the “Policy”), which Policy was last amended by resolution adopted on January 5, 2010; and

WHEREAS, the Town Board of the Town of Farmington has determined it necessary to amend the Policy to add procedures for spending in times of certain emergencies.

NOW, THEREFORE, BE IT RESOLVED, that the Policy is amended by adding a new final paragraph to the section entitled “Methods of Purchase” to read as follows:

TOWN BOARD MEETING APRIL 13, 2010
ORDER OF BUSINESS: (Continued)

In the case of a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants of the Town of Farmington require immediate action which cannot await the obtaining of quotes, or in the case when the Town Board determines that an emergency exists relative to an unsafe building in accordance with Chapter 65, Unsafe Buildings, of the Code of the Town of Farmington, contracts for public work or the purchase of supplies, material or equipment may be let by either the appropriate officer or by the Town Board of the Town of Farmington notwithstanding the purchasing methods set forth above.

AND BE IT FURTHER RESOLVED, that the Policy is amended by adding a new second paragraph to the section entitled “Bid Guidelines” to read as follows:

In the case of a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants of the Town of Farmington, require immediate action which cannot await competitive bidding, or in the case when the Town Board determines that an emergency exists relative to an unsafe building in accordance with Chapter 65, Unsafe Buildings, of the Code of the Town of Farmington, contracts for public work or the purchase of supplies, material or equipment may be let by either the appropriate officer or by the Town Board of the Town of Farmington notwithstanding the bid guidelines set forth in this Policy.

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 April 13, 2010, by the following vote:

<table>
<thead>
<tr>
<th>Aye</th>
<th>Nay</th>
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<tbody>
<tr>
<td>Theodore M. Fafinski</td>
<td>X</td>
</tr>
<tr>
<td>Timothy Mickelsen</td>
<td>X</td>
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<tr>
<td>Michael Casale</td>
<td>X</td>
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<tr>
<td>Peter Ingalsbe</td>
<td>X</td>
</tr>
<tr>
<td>Steven Holtz</td>
<td>X</td>
</tr>
</tbody>
</table>

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #124-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

Resolution authorizing Denny Pooler, Pooler Enterprises, to immediately commence the demolition of a previously designated abandoned and unsafe building located on the subject Property at 1637 New Michigan Road, the removal of all building materials from the subject Property and the reclamation of the disturbed areas on the subject Property.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a memorandum from Floyd D. Kofahl, Code Enforcement Officer (hereinafter referred to as CEO), dated April 9, 2010 which requests the Town Board accept his recommendation to award a contract to Pooler Enterprises, in the total amount of $14,975.00 for the demolition of an unsafe building, the removal of building debris and material and restoration of the site located on the above described subject Property; and
WHEREAS, the subject Property is further identified as Tax Map #41.00-1-30.300, located along the east side of New Michigan Road, north of Lillybrook Court, a dedicated subdivision street in Section 3 South, Auburn Meadows Subdivision; and

WHEREAS, the Farmington Town Board has, on March 23, 2010 previously determined that said building creates a clear and imminent danger to the life, safety or health of this community if allowed to continue in its present condition; and

WHEREAS, the subject Property owner, Gary Kunes, now residing at 8027 Windjammer Drive, Tega Cay, South Carolina, 29708, has been notified by U.S. Mail of said Town Board’s determination; and

WHEREAS, the Town Board has directed the CEO to again provide written notice to said subject Property owner providing him an opportunity to inform the Town of his intentions to demolish the building, remove the building materials and debris and to restore the site; and

WHEREAS, the Town Board has directed the CEO to solicit quotes from at least three qualified firms for the demolition, removal of building debris and site restoration; and

WHEREAS, the subject Property owner has failed to provide written notice to the CEO within the time frame specified in the previous Town Board Resolution declaring the building on the subject Property unsafe and in need of immediate removal; and

TOWN BOARD MEETING APRIL 13, 2010

ORDER OF BUSINESS: (Continued)

WHEREAS, the Town Board has determined that the CEO in soliciting proposals for the above described work has complied with the Town’s adopted Procurement Policy by obtaining at least three quotes for the proposed demolition, site debris removal and site restoration; and

WHEREAS, the Town Board finds that based upon its review of the record on this action that Pooler Enterprises has provided the CEO with a written quote in the total amount of $14,975.00 for the demolition of the unsafe structure, the removal of all building materials and debris from the subject Property and the restoration of the disturbed area in accordance with Town Code requirements; and

WHEREAS, the Town Board has reviewed the proposed Contract Agreement for Pooler Enterprises to perform the work specified in the Request For Proposal which has been reviewed and accepted by the Town Attorney; and

WHEREAS, the Town Board understands that Pooler Enterprises is prepared to immediately commence demolition of the building on the subject Property, to remove all building materials and debris and to restore the site in the manner described in the Request For Proposal.

NOW, THEREFORE BE IT RESOLVED that the Town Board does hereby direct the Town Supervisor to sign and execute the Contract Agreement with Pooler Enterprises for the request work cited above herein.

BE IT FURTHER RESOLVED that it is the expressed purpose of Chapter 65 of the Town Code to provide for the safety, health, protection and general welfare of persons and property in the Town of Farmington by requiring that such unsafe buildings be repaired, demolished or removed; and

BE IT FINALLY RESOLVED that all expenses incurred by the Town in connection with this action, including the cost of actually demolishing and removing said building, building materials and site restoration, shall be assessed against the land on which such building is located and shall be levied and collected in the same manner as provided in Article 15 of New York State Town Law for levy and collection of a special ad valorem levy.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #125-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING INTERNAL AUDITOR GINA DERMODY TO CONDUCT THE TOWN’S ANNUAL AUDIT

WHEREAS, the Town is required to conduct and annual audit of its financial records, now therefore be it

RESOLVED, that the Town Board authorizes internal auditor Gina Dermody to conduct the audit of records for the Town Court, Town Clerk and Tax Collector at a cost not to exceed $20 an hour and therefore be it

RESOLVED, that the Town Clerk keep a copy of this resolution for herself and give copies to the Town Court and the Finance and Accounting Specialist.
RESOLUTION #126-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR A FURNITURE PURCHASE IN THE TOWN COURT

WHEREAS, the Town Court was recently awarded a grant to purchase two new desks and
WHEREAS, $120.08 must be moved into the Town Justice equipment account line to cover the difference of the purchases not covered by the grant or the amount budgeted in that line for 2010, now therefore be it
RESOLVED, that the Town Board approves the following budget amendment:

FROM A1110.4 Town Justice CE ($120.08)
TO A1110.2 Town Justice EQ $120.08

And therefore be it RESOLVED that the Town Clerk give copies of this resolution to the Town Court and the Finance and Accounts Specialist.

All voting “Aye”, the Resolution was CARRIED.

TOWN BOARD MEETING
APRIL 13, 2010
ORDER OF BUSINESS: (Continued)

RESOLUTION #127-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING THE EXPENDITURE OF $358 FOR THE WATER AND SEWER AND HIGHWAY SUPERINTENDENTS TO ATTEND LEADERSHIP TRAINING

WHEREAS, the Town Board has recommended that two of its department heads, Water and Sewer Superintendent Jim Crane and Highway/Parks Superintendent Ed McLaughlin receive further training to advance their leadership/management skills and
WHEREAS, a “Creative Leadership” seminar will be held by CareerTrack in Rochester on May 5 and includes many workshops that appear relevant and beneficial, and
WHEREAS, the day-long session costs $179 for each participant, now therefore be it
RESOLVED, that the Town Board authorize the expenditure of $358 so that Crane and McLaughlin may attend the seminar and therefore be it
RESOLVED, that copies of this resolution be forwarded by the Town Clerk to Crane and McLaughlin.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #128-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN CONTRACT WITH YOUNG EXPLOSIVES FOR JULY 3 FIREWORKS DISPLAY

WHEREAS, The Recreation Director, Mark Cain, has received a contract for the town’s Saturday, July 3 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 will 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 Supervisor to sign the contract and therefore be it
RESOLVED, that the Town Clerk forward the signed contract to Young Explosives and make copies of the contract and this resolution for the Recreation Director and Highway/Parks Superintendent.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #129-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:
RESOLUTION AUTHORIZING THE TOWN CLERK TO WAIVE PERMIT FEE FOR YOUNG EXPLOSIVES’ FOR JULY 3 TOWN FIREWORKS DISPLAY

WHEREAS, The Recreation Director, Mark Cain, has received a contract for the town’s Saturday, July 3 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 will 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 the 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 #130-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN CONTRACT WITH ROCK VENTURES FOR A MOBILE CLIMBING WALL JUNE 30-JULY 1

TOWN BOARD MEETING 
APRIL 13, 2010
ORDER OF BUSINESS: (Continued)

WHEREAS, Recreation Director Mark Cain has reached an agreement with Rock Ventures of Rochester to have a mobile rock climbing wall erected June 30 through July 1 for the Summer Recreation Program, and

WHEREAS, the fee for the wall is $1,800, to be paid in two installments, now therefore be it

RESOLVED, that the Town Board authorizes the Supervisor to sign the contract with Rock Ventures and therefore be it

RESOLVED, that the Town Clerk give copies of this resolution to the Recreation Director, Mark Cain, and the Highway/Parks Superintendent, Ed McLaughlin.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #131-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION TO PAY AUDITED BILLS

<table>
<thead>
<tr>
<th>Abstract #7-2010</th>
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<tbody>
<tr>
<td>General</td>
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<tr>
<td>Highway Fund</td>
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<tr>
<td>Storm Drainage</td>
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<td>Payroll</td>
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<td>Sewer District</td>
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<td>Water District</td>
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TOTAL $360,396.62

All voting “Aye”, the Resolution was CARRIED.

WAIVER OF THE RULE (no objections)

RESOLUTION #132-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Ingalsbe:

Resolution authorizing Engineering Services for the Purdy Rd Water main Replacement Project

WHEREAS, During the fall and winter of 2009 the Water & Sewer Dept made numerous repairs to the existing water main on Purdy Rd, with a recommendation for replacement from the W & S Supt, and

WHEREAS, the Public Works Committee the requested the Water & Sewer Supt seek “Requests For Proposals (RFP’S)” on Professional Services for Engineering Design and Submittals. (See attached)
NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington acting on behalf of the Canandaigua/Farmington Water District hereby authorizes the Town Supervisor to enter into an Agreement with MRB Group P.C., Rochester NY for Engineering Services for the Design and Submittals for the Water Main Replacement Project on Purdy Rd, as outlined in the Professional Services agreement of April 9th 2010 for a total not to exceed $6900.00.

BE IT FURTHER RESOLVED, that funds for said Engineer Services will be from Budget Code WA 8340.4.

All voting “Aye”, the Resolution was CARRIED.

TRAINING UNDER $100.00: None.

DISCUSSION: None.

EXECUTIVE SESSION:

A motion was made by Councilman Mickelsen, seconded by Councilman Ingalsbe to enter in executive session to discuss pending litigation at 7:46 PM. Motion carried.

A motion was made by Councilman Mickelsen, seconded by Councilman Casale to close the executive session at 8:46 PM. Motion carried.

A motion was made by Councilman Mickelsen, seconded by Councilman Holtz to adjourn the meeting at 8:46 PM. Motion Carried.

Michelle A. Finley, Town Clerk:

TOWN BOARD MEETING APRIL 27, 2010

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 27th day of April, at 7:00 PM, there were:

PRESENT:
-
Theodore Fafinski – Supervisor
-
Peter Ingalsbe – Councilman
-
Timothy P. Mickelsen – Councilman
-
Michael Casale – Councilman
-
Steven Holtz – Councilman
-
Tammy Means – Deputy Town Clerk

Also present were:
-

PUBLIC HEARINGS:

1. Local Law No. 2: Adoption of Official Zoning Map.
2. Local Law No. 3: Repeal of Section 32, Chapter 165, LC Land Conservation.

At 7:00 PM, on this date, a Public Hearing was called to order to hear all persons/citizens, in interest, concerning the adoption of the Official Zoning Map for the Town of Farmington. The Deputy Town Clerk read the Legal Notice, as published in the Town’s designated newspaper.

Supervisor Fafinski opened the public hearing. No one wishing to be heard, for or against the foregoing subject matter, the Hearing was declared closed at 7:03PM.

At 7:03 PM, on this date, a Public Hearing was called to order to hear all persons/citizens, in interest, concerning the adoption of a Local Law to repeal of Section 32, Chapter 165, LC Land Conservation. The Deputy Town Clerk read the Legal Notice, as published in the Town’s designated newspaper.

Supervisor Fafinski opened the public hearing. No one wishing to be heard, for or against, concerning the foregoing subject matter, the Hearing was declared closed at 7:04 PM.

A motion was made by Councilman Casale, seconded by Councilman Ingalsbe, that the minutes of the April 13, 2010, workshop and meeting, given to members for review, be approved with corrections. CARRIED.

PRIVILEGE OF THE FLOOR: NONE.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Ingalsbe reported:

Highway & Parks:
1. Discussed changing the Mertensia Lodge rental form.
2. Discussed Farmbrook Park excavation has started, looking into three new light poles for parking lot.
3. Discussed NYS DOT denial of reduction of speed on Rt. 332 and approval of speed survey study in Auburn Meadows.
4. Discussed issue with dogs in parks.
5. Discussed placing vehicles to auction.
6. Discussed Yellow Mills Road piping project.
7. Discussed stormwater management project over Stonehedge is 85% complete.
8. Discussed vehicle purchases.

**Water & Sewer:**
1. Discussed upcoming resolutions for tonight (professional services agreement with Newark Electric, surplus equipment to auction,
2.Discussed RIT Students touring the Plant on April 30.
3. Discussed upcoming excavation safety training.
4. Discussed proposed water district extension – Yahn Road- single parcel.
5. Discussed vehicle purchase.

**Town Operations Committee: Councilman Holtz reported:**
1. Discussed resolutions on agenda tonight.
2. Discussed Agricultural grant being resubmitted.
3. Discussed working with Lu Engineers on updating the Comprehensive Plan.

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**REPORTS OF TOWN OFFICIALS:**

**Supervisor Fafinski:**
1. Discussed being notified by the Public Service Commission regarding the removal of the Verizon Telephone booth located outside the town hall., there are options available, they are awaiting letter from PCS and then the town will take action.

**Highway & Parks Superintendent Ed McLaughlin:**
1. Discussed Speed Survey completed – Rt. 332 reduction was denied, Auburn Meadows was approved.
2. Discussed the increase in the number of dogs in the parks-will make larger signs to make people more aware of the code.
3. Discussed the finishing the piping at the stormwater project.
4. Discussed the donation of a piano for the Lodge. Councilman Mickelsen asked him to look into the cost of a maintaining it.
5. Farmbrook Road work and tear out at Suede Circle and Whitetail Lane.
6. Discussed asphalt costs.

**Deputy Town Clerk Tammy Means:**
1. Town Clerk @ training in Saratoga Springs.
2. Dog Enumeration is completed-currently going through 27 log books to see what dogs are not licensed at this point approximately 450 are not licensed, log books are very difficult to read and had misinformation on them. The voucher was held pending further review on logs.

**Water & Sewer Superintendent Jim Crane:**
1. Discussed Annual Report on Water Quality, completed rough draft and mailed to Manchester, Canandaigua, Bristol, and Health Department for preview. Also required to publish in Pennysaver.
2. Discussed the Purdy Road project.
3. Survey on Highway Campus meeting tomorrow. Supervisor stated to make sure the Bookkeeper gets a copy of the proposal.

**Code Enforcement Officer James Morse:**
1. Discussed the annual review of Mobile Home Parks. Supervisor asked if there were any changes in ownership. Jim Morse replied there were none.

**Director of Planning and Development:**
1. Thanked Kevin Schultz for preparing the Official Zoning Map.
2. Discussed State Historic Preservation – proposed Highway Campus site.
3. Planning Board met and approved new business on Loomis Road.
4. Two Local Laws on Wind Energy.
5. Amendment to Farm Protection Program.

**Assessor Donna LaPlant:**
Farmington Fire Chief Paul Conrad:
1. Wisconsin to inspect new pumper-delivery in a week or two.

Supervisor informed the Fire Chief about the Town’s July 3rd Fireworks event, starts at 6:00 p.m.

COMMUNICATIONS:
1. Letter to the Town Court from Ontario County Sheriff Phil Povero. Re: Court parking.
2. Letter to the Town from USDA. Re: Year End Reporting.
3. Letter to the Town Clerk from the state Department of Transportation. Re: Speed limit study on Route 332.
4. Notice and insurance certificate from Young Explosives for July 3 fireworks.
5. Memo from Director of Development Ron Brand to the Town Board. Re: Draft local law to repeal Chapter 165, Section 32, LC Land Conservation District and a Draft Local Law to adopt a new Official Zoning Map.
7. Letter to the Town Clerk from Chris Wade, president of Wade’s grocery store. Re: NYS liquor license.
8. Notice of Assessment changes for town properties from Town Assessor Donna LaPlant.
9. Letter to the Supervisor to Derek Brocklebank, attorney for former Town Clerk Rose Kleman. Re: Response to letter regarding former checking account.

TOWN BOARD MEETING APRIL 27, 2010
12. Letter to Water and Sewer Superintendent Jim Crane from James Gresens of the MRB Group. Re: Purdy Road water main replacement.
15. Notice of Work Zone Workshop for Ontario County employees.
16. Letter from Town Clerk Michelle Finley to Governor David Paterson. Re: Opposition to the adoption of legislation.
18. Certificates of liability insurance for: Robert E. Johnston Inc.; Erectall Corp.

REPORTS & MINUTES:
1. Annual ERISA information for group health insurance plan.

ORDER OF BUSINESS:
RESOLUTION #133-2010: Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

Adoption of Local Law # 2 of 2010 entitled “Amend, Adopt and Certify the new Official Zoning Map of the Town of Farmington.”

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has held a public hearing tonight on the above referenced local law (hereinafter referred to as Action); and

WHEREAS, the Town Board has considered the public hearing record and the Ontario County Planning Board Referral # 50 - 2010; and

WHEREAS, the Town Board has previously determined that said Action is a Type II Action as defined under Article 8 of the Environmental Conservation Law (hereinafter referred to as ECL), the State Environmental Quality Review Regulations; and

WHEREAS, the Town Board in making such determination has satisfied the procedural requirements set forth in the above referenced ECL.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby adopt in its entirety Local Law # 2 of 2010.

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to certify each copy of the new Official Zoning Map with the adoption date of April 27, 2010 and the Last Revision date of January 8,
BE IT FURTHER RESOLVED that the Town Clerk is to submit a certified copy of the Official Zoning Map to the Town Attorney for filing along with the Local Law to the Department of State.

BE IT FURTHER RESOLVED that the Town Clerk is directed to request from the Ontario County Department of Planning a sufficient number of copies of the Official Zoning Map with the adoption date of April 27, 2010 and the Last Revision date of January 8, 2009; and upon receipt to further certify each copy as being accurate as of the date of signing.

BE IT FINALLY RESOLVED that the Town Clerk is to provide certified copies of the Official Zoning Map to the following Town departments and Officials: the Town Highway & Parks Superintendent; the Town Water & Sewer Superintendent; the Town Code Enforcement Officer; the Town Building Department; the Town Director of Planning & Development; the Town Assessor; the Town Attorney and the Town Engineer.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #134-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

Adoption of Local Law # 3 of 2010 entitled “Local Law to Repeal Section 32 of Chapter 165 of the Farmington Town Code, known as LC Land Conservation District.”

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has held a public hearing tonight on the above referenced local law (hereinafter referred to as Action); and

TOWN BOARD MEETING
APRIL 27, 2010
ORDER OF BUSINESS: (Continued)

WHEREAS, the Town Board has considered the public hearing record and the Ontario County Planning Board Referral # 49 – 2010 (hereinafter referred to as OCPB Referral); and

WHEREAS, the Town Board has been informed by the Town Director of Planning and Development that staff have complied with the two conditions of modification cited in the OCPB Referral; and

WHEREAS, the Town Board has previously determined that said Action is a Type II Action as defined under Article 8 of the Environmental Conservation Law (hereinafter referred to as ECL), the State Environmental Quality Review Regulations; and

WHEREAS, the Town Board in making such determination has satisfied the procedural requirements set forth in the above referenced ECL.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby adopt in its entirety Local Law # 3 of 2010.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #135-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

Resolution Accepting Draft Local Law to amend Articles II, IV, and VI of Chapter 165 of the Town Code, to be known as “On-site-use Wind Energy Systems Local Law;” directing a referral to the Ontario County Planning Board under the provisions of Section 239-l & -m of the New York State General Municipal Law; sending a referral to the Town of Farmington Planning Board as provided for under the provisions of Chapter 165 of the Town Code; sending a referral to the Town of Farmington Agriculture Advisory Committee; sending a referral to the Town of Farmington Conservation Board; establishing a date for a public hearing to be held upon said local law; and directing the Town Clerk to publish and post a legal notice thereon.

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has received a final draft local law, dated April 22, 2010 to amend Article II, Definitions; Article IV, District Regulations; and Article VI, Special Permit Uses of Chapter 165 of the Town Code; and

WHEREAS, said local law has been reviewed and discussed by the Town Board at a previous public workshop session held on April 13, 2010 and again at tonight’s public meeting; and

WHEREAS, the Town’s formal adoption process for such a local law requires the preparation of a referral to the Ontario County Planning Board, to the Town Planning Board, the Town Agriculture Advisory Committee, the Town Conservation Board, the setting of a public hearing date and the publishing and posting of a public hearing notice.
NOW, THEREFORE, BE IT FURTHER RESOLVED that the Town Director of Planning and Development is to submit the Ontario County Planning Referral Form and accompanying information on the need to enact this local law for presentation to the Ontario County Planning Board at their meeting on May 12, 2010.

BE IT FURTHER RESOLVED that the Director of Planning and Development is to submit a copy of the final draft of said local law to the Farmington Planning Board, the Farmington Agriculture Advisory Committee and the Farmington Conservation Board for their review and recommendation, in accordance with the provisions of Chapter 165 of the Town Code, and to provide a response of their findings to the Town Board, on or before noon on Friday, May 21, 2010.

BE IT FURTHER RESOLVED that the Town Board does hereby establish a public hearing to be held on said local law for Tuesday, May 25, 2010 commencing at 7:00 p.m., Eastern Daylight Savings Time, in the main meeting room in the Farmington Town Hall; and

BE IT FINALLY RESOLVED that the Town Board does hereby direct the Town Clerk to place a notice for said public hearing in the Town’s official newspaper and to post a copy of said notice on the Official Bulletin Board in the Town Hall.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #136-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

Resolution Accepting Draft Local Law to amend Articles II, IV, VII and Attachment 1, Town of Farmington Zoning Schedule, Lot Area, Bulk and Coverage Requirements of Chapter 165 of the Town Code, to be known as “WEF Wind Energy Farm District;” directing a referral to the Ontario County Planning Board under the provisions of Section 239-l & -m of the New York State General Municipal Law; sending a referral to the Town of Farmington Planning Board as provided for under TOWN BOARD MEETING
APRIL 27, 2010
ORDER OF BUSINESS: (Continued)

the provisions of Chapter 165 of the Town Code; sending a referral to the Town of Farmington Agriculture Advisory Committee; sending a referral to the Town of Farmington Conservation Board; establishing a date for a public hearing to be held upon said local law; and directing the Town Clerk to publish and post a legal notice thereon.

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has received a final draft local law, dated April 22, 2010 to create a new Section 32 of Chapter 165 of the Town Code; and

WHEREAS, said local law has been reviewed and discussed by the Town Board at a previous public workshop session held on April 13, 2010 and again at tonight’s public meeting; and

WHEREAS, the Town’s formal adoption process for such a local law requires the preparation of a referral to the Ontario County Planning Board, to the Town Planning Board, the Town Agriculture Advisory Committee, the Town Conservation Board, the setting of a public hearing date and the publishing and posting of a public hearing notice.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Town Director of Planning and Development is to submit the Ontario County Planning Referral Form and accompanying information on the need to enact this local law for presentation to the Ontario County Planning Board at their meeting on May 12, 2010.

BE IT FURTHER RESOLVED that the Director of Planning and Development is to submit a copy of the final draft of said local law to the Farmington Planning Board, the Farmington Agriculture Advisory Committee and the Farmington Conservation Board for their review and recommendation, in accordance with the provisions of Chapter 165 of the Town Code, and to provide a response of their findings to the Town Board, on or before noon on Friday, May 21, 2010.

BE IT FURTHER RESOLVED that the Town Board does hereby establish a public hearing to be held on said local law for Tuesday, May 25, 2010 commencing at 7:00 p.m., Eastern Daylight Savings Time, in the main meeting room in the Farmington Town Hall; and

BE IT FINALLY RESOLVED that the Town Board does hereby direct the Town Clerk to place a notice for said public hearing in the Town’s official newspaper and to post a copy of said notice on the Official Bulletin Board in the Town Hall.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #137-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Mickelsen:
AUTHORIZATION FOR LU ENGINEERS to perform a 1527-05 ASTM Compliant Phase I ESA Report for approximately 45 acres of land, a portion of Tax Map #17.00-2-15.200, located along the east side of Hook Road, north of the Ontario Central Railroad.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a total of three (3) qualified proposals from Lu Engineers, Passero Associates and Beardsley Design Associates for performing the above described Phase I ESA Report; and

WHEREAS, the Town Board has considered and identified the need to have this Phase I Environmental Site Assessment (ESA) completed to provide documentation to assist the Town Board in making a decision to acquire and develop said parcel of land; and

WHEREAS, the Town Board has reached an agreed-to price for the subject parcel of land with the land owner(s); and

WHEREAS, the Town Board has completed the 30 day public notice and petition process for requiring a referendum upon the use of public funds to acquire said parcel of land without receiving a petition; and

WHEREAS, the Town Board has established funds for this report in a Capital Project Fund A231T entitled “Town Complex Facilities & Land Acquisition Reserve.”

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby authorize the Town Supervisor to sign and execute the agreement with Lu Engineers, to perform said Phase I ESA for the total amount of $1,100.00 as specified in their proposal.

BE IT FURTHER RESOLVED that the Town Finance and Accounting Specialist is to be provided a copy of this resolution and is hereby further directed to establish a balance of $1,100.00 in the HC Highway Land Acquisition & Improvement Capital Project, Account Number HC201.

TOWN BOARD MEETING APRIL 27, 2010
ORDER OF BUSINESS: (Continued)

BE IT FINALLY RESOLVED that a certified copy of this resolution shall be forwarded by the Town Supervisor along with a cover letter and signed Agreement to Stephen Campbell, Environmental Division Leader, at Lu Engineers within two business days.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #138-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

Town Board Resolution Authorizing the Waiving of all Town Fees associated with Land Subdivision, Site Plan and Building Permit Applications for the Town Highway Campus Site.

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has entered into a purchase and sale contract to acquire approximately forty-five (45) acres of land that is to be used for the construction of a new Town Highway Campus, including site features such as a new highway garage, highway offices, outdoor (cold) storage area for highway materials, on-site parking, access roads, parking aprons and a new salt storage facility; and

WHEREAS, the Town Board and Town Planning Board will have, later this year, detailed plans to make applications for the approval of Land Subdivision, Site Plan and Building Permits, as well as Town Water and Sewer Connection Fees and any other Public Utility Fees related to this project to enable the construction of a new Town Highway Campus Site that will be located along the east side of Hook Road, north of the Ontario Central Railroad; and

WHEREAS, the Town Board has established fees, in the Town’s Adopted Fee Schedule, for several of these applications; and

WHEREAS, these fees that are associated with the publishing of legal notice(s) for the various approvals listed above herein as well as other expense obligations for compliance with New York State Town Law, as well as fees associated with connections to other Public Utilities will be paid for initially by money transferred from the Town of Farmington Town Complex Facilities and Land Acquisition Reserve Funds into the Highway Land Acquisition & Improvements Capital Project Budget.

NOW, THEREFORE, BE IT RESOLVED that the Town Board agrees to waive any and all fees normally levied by the Town for Land Subdivision, Site Plan, Building Permits, as well as Town Water and Sewer Connection Fees associated with the development of the Town Highway Campus Site.

BE IT FURTHER RESOLVED that the Town Board does hereby direct the Town Finance and Accounting Specialist to make the appropriate journal entries into and from the proper line item(s) contained in the 2010 Operating Budget for all legal notice costs incurred for this project.
RESOLUTION #139-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

AUTHORIZATION FOR GRANT APPLICATION TO THE NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS AND COMMITMENT TO 25% LOCAL MATCH FOR THE PREPARATION OF A TOWN OF FARMINGTON AGRICULTURAL AND FARMLAND PROTECTION PLAN

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a revised draft Application for State Assistance Payments for Municipal Agricultural and Farmland Protection Plan Development, Forms A and B-1, a copy of which is hereby attached to and made part of this resolution (hereinafter referred to as Action), from the Town of Farmington Agriculture Advisory Committee (hereinafter referred to as Ag Committee); and

WHEREAS, the Town Board has discussed at tonight’s meeting the April 7, 2010 letter from John Brennan, New York State Department of Agriculture and Markets, which identifies the need to make amendments to the original Request For Application that was dated March 15, 2010; and

WHEREAS, the Town Board has reviewed the revised Action prepared by the Town’s Agricultural Advisory Committee dated April 20, 2010; and

WHEREAS, the Town Director of Planning and Development (hereinafter referred to as Director) has since reviewed said Action with the members of the Ag Committee; and

WHEREAS, the Action has been amended to reflect the twenty-five percent (25%) local match of cash and in-kind services required by the State Department of Agriculture and Markets (hereinafter referred to as Department of Ag & Markets); and

TOWN BOARD MEETING APRIL 27, 2010
ORDER OF BUSINESS: (Continued)

WHEREAS, the Director has also reviewed Section 617.5 of the State Environmental Quality Review (SEQR) Regulations to determine whether said Action is a Type II Action; and

WHEREAS, the Director finds that the Action involves information collection including basic data collection and research that do not commit the agency to undertake, fund or approve any Type I or Unlisted Action under the SEQR Regulations; and

WHEREAS, the Director further finds that the Action involves the routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment; and

WHEREAS, the Director further finds that the Action involves the conducting of studies, planning and budgetary processes necessary to the formulation of a proposed action, providing those activities do not commit the Town Board to commence, engage in or approve such action.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board concurs with the Director’s findings contained above herein.

BE IT FURTHER RESOLVED that the Town Board determines that the Action is a Type II Action as defined under the provisions of Section 617.5 (a), (b) and ( c ) (18), (20) and (21) of article 8 of the State Environmental Conservation Law.

BE IT FURTHER RESOLVED that the Town Board in making this determination has satisfied the procedural requirements of the SEQR Regulations in that Type II Actions have been determined by the SEQR Regulations not to have a significant impact upon the environment and are otherwise precluded from environmental review under the Environmental Conservation Law, article 8.

BE IT FURTHER RESOLVED that the Town Board authorizes the Town Supervisor to enter into a Contract Agreement, for a period of 24 months, with the Department of Ag & Markets involving the total expenditure of $33,340.00 for the purpose of preparing a Municipal Agricultural and Farmland Protection Plan for the Town of Farmington (hereinafter referred to as Project).

BE IT FURTHER RESOLVED that the Town Board acknowledges that the costs associated with this Project shall be reimbursed by the State of New York in the manner provided for under the program and set forth in the Contract Agreement.

BE IT FURTHER RESOLVED that Town funds in the total amount of $8,340.00, to be used for in-kind match amount to this Project’s total cost, is hereby authorized by the Town Board to be taken from the Town’s Contingency Fund and placed into a dedicated line item in the 2010 Town Operating Budget for this project upon receipt of the Project award by the State Department of Agriculture and Markets.
BE IT FURTHER RESOLVED that of this total amount, $6,340.00 will be in-kind match contribution for professional services provided to this Project by the Town Director of Planning and Development, and secretarial services by town personnel, printing costs associated with the project, costs of supplies, costs of preparing and sending communications, setting up public meetings and other project related expenses. Finally, a total of $2,000.00 will be in the form of cash to cover all in-kind services/activities associated with the project.

BE IT FURTHER RESOLVED that a certified copy of this resolution be submitted to Lucy Roberson, Director, Division of Fiscal Management, at the State Department of Ag & Markets along with a cover letter from the Town Supervisor and the completed Grant Application Forms; and, copies thereof to be filed with the Town Clerk, the Town Director of Planning and Development, the Town Planning Board, the Town Agricultural Advisory Committee and the Town Conservation Board.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #140-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING WATER AND SEWER SUPERINTENDENT TO ATTEND NYRWA TECHNICAN CONFERENCE

WHEREAS, the New York Rural Water Association will hold its annual conference May 24 to 26 at Turning Stone Casino and Resort in Verona, N.Y., now therefore be it

RESOLVED, that the Town Board authorizes Water and Sewer Superintendent Jim Crane to attend at a cost of $395 including dinners as well as an added $230 for two nights’ lodging and therefore be it

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

All voting “Aye”, the Resolution was CARRIED.

TOWN BOARD MEETING APRIL 27, 2010

ORDER OF BUSINESS: (Continued)

RESOLUTION #141-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING THE SUPERVISOR’S CONFIDENTIAL SECRETARY TO ATTEND AN HR TRAINING WORKSHOP MAY 15

WHEREAS, the Statewide Labor and Employment Law Annual Conference “Workplace 2010” will be held on May 18 in Rochester and will feature workshop sessions on issues like the impact of the new health care reform, FMLA, and general HR matters, and

WHEREAS, Confidential Secretary Jessica Youngman handles payroll and human relations matters for the Town of Farmington,

Now therefore be it RESOLVED that the Town Board authorizes Youngman to attend the workshop at a cost of $185 for the day-long program and be it

RESOLVED, that the Town Clerk provide a copy of this resolution to the Confidential Secretary. All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #142-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING THE PURCHASE OF A SHREDDER FOR THE TOWN HALL

WHEREAS, the shredder now used in the mail-room in the Town Hall has for an extended period of time been problematic for its users with frequent paper jams, slow operation and a minimal allowance of sheets per pass, and

WHEREAS, the Town Clerk’s Office has been and will be continuously shredding numerous boxes of records that are no longer required to be kept by the Town and

WHEREAS, this shredding by the Town Clerk’s Office as well as day-to-day shredding by all employees of the Town Hall would be far less time-consuming with a more efficient, heavy-duty machine, and

WHEREAS, the Supervisor’s Confidential Secretary has spent the last few weeks researching shredders and garnering quotes on a range of models for offices with roughly 10 users, and

WHEREAS, the Secretary received multiple quotes for a machine that has received high reviews, carries a warranty and would meet the needs of the Town Hall staff, now therefore be it
RESOLVED, that the Town Board authorizes the Secretary to purchase the machine, a Fellowes
Powershred C-420C that has a list price of $1,999 at a sale cost of $1,417.14 including a shipping fee of
$127.95 and therefore be it

RESOLVED, that the purchase come from the contingency line in the budget and therefore be it

RESOLVED, that the Town Clerk forward a copy of this resolution to the Confidential Secretary.
All voting "Aye", the Resolution was CARRIED.

RESOLUTION #143-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Ingalsbe:

A RESOLUTION AUTHORIZING A BUDGET AMENDMENT TO COVER UNEMPLOYMENT
INSURANCE PAYMENT

WHEREAS, the Supervisor’s Office has been billed $1,930.22 from the New York State Department of
Labor to pay for unemployment insurance for former employees and

WHEREAS, said amount exceeds what was budgeted for in the 2010 spending plan, now therefore be it

RESOLVED, that the Town Board authorizes the following budget amendment:

FROM A1990.4 Contingency – CE ($1,930.22)
TO A9050.8 Unemployment Insurance $1,930.22

And therefore be it RESOLVED that the Town Clerk provide a copy of this resolution to the Finance and
Accounting Specialist.

All voting "Aye", the Resolution was CARRIED.

TOWN BOARD MEETING: APRIL 27, 2010
ORDER OF BUSINESS: (Continued)

RESOLUTION #144-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

WHEREAS, on April 12, 2005 the Town Board authorized the purchase of SCADA components and the
Installation of the Supervisory, Control and Data Acquisition System at the Waste Water Treatment Facility
and Wastewater Pump Stations.

WHEREAS, the Public Works Committee has reviewed the Rates of the Professional Services agreement.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington acting on behalf of the
Canandaigua/Farmington Water District and the Sanitary Sewer District hereby authorizes the W S Supt to
enter into a Professional Services Agreement with Newark Electric (Colacino Industries) for electric and
SCADA System maintenance and service work. (See attached)

BE IT FURTHER RESOLVED, that funds for said Professional Services will be from the Farmington
Sanitary Sewer Budget and the Canandaigua/Farmington Water District.

All voting "Aye", the Resolution was CARRIED.

RESOLUTION #145-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION ESTABLISHING THE STANDARD WORKDAY PER TITLE FOR THE
PURPOSE OF DETERMINING DAYS WORKED REPORTABLE TO THE NEW YORK STATE
AND LOCAL EMPLOYEES' RETIREMENT SYSTEM

WHEREAS, effective August 12, 2009, new regulation requires both employers and elected and appointed
officials to record three consecutive months of days worked to help insure that employees receive the
correct days reported to NYS Retirement, therefore be it

RESOLVED, that the Farmington Town Board hereby establishes the following as a standard workday for
elected, appointed, and hourly employees for the purpose of determining days worked reportable to the
New York State and Local Employees’ Retirement System as follows:

FIVE DAY WORK WEEK, 8 HOUR DAY – Employee will be credited with 10 days per payperiod

 Supervisor
 Town Clerk/Receiver of Taxes
 Highway Superintendent
ASSessor Deputy Town Clerk
Confidential Secretary to the Supervisor
Principal Account Clerk
Account Clerk Typist
Water & Sewer Superintendent
Code Enforcement Officer (FT)
Asst. Code Enforcement Officer (FT)
Motor Equipment Operator
Motor Equipment Operator Light
Court Clerk FT
Water & Sewer Maintenance Asst.
Wastewater Treatment Plant Operator
Public Works Maintenance Asst.
Secretary to the Planning/Zoning Board
Auto Mechanic
Sewage Treatment Plant Operator
Labor

ALL PART-TIME EMPLOYEES WILL HAVE SERVICE CREDIT DETERMINED FOR THEM BASED ON THE NUMBER OF HOURS WORKED DIVIDED BY THE NUMBER OF HOURS SET BY THE TOWN BOARD AS A STANDARD WORKDAY (6 HOURS) WHICH IS AS FOLLOWS:

Clerk of the Boards (PT)
Court Clerk (PT)
Meter Reader (PT)
Code Enforcement Officer (PT)
Recreation Director
Election Custodian
Town Justices
Clerk PT
Recreation Leaders

TOWN BOARD MEETING APRIL 27, 2010
ORDER OF BUSINESS: (Continued)

Recreation Assistants
Recreation Specialists
Assessor’s Aide
Historian
Health Officer
Planning Board Members and Chairperson
Budget Officer
Town Board
All other Part-time positions with less than 30 hours per week

And, further be it, RESOLVED, that the Town Clerk forward copies of this resolution to the Supervisor, Finance and Account Specialist, and New York State and Local Employees’ Retirement System.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #146-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

Resolution authorizing Surplus Vehicle/Equipment for Auction – 2010

WHEREAS, the following piece(s) of vehicle/equipment used by the Water and Sewer Department are now obsolete and/or surplus:

1. 1997 Ford ¾ Truck w/utility body VIN #1FDHF25H9VEB57673
2. 2000 Chevrolet 1 ½ ton Truck w/utility body VIN #1GBK34F4YF403671

WHEREAS, the Annual Municipal Equipment Auction is being held May 8, 2010, at the Town of Palmyra Highway Department.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington acting on behalf of the Water and Sewer Districts, hereby authorizes the Water and Sewer Superintendent to have this piece of equipment be sold at this auction.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #147-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

Resolution authorizing Surplus Vehicle/Equipment for Auction – 2010

WHEREAS, the following piece(s) of vehicle/equipment used by the Water and Sewer Department are now obsolete and/or surplus:

1. 1997 Ford ¾ Truck w/utility body VIN #1FDHF25H9VEB57673
2. 2000 Chevrolet 1 ½ ton Truck w/utility body VIN #1GBK34F4YF403671

WHEREAS, the Annual Municipal Equipment Auction is being held May 8, 2010, at the Town of Palmyra Highway Department.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington acting on behalf of the Water and Sewer Districts, hereby authorizes the Water and Sewer Superintendent to have this piece of equipment be sold at this auction.

All voting “Aye”, the Resolution was CARRIED.
RESOLUTION TO PAY AUDITED BILLS
The bills were audited by the Town Board

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
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<tbody>
<tr>
<td>General</td>
<td>$78,247.20</td>
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<tr>
<td>Highway Fund</td>
<td>$14,819.11</td>
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<tr>
<td>Storm Drainage</td>
<td>$2,041.43</td>
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<td>$142,906.67</td>
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<td>Lighting</td>
<td>$6,244.08</td>
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<td>Sewer District</td>
<td>$49,960.57</td>
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<tr>
<td>Water District</td>
<td>$51,892.73</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$347,018.79</strong></td>
</tr>
</tbody>
</table>

All voting “Aye”, the Resolution was CARRIED.

WAIVER OF THE RULE (no objections)

RESOLUTION #148-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

Town Board Resolution declaring equipment in the Highway and Parks Department surplus and authorizing it be disposed of at the Palmyra Municipal Equipment Auction.

WHEREAS, the Highway/Parks Superintendent has asked the Farmington Town Board to declare the following items surplus:
- A 1998 Chevy half-ton pick-up
- A 1997 International single-axle dump truck
- A 325 mower

TOWN BOARD MEETING     APRIL 27, 2010

Now therefore be it RESOLVED that the above listed items be deemed surplus and disposed of at the annual Palmyra Municipal Equipment Auction to be held on May 8 and therefore be it RESOLVED, that a copy of this resolution be forwarded to the Highway/Parks Superintendent.

All voting “Aye”, the Resolution was CARRIED.

TRAINING UNDER $100.00:
1. Margaret Hartsaugh attended Landmark Society preservation conference in Palmyra April 24 at a cost not to exceed $72.

DISCUSSION: None.

EXECUTIVE SESSION:
A motion was made by Councilman Mickelsen, seconded by Councilman Casale to enter in executive session to discuss pending litigation at 7:40 PM. Motion carried.

A motion was made by Councilman Ingalsbe, seconded by Councilman Casale to close the executive session at 8:30 PM. Motion carried.

A motion was made by Councilman Mickelsen, seconded by Councilman Casale to adjourn the meeting at 8:30 PM. Motion Carried.

Meeting was recorded by Deputy Town Clerk Tammy Means and transcribed by Michelle A. Finley, Town Clerk:

TOWN BOARD MEETING     MAY 11, 2010

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 11th 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: Jim Crane – Water & Sewer Superintendent, James Morse – Code Enforcement Officer, Dean Litcherman- Victor Herald, Ed McLaughlin – Highway/Parks Superintendent, Ronald Brand- Director of Planning and Development, Paul Conrad- Fire Chief, Dotti Mickelsen, and Students from Victor Central School.

PUBLIC HEARINGS:

A motion was made by Councilman Casale, seconded by Councilman Holtz, that the minutes of the April 27, 2010, meeting, given to members for review, be approved. CARRIED.

PRIVILEGE OF THE FLOOR: NONE.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Mickelsen reported:

Highway & Parks:

4. Discussed Stonehedge drainage facility project almost completed.
5. Discussed Heritage Motors.
6. Discussed the parking lot at Farmbrook Park, also discussed moving the swing set closer to the pavilion and widening the Basketball Court.
7. Discussed roadwork on Stewart Circle and Whitetail Lane.
8. Discussed Town Cleanup-went well.

Water & Sewer:

8. Discussed RIT Students touring the Plant on April 30.
10. Evacuation Training was completed on May 7.

TOWN BOARD MEETING      MAY 11, 2010

REPORTS OF TOWN OFFICIALS: (Continued)

11. One watermain break- Purdy Road.
12. Discussed request for extension to the Canandaigua-Farmington Water District on Yahn Road.
13. Proposed Sewer Extension on Green Road, failed septic system.
14. Planting trees for screening.
15. Working on Subdivision plans for the Highway Garage property.

Town Operations Committee: Councilman Casale reported:

1. Stated that Ron Brand met with Lance Young from O’Connell Electric concerning Wind Energy legislation.
2. Discussed training at Houghton College.
3. Discussed Town Board setting up a committee of 7-8 people to update Comprehensive Plan.
4. Would like Ron Brand to go over Article 6, Chapter 165 of the Code pertaining to Special Use Permit, standards may need to be changed.

REPORTS OF TOWN OFFICIALS:

Supervisor Fafinski:

1. Discussed training at Houghton College-very informative, study needs and wants. He stated that the board cannot place CHIPS money in a highway agreement, needs to be done earlier than at the Organizational Meeting. He added that the Highway Superintendent can only do what is in the agreement, the Highway Superintendent and the Town Board can only change the agreement by resolution.

Highway& Parks Superintendent Ed McLaughlin:

1. Stormwater Management Facility at Stonehedge is 90% completed.

Town Clerk Michelle Finley:

1. Update on Town Clerk conference.
2. Update on Dog Enumeration-located an additional 217 dogs.
4. Official Zoning Maps are now available.

Water & Sewer Superintendent Jim Crane:

1. Planting trees.
Code Enforcement Officer James Morse:
1. Stated that they have started the mobile park reviews.
2. Demolition on New Michigan Road started today.

Director of Planning and Development:
1. Mentioned two resolutions on local laws.
2. Discussed application for used car dealership on Route 96, general business use, no criteria under Article 6 of the Town Code to regulate to require improvements therefore revisions need to be adjusted and needs direction from the Board.

Assessor Donna LaPlant: None

Farmington Fire Chief Paul Conrad: None

COMMUNICATIONS:
1. Letter to the Supervisor from Time Warner Cable. Re: channel offerings.
2. Memo from Director of Development to Planning Board, Conservation Board and Ag Advisory Committee. Re: Draft local laws.
4. Inter-municipal cooperation agreement between the Town of Farmington, Victor schools and Ontario County for assessment suit with racino.
5. Letter of interest for Recreation Advisory Board with response.
6. Letter to Town Clerk from Chris Wade, President of Wade’s Market Center. Re: Liquor license.
7. Letter to Nicholas Packard from the Town Clerk. Re: gratitude for joining the Farmington Fire Department.
8. Ontario County first quarter sales tax comparison sheet.
10. Letter of credit.

TOWN BOARD MEETING MAY 11, 2010

14. Invoices sent to the Victor Central School District and Ontario County for reimbursement for legal services provided in the assessment case with the racino.
15. Certificates of liability insurance for: Home Depot; Villager Construction; Farmington Canine Center Inc.; Brooks Construction; T-Mobile USA; Legacy Concepts; Alpco Recycling; Duro-Shed Inc.; Kelly Atlantic Corp.; Besroi Roofing & Siding Co.; and Butler Fence Co.
16. Certificates of workers compensation insurance for: Matthew J. Nowak; Paynes Construction; Villager Construction; Pace Window & Door; Kenneth F. Mast; Butler Fence Co; and Paragon Restoration Group, Inc.

REPORTS & MINUTES:
5. General Fund Detail of Expenditures for April 2010.

ORDER OF BUSINESS:

RESOLUTION #149-2010: Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN THE MUNICIPAL COMPLIANCE CERTIFICATE FORM FOR THE 2010 MS-4 ANNUAL REPORT

WHEREAS, the Highway/Parks Superintendent has asked the Town Supervisor to sign the Municipal Compliance Certificate Form for the 2010 MS-4 Annual Report, and

WHEREAS the Annual Report is a shared report that is required to be filed in conjunction with the other eight members of the Ontario-Wayne Storm water Coalition,

NOW, THEREFORE, BE IT RESOLVED that the Town Board authorizes the Supervisor to sign the certificate form and
BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to forward a copy of this resolution to the Parks/Highway Superintendent. All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #150-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING THE APPOINTMENT OF STEFANIE TALLMAN, RIKK FORINGER AND JULIE LARUE TO THE RECREATION ADVISORY BOARD

WHEREAS, the Farmington Town Board received letters of interest for the Recreation Advisory Board from residents Stefanie Tallman, Rikk Foringer and Julie LaRue and subsequently interviewed them at the Town Hall, and

WHEREAS, the Town Board feels they would be a positive addition to the board given their background and enthusiasm,

NOW, THEREFORE, BE IT RESOLVED that the Town Board appoints Tallman, Foringer and LaRue to the Recreation Advisory Board for terms of two years, to expire on December 31, 2011, and

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to forward a copy of this resolution to Tallman, of 6212 Pheasants Crossing, Farmington; LaRue of 1270 Glencarlyn Drive, Farmington; and Foringer of 1213 County Road 28, Shortsville; and to Recreation Director Mark Cain.

All voting “Aye”, the Resolution was CARRIED.

TOWN BOARD MEETING
MAY 11, 2010
ORDER OF BUSINESS: (Continued)

RESOLUTION #151-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING THE APPOINTMENT OF ROSALIE FAFINSKI TO THE ETHICS BOARD

WHEREAS, the Farmington Town Board received a letter of interest for the Ethics Board from resident Rosalie Fafinski, and

WHEREAS, the Town Board feels she would be a positive addition to the board given his background and enthusiasm,

NOW, THEREFORE, BE IT RESOLVED that the Town Board appoints Fafinski to the Ethics Board for a term of three years, to expire on December 31, 2012, and

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to forward a copy of this resolution to Fafinski at 5829 Mountain Ash Drive.

Supervisor Fafinski abstain, all remaining voting “Aye”, the Resolution was CARRIED.

RESOLUTION #152-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING THE APPOINTMENT OF WILLIAM MURPHY TO THE CONSERVATION BOARD

WHEREAS, the Farmington Town Board received letters of interest for the Conservation Board from William Murphy and subsequently interviewed him at the Town Hall, and

WHEREAS, the Town Board feels he would be a positive addition to the board given his background and enthusiasm,

NOW, THEREFORE, BE IT RESOLVED that the Town Board appoints Murphy to the Conservation Board for a term of two years, to expire on December 31, 2011, and
BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to forward a copy of this resolution to Murphy at 4995 Rushmore Road, Palmyra and to John Kasper, the Chairman of the Conservation Board.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #153-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF FARMINGTON AUTHORIZING SCHEDULING OF PUBLIC HEARING FOR THE FRASCO EXTENSION TO THE CANANDAIGUA-FARMINGTON CONSOLIDATED WATER DISTRICT

WHEREAS, by written Petition dated October 22, 2009, submitted in due form by Petitioner, containing the required signatures, which has been presented and filed with the Town Clerk of the Town of Farmington, Ontario County, New York, for the Frasco Extension to the Canandaigua-Farmingon Consolidated Water District (“District”) to serve the individual lot and parcel of land within the proposed District; and

WHEREAS, the Town Board deems it to be in the best interests of the residents of the Town of Farmington to pursue the District, pursuant to a Map, Plan and Report made Thornton Engineers LLP. dated September, 2009, and filed with the Town Clerk on May 6, 2010, (See Exhibit 1 attached hereto and made a part hereof.)

NOW, THEREFORE, BE IT RESOLVED, that the Order Calling for Public Hearing, attached hereto, shall be signed by the members of the Town Board of the Town of Farmington and published, posted and entered into the Minutes in accordance with Section 193 of the Town Law and the Town Clerk and/or Counsel to the Town are hereby authorized to take any and all further measures necessary to comply with the Town Law in preparation for the final adoption of the aforementioned District.

TOWN BOARD MEETING MAY 11, 2010
ORDER OF BUSINESS: (Continued)

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #154-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR AN EQUIPMENT PURCHASE

WHEREAS, the Assessor’s computer printed broke and needed to be replaced, and

WHEREAS, a new printer was purchased for $229.99,

NOW, THEREFORE, BE IT RESOLVED that the Town Board authorizes the following budget amendment to cover the expense:

FROM: Contingency-CE A1990.4 ($229.99)
TO: Assessment-Equipment A1355.2 $229.99

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to forward a copy of this resolution to the Finance and Accounting Specialist and the Assessor.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #155-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

Letter of Credit Release #1 – The Estates at Beaver Creek Subdivision, Section 1, in the total amount of $ 141,896.92.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a request from David Degear, Town Planning Board Chairperson, May 5, 2010 recommending that the above referenced Letter of Credit Release #1 be approved in the total amount of $ 141,896.92 for work completed in the Section 1 portion of The Estates at Beaver Creek Subdivision; and
WHEREAS, the Planning Board has reviewed the documentation submitted for the release of the Letter of Credit, including the Town Letter of Credit Release Form No. 1 for The Estates at Beaver Creek Subdivision Project signed by all department heads; and

WHEREAS, there is currently a total of $ 642,799.04 in this letter of credit; and

WHEREAS, there will be a total of $ 500,903.02 remaining in the Letter of Credit; and

WHEREAS, the Planning Board has, in a resolution adopted on May 5, 2010 recommended the release of the requested amount, $ 141,896.92.

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, in the amount specified above herein.

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 was CARRIED.

RESOLUTION #156-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Ingalsbe:

Accepting the Full Environmental Assessment Form, Parts 1, 2 & 3 for the Action identified as Local Law #4 of 2010, On-site-use Wind Energy Systems Regulations

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received the completed Full Environmental Assessment Form, Parts 1, 2 & 3 for the above described Action; and

WHEREAS, the Town Board is the only involved agency under the provisions of the State Environmental Quality Review (SEQR) Regulations for making the required determination of significance; and

TOWN BOARD MEETING MAY 11, 2010
ORDER OF BUSINESS: (Continued)

WHEREAS, the Town Board has reviewed the documents described above herein.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby find the Parts 1, 2 & 3 to be complete.

BE IT FURTHER RESOLVED that the Town Board does hereby accept the Parts 1, 2 & 3 in compliance with the procedures set forth under part 617 of Article 8 of the State Environmental Conservation Law.

BE IT FURTHER RESOLVED that the Town Board directs that copies of the Parts 1, 2 & 3 are hereby made as attachments to this resolution.

BE IT FINALLY RESOLVED that the Town Board does hereby direct the Parts 1, 2 & 3 be filed with the Town Clerk for public review and inspection as part of the formal adoption process now underway for this local law.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #157-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Mickelsen:

Accepting the Full Environmental Assessment Form, Parts 1, 2 & 3 for the Action identified as Local Law #5 of 2010, WEFD Wind Energy Farm District Regulations

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received the completed Full Environmental Assessment Form, Parts 1, 2 & 3 for the above described Action; and

WHEREAS, the Town Board is the only involved agency under the provisions of the State Environmental Quality Review (SEQR) Regulations for making the required determination of significance; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby find the Parts 1, 2 & 3 to be complete.
BE IT FURTHER RESOLVED that the Town Board does hereby accept the Parts 1, 2 & 3 in compliance with the procedures set forth under part 617 of Article 8 of the State Environmental Conservation Law.

BE IT FURTHER RESOLVED that the Town Board directs that copies of the Parts 1, 2 & 3 are hereby made as attachments to this resolution.

BE IT FINALLY RESOLVED that the Town Board does hereby direct the Parts 1, 2 & 3 be filed with the Town Clerk for public review and inspection as part of the formal adoption process now underway for this local law.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #158-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

WHEREAS, the Water and Sewer Department received a price quote from Siewert Equipment to replace the Gorman Rupp Three Phase Pump for the lift station located at Hadley Circle in Victor due to pump failure. Plus purchase a replacement pump for Stations on Route 251, and

WHEREAS, the Gorman Rupp JSV3D60-X4 230 volt Three Phase Pump in the amount of $2,925.00 has been ordered for emergency replacement, and a replacement pump JSV3C60-X2.7 is needed for a cost of $2840.00, and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington acting on behalf of the Farmington Sanitary Sewer District hereby authorizes the Water and Sewer Superintendent to purchase form Siewert Equipment Co. two (2) pumps for a total cost not to exceed $5765.00.

BE IT FURTHER RESOLVED, that this purchase will be expended from the Sanitary Sewer Budget lines SS-8120.4.

All voting “Aye”, the Resolution was CARRIED.

TOWN BOARD MEETING MAY 11, 2010
ORDER OF BUSINESS: (Continued)

RESOLUTION #159-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT TO COVER ATTORNEY FEES

WHEREAS, the Farmington Town Board has incurred unexpected debt in legal fees to the firm Boylan Brown, largely due to a property assessment lawsuit brought by the Finger Lakes Gaming and Race Track,

NOW, THEREFORE, BE IT RESOLVED that the Town Board authorizes the following budget amendment to cover the expenses:

FROM: Contingency-CE A1990.4 ($8,290.22)
TO: Attorney Fees-CE A1420.4 $8,290.22

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to forward a copy of this resolution to the Finance and Accounting Specialist and the Assessor.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #160-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

RESOLUTION OPPOSING ASSEMBLY BILL NO. A.9911 AMMENDING THE PUBLIC OFFICERS LAW, IN RELATION TO REQUIRING CERTAIN RECORDS WHICH ARE THE SUBJECT OF A DISCUSSION CONDUCTED AT AN OPEN MEETING BE MADE AVAILABLE TO THE PUBLIC

WHEREAS, The New York State Assembly has introduced Assembly Bill No. A.9911 that, if approved, would require certain agency records be made available to the public pursuant to Article Six, as well as any proposed resolution, law, rule, regulation, policy or any amendment thereto, that are scheduled to be the subject of a discussion by a public body during an open meeting, shall be made available to the extent practicable, prior to or at the meeting during which such records will be discussed; and
WHEREAS, Assembly Bill No. A.911 would require such records to be posted on the Web site of the agenda with which the public body is affiliated, as soon as practicable, but not less than 24 hours prior to a meeting during which they will be discussed, and a reasonable number of copies of such records shall be made available, to the extent practicable, at or prior to the meeting; and

WHEREAS, said legislation would be a significant burden on staff and resources at the local government level, let alone could cost municipalities more money to make additional copies and require towns to expand technology to accommodate such requirement; and

WHEREAS, many municipalities do not have Internet capability, therefore causing them to make paper copies available and causing additional expenses for that municipality; and

WHEREAS, the Town of Farmington Town Board supports open government and the public’s “right to now,” and now makes such material readily available to the public under the state’s Freedom of Information, or “sunshine” laws, furnishing resolutions, correspondence or other agenda items discussed in open meetings to the public in a reasonable amount of time,

NOW THEREFORE BE IT RESOLVED, that the Town Board of Farmington, hereby opposes Assembly Bill A.911 and urges the New York State Senate to also oppose such a bill; a

AND FURTHER BE IT RESOLVED that a certified copy of this resolution is sent to Assemblyman Joseph Errigo and Senator Michael Nozzolio.

All voting “Aye”, the Resolution was CARRIED.

TOWN BOARD MEETING May 11, 2010
ORDER OF BUSINESS: (Continued)

RESOLUTION #161-2010: Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION TO PAY AUDITED BILLS
The bills were audited by the Town Board

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<th>ABSTRACT #9-2010</th>
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<td>Highway Fund</td>
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All voting “Aye”, the Resolution was CARRIED.

WAIVER OF THE RULE (no objections)

RESOLUTION #162-2010: Councilman Casale offered the following Resolution, seconded by Councilman Mickelsen:

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN A PROPOSAL FOR DANIEL BRENT FOR WORK-CULTURE TRAINING SESSIONS FOR EMPLOYEES

WHEREAS, it has been determined that workplace and culture training would be an asset to town employees to enhance productivity and morale, and

WHEREAS, independent consultant Daniel Brent has offered his training “work culture” sessions for town employees at a cost of $100 per three to three-and-a-half hour session,

NOW THEREFORE BE IT RESOLVED that the Farmington Town Board authorizes the Supervisor to sign a proposal for Brent to conduct the sessions for town employees at a cost of $100 per session with the number of sessions to be determined at a later date, and be it
RESOLVED that the Town Clerk provide copies of this resolution to the Supervisor’s Office and all department heads.

All voting “Aye”, the Resolution was CARRIED.

TRAINING UNDER $100.00: None.

DISCUSSION: None.

EXECUTIVE SESSION: None.

A motion was made by Councilman Mickelsen and seconded by Councilman Ingalsbe to adjourn the meeting at 7:45 p.m. All voted “Aye”.

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

TOWN BOARD MEETING  MAY 25, 2010

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 25th 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: James Morse – Code Enforcement Officer, Ed McLaughlin – Highway/Parks Superintendent, Ronald Brand – Director of Planning and Development, Mary Neale – Planning Board Member, Farmington Residents Mr. & Mrs. Cole, Dotti Mickelsen, and Students from Victor Central School.

TOWN BOARD MEETING  MAY 25, 2010

PUBLIC HEARINGS:
1. Local Law No. 4: On-Site Wind Energy Systems.
2. Local Law No. 5: WEF Wind Energy Farm District.
3. Frasco Extension to the Canandaigua-Farmington Water District.

At 7:00 PM, on this date, a Public Hearing was called to order to hear all persons/citizens, in interest, concerning the adoption of a local law to amend Articles II, IV, and VI of Chapter 165 of the Town Code, to be known as On-Site Use Wind Energy Systems Local Law. The Town Clerk read the Legal Notice, as published in the Town’s designated newspaper.

Supervisor Fafinski opened the public hearing. Supervisor Fafinski stated that the Conservation Board and the Agricultural Advisory Board submitted written responses on both draft local laws. The hearing was declared closed at 7:04 PM.

At 7:04 PM, on this date, a Public Hearing was called to order to hear all persons/citizens, in interest concerning the adoption of a local law to amend Articles II, IV, and VII and Amendment 1, Town of Farmington Schedule, Lot Area, Bulk and Coverage Requirements of Chapter 165 of the Town Code, to be known as WEF Wind Energy Farm District. The Town Clerk read the legal notice, as published in the Town’s designated newspaper.

Supervisor Fafinski opened the public hearing. No one wishing to be heard, for or against the foregoing subject matter, the hearing was declared closed at 7:04 PM.

At 7:04 PM, on this date, a Public Hearing was called to order to hear all persons/citizens, in interest, concerning the proposed creation of a district for the Frasco Extension to the Canandaigua-Farmington Water District. The Town Clerk read the legal notice, as published in the Town’s designated newspaper.

Supervisor Fafinski opened the public hearing. No one wishing to be heard, for or against the foregoing subject matter, the hearing was declared closed at 7:11 PM.

PRIVILEGE OF THE FLOOR: Mr. & Mrs. Cole -5950 Allen Padgham Road. Mrs. Cole stated that they are in the process of selling her mother’s home and barn that were built in 1870. They have discovered that the barn is in part of the road easements. She added that the Town Attorney has recommended that they Town not offer an easement so they can sell the property. Supervisor Fafinski stated that he tried to find out if the road was a three rod road which would make the highway right-of-way much less so he has asked the Highway Superintendent to do some research on it and there is a document dated in 1989 from the County indicating the width or type of width on roads and it listed Bowerman Road as a four rod road and he questioned that and asked what authority does the County have to deem that.
Highway Superintendent added that he found some improvements that were done on the road that shows a four rod road. He added that this comes down to highway by use in which the property owner owns to center of road but the town maintains the road. He added that in researching the highway law if he needed to go in and improve the road and open the easement the barn maybe an issue. His opinion is that the road has been built to meet the standards of today and sees no reason to go in and open the easement and with that said in talking with Bill Wright, Ontario County Highway Superintendent, regarding the barn encroaching the highway right of way and the town cannot give away a highway right of way away. He would ask for a License Agreement which would say that yes you could use the space but when the barn goes everything goes with it, that the owners would continue to maintain the portion of the bard encroaching within the highway right of way. He added that highway uses trumps all other uses but he sees no issues.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Ingalsbe reported:

Highway & Parks:
1. Discussed equipment being sold in auction.
2. Discussed purchasing swing set and spring animals for Mertensia Park and other town parks.
3. Farmbrook Parking lot project update, plan on moving swing set closer to pavilion and parking lot. Need to notify people of limited parking at the park.
4. Discussed Bowerman Road right of way issue.
5. Discussed CHIPS projects.

Water & Sewer:
1. Will get update on billing software for next meeting.

Town Operations Committee: Councilman Casale reported:
1. Discussed Wind Energy legislations.
2. Discussed reviewing Special Use Permits legislation.

TOWN BOARD MEETING MAY 25, 2010

Town Finance Committee: Councilman Mickelsen reported:
1. Met with Town Bookkeeper regarding the credit card use policy.

Town Public Safety Committee: Councilman Holtz reported:
1. Discussed reviewing public safety procedures.

REPORTS OF TOWN OFFICIALS:

Supervisor Fafinski:
1. Discussed budget updates from Association of Counties – Medicaid.
2. Discussed the state approving an emergency spending bill at the cost of 9 Billion Dollars to pay 2300 contracts according to the Association of Counties.

Highway & Parks Superintendent Ed McLaughlin:
1. Parks are busy mowing and landscaping.
2. Few trucks are hauling chips in Macedon.
3. Working on Stormwater Management Facility and Detention Facility at Farmbrook Park.
4. Stormwater Management Facility at Stonehedge is completed.
5. Shelly VanLare planted 15 plants at Mertensia Lodge, Garden Club will put down mulch.

Town Clerk Michelle Finley:
1. Update on Dog Enumeration.- sending out letters to unlicensed dog owners.

Water & Sewer Superintendent Jim Crane: none

Code Enforcement Officer James Morse:
1. Mobile Home reviews are completed.
2. New Michigan Road demolition – seeding and grading.

Director of Planning and Development:
1. Discussed meeting with ZBA-request for an area variance for a flag lot in Stonewood.
2. Discussed Estates @ Beaver Creek and Auburn Meadows.
3. Discussed NYS DEC provisions – proposing outlawing outdoor wood burning stoves.

Planning Board: Mary Neale reported:
1. Planning Board Members attended training.

Assessor Donna LaPlant: none

COMMUNICATIONS:
1. Memos to the Town Justices, Tax Collector and Town Clerk from the Finance and Accounting Specialist. Re: Internal audit schedule.
2. Copy of e-mail from Carl Webeck of RG&E to the Supervisor’s Office. Re: Fairdale Glen lighting district.
3. Certificates of attendance for Ted Fafinski, Mike Casale, Sherree Hooper and Peter Ingalsbe for the Southern Tier West Local Government Conference.
4. Letters of appointment to those chosen for the Recreation Advisory Board and the Conservation Board.
5. Memo from Monroe County Environmental Planner Rochelle Bell to the Supervisor. Re: Land Use Decision Making Training Program.
6. Invoices to developers for legal services by the Town Attorney.
12. Copy of the Town’s application for a Public Interest Payphone, mailed to the Public Service Commission.
13. Letter to the Director of Development from the MRB Group. Re: Lay Properties LLC.
15. Letter and related documents from the Town Attorney to the Town Clerk. Re: Saratoga Crossings LLC.
17. Notice that insurance policy for Howard J. & Lawrence H. Mirt is cancelled effective 12:01 a.m. April 13, 2010.

TOWN BOARD MEETING MAY 25, 2010

ORDER OF BUSINESS:

RESOLUTION #163-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF FARMINGTON AUTHORIZING SCHEDULING OF PUBLIC HEARING

WHEREAS, by written Petition dated March 26, 2010, submitted in due form by Petitioners, containing the required signatures, which has been presented and filed with the Town Clerk of the Town of Farmington, Ontario County, New York, for the Mercier Subdivision Lighting District ("District") to serve the several lots and parcels of land within the proposed District; and

WHEREAS, the Town Board deems it to be in the best interests of the residents of the Town of Farmington to pursue the District, pursuant to a Map made by McMahon LaRue Associates, P.C. map entitled "Farmington 332 LLC Senior Housing" dated March 2009, and filed with the Town Clerk on May 25, 2010, (See Exhibit 1 attached hereto and made a part hereof.)

NOW, THEREFORE, BE IT RESOLVED

That the Order Calling for Public Hearing, attached hereto, shall be signed by the members of the Town Board of the Town of Farmington and published, posted and entered into the Minutes in accordance with Section 193
of the Town Law and the Town Clerk and/or Counsel to the Town are hereby authorized to take any and all further measures necessary to comply with the Town Law in preparation for the final adoption of the aforementioned District.

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 25, 2010, by the following vote:

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<th>Aye</th>
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<tr>
<td>Theodore M. Fafinski</td>
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<td>Steven Holtz</td>
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All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #164-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF FARMINGTON ONTARIO COUNTY, NEW YORK, DETERMINATION OF SIGNIFICANCE-FRASCO EXTENSION TO THE CANANDAIGUA-FARMINGTON CONSOLIDATED WATER DISTRICT

WHEREAS, the Town of Farmington Town Board, hereinafter 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

WHEREAS, the Town Board has considered the potential impacts associated with said action.

NOW, THEREFORE, BE IT RESOLVED THAT the Town Board makes this Determination of Non-Significance based upon: the Thornton Engineering LLP map, plan and report dated September 2009; the May 25, 2010, 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 SEQR 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 concern; 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 25, 2010, by the following vote:

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<td>Steve Holtz</td>
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All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #165-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Mickelsen:

TOWN BOARD MEETING: MAY 25, 2010
ORDER OF BUSINESS: (Continued)
RESOLUTION OF THE TOWN BOARD OF THE TOWN OF FARMINGTON APPROVING CREATION OF THE FRASCO EXTENSION TO THE CANANDAIGUA-FARMINGTON CONSOLIDATED WATER DISTRICT

WHEREAS, a written Petition dated October 22, 2009, has been presented and filed with the Town Clerk of the Town of Farmington, Ontario County, New York, requesting establishment of the Frasco Extension to the Canandaigua-Farmington Consolidated Water District ("District") with boundaries as described in a Map, Plan and Report relating to the establishment of the District, attached hereto as Exhibit 1, dated September 2009 and prepared by Thornton Engineers LLP 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 11, 2010, reciting the filing of said Map, Plan and Report, the improvements proposed, the boundaries of the proposed District, the fact that the Map, Plan and Report 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 25, 2010, at 7:03 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, Plan and Report and to hear all persons interested in the subject thereof, concerning the same, and to 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 25, 2010, 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 upon the environment and could be processed by other applicable governmental agencies without further regard to SEQR.

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 is otherwise sufficient;
2. The Order Calling Public Hearing was duly published in the Town’s official newspaper on May 17, 2010 and duly posted on the Town’s official sign board on May 17, 2010, all as required by law and is otherwise sufficient;

TOWN BOARD MEETING MAY 25, 2010

ORDER OF BUSINESS: (Continued)

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 Map, Plan and Report 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 as outlined in the Map, Plan and Report referred to herein;
8. That the establishment of the District, as set forth in said Map, Plan and Report, be and hereby is approved; that the improvements therein mentioned be constructed by the Petitioner; and such District shall be bounded and described as set forth in Exhibit 1 attached hereto and made a part hereof; and be it further resolved
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 25, 2010, by the following vote:

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<td>Michael Casale</td>
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RESOLUTION #166-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR ADDITIONAL EXPENSES INCURRED FROM A SETTLEMENT

WHEREAS, the Farmington Town Board has been notified that there has been a settlement for $400 in a legal case filed by John DiMarco, who alleged his vehicle was damaged because of roadwork,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the following budget amendment to cover the expense of the settlement in DiMarco v. Town of Farmington:

FROM: A1990.4 Contingency – CE ($400)
TO: A1910.4 Unallocated Insurance-CE $400

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to forward copies of this resolution to the Highway/Parks Superintendent and the Finance and Accounting Specialist.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #167-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE PURCHASE OF A SHREDDER TO BE USED IN THE TOWN HALL

WHEREAS, the Farmington Town Board at its May 11 meeting authorized the purchase of a heavy-duty shredder at a cost not to exceed $1,500 and to be used at the Town Hall

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the following budget amendment for the purchase:

FROM: A1990.4 Contingency – CE ($1,416.00)
TO: A1660.2 Storeroom – Equipment $1,416.00

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to forward copies of this resolution to the Supervisor’s Secretary and the Finance and Accounting Specialist.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #168-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING THE CREATION OF 4 NEW RECREATION ASSISTANT POSITIONS

WHEREAS, the Farmington Town Board approved the 2010 budget with 22 Recreation Assistants to work under the supervision of Recreation Director Mark Cain in the Summer Recreation program, and

WHEREAS, the Ontario County Department of Human Resources only has 18 posts created for the town under Civil Service,

NOW, THEREFORE, BE IT RESOLVED that the Town Board authorizes the creation of the four additional Recreation Assistant positions for the Summer Recreation program and authorizes the Supervisor to sign the required MSD222 form to be forwarded to the county and

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to forward the two attached MSD222 forms, signed by the Supervisor, and a copy of this resolution to Carol Morse at the Ontario County Department of Human Resources as well as a copy of this resolution to Mark Cain.

Discussion: Supervisor Fafinski stated that these positions were budgeted for 2010. Councilman Ingalsbe added that it is also needed due to the increase attendance at the summer recreation program.
RESOLUTION #169-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

RESOLUTION ACCEPTING A QUOTE FROM LAKELANDS CONCRETE FOR PRE-CAST CATCH BASINS FOR THE RECONSTRUCTION OF WHITE TAIL LANE AND SUEDE CIRCLE

WHEREAS, the Farmington Highway/Parks Superintendent received two quotes for pre-cast catch basins for the reconstruction project on White Tail Lane and Suede Circle and

WHEREAS, the low bid was for $2,255 from Lakelands Concrete while the second bid was for $2,450 from Baliva Concrete,

NOW, THEREFORE, BE IT RESOLVED that the Town Board authorizes the Highway/Parks Superintendent to accept the bid from Lakelands Concrete at a cost not to exceed $2,255 and

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to forward a copy of this resolution to the Highway/Parks Superintendent.

Councilman Mickelsen offered an amendment to the resolution adding that it be conditional on the State approving the CHIPS money, Councilman Casale seconded the motion. Councilman Ingalsbe stated that this was discussed at Public Works. On the amendment only, all voting “Aye”, Carried.

All voting “Aye”, the Resolution as amended was CARRIED.

RESOLUTION #170-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION ACCEPTING A QUOTE FROM HYNES CONCRETE TO FURNISH AND INSTALL CONCRETE GUTTERS AND APRONS FOR THE RECONSTRUCTION ON WHITE TAIL LANE AND SUEDE CIRCLE

WHEREAS, the Highway/Parks Superintendent received two quotes to furnish and install concrete gutters and aprons for the reconstruction project on White Tail Lane and Suede Circle; and

TOWN BOARD MEETING MAY 25, 2010
ORDER OF BUSINESS: (Continued)

WHEREAS, the low quote for $33,424.25 was received from Hynes Concrete and the second quote was for $42,232.50 from Pooler Enterprises,

NOW, THEREFORE, BE IT RESOLVED that the Town Board authorizes the Highway/Parks Superintendent to accept the bid from Hynes Concrete at a cost not to exceed $33,424.25 and

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to forward a copy of this resolution to the Highway/Parks Superintendent.

Councilman Mickelsen offered an amendment to the resolution adding that it be conditional on the State approving the CHIPS money, Councilman Casale seconded the motion. On the amendment only, all voting “Aye”, Carried.

All voting “Aye”, the Resolution as amended was CARRIED.

RESOLUTION #171-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION DECLARING JUNE 4 THROUGH JULY 10, 2010 AS “PAINT THE TOWN PURPLE DAYS” FOR THE AMERICAN CANCER SOCIETY’S ANNUAL RELAY FOR LIFE FUNDRAISER.

WHEREAS, cancer is a group of diseases characterized by uncontrolled growth and spread of abnormal cells which, if not controlled, can result in death; and

WHEREAS, the American Cancer Society is a voluntary community based health organization dedicated to eliminating cancer as a major health problem; and

WHEREAS, the Relay for Life is a celebration of life benefitting the American Cancer Society; and

WHEREAS, the Relay for Life will be held in several area communities, including at the Victor Central High School soccer field on July 9 and 10, 2010; and
WHEREAS, the event is a community affair held throughout the state of New York and presents an opportunity to join with neighbors, friends and relatives to raise funds for research and services;

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby proclaim June 4 though July 10, 2010 as “Paint the Town Purple” for the American cancer Society’s Relay for Life in the county of Ontario; and encourages local businesses and residents to celebrate the event with purple-colored flags, displays, porch lights and more; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to forward this resolution to the American Cancer Society in care of Kim Morley, 5676 Route 96, Farmington, NY 14425 as well as to the Chamber of Commerce president.

All voting ”Aye”, the Resolution was CARRIED.

RESOLUTION #172-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

CRITERIA FOR DETERMINING SIGNIFICANCE
ACTION - Local Law No. 4 of 2010 A local law entitled “Local Law to establish On-site-use Wind Energy Systems Regulations.”

Whereas, the Town of Farmington Town Board (hereinafter referred to as Town Board) has determined the proposed On-site-use Wind Energy Systems Regulations Local Law (hereinafter referred to as Action) to be an Unlisted Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

Whereas, the Town Board has reviewed and accepted the Full Environmental Assessment Form, dated April 29, 2010 prepared by Ronald L. Brand, Town of Farmington Director of Planning & Development; and

Whereas, the Town Board has conducted a public hearing on said action, has given consideration to the Ontario County Planning Board’s referral # 61 - 2010 comments and has given consideration to the comments provided at a public hearing held on this date; and

Whereas, the Town Board has given consideration to the criteria for determining significance as set forth in Section 617.7 (c) (1) of the SEQR Regulations and the information contained in Parts 1, 2 and 3 of the Full Environmental Assessment Form prepared by the Town Planner.

TOWN BOARD MEETING May 25, 2010
ORDER OF BUSINESS: (Continued)

Now, therefore, be it resolved that the Town Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 of the State Environmental Quality Review (SEQR) Regulations:

(i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;

The Town Board finds that there has been no identified adverse impacts associated with any of the above elements of the environment that would likely be affected from the action to establish On-site-use Wind Energy Systems Regulations.

(ii) there will not be large quantities of vegetation or fauna removed from the future planned development site or destroyed as the result of the proposed action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed action; there will not be a significant impact upon habitat areas on any site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on any future development of the subject site;

The Town Board finds that there has been no identified adverse impacts associated with any of the above elements of the environment that would likely be affected from the action to establish On-site-use Wind Energy Systems Regulations.

(iii) there are no known Critical Environmental Area(s) that will be allowed to be disturbed on the PD zoned site which will be impaired as the result of the proposed action;

There are no established Critical Environmental Area(s) in the Town of Farmington.

(iv) the overall density of the PD zoned site will be consistent with the adopted Town Comprehensive Plan land use recommendations;
The adopted Town of Farmington Comprehensive Plan recommends the development of these type of alternative energy systems.

(v) there will be no disturbance of any known important historical, archeological, architectural, or aesthetic resources on the PD zoned site, or will the proposed action impair the existing community or neighborhood character;

The Town Board finds that there has been no identified adverse impacts associated with any of the above elements of the environment that would likely be affected from the action to establish On-site-use Wind Energy Systems Regulations.

(vi) there will not be a major change in the use of either the quantity or type of energy resulting from the proposed action;

The Town Board finds that there has been no identified adverse impacts associated with any of the above elements of the environment that would likely be affected from the action. On the contrary, the Town Board finds that the proposed action will enable alternative energy systems to be operated within the town, thereby having a positive impact upon this consideration under SEQR.

(vii) there will not be any hazard created to human health;

The Town Board finds that there has been no identified adverse impacts associated with any of the above elements of the environment that would likely be affected from the action to establish On-site-use Wind Energy Systems Regulations.

(viii) there will not be a substantial change in the use, or intensity of use, or land including agricultural, open space or recreational resources, or in its capacity to support existing uses;

The Town Board finds that there has been no identified adverse impacts associated with any of the above elements of the environment that would likely be affected from the action to establish On-site-use Wind Energy Systems Regulations.

(ix) there will be a large number of persons attracted to the sites for more than a few days, when compared to the number of persons who would come to such place absent the action;

The Town Board finds that there has been no identified adverse impacts associated with any of the above elements of the environment that would likely be affected from the action to establish On-site-use Wind Energy Systems Regulations.

(x) there will not be created a material demand for other actions that would result in one of the above consequences;

The Town Board finds that there has been no identified adverse impacts associated with any of the above elements of the environment that would likely be affected from the action to establish On-site-use Wind Energy Systems Regulations.

(xi) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and

The Town Board finds that there has been no identified adverse impacts associated with any of the above elements of the environment that would likely be affected from the action to establish On-site-use Wind Energy Systems Regulations.

(xii) there are not two or more related actions which would have a significant impact on the environment.

The Town Board finds that there has been no identified adverse impacts associated with any of the above elements of the environment that would likely be affected from the action to establish On-site-use Wind Energy Systems Regulations.

Be it further resolved that based on the information and analysis above and the supporting documentation referenced above, the proposed action WILL NOT result in any significant adverse environmental impacts.

Be it finally resolved that the Town Board does hereby make a Determination of Non-Significance on said Action and directs the Town Supervisor to sign and date the Full Environmental Assessment Form.
All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #173-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

CRITERIA FOR DETERMINING SIGNIFICANCE

ACTION - Local Law No. 5 of 2010  A local law entitled “Local Law to establish WEFD Wind Energy Farm District Regulations.”

Whereas, the Town of Farmington Town Board (hereinafter referred to as Town Board) has determined the proposed WEFD Wind Energy Farm District Regulations Local Law (hereinafter referred to as Action) to be an Unlisted Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

Whereas, the Town Board has reviewed and accepted the Full Environmental Assessment Form, dated April 29, 2010 prepared by Ronald L. Brand, Town of Farmington Director of Planning & Development; and

Whereas, the Town Board has conducted a public hearing on said action, has given consideration to the Ontario County Planning Board’s referral # 63  -  2010 comments and has given consideration to the comments provided at a public hearing held on this date; and

Whereas, the Town Board has given consideration to the criteria for determining significance as set forth in Section 617.7 ( c ) (1) of the SEQR Regulations and the information contained in Parts 1, 2 and 3 of the Full Environmental Assessment Form prepared by the Town Planner.

Now, therefore, be it resolved that the Town Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 of the State Environmental Quality Review (SEQR) Regulations:

(iii) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;

The Town Board finds that there has been no identified adverse impacts associated with any of the above elements of the environment that would likely be affected from the action to establish WEFD Wind Energy Farm District Regulations.

(iv) there will not be large quantities of vegetation or fauna removed from the future planned development site or destroyed as the result of the proposed action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed action; there will not be a significant impact upon habitat areas on any site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on any future development of the subject site;

The Town Board finds that there has been no identified adverse impacts associated with any of the above elements of the environment that would likely be affected from the action to establish WEFD Wind Energy Farm District Regulations.

(v) there are no known Critical Environmental Area(s) that will be allowed to be disturbed on the PD zoned site which will be impaired as the result of the proposed action;

There are no established Critical Environmental Area(s) in the Town of Farmington.

(v) the overall density of the PD zoned site will be consistent with the adopted Town Comprehensive Plan land use recommendations;

The adopted Town of Farmington Comprehensive Plan recommends the development of these type of alternative energy systems.

(ix) there will be no disturbance of any known important historical, archeological, architectural, or aesthetic resources on the PD zoned site, or will the proposed action impair the existing community or neighborhood character;

The Town Board finds that there has been no identified adverse impacts associated with any of the above elements of the environment that would likely be affected from the action to establish WEFD Wind Energy Farm District Regulations.
there will not be a major change in the use of either the quantity or type of energy resulting from the proposed action;

The Town Board finds that there has been no identified adverse impacts associated with any of the above elements of the environment that would likely be affected from the action. On the contrary, the Town Board finds that the proposed action will enable alternative energy systems to be operated within the town, thereby having a positive impact upon this consideration under SEQR.

there will not be any hazard created to human health;

The Town Board finds that there has been no identified adverse impacts associated with any of the above elements of the environment that would likely be affected from the action to establish WEFD Wind Energy Farm District Regulations.

there will not be a substantial change in the use, or intensity of use, or land including agricultural, open space or recreational resources, or in its capacity to support existing uses;

The Town Board finds that there has been no identified adverse impacts associated with any of the above elements of the environment that would likely be affected from the action to establish WEFD Wind Energy Farm District Regulations.

there will be a large number of persons attracted to the sites for more than a few days, when compared to the number of persons who would come to such place absent the action;

The Town Board finds that there has been no identified adverse impacts associated with any of the above elements of the environment that would likely be affected from the action to establish WEFD Wind Energy Farm District Regulations.

there will not be created a material demand for other actions that would result in one of the above consequences;

The Town Board finds that there has been no identified adverse impacts associated with any of the above elements of the environment that would likely be affected from the action to establish WEFD Wind Energy Farm District Regulations.

there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and

TOWN BOARD MEETING May 25, 2010

ORDER OF BUSINESS: (Continued)

The Town Board finds that there has been no identified adverse impacts associated with any of the above elements of the environment that would likely be affected from the action to establish WEFD Wind Energy Farm District Regulations.

there are not two or more related actions which would have a significant impact on the environment.

The Town Board finds that there has been no identified adverse impacts associated with any of the above elements of the environment that would likely be affected from the action to establish WEFD Wind Energy Farm District Regulations.

Be it further resolved that based on the information and analysis above and the supporting documentation referenced above, the proposed action WILL NOT result in any significant adverse environmental impacts.

Be it finally resolved that the Town Board does hereby make a Determination of Non-Significance on said Action and directs the Town Supervisor to sign and date the Full Environmental Assessment Form.

All voting "Aye", the Resolution was CARRIED.

RESOLUTION #174-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

Adoption of Local Law # 4 of 2010 entitled “Local Law to establish On-site-use Wind Energy Systems Regulations.”

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has held a public hearing tonight on the above referenced local law (hereinafter referred to as Action); and

WHEREAS, the Town Board has considered the public hearing record and the Ontario County Planning Board Referral # 61 – 2010 (hereinafter referred to as OCPB Referral); and
WHEREAS, the Town Board has been informed by the Town Director of Planning and Development that staff have complied with the comments cited within the OCPB Referral; and

WHEREAS, the Town Board has previously determined that said Action is an Unlisted Action as defined under Article 8 of the Environmental Conservation Law (hereinafter referred to as ECL), the State Environmental Quality Review Regulations; and

WHEREAS, the Town Board in making such determination has reviewed the Full Environmental Assessment Form, Parts 1, 2 and 3 that has been prepared for and previously accepted by this Town Board at its meeting on May 11, 2010; and

WHEREAS, the Town Board has made a determination of non-significance upon the subject Action, thereby satisfying procedural requirements set forth in the above referenced ECL.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby adopt in its entirety Local Law # 4 of 2010.

BE IT FURTHER RESOLVED that the Town Clerk is to submit a certified copy of the subject local law to the Town Attorney for filing with the Department of State.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #175-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

Adoption of Local Law #5 of 2010 entitled “Local Law to establish the WEFD Wind Energy Farm District Regulations.”

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has held a public hearing tonight on the above referenced local law (hereinafter referred to as Action); and

WHEREAS, the Town Board has considered the public hearing record and the Ontario County Planning Board Referral # 63 – 2010 (hereinafter referred to as OCPB Referral); and

WHEREAS, the Town Board has been informed by the Town Director of Planning and Development that staff have complied with the comments cited within the OCPB Referral; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby adopt in its entirety Local Law # 5 of 2010.

BE IT FURTHER RESOLVED that the Town Clerk is to submit a certified copy of the subject local law to the Town Attorney for filing with the Department of State.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #176-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

RESOLUTION TO PAY AUDITED BILLS
The bills were audited by the Town Board

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<th>Fund</th>
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<tr>
<td>General</td>
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<tr>
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<tr>
<td>Storm Drainage</td>
<td>$4,150.06</td>
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<tr>
<td>Lighting District</td>
<td>$6,056.47</td>
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</table>
Sewer District $ 49,708.40
Water District $ 9,989.79
TOTAL $ 169,336.78

All voting “Aye”, the Resolution was CARRIED

WAIVER OF THE RULE

TRAINING UNDER $100.00: None.

DISCUSSION: None.

EXECUTIVE SESSION:

1. The Town Board will enter executive session to discuss pending litigation.

A motion was made by Councilman Mickelesen and seconded by Councilman Casale to enter into executive session at 8:05 p.m. to discuss pending litigation.

A motion was made by Councilman Mickelsen and seconded by Councilman Ingalsbe to close the executive Session at 8:47 p.m.

A motion was made by Councilman Holtz and seconded by Councilman Mickeelsen to adjourn the meeting at 8:47 p.m. All voted “Aye” CARRIED.

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

TOWN BOARD MEETING JUNE 8, 2010

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 8th day of June, 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: Floyd Kofahl – Code Enforcement Officer, James Crane – Water & Sewer Superintendent, Tom Crown – Board of Assessment Review, Donna LaPlant – Assessor, Brandon LaPlant- Resident, Mr. & Mrs. Austin-Residents, Farmington Residents- Mr. & Mrs. Cole, Dean Litcherman- Victor Herald, Fred Schuhle- Daily Messenger, and Students from Victor Central School.

PUBLIC HEARINGS: 1. Mercier Subdivision Lighting District.

At 7:00 PM, on this date, a Public Hearing was called to order to hear all persons/citizens, in interest, concerning the creation of the Mercier Subdivision Lighting District. The Town Clerk read the Legal Notice, as published in the Town’s designated newspaper.

Supervisor Fafinski opened the public hearing. Jim Crane gave a location description of property. No one wishing to be heard, for or against the foregoing subject matter, the hearing was declared closed at 7:03 PM.

A motion was made by Councilman Ingalsbe, seconded by Councilman Casale, that the minutes of the May 11, 2010, meeting, given to members for review, be approved. Carried.

PRIVILEGE OF THE FLOOR: Colleen Austin – 1685 Lillybrook Court- Request for relief to allow a fence. Mrs. Austin appeared before the board to ask for relief from Resolution No. 178-2004 regarding restrictions of the Auburn Meadows Subdivisions specifically item #6 regarding accessory structures. She asked the board for special consideration to erect a fence in their back yard as their property backs up to Beaver Creek, is three lots down from a large retention pond; and five lots from New Michigan...
Road. She added that they would also like to be permitted to install a swimming pool for therapeutic benefits for their son who has special needs. Their son, Cole, is 6 years old and was born prematurely and is severely visually impaired, has Cerebral Palsy, and is Developmentally Disabled. Their concerns are for his safety. Prior to moving to their current location they did look at two other lots and were unable to build on those lots. Mrs. Austin provided pictures of their lot to the board. She also provided the board with the plot plan of their lot to show that the size and dimensions of the lot would accommodate a pool and a fence. Mrs. Austin stated that their son will never play football or lacrosse, or even be able to ride a bike and that the only activity he can do with his disabilities is swimming. Mrs. Austin provided supporting documentation. Mrs. Austin stated that while she understands and appreciates the concern of wanting to keep the neighborhood uncluttered with structures however, they believe due to the scope and severity of their son’s special needs, they believe they have justifiable cause to ask that reasonable accommodations be made and special consideration be given to their request for relief from Resolution No. 178-2004.

Councilman Ingalsbe asked what size pool would they install. Mrs. Austin replied nothing fancy, a small above ground round pool. Councilman Casale stated that under different circumstances he wouldn’t think about changing things but there is a kid involved and understands her point. Supervisor Fafinski stated that with the board’s approval he would like to have the Code Enforcement Officer refer this to the Town Attorney and look at the circumstances here and look at providing a recommendation for the board from the attorney. The board agreed. The Code Enforcement Officer will notify the Austin’s as soon as he hears from the Attorney.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Ingalsbe reported:

Highway & Parks:
1. Highway Superintendent is in training.
2. Discussed rebuilding a mower ($3800 to rebuild/$8000 new). Mr. McLaughlin will get some firm prices for the next board meeting.
3. Working on roads in Pumpkin Hook area.

Water & Sewer:
1. Resolution-Purdy Road.
2. Update on Billing Software problems – will talk with Town Attorney and write letter to Harris Computers.
3. Pump Station 9 problems.

Town Board Meeting June 8, 2010

Water & Sewer:
4. 5950 Green Road failed septic systems- owner would like to hookup to system in Stonewood. Town Attorney is reviewing now.
5. Highway Complex- Surveys are completed. Sanitary Sewer design is out for bid and due back to town on June 17.

Town Operations Committee: Councilman Casale reported:

1. Discussed RG&E box issue is resolved- Supervisor proposed a bench and they are considering one.
2. Farmington Chamber of Commerce would like to have a farmer’s market at Carmen’s Place. Mr. Brand suggested that they contact the Agricultural Advisory Committee.
3. Denny’s old place might possibly be an Italian Restaurant and maybe some interest in the old DiPacific’s place.
4. Senior Citizens would like to have a demo building set up.
5. Special Use Permits.

Town Operations Committee: Councilman Holtz reported:

1. NYS has come out with new regulations of workplace violence and safety procedures and policies – met with Paul Crandall and Jessica Youngman to create one and that there is yearly training required as well as a risk assessment. Town will obtain county’s procedures and policies and makes necessary adjustments. They will be meeting every other week and will keep the board up to date.

Town Finance Committee: None

Town Public Safety Committee: None

REPORTS OF TOWN OFFICIALS:

Supervisor Fafinski:
1. No change in CHIPS money.
2. Agricultural sales – farm produce sales – talked with Town Attorney and they might be able to authorize the sales with conditions (advertise that the town supports Agriculture development, would have to be 80-90% grown in Farmington however the board chooses, lease space in parking lot at town hall as long as they have a hold harmless agreement and insurance listing the town as additionally insured, would be exempt from peddlers fee). If sold at Carmen’s Place they could be charged the peddlers fee. Could also be a revenue source for the town. Should get with Agricultural Advisory Committee and Code Enforcement.

3. Met with Election Commissioners along with the Town Clerk at the Mertensia Lodge to certify the lodge as a polling place, could have up to four districts but will only have two there this year. Will also no longer be using the lever machines, they are now paper ballots that go into a machine that will scan them.

Highway & Parks Superintendent Ed McLaughlin: None

Town Clerk Michelle Finley:
1. Update on Dog Enumeration.

Water & Sewer Superintendent Jim Crane:
1. Discussed problems with server.

Code Enforcement Officer Floyd Kofahl:
1. Packets for the Highway Complex Subdivision are all together and under review awaiting letter from the Town Attorney then to Planning Board. Supervisor Fafinski asked if they were on track with the time schedule, Code Enforcement Officer replied yes.
2. Discussed Rt. 332 Senior Housing. Received request by developer to allow one unit to be used as a model to show seniors while the rest of the units are being constructed. Floyd has an issue concerning fire and safety. There is no access road yet. He would recommend that the developer show similar units that he owns.
3. Discussed Special Use Code Issues – different zoning districts within the special uses. He asked that the Director of Development follow through with code revision suggestions. Councilman Casale asked how long it would take to review, Floyd responded 40-60 man hours. Supervisor Fafinski stated that the Board would consider it but the number one priority is the Highway Complex.
4. Discussed review by an agency every five years that rates the town- Fire Protection Rating.
5. Discussed issue in Auburn Meadows with RG&E. Thanked Supervisor for getting involved.

TOWN BOARD MEETING JUNE 8, 2010

Director of Planning and Development: None

Planning Board: Mary Neale reported: None

Assessor Donna LaPlant:
1. Discussed Grievance Day – 47 total – 35 appearances the rest just wanted to be reviewed. The decisions for the Board of Review were mailed out, the board agreed with 14 stipulations.
2. 2011- Residential Revaluation.

Fire Chief Paul Conrad:
1. New truck is in and start training soon, hopefully will be in service in July.
2. Brush Truck accident.
3. All set with July 3rd Fireworks Celebration – new truck will be there.

COMMUNICATIONS:
7. Letter to sole assessors from Shelley Reddout from the Ontario County Real Property Tax Services office. Re: Small claims petitions.
11. Certificates of insurance for: Frontier Communications of Rochester; Rochester Gas & Electric; the Farmington Canine Center; David Schlossnagle Building; Premier Sunroom Solutions; Meyers Co., Inc.; and the Victor Lions Club.
12. Certificates of Workers Compensation Insurance coverage for: Patricia Forster DBA Premier Sunroom Solutions; Farmington Canine Center Inc.; Sign & Lighting Services LLC; and the Farmington Canine Center Inc. dba Boom Towne Canine Campus.
16. Letter from the Supervisor to John DeWitt of Hook Road. Re: Land owned by the town.

REPORTS & MINUTES:
3. Monthly report for the Building Department, May 2010
4. General fund townwide detail of expenditures, May 2010

ORDER OF BUSINESS:

RESOLUTION #177-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

RESOLUTION RELATIVE TO AN ENCROACHMENT INTO BOWERMAN ROAD
WHEREAS, the owner of property located at 5970 Allen Padgham Road, being the Estate of Grace B. Allen, has submitted a request, in writing, to the Town Board requesting that the Town issue a license to the owner regarding the encroachment of a barn into the highway right-of-way of Bowerman Road; and

WHEREAS, the encroachment at issue is, according to a survey map of the subject property prepared by David M. Parrinello dated April 27, 2010, the 43 foot length of the front of a barn on the property encroaching into the highway right-of-way of Bowerman Road from between 6.1 feet up to 6.8 feet; and

TOWN BOARD MEETING
JUNE 8, 2010

WHEREAS, the Town has given notice of this request to the Town Highway Superintendent who has informed this Board that no part of this encroachment sits on the paved portion of Bowerman Road and has opined that this encroachment has not in the past adversely impacted the use of Bowerman Road nor interfered or impeded the right of the public to use Bowerman Road and that this encroachment does not presently adversely impact the use of Bowerman Road nor interfere or impede the right of the public to use Bowerman Road; and

WHEREAS, the Town Highway Superintendent has further provided his recommendation that the town board grant a license to the owner of 5970 Allen Padgham Road to continue to maintain the portion of the barn encroaching within the highway right-of-way of Bowerman Road during the period such portion of the barn is in existence, provided such license agreement is in the form required by New York State Town Law §130 (7) (h) and (i); and

WHEREAS, this action by the Town Board is a “Type II” action under the regulations promulgated by authority contained in the State Environmental Quality Review Act (SEQRA), which appear in 6 NYCRR Part 617.5, thereby requiring no further action by the Town Board, in that Part 617.5 (c) states that actions that are not subject to review under SEQRA include, “(27) adoption of . . . local legislative decisions in connection with any action on this list” and subsection (20) on this list includes “continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”. This action involves continuing agency administration and management in that the Town is determining whether to grant a license relative to barn that has for several decades encroached into the highway right-of-way of Bowerman Road and the management of Bowerman Road has been a continuing activity for the Town that has existed for several decades since the road became a town highway.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby preliminarily determines that the encroachment of the portion of the barn located at 5970 Allen Padgham Road to continue to maintain the portion of the barn encroaching within the highway right-of-way of Bowerman Road during the period such portion of the barn is in existence, provided such license agreement is in the form required by New York State Town Law §130 (7) (h) and (i); and

RESOLVED, that the Town Clerk be, and she hereby is, directed to schedule a public hearing in regards to the Town issuing a license to the owner of 5970 Allen Padgham Road as shown in the aforementioned survey, may have no adverse impact upon the use of Bowerman Road; and be it further
RESOLVED, that the Town Clerk be, and hereby is, authorized to forward to the official newspaper(s) of the Town a Notice of Public Hearing in the form substantially the same as that attached hereto as Exhibit "1", such notice to be published at least 10 days prior to the date of the public hearing; and be it further

RESOLVED, that the Town Clerk be, and she hereby is, directed to post a copy of the Notice of Public Hearing on the Town of Farmington sign board at least 10 days prior to the date of the public hearing; and be it further

RESOLVED, that the Town Clerk, in addition to giving such public notices, send a copy of the Notice of Public Hearing, by certified mail, to the owners of property, as determined from the last completed assessment roll, within five hundred feet of 5970 Allen Padgham Road as measured from the intersections of the property lines with Bowerman Road or Allen Padgham Road.

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 June 8, 2010, by the following vote:

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<tbody>
<tr>
<td>Aye</td>
<td>Nav</td>
</tr>
<tr>
<td>Theodore M. Fafinski</td>
<td>X</td>
</tr>
<tr>
<td>Timothy Mickelsen</td>
<td>Necessarily Absent</td>
</tr>
<tr>
<td>Michael Casale</td>
<td>X</td>
</tr>
<tr>
<td>Peter Ingalsbe</td>
<td>X</td>
</tr>
<tr>
<td>Steven Holtz</td>
<td>X</td>
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</table>

Four voting “Aye”, the Resolution was CARRIED.

RESOLUTION #178-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING ASSESSOR TO ATTEND THE SEMINAR ON APPRAISING IN ITHACA, NY FROM JULY 12, 2010 THROUGH JULY 16, 2010

WHEREAS, the Assessor, Donna LaPlant wishes to attend the Seminar on Appraising from Monday July 12, 2010 through Friday July 16, 2010 with a possibility of extension to Saturday July 17, 2010 in Ithaca New York, and

WHEREAS, the Assessor wishes to take the IAO-1 5 day course and examination to attain her IAO designation, therefore be it

RESOLVED, the Farmington Town Board authorizes Assessor Donna LaPlant to attend the Seminar on Appraising at a cost not to exceed $191.90 hotel for two nights, $470.00 for the seminar and reimbursable expenses and be it further

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

Four voting “Aye”, the Resolution was CARRIED.

RESOLUTION #179-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING A 25 CENT WAGE ADJUSTMENT FOR THE CONFIDENTIAL SECRETARY UPON THE COMPLETION OF A SIX-MONTH PROBATIONARY PERIOD

WHEREAS, the Supervisor’s Confidential Secretary, Jessica Youngman, began employment with the Town on December 9, 2009 and will have completed her six-month probationary period on June 9, 2010, and

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes a 25 cent wage adjustment for the Confidential Secretary, effective June 9, 2010 and be it further

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

Four voting “Aye”, the Resolution was CARRIED.

RESOLUTION #180-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING BUDGET AMENDMENTS FOR THE ESTABLISHMENT OF THE HIGHWAY CAMPUS CAPITAL PROJECT
WHEREAS, the Farmington Town Board on March 13, 2010, adopted resolution No. 113-2010 establishing the highway campus capital project,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the following budget amendments for that fund:

FROM: A511  Appropriated reserves  ($400,000.00)
TO:   A9950.9  Transfers to capital projects  $400,000.00

FROM: HC5031  Interfund transfers  ($400,000.00)
HC1420.21  Law-Contractual-Phase 1  $7,000.00
HC1440.21  Engineering – Contractual Phase 1  $18,000.00
HC5132.2  Garage – Contractual – Phase 1  $375,000.00

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to forward copies of this resolution to the Finance and Accounting Specialist.

Four voting “Aye”, the Resolution was CARRIED.

RESOLUTION #181-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTORIZING A BUDGET AMENDMENT FOR THE DEMOLITION AND REMOVAL OF CONDEMD PROPERTY AT 1637 NEW MICHIGAN ROAD.

WHEREAS, the Farmington Town Board condemned a property at 1637 New Michigan Road and ordered it demolished, hiring Pooler Enterprises Inc. of Fishers to do the work and,

WHEREAS, Pooler completed the work and submitted a bill to the Town of Farmington for $14,975.00, and a voucher for said amount has been prepared to be paid by the town and then a bill will be mailed to the property owner seeking reimbursement,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the following budget amendment:

FROM: A1990.4  Contingency  ($14,975.00)
TO:   A3620.4  Code Enforcement Contractual  $14,975.00

TOWN BOARD MEETING  JUNE 8, 2010
ORDER OF BUSINESS: (Continued)

AND BE IT FURTHER RESOLVED that the Town Clerk forward a copy of this resolution to the Finance and Accounting Specialist and the Code Enforcement Officer.

Four voting “Aye”, the Resolution was CARRIED.

RESOLUTION #182-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF FARMINGTON, ONTARIO COUNTY, NEW YORK, DETERMINATION OF SIGNIFICANCE MERCIER SUBDIVISION LIGHTING DISTRICT

WHEREAS, the Town of Farmington Town Board, hereinafter 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

WHEREAS, the Town Board has considered the potential impacts associated with said action.

NOW, THEREFORE, BE IT RESOLVED THAT the Town Board makes this Determination of Non-Significance based upon: the McMahon LaRue Associates, P.C. map entitled “Farmington 332 LLC Senior Housing” dated March 2009; the June 8, 2010, 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 SEQR 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 concern; 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 June 8, 2010, by the following vote:

<table>
<thead>
<tr>
<th></th>
<th>Aye</th>
<th>Nay</th>
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</thead>
<tbody>
<tr>
<td>Theo M. Fafinski</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Timothy Mickelsen</td>
<td></td>
<td>Necessarily Absent</td>
</tr>
<tr>
<td>Michael Casale</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Peter Ingalsbe</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Steven Holtz</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

Four voting “Aye”, the Resolution was CARRIED.

RESOLUTION #183-2010: Councilman Holtz offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF FARMINGTON APPROVING CREATION OF THE MERCIER SUBDIVISION LIGHTING DISTRICT

WHEREAS, a written Petition dated March 26, 2010, has been presented and filed with the Town Clerk of the Town of Farmington, Ontario County, New York, requesting establishment of the Mercier Subdivision Lighting District (“District”) with boundaries as described in a Map relating to the establishment of the District, attached hereto as Exhibit 1, prepared by McMahon LaRue Associates, P.C. entitled “Farmington 322 LLC Senior Housing” dated March 2009 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 June 8, 2010, reciting the filing of said Map, the improvements proposed, the boundaries of the proposed District, the fact that the Map describing the same is on file in the Town Clerk's Office for public inspection, and stating all other matters required by law to be stated, and specifying June 8, 2010, 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, Plan and Report and to hear all persons interested in the subject thereof, concerning the same, and to 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 June 8, 2010, 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 upon the environment and could be processed by other applicable governmental agencies without further regard to SEQR.

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 is otherwise sufficient;

2. The Order Calling Public Hearing was duly published in the Town’s official newspaper on May, 28, 2010 and duly posted on the Town’s official sign board on May 28, 2010, 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, be and hereby is approved; and that such District shall be bounded and described as set forth in Exhibit 1 attached hereto and made a part hereof, and be it further resolved

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 June 8, 2010, by the following vote:

<table>
<thead>
<tr>
<th>Aye</th>
<th>Nay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Theodore M. Fafinski</td>
<td>X</td>
</tr>
<tr>
<td>Timothy Mickelsen</td>
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<td>Michael Casale</td>
<td>X</td>
</tr>
<tr>
<td>Peter Ingalsbe</td>
<td>X</td>
</tr>
<tr>
<td>Steven Holtz</td>
<td>X</td>
</tr>
</tbody>
</table>

Four voting “Aye”, the Resolution as amended was CARRIED.

RESOLUTION #184-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING THE TOWN BOARD TO RELEASE PAYMENT NO. 7 TO GUDABRI INC. FOR SERVICES RENDERED FOR THE MERTENSIA PARK LODGE FOR THE PERIOD ENDING OCT. 31, 2009 IN THE AMOUNT OF $13,000.

WHEREAS, the MRB Group has reviewed Statement No. 7, the final statement for the Lodge at Mertensia Park, prepared by contractor Gudabri Inc. for the period ending Oct. 31, 2009 and has forwarded three original copies of the Certificate of Substantial Completion to be signed and,

WHEREAS, the MRB Group has indicated that they have no objection to the release of retainage to the Contractor in the amount of $13,000,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the release of payment No. 7 to Gudabri Inc. in the amount of $13,000, and be it

RESOLVED that the Town Clerk forward a copy of this resolution to the Highway/Parks Superintendent.

Four voting “Aye”, the Resolution as amended was CARRIED.

RESOLUTION #185-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN THE ONTARIO COUNTY 2010 MOWING CONTRACT.

WHEREAS, Ontario County Public Works Commission William Wright on May 27 sent the Town of Farmington its 2010 Mowing Contract and

WHEREAS, the contract stipulates that in 2008 the Board of Supervisors adjusted the rates to account for increased fuel and parts as follows: $27.75 for a dual mower; $22.75 for a single mower; and $31.75 for boom-style mowers, and

WHEREAS, under the contract, labor and fringe benefits will be paid as actual costs,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the Supervisor to sign the 2010 Mowing Contract and further be it

RESOLVED that the Town Clerk forward a copy of this resolution along with the original, signed contract, to the Highway/Parks Superintendent who shall submit it to the county.

Four voting “Aye”, the Resolution was CARRIED.
RESOLUTION #186-2010:

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

Declaration of Intent to be designated Lead Agency and to conduct a coordinated review with involved and interested agencies upon the Action known as the Purdy Road Water Main Replacement Project.

WHEREAS, the Farmington Town Board, acting on behalf of the Canandaigua/Farmington Consolidated Water District (hereinafter referred to as Town Board), has received a completed Part 1 of the Short Environmental Assessment Form dated June 4, 2010, prepared by James E. Crane, Water Superintendent and Greg Hotaling, P.E., MRB Group, P.C., the engineer for this joint Canandaigua/Farmington Water District, for the Purdy Road Water Main Replacement Project (hereinafter referred to as Action); and

WHEREAS, the Action is identified as an Unlisted Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Action is subject to approvals from other involved agencies that include: the New York State Department of Transportation; the New York State Department of Environmental Conservation; the New York State Department of Health; and the two Town Boards that govern this joint Water District; and

WHEREAS, Part 617 requires there be a designated lead agency to conduct the coordinated review upon the above referenced Action and to make a determination of significance upon said Action.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby declare its intent to be designated lead agency for this coordinated review under the SEQR Regulations at its July 13, 2010 Town Board Meeting.

BE IT FURTHER RESOLVED that the Town Board directs the Director of Planning and Development to provide written notice of this declared intent along with a copy of the design plan for this water main replacement project, the Part 1 of the Short Environmental Assessment Form and a brief Project Narrative, to all involved agencies identified above herein.

BE IT FURTHER RESOLVED that the Town Board does hereby establish a 30 day public notification period to commence on Wednesday, June 10, 2010 and to end on Monday, July 12, 2010 during which period involved agencies will be provided opportunity to comment on the Action and to object in writing to the Town Board’s declared intent to be designated the lead agency for this Action.

TOWN BOARD MEETING

ORDER OF BUSINESS: (Continued)

BE IT FINALLY RESOLVED that the Town Clerk shall be provided a copy of this resolution along with the identified attachments thereto to place in the Project files for public review and comment during normal business hours during this identified period of time.

Four voting “Aye”, the Resolution was CARRIED.

RESOLUTION #187-2010:

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

Resolution Canceling the Lease with the Former Victor – Farmington VFW Post 7649

Whereas, The Victor Farmington VFW Post 7649 (referred to as Post 7649 herein) leased in 1993, approximately 3 acres of land from the Town of Farmington, property located on Hook Road and is part of the parcel 17-00-2-39-000, consisting of approximately 5 acres, that was bequeathed to the Town of Farmington (formerly part of the Addison – Smith Farm), and

Whereas, Post 7649 never did develop a Veteran’s Park or Post Home on the property, and Post 7649 had to be dissolved due to lack of surviving members and their charter was turned in to de-activate the post, and

Whereas, the last Commander of Post 7649, Walter P. Mack in a letter to the town, dated June 4, 2010, (copy attached and made a part of this resolution) in which the Post has returned the control of the parcel to the town and requested that the lease be cancelled due to the disillusion of Post 7649, in addition Farmington Town Board Resolution 237-93; the Lease Agreement dated December 29, 1993, the Last Will and Testament of Eunice Thelma Wilson, dated November 29, 1967 that bequeathed the property to the Town of Farmington is also hereby attached to an made a part of this resolution as part of the public record of the transactions associated,
Now be it hereby Resolved: that the Town Board of the Town of Farmington deems it to be in the public interest to accept control of the land in question and hereby cancels the lease with VFW Post 7649, releasing VFW Post 7649 of all obligations associated with the lease, effective immediately, and

Be it further resolved: that the Town Clerk shall provide a certified copy of this resolution to Walter P. Mack, former Commander of the Victor Farmington VFW Post 7649, c/o 5726 Running Brook Road, Farmington, NY 14425, and the Farmington Town Building Department for the property files and the Farmington Assessor.

Four voting “Aye”, the Resolution was CARRIED.

RESOLUTION #188-2010:

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

RESOLUTION TO PAY AUDITED BILLS

The bills were audited by the Town Board

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>General</td>
<td>$32,329.62</td>
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<tr>
<td>Highway Fund</td>
<td>$12,426.32</td>
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<tr>
<td>Storm Drainage</td>
<td>$1,331.01</td>
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<tr>
<td>Payroll</td>
<td>$142.70</td>
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<tr>
<td>Mertensia Park Lodge</td>
<td>$13,000.00</td>
</tr>
<tr>
<td>Sewer District</td>
<td>$11,887.34</td>
</tr>
<tr>
<td>Water District</td>
<td>$21,914.18</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$93,031.17</strong></td>
</tr>
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</table>

Discussion: Councilman Ingalsbe stated that the Water & Sewer Department was making a final payment for a Serial Bond (Cty Rd. 8 and Martz Road portion).

Four voting “Aye”, the Resolution was CARRIED

WAIVER OF THE RULE

TRAINING UNDER $100.00: None.

DISCUSSION: None.

EXECUTIVE SESSION: None.

TOWN BOARD MEETING JUNE 8, 2010

ORDER OF BUSINESS: (Continued)

A motion was made by Councilman Casale and seconded by Councilman Holtz to adjourn the meeting at 8:04 p.m. Four voted “Aye” CARRIED.

Meeting was recorded and transcribed by

Michelle A. Finley, Town Clerk:

TOWN BOARD MEETING JUNE 22, 2010

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 22nd day of June, 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, Jim Morse – Code Enforcement Officer, Dotti Mickelsen, Reginald and Mary Neale, Patricia Eddy, Edward McLaughlin - Highway/Parks Superintendent, Dean Litcherman- Victor Herald, Fred Schuhle- Daily Messenger, and Paul Conrad- Farmington Fire Chief.

PUBLIC HEARINGS: 1. Bowerman Road Encroachment
At 7:00 PM, on this date, a Public Hearing was called to order to hear all persons/citizens, in interest, concerning the Bowerman Road Encroachment. The Town Clerk read the Legal Notice, as published in the Town’s designated newspaper.

Supervisor Fafinski opened the public hearing. Patricia Eddy who lives on the corner of Bowerman Road and Allen Padgham Road stated that the barn has been there since she moved in 39 years ago and she hardly knows it there due to the greenery around the barn. She has no problem with the barn being there. Bob Kalbach who lives at 5944 Allen Padgham Road stated that he did not have an issue with the barn.

Supervisor Fafinski gave a little history regarding the road stating it was probably a path at one time and then as more houses went up and people used the path it became more of a trail then as more wagons and eventually automobiles came and it became some sort of a road. He added that the road was dedicated by use.

The Town Clerk read an email from resident Peg DeJohn who stated that she and her husband had no issue with the barn. Councilman Ingalsbe stated that he also talked with two neighbors that live across from the barn and they have no objections either.

Councilman Mickelsen stated that he thought that maybe there was some misunderstanding that people thought the Board wanted to get rid of the barn and that was never their intention, they are trying to find away to make it work and allow the barn to stay where it has been for over 100 years. Supervisor Fafinski added that it was the title company from the interested buyers who questioned the barn therefore the Board looked at the options. Councilman Ingalsbe commented on the realtor’s comments in the newspaper stating that the Town refused to issue a variance to allow the barn which was not true and that a variance is not applicable by law for this situation.

Supervisor Fafinski asked if anyone else wished to speak for or against. No one else wishing to be heard, for or against the foregoing subject matter, the hearing was declared closed at 7:08 PM.

A motion was made by Councilman Ingalsbe, seconded by Councilman Casale, that the minutes of the May 25, 2010, meeting, given to members for review, be approved. Carried.

A motion was made by Councilman Ingalsbe, seconded by Councilman Casale that the minutes of the June 8, 2010, meeting, given to members for review, be approved. Councilman Mickelsen abstained. Carried.

PRIVILEGE OF THE FLOOR:

Wesley Pettee- 6147 Amber Drive – Patio homes in the Auburn Meadows Subdivision. Mr. Pettee appeared on behalf of residents regarding accessory structure restrictions imposed on the Incentive Zoning District. He acknowledges that the town spent a great deal of time and resources towards the project but he would like to offer several thoughts for consideration that may reduce or eliminate the frequency of individuals appealing to the Town Board for relief from restriction number 6 of resolution number 178-2004, which prohibits accessory structures within the patio home portion of Auburn Meadows. He suggested allowing special use permits or an abbreviated site plan. He submitted a Neighborhood Parcel Analysis that included data on existing residential neighborhoods within the Town. He also submitted a petition containing 64 signatures from property owners and residents within the Auburn Meadows who are in support of amending, modifying, or rescinding the establishment of restriction number 6 of resolution number 178-2004.

Code Enforcement Officer Kofahl stated that where accessory structures are allowed there is a site plan review for its location and such. Mr. Pettee stated that the Town could set the design guidelines and the nature of materials to be used and require landscaping to buffer the structures. Councilman Ingalsbe commented that he liked the overhead pictures that were used.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Mickelsen reported:

Water & Sewer:

17. Update on Billing Software problems – lawyers are involved.

Highway & Parks:

10. CHIPS money was approved by the State.
11. Request for speed reduction on Hook Road.
12. Request for speed bumps on King Hill Drive.
13. Discussed replacing old CAD software.
14. Discussed the need for a town wide drainage district.
15. EAP training-MS4 requirements to go town wide.
16. Farmbrook Park total cost- $103,000.
17. Discussed the closer of Farmbrook Park for safety issues.
18. Discussed putting a new topcoat at Mertensia Park.
19. Meet with Town Engineers regarding their roll with the new Highway Campus Complex.

Town Operations Committee: Councilman Holtz reported:
1. Discussed the difference between major and minor home occupations. All are being tracked.

Town Finance Committee: None

Town Public Safety Committee: Councilman Holtz reported:
1. Discussed workplace safety policy. David Frasco from the Sheriff’s Office will tour all buildings and conduct a safety review.

REPORTS OF TOWN OFFICIALS:

Supervisor Fafinski:
1. Received Sales Tax check-down $20,000 from last year.

Highway & Parks Superintendent Ed McLaughlin:
1. Girl Scout Troop planted flowers at Farmbrook and painted swingset.

Councilman Casale asked if the construction site at Farmbrook was secured, Ed McLaughlin responded yes the fence is secured. Councilman Casale referenced the road culvert in Auburn Meadows regarding guard rails and why aren’t they installed yet, McLaughlin responded that they are ordered. Councilman asked why they didn’t get put on before and who was responsible. McLaughlin responded that the developer was responsible. McLaughlin added that when the road was dedicated they were still working that issue out. Councilman Casale asked if they had dedicated a road without guardrails. McLaughlin responded that it is a safe road and there is no issue. Councilman Casale stated his concern was with the people walking on the sidewalk with no guardrails in place.

Town Clerk Michelle Finley:
1. Update on Dog Enumeration.
2. Town Clerk’s Office attended Tax Collectors picnic.

Water & Sewer Superintendent Jim Crane: None.

Code Enforcement Officer Jim Morse:
1. Reported on Special Use Permits for the three mobile home parks- everything went smoothly and all cooperated.

TOWN BOARD MEETING JUNE 22, 2010

Code Enforcement Officer Floyd Kofahl:
1. Discussed Saratoga Lot 2-moving forward, more townhouses will be going up. Councilman Mickelsen asked how many units total, Kofahl replied 296.
2. Discussed Senior Housing – moving along-framing structure is about half done.
3. Discussed blue pools popping up and they are taking care of them.
4. Discussed mowing complaints – received 14-verified 8, most rectified only down to two-getting quotes to mow.

Planning Board Member Mary Neale:
1. Discussed Farmington Quaker Meeting House Plans.
2. Discussed Highway Garage Campus.

Director of Planning and Development: None

Assessor Donna LaPlant: None.

Fire Chief Paul Conrad: None.

COMMUNICATIONS:
1. Request from Colleen Austin of Lillybrook Court to allow a fence and pool on her property for her special-needs child.
2. Phase I Environmental Assessment Report, Highway Campus Site, with memo from the Director of Development.
3. 2010 State equalization rates.
4. Summary of Board of Assessment Review decisions. (Also in Reports & Minutes)
5. Notice from the U.S. Environmental Protection Agency. Re: Motor vehicle waste disposal well requirements.
6. Second request from the NYS Executive Department Office of General Services for recertification for Donee status.
8. “Hold-harmless” agreement for fireworks celebration.
9. Invitation for the Supervisor to attend graduation ceremony at the East Palmyra Christian School with response.
10. Letter to the Supervisor from Jeff Howe of ISO. Re: Building code effectiveness grading schedule classification results.
11. Misc. invoices sent from the Supervisor’s Office for legal and engineering services.
12. Memo from the Director of Development to the Town Board. Re: Genesee-Finger Lakes Regional Blueway Analysis.
13. Certificates of attendance for Board of Assessment Review training.
15. Memo from Edward Flynn of Stuart Brown Associates to municipal officials. Re: Community planning grant.
16. Letter to the Supervisor from Time Warner Cable. Re: Changes to programming.
17. Letter to attorney John Schuppenhauer from Town Attorney Jeff Graff. Re: 5970 Allen Padgham Road encroachment (subject of public hearing).
18. Letter to the Highway/Parks Superintendent from the NYS Department of Transportation. Re: CHIPS funding.
20. Certificates of liability insurance for Williamson Hardware and Country Cottage Home.
21. Certificates of Workers Comp insurance for Santelli Lumber and Chemung Supply Corp.

REPORTS & MINUTES:
1. New York State Dept. of Health inspection of town parks/Farmbrook Park closure. (See related resolution below.)
2. Summary of the Farmington Board of Assessment Review’s decisions following grievance day.

TOWN BOARD MEETING JUNE 22, 2010

ORDER OF BUSINESS:

RESOLUTION #189-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FROM CONTINGENCY TO THE TOWN BOARD LINE FOR GENERAL CODE EXPENDITURES

WHEREAS, expenditures for General Code services require additional funds be moved to the Town Board line,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the following budget amendments for that fund:

FROM: A1990.4 Contingency $2,835.95
TO: A1010.4 Town Board-CE ($2,835.95)

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to forward copies of this resolution to the Finance and Accounting Specialist.

All Voting “Aye”, the Resolution was CARRIED.

RESOLUTION #190-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:
RESOLUTION AUTHORIZING A BUDGET AMENDMENT FROM CONTINGENCY TO THE LEGAL SERVICES LINE FOR ATTORNEY EXPENSES

WHEREAS, expenditures for legal services for 2010 have exceeded the projected budgeted amount,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the following budget amendments for that fund:

FROM: A1990.4 Contingency $2,079.10
TO: A1420.4 Legal Services-CE ($2,079.10)

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to forward copies of this resolution to the Finance and Accounting Specialist.

All voting "Aye", the Resolution was CARRIED.

RESOLUTION #191-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Mickelsen:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FROM THE CONSOLIDATED HIGHWAY AID AND APPROPRIATED FUN BALANCE LINES TO THE PERMANENT IMPROVEMENT – CHIPS LINE.

WHEREAS, the budget needs to be increased to reflect the actual CHIPS funding available for the July 2010 CHIPS payment, according to a letter dated June 14, 2010 from the state Department of Transportation,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the following budget amendments for that fund:

FROM: DA3501 Consolidated HWY AID $23,554.91
DA599 Appropriated Fund Balance $4,800.00
TO: DA5111.2 Permanent Improvement-CHIPS ($28,354.91)

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to forward copies of this resolution to the Finance and Accounting Specialist.

All voting "Aye", the Resolution was CARRIED.

TOWN BOARD MEETING JUNE 22, 2010
ORDER OF BUSINESS: (Continued)

RESOLUTION #192-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING THE HIGHWAY/PARKS SUPERINTENDENT TO SOLICIT BIDS FOR A 2010 OR NEWER HALF-TON PICKUP

WHEREAS, the Highway/Parks Superintendent has requested he be allowed to seek bids for a half-ton pick-up truck which has been budgeted for,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the superintendent to solicit bids for the vehicle, a 2010 or newer, half-ton model, and

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to forward copies of this resolution to Highway Department.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #193-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Holtz:

Letter of Credit Release #2 – The Estates at Beaver Creek Subdivision, Section 1, in the total amount of $ 122,712.14
WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a request from David Degear, Town Planning Board Chairperson, June 16, 2010 recommending that the above referenced Letter of Credit Release #2 be approved in the total amount of $122,712.14 for work completed in the Section 1 portion of The Estates at Beaver Creek Subdivision; and

WHEREAS, the Planning Board has reviewed the documentation submitted for the release of the Letter of Credit, including the Town Letter of Credit Release Form No. 2 for The Estates at Beaver Creek Subdivision Project signed by all department heads; and

WHEREAS, there is currently a total of $500,903.02 remaining in this letter of credit; and

WHEREAS, the Planning Board has, in a resolution adopted on June 16, 2010 recommended the release of the requested amount, $122,712.14.

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, in the amount specified above herein.

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 was CARRIED.

RESOLUTION #194-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING GRANTING OF AN EASEMENT TO ROCHESTER GAS AND ELECTRIC CORPORATION, FRONTIER TELEPHONE OF ROCHESTER, INC. AND TIME WARNER ENTERTAINMENT COMPANY – ADVANCE NEWHOUSE PARTNERSHIP, THROUGH ITS ROCHESTER DIVISION, D/B/A TIME WARNER CABLE

WHEREAS, Ernest Ackerman, Anthony DiPrima and A&D Development Company (a/k/a A & D Development Co.) conveyed to the Town of Farmington by Warranty Deed dated January 4, 2007 and recorded in the Ontario County Clerk’s Office on April 3, 2007 in Liber 1181 of Deeds at page 848 real property described as proposed parkland that was situate on the north side of Amber Drive in the Auburn Meadows Subdivision, Section 3 (the “Property”); and

WHEREAS, the aforesaid deed was conveyed to the Town with the owner reserving “the right to access the referenced property for the purpose of constructing the site improvements and utilities associated with the subdivisions final approved plans.”; and

WHEREAS, utility improvements called for in the final approved plans have been or will be constructed on the Property; and

WHEREAS, the utility companies require an easement from the Town, as the current Property owner, permitting them to have access to the portion of the Property on which their improvements are located, for the purposes of, from time to time, reconstructing, operating, inspecting, maintaining, protecting, repairing and replacing said utility improvements; and

TOWN BOARD MEETING: JUNE 22, 2010
ORDER OF BUSINESS: (Continued)

WHEREAS, the Town of Farmington, by its officers or representatives, has been approached by Rochester Gas and Electric Corporation, (“RG&E”), Frontier Telephone of Rochester, Inc. (“Frontier”) and Time Warner Entertainment Company – Advance Newhouse Partnership, through its Rochester Division, d/b/a Time Warner Cable (“Time Warner”) regarding the Town’s granting such easement over a portion of the Property; and

WHEREAS, Town of Farmington officials have recommended to the Town Board that the Town grant the easement to RG&E, Frontier and Time Warner; and

WHEREAS, the Town Board of the Town of Farmington is desirous of granting this easement; and

WHEREAS, the Town Board of the Town of Farmington has examined said instrument and finds the consideration described therein to be fair and reasonable;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Farmington does hereby grant the Easement attached hereto as Exhibit 1 to RG&E, Frontier and Time Warner in accordance with the terms and conditions contained in said instrument and directs that the same be recorded in the Office of the Clerk of the County of Ontario, the fee for said recording to be borne by RG&E, Frontier and Time Warner, and be it further

RESOLVED, that the Town Supervisor and/or his designee shall be and hereby is authorized to take any and all further action necessary to carry forth the intent of this resolution, including but not limited to the execution of all documents necessary to complete the conveyance of the premises referenced herein.
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 June 22, 2010, by the following vote:

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<tr>
<td>Aye</td>
<td>Nay</td>
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<td>Theodore M. Fafinski</td>
<td>X</td>
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<tr>
<td>Timothy Mickelsen</td>
<td>X</td>
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<tr>
<td>Michael Casale</td>
<td>X</td>
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<tr>
<td>Peter Ingalsbe</td>
<td>X</td>
</tr>
<tr>
<td>Steven Holtz</td>
<td>X</td>
</tr>
</tbody>
</table>

Four voting “Aye”, one voting “Nay”, the Resolution was CARRIED.

RESOLUTION #195-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Ingalsbe:

FARMINGTON TOWN BOARD RESOLUTION ACCEPTING A MAINTENANCE BOND COVERING A PORTION OF IMPROVEMENTS IN THE AUBURN MEADOWS SUBDIVISION, SECTION 3 - IN THE TOTAL AMOUNT OF $70,543.50

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from The Main Street America Group a Maintenance Bond, authorized by A & D Development Company, in the Total Amount of $70,543.50 for the dedicated improvements made within Section 2 of the Auburn Meadows Subdivision Tract; and

WHEREAS, said Maintenance Bond is in compliance with the total amount specified in the Town Board Resolution #100-2010; and

WHEREAS, said Maintenance Bond is in fulfillment of A & D Development Company’s obligations to maintain the dedicated facilities for water, sanitary sewers, storm sewer system and roadways for the above referenced Section 3 of the Auburn Meadows Subdivision Tract; and

WHEREAS, A & D Development Company has on Monday, June 7, 2010 filed with the Town Clerk the above referenced Maintenance Bond; and

WHEREAS, the above referenced Maintenance Bond once filed with the Town remains in effect for a period of two years.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does accept the Maintenance Bond for those items specified.

BE IT FURTHER RESOLVED that the applicants, A&D Development, are again hereby given public notice that a separate Maintenance Bond in the total amount of $ 5,729.20 is to be submitted to the Town Engineer for his review and acceptance and forwarding to the Town Board, under separate cover, a separate request for establishing a separate Maintenance Bond upon the remaining items identified in the March 11, 2010 MRB Letter.

TOWN BOARD MEETING JUNE 22, 2010
ORDER OF BUSINESS: (Continued)

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to provide by U.S. Mail tomorrow certified copies of this Resolution to: Walter Bakers, D.S. B. Engineers and to Ernie Ackerman, A&D Development.

BE IT FURTHER RESOLVED that certified copies of this Resolution are also to be provided to the Town Finance and Account Specialist, the Director of Planning and Development, the Town Construction Inspector and the Town Engineer.

All voting “Aye”, the Resolution as amended was CARRIED.

RESOLUTION #196-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

FARMINGTON TOWN BOARD RESOLUTION ACCEPTING A MAINTENANCE BOND COVERING A PORTION OF IMPROVEMENTS IN THE AUBURN MEADOWS SUBDIVISION, SECTION 2 - IN THE TOTAL AMOUNT OF $93,188.75

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from The Main Street America Group a Maintenance Bond, authorized by A & D Development Company, in the Total Amount of $93,188.75 for the dedicated improvements made within Section 2 of the Auburn Meadows Subdivision Tract; and

WHEREAS, said Maintenance Bond is in compliance with the total amount specified in the Town Board Resolution #258-2009; and
WHEREAS, said Maintenance Bond is in fulfillment of A & D Development Company’s obligations to maintain the dedicated facilities for water, sanitary sewers, storm sewer system and roadways for the above referenced Section 2 of the Auburn Meadows Subdivision Tract; and

WHEREAS, A & D Development Company has on Monday, June 7, 2010 filed with the Town Clerk the above referenced Maintenance Bond; and

WHEREAS, the above referenced Maintenance Bond once filed with the Town remains in effect for a period of two years.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does accept the Maintenance Bond for those items specified.

BE IT FURTHER RESOLVED that the applicants, A&D Development, are again hereby given public notice that a separate Maintenance Bond in the total amount of $4,536.60 is to be submitted to the Town Engineer for his review and forwarding to the Town Board, under separate cover, a separate request for establishing a separate Maintenance Bond upon the two remaining items identified in the October 12, 2009 MRB Letter.

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to provide by U.S. Mail tomorrow certified copies of this Resolution to: Walter Bakers, D.S. B. Engineers and to Ernie Ackerman, A&D Development.

BE IT FURTHER RESOLVED that certified copies of this Resolution are also to be provided to the Town Finance and Account Specialist, the Director of Planning and Development, the Town Construction Inspector and the Town Engineer.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #197-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING THE RENEWAL OF THE SPECIAL USE PERMIT FOR FARMINGTON MOBILE HOME PARK

WHEREAS, as outlined in the Town of Farmington Code, Chapter 165, Article VI, 165-76, Mr. Stewart Garland is requesting the renewal of their Special Use Permit for the Farmington Mobile Home Park and as required by Section 165-76C, when violations have been cited during the year immediately preceding the application, the applicant shall appear before the Town Board for a decision on said application; and

WHEREAS, violations, cited in our recent inspections, have been corrected and the Code Enforcement Officer is recommending approval of the renewal application, therefore be it

RESOLVED, the Farmington Town Board authorizes the renewal of the Special Use Permit for the Farmington Mobile Home Park for a period of one year, and the Town Clerk furnish the Code Enforcement Officer and Woodlawn Court Mobile Home Park, with a certified copy of this resolution.

All voting “Aye”, the Resolution was CARRIED.

TOWN BOARD MEETING JUNE 22, 2010
ORDER OF BUSINESS: (Continued)

RESOLUTION #198-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING THE RENEWAL OF THE SPECIAL USE PERMIT FOR HUNT’S MOBILE HOME PARK

WHEREAS, as outlined in the Town of Farmington Code, Chapter 165, Article VI, 165-76, Mr. Dale Hunt is requesting the renewal of their Special Use Permit for the Hunt’s Mobile Home Park and as required by Section 165-76C, when violations have been cited during the year immediately preceding the application, the applicant shall appear before the Town Board for a decision on said application; and

WHEREAS, violations, cited in our recent inspections, have been corrected and the Code Enforcement Officer is recommending approval of the renewal application, therefore be it

RESOLVED, the Farmington Town Board authorizes the renewal of the Special Use Permit for the Hunt’s Mobile Home Park for a period of one year, and the Town Clerk furnish the Code Enforcement Officer and Hunt’s Mobile Home Park, with a certified copy of this resolution.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #199-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:
RESOLUTION AUTHORIZING THE RENEWAL OF THE SPECIAL USE PERMIT FOR
WOODLAWN COURT MOBILE HOME PARK

WHEREAS, as outlined in the Town of Farmington Code, Chapter 165, Article VI, 165-76, Mr. Mark J. Pavia is requesting the renewal of their Special Use Permit for the Woodlawn Court Mobile Home Park and as required by Section 165-76C, when violations have been cited during the year immediately preceding the application, the applicant shall appear before the Town Board for a decision on said application; and

WHEREAS, violations, cited in our recent inspections, have been corrected and the Code Enforcement Officer is recommending approval of the renewal application, therefore be it

RESOLVED, the Farmington Town Board authorizes the renewal of the Special Use Permit for the Woodlawn Court Mobile Home Park for a period of one year, and the Town Clerk furnish the Code Enforcement Officer and Woodlawn Court Mobile Home Park, with a certified copy of this resolution.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #200-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN CONTRACT WITH PAULSEN, BAKER & GARVEY TO PERFORM AT THE TOWN’S INDEPENDENCE DAY CELEBRATION

WHEREAS, the Town of Farmington has asked the band Paulsen, Baker & Garvey to once again perform on July 3, 2010 in the Town Park for its annual Independence Day celebration and

WHEREAS, the band has agreed and will charge $400 for their performance from 7 p.m. until dusk, when the fireworks begin, and

WHEREAS, the band has provided the town with a contract that requires the signature of the Town Supervisor to be returned with payment included in the vouchers to be approved at the June 22, 2010 Town Board meeting,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the Supervisor to sign the contract with Paulsen, Baker & Garvey to perform in the Town Park July 3, 2010 for $400, and

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to forward a copy of this resolution to the Recreation Director.

All voting “Aye”, the Resolution was CARRIED.

TOWN BOARD MEETING
JUNE 22, 2010
ORDER OF BUSINESS: (Continued)

RESOLUTION #201-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF FARMBROOK PARK AND AUTHORIZING THE RECREATION DIRECTOR TO SPEND UP TO $1,900 TO PROVIDE BUS TRANSPORTATION FOR YOUTH IN ENROLLED IN THE PARK’S SUMMER REC PROGRAM

WHEREAS, the New York State Department of Health has declined to authorize Farmbrook Park as a designated site for the Town of Farmington’s summer recreation program due to potential hazards with nearby construction, and

WHEREAS, the Town Board believes that the park needs to be closed to the public until the temporary construction project by the Highway Department is completed and

WHEREAS, the Town Board must relocate children enrolled in Summer Recreation at Farmbrook to other town parks and the Town’s Recreation Director has sought cost estimates for various bussing services,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby orders Farmbrook Park closed until construction is complete as a safety precaution and
BE IT FURTHER RESOLVED that the Recreation Director is authorized to spend up to $1,900 of contingency funds for bus service for the children to be taken from Farmbrook to the parks where they have been reassigned, and

BE IT FURTHER RESOLVED that the Highway Superintendent is directed to post closure notices and secure the park as well as notify the Ontario County Sheriff’s Office, New York State Police and the Farmbrook Homeowners Association of the closure and keep the Town Board aware of the progress of the construction project and

BE IT FINALLY RESOLVED, that the Town Clerk is hereby directed to forward copies of this resolution to the Highway Superintendent, the Recreation Director and the Finance and Accounting Specialist.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #202-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING A 25 CENT PER HOUR WAGE ADJUSTMENT FOR DEPUTY TOWN CLERK TAMMY MEANS UPON THE COMPLETION OF A SIX-MONTH PROBATIONARY PERIOD

WHEREAS, Deputy Town Clerk Tammy Means, began employment with the Town on Jan. 2, 2010 and will have completed her six-month probationary period on July 4, 2010,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes a 25 cent per hour wage adjustment for Tammy Means, effective July 4, 2010, and be it further

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

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #203-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Mickelsen:

WHEREAS, the Water and Sewer Department has budgeted for Vehicle and Equipment replacement SS 8120.21 (Equipment - Trucks) and SW1 8340.21 (Equipment), and

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

WHEREAS, funds budgeted are from the Capital Reserve Account which has 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 2010 or latest model Truck including bids for the Utility Body.

TOWN BOARD MEETING JUNE 22, 2010
ORDER OF BUSINESS: (Continued)

BE IT FURTHER RESOLVED, that bids will be received until 10:00 A.M. July 9, 2010 at the office of the Town Clerk, 1000 County Road 8, Farmington, NY 14425.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #204-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING THE EXPENDITURE FROM A PARK LANDS/RECREATION RESERVE FUND

The Town Board of the Town of Farmington, duly convened in regular session, does hereby resolve pursuant to the provisions of Section 6-c of the General Municipal Law of the State of New York that the Town Supervisor of the Town of Farmington be and he hereby is authorized and directed to transfer from the Town of Farmington Park Lands/Recreation Reserve Fund to the Town General Fund One hundred three thousand forty and 00/100 Dollars ($103,040.00) of the principal and accumulated interest in said Reserve Fund to pay for the following items in the following amounts, with all such work to be done by the Town of Farmington with Town of Farmington equipment:

A. Farmbrook Park – parking lot repairs with pervious concrete to include:

1. Box out and drainage: $ 3,240.00
2. Stone base – 1,450 tons: $14,500.00
3. Electrical (install lights & wire): $7,500.00
4. Concrete – 360 cubic yards: $43,200.00
5. Top soil – bioretention facility: $2,600.00
Farmbrook Total: $71,040.00

B. Mertensia Park:
1. Pave top coat of parking lot & drive: $28,500.00
2. Install swing set: $3,500.00
Mertensia Total: $32,000.00

TOTAL AMOUNT TO BE TRANSFERRED: $103,040.00

This resolution shall be subject to a permissive referendum, as permitted by 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 June 22, 2010, by the following vote:

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<td>X</td>
</tr>
<tr>
<td>Steven Holtz</td>
<td>X</td>
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All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #205-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

RESOLUTION GRANTING A LICENSE RELATIVE TO AN ENCROACHMENT INTO BOWERMAN ROAD

WHEREAS, the owner of property located at 5970 Allen Padgham Road, being the Estate of Grace B. Allen, has submitted a request, in writing, to the Town Board requesting that the Town issue a license to the owner regarding the encroachment of a portion of a barn into the highway right-of-way of Bowerman Road; and

WHEREAS, the encroachment at issue is, according to a survey map of the subject property prepared by David M. Parrinello dated April 27, 2010, the 43 foot length of the front of a barn on the property encroaching into the highway right-of-way of Bowerman Road from between 6.1 feet up to 6.8 feet; and

WHEREAS, the Town Board, by resolution adopted on June 8, 2010, made a preliminary determination that the encroachment of the portion of the barn located at 5970 Allen Padgham Road, as shown in the aforementioned survey, may have no adverse impact upon the use of Bowerman Road; and
WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Farmington, on June 15, 2010, was posted on the Town signboard on June 11, 2010 and was sent, by certified mail, to the owners of property, as determined from the last completed assessment roll, within five hundred feet of 5970 Allen Padgham Road as measured from the intersections of the property lines with Bowerman Road or Allen Padgham Road; and

WHEREAS, said public hearing was duly held on June 22, 2010, at 7:00 p.m. at the Farmington Town Hall, 1000 County Road 8, Farmington, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to this matter.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby determines that the portion of the aforesaid barn located at 5970 Allen Padgham Road that encroaches into the highway right-of-way of Bowerman Road does not interfere or impede the right of the public to use Bowerman Road; and be it further

RESOLVED, that the Town Board hereby grants to the owner of 5970 Allen Padgham Road a license, in the form attached hereto as Exhibit “1” and made a part hereof, which said form has been reviewed and approved by the Attorney to the Town, to continue to maintain such encroaching portion of said barn during the period such portion of such barn is in existence; provided however, the Town shall have the authority to revoke such license at any time in the event the town board determines that Bowerman Road will be improved and as a result of such improvement the encroaching portion of said barn will then impede, interfere with or obstruct traffic or the use of Bowerman Road; provided, further, that such license shall not confirm any right or claim against the town; and be it further

RESOLVED, that this license is granted with the understanding that, if the Town does revoke this license as aforesaid or as otherwise permitted by New York State Town Law §130, then, in such event, the owner of the property shall be given notice of the proposed action and shall, within the time set forth in the notice, remove such portion of such barn from Bowerman Road; and be it further

RESOLVED, that, upon the abandonment of the subject barn or in the event such barn, because of a lack of care, enters a state of disrepair, the owner thereof shall remove such encroaching portion of said barn upon notice from the town board; and be it further

RESOLVED, that the Town Supervisor shall be and hereby is authorized to execute the aforesaid license and to take any and all further action necessary to carry forth the intent of this resolution.

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 June 22, 2010, by the following vote:

<table>
<thead>
<tr>
<th></th>
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<tr>
<td>Steven Holtz</td>
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</table>

All voting “Aye”, the Resolution was CARRIED.

TOWN BOARD MEETING JUNE 22, 2010
ORDER OF BUSINESS: (Continued)

RESOLUTION TO PAY AUDITED BILLS
The bills were audited by the Town Board

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<thead>
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<th>Fund</th>
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<td>$10,403.29</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$235,093.20</strong></td>
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A motion was made by Councilman Holtz and seconded by Councilman Mickelsen to approve above resolution, all voting “Aye”, the Resolution was CARRIED

WAIVER OF THE RULE
TRAINING UNDER $100.00:
1. Scott Makin and Mary Neale attended the Genesee/Finger Lakes Regional Planning Council’s Spring Local Government Workshop on May 14 in Pittsford. Cost was $50 a person.
2. Mary Neale attended the 24th Annual Regional Preservation Conference April 24 in Palmyra. Cost was $55.

DISCUSSION:
1. Crown Castle’s request for changes to cell tower lease.
   Supervisor Fafinski stated that the Board received a request from Crown Castle requesting changes to the cell tower lease agreement. Their lease agreement currently requires them to get consent for co-locations and they are requesting to have a blanket consent signed which would allow them to co-located without prior approval. Crown Castle stated that they would notify the town of any co-locators and adjust the rent. If the Town choose to do this, they would have no say in future co-locator projects and there is no benefit to the town to allow this.
   Supervisor Fafinski read an e-mail from Code Enforcement Officer Kofahl the read as follows:
   Crown Castle will still have to come to the Town to get permits for any changes that they make to the towers, this is under the New York State Codes. My first suggestion is to not sign off on this request. I would think the Town would want to control any changes that may affect the appearance of the towers as well as any additional operation structures that they place on the ground at these sites. Either way, the Building Department will be reviewing any proposed changes as part of the permitting process.
   The consensus from the Town Board was to write a letter to Crown Castle stating they are not interested in signing off.
2. Response from Town Attorney to request for fence and pool for a special needs child in the Auburn Meadows subdivision.
   Supervisor Fafinski read the following e-mail from the Town Attorney as follows:
   I met with Floyd yesterday to go over the documents submitted by Colleen Austin requesting that the Town permit her to erect a fence and pool on her property located on 1685 Lillybrook Court. He and I talked over the various pros and cons of the Town granting such permission after discussing the specifics of the request and the property. After our meeting, I reviewed NYS Town Law relative to incentive zoning, reviewed the Town's Zoning Code specific to its incentive zoning provisions, reviewed the documents Floyd left with me and spoke with Ron Brand to get his input. Resolution #178-2004, which rezoned Auburn Meadows to Incentive Zoning, contained six (6) restrictions on the development of Auburn Meadows Subdivision.
   The Town Zoning Code, section 165-34.1 M. provides that "The Town Board may also impose such conditions upon its approval [of incentive zoning] as it may deem appropriate to promote the health, safety and welfare of the community." As an initial point, then, I find these restrictions to be permitted pursuant to the Town's incentive zoning regulations. Restriction #6 states, "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."

TOWN BOARD MEETING JUNE 22, 2010

Further, these restrictions/conditions are not part of the quid pro quo of the Town Board granting the incentive zoning. What the Town received in exchange for granting the incentive zoning is set forth earlier in the resolution and includes 48.5 acres of land devoted to open space and regional storm water management facilities, of which approximately 29 acres was to be dedicated parkland, and a total of 3.8 acres of land for the fire department.

In speaking with Floyd, I understand that Ms. Austin's lot is being considered a "patio lot". The resolution cited earlier requires "All of the dwelling units shall be located on either patio lots containing not less than 10,000 square feet in total land area, or conventional lots containing an average of 20,000 square feet in total land area based upon an overall preliminary plat for the Auburn Meadows Incentive Zoning Project to be approved by the Town Planning Board". Ron has told me that Ms. Austin's lot is approximately 10,400 square feet. However, Ron also told me that the final plans approved by the Planning Board do not use the terms "patio lot" or "conventional lot" in either the Zoning Code or the Subdivision Code to help us here. I, therefore, assume that Ms. Austin's lot is being considered a patio lot because its area is so close to 10,000 square feet. However, if there is a possibility that, based on the Zoning Code and existing definitions or regulations, Ms. Austin's lot should not be classified as a patio lot, I would recommend we verify that before the Town Board takes any action.

Regardless of that issue, as a general matter, I find the following:
1. That the Town Board does have the power and authority to grant a variance or exception to restriction #6 to a lot burdened by such restriction;
2. That the Town Board would be able to issue such a variance or exception by means of a resolution;
3. That the Town Board could modify restriction #6 so that it applied to every lot affected or it could modify restriction #6 by granting a specific variance or exception to a specific lot.
4. That the Town Board, if it decides to modify restriction #6 in either way, needs to consider the language of section 165-34.1 M. and determine if such variance or exception would "promote the health, safety and welfare of the community".
5. That, if the Town Board decides to grant a specific variance or exception to Ms. Austin's lot only, the Board's resolution should set forth the specific circumstances of the lot in question, the special needs of her child, the ways in which the variance or exception would benefit her child, the testimonials from the various agencies, therapists and doctors advocating for the Ms. Austin's child's needs and any other information or reasons that are causing the Board to issue a specific variance or exception.
6. That, if the Town Board decides to grant a specific variance or exception, the Town Board should consider putting conditions on such variance or exceptions such as, requiring that any pool, if not permanent, be removed once the Austins move away or that, if the Austins move away, the fence or pool shall not be replaced but shall be removed if they fall into disrepair. I'd ask Floyd and Ron for their thoughts on this.
7. That, if the Town Board decides to grant a specific variance or exception, the Town Board determine whether Ms. Austin needs one fence or two fences - one fence enclosing the yard, including the pool, or one fence enclosing the yard and a second fence enclosing the pool - so that her son, while in the fenced backyard, does not accidentally fall into the pool.

In determining whether or not to grant a variance or exception, the Board should be aware that it would need to hear and consider any future requests by other lot owners for exceptions to restriction #6. If the Board is looking to be able to consider each such case separately, the Board would need to make any approval as specific as possible so that any future request would be handled on a case by case basis and the Board would not be forced into approving a future request just because it approved this request. I would say it may very well be a very difficult matter for the Board to differentiate Ms. Austin's child's conditions of visual impairment, Cerebral Palsy and developmental disabilities with a future request involving, say, an individual with downs syndrome, ADHD, Alzheimers or any other condition. Once the Town Board shows a willingness to grant a variance or exception to one lot owner based on the medical conditions of a resident of the home, the Board may find it difficult to deny a future request with a different medical condition or may find itself sued, should it deny such future request involving another individual with a medical condition being the focus of the request, as being arbitrary or capricious in favoring one medical condition over another.

Mr. Pettee stated that he is sure the Board will receive these types of request and he offered to help the Board in crafting a reasonable idea that would be beneficial to everyone. Supervisor Fafinski replied that's why they have the Town Attorney. Mr. Pettee stated he was offering his services at no charge, Supervisor replied that the Town Attorney is impartial and it may appear a conflict of interest for Mr. Pettee.

Councilman Mickelsen stated that he is sympathetic to the cause but at the same time the Board approved the incentive zoning whether it was fences, pools, or sheds and they were very specific that they did not want them there and if they're going to make an exception for one they might as well lie down and open it up for everyone. He added that it is up to the buyer of the property to research what can and cannot be done to meet their needs and feels this is a self inflicted condition on their part.

Councilman Ingalsbe stated that the property owner admitted that she knew the condition prior to buying and that there were other lots available but cost more. Councilman Casale stated that it would also infringe on their neighbors rights who don’t want accessory structures. Councilman Holtz stated he has a hard time granting an exception to one person that would affect several people.

Code Enforcement Officer Kofahl stated that there will be a total of 469 homes when completed and not all are patio homes. Supervisor Fafinski asked Code Enforcement Officer Kofahl to get the number of patio homes approved in Auburn Meadows for the next board meeting and how many have been built, how many left to go, and where they are located. The Supervisor recommended to Mr. Pettee to draft something up and the board would look at it. Councilman Holtz asked Mr. Pettee if there was a cover sheet to the petition page because it appears that the people didn’t know what they were signing for. Mr. Pettee did not recall as he did not go door to door but he will check into it.

3. Pumpkin Hook Parade – discussed vehicles, candy, and signs and banner.
4. Speed Limit request for Hook Road – Highway/Parks Superintendent stated that back in 2000 a request was made to do a speed survey but the State looks at driveway cuts, that section has a lot. He suggested requesting another survey and the Board agreed.
5. Speed bumps request for King Hill Drive – Highway Superintendent felt that once they install speed bumps they will be all over, Board agreed. Supervisor Fafinski stated that he contact the Sheriff’s Office and they will monitor the area and issue tickets.

EXECUTIVE SESSION: None.

A motion was made by Councilman Casale and seconded by Councilman Mickelsen to adjourn the meeting at 8:47 p.m. All voted “Aye” CARRIED.

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

TOWN BOARD MEETING JULY 13, 2010

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 13th day of July, 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, Dotti Mickelsen, Edward McLaughlin- Highway/Parks Superintendent, Dean Litcherman- Victor Herald, Paul Conrad-Farmington Fire Chief, Mr. & Mrs. Austin- Residents, Wesley Pettee- Resident.

PUBLIC HEARINGS: None.

A motion was made by Councilman Holtz, seconded by Councilman Casale that the minutes of the June 22, 2010, meeting, given to members for review, be approved. Councilman Mickelsen abstained. Carried.

PRIVILEGE OF THE FLOOR: None.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Ingalsbe reported:

Water & Sewer:
1. 3 Resolutions on for tonight-seek bids for new truck with utility box (replaces 1998 truck), agreement for engineering services for the Highway Campus project, and setting a public hearing for an extension to the Sanitary Sewer District (Stonewood).
2. Update on Billing Software problems – lawyers are involved.
3. Discussed excavation testing at Highway Campus.
4. Purdy Road Water Project.
5. Closing out some Capital Projects.

TOWN BOARD MEETING JULY 13, 2010

Highway & Parks:
1. Highway Campus Committee visited Lyons complex, which includes the Town, Village and school district in Lyons, all in one large building. Councilman Ingalsbe made presentation to Planning Board for Preliminary Subdivision approval and that was granted, next meeting will get approval for final.
2. Two resolutions on for tonight – purchase of a new truck and purchase of mower for Parks.
3. Discussed CHIPS Seal Program.
4. Discussed sidewalk requirements on Townline Road and Estates at Beaver Creek.

Town Operations Committee: Councilman Holtz reported:
1. Discussed the definitions between patio homes and conventional homes in the Auburn Meadows Subdivision. Ron Brand and Floyd Kofahl will do an analysis of the maps and will discuss in two weeks and hopefully will have recommendation to Town Board for next meeting to act upon.
2. Resolution on for tonight for mowing of two properties.

Town Finance Committee: None
Town Public Safety Committee: None.

REPORTS OF TOWN OFFICIALS:

Supervisor Fafinski:
1. 2011 Budget has started, sending out vendor letters.
2. Board of Elections- Mertensia Park Lodge will be new voting site for districts 5, 6, and 8.

Highway & Parks Superintendent Ed McLaughlin:
1. Discussed localized flooding from the heavy rainfall.

Town Clerk Michelle Finley:
1. Update on Dog Enumeration.
2. Training at Cornell Municipal Clerks Institute, $400 scholarship received from General Code, July 18-22, 2010.

Water & Sewer Superintendent Jim Crane:
1. Discussed Energy Containment Power NY.
2. Rainfall caused increase in flows.

Code Enforcement Officer Jim Morse:
1. Discussed two properties that need to be mowed in Phillips Landing.
2. Department is fielding a lot of complaints.
3. Permits.

Director of Planning and Development: None

Assessor Donna LaPlant: None.

Fire Chief Paul Conrad: Trucks is service, Supervisor thanked him for being at July 3rd Celebration.

COMMUNICATIONS:

1. Letter to the Supervisor’s Secretary from the NYS Public Service Commission. Re: Complaint about electrical poles on Calm Lake Drive.
2. Notice of incomplete application from the state DEC for water permit.
3. Letter to resident Frances Dawson from the Supervisor. Re: Complaint regarding utility poles.
4. Letter from the Clerk of the Planning Board to the Town Board. Re: Preliminary Plat Approval for Hook Road property.
8. Letter to Robert Somers of the state Division of Ag. & Markets from the Director of Planning and Development. Re: Waiver.
9. Sewer bond
10. Letter from the Supervisor to involved agencies. Re: Purdy Road water main replacement project.
11. Letter from the Town of Macedon to the Town Clerk. Re: two-lot subdivision.

TOWN BOARD MEETING  JULY 13, 2010

12. Letter from the state Comptroller’s Office to the Town Clerk. Re: Mercier lighting district.
15. Memo from the Supervisor to Councilmen Mickelsen and Ingalsbe. Re: MRB projects meetings.
17. Letter to the Supervisor from the Hutters. Re: Road sign pole. With response from Supervisor to the Hutters.
18. Memo to the Farmington Fire Department from the Supervisor. Re: Invite to take part in the July 3 festivities.
19. Memo to “involved parties” from the town Planning Board. Re: Quaker Meetinghouse site plan.
20. Letter from Time Warner Cable to the Supervisor. Re: Changes to the programming lineup.
21. Phase I Environmental Site Assessment from Lu Engineers for the Hook Road property.
22. Memo from the Director of Planning and Development to the Town Board. Re: Phase I Environmental Site Assessment Report.
23. Certificate of Workers Comp insurance coverage cancellation for Irondequoit Garden Center.
REPORTS & MINUTES:


ORDER OF BUSINESS:

RESOLUTION #207-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN A CONTRACT WITH BIEL’S INFORMATION TECHNOLOGY SYSTEMS

WHEREAS, Code Enforcement Officer Floyd Kofahl has received written notification that it is time to renew the town’s maintenance agreement for the period beginning August 18, 2010 for the Building Department’s Canon MS800 system and,

WHEREAS, the equipment costs $745 for a year-long period including 2 p.m. calls for service in conjunction with normal repairs requested by the town, and

WHEREAS, the Supervisor’s Office has prepared a voucher to pay Biel’s,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the Supervisor to sign the contract with Biel’s and

FURTHER BE IT RESOLVED that the Town Clerk provide a copy of this resolution to the Building Department and forward the signed contract to the Finance and Accounting Specialist to be mailed along with the payment.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #208-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION ESTABLISHING THE STANDARD WORK DAY AND REPORTING SCHEDULE FOR NYS RETIREMENT

BE IT RESOLVED, that the Town of Farmington hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:
TOWN BOARD MEETING

JULY 13, 2010

And, further be it, RESOLVED, that a certified copy of this resolution be transmitted by the Town Clerk to the NYS Comptroller and Supervisor’s Office.

All Voting “Aye”, the Resolution was CARRIED.

RESOLUTION #209-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN CONTRACTS FOR MOWING WITH COUNTRYCARE LANDSCAPE MANAGEMENT, INC.

WHEREAS, the Code Enforcement Officer has ordered that properties at 1507 Emma Lane and 1453 Fraser Way within the Town be mowed, and

WHEREAS, Countrycare Landscape Management, Inc. has provided quotes for the maintenance of these lawns at a cost not to exceed $275 for each property, therefore be it

RESOLVED, the Farmington Town Board authorizes the Supervisor to sign contracts for mowing with Countrycare Landscape Management, Inc., and further be it

RESOLVED, that the Town Clerk forward the contracts to Countrycare Landscape Management, Inc, and copies to the Code Enforcement Officer.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #210-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Mickelsen:

RESOLUTION AUTHORIZING THE HIGHWAY/PARKS SUPERINTENDENT TO PURCHASE A ROTARY MOWER WITH CANOPY FROM MOFFETT TURF EQUIPMENT.

WHEREAS, the Highway/Parks Superintendent has asked that he be allowed to purchase a Jacobsen R-311 high-production rotary mower with canopy from Moffett Turf Equipment under New York State contract (#PC64364), and

WHEREAS, the cost of the mower will not exceed $42,662.22 and,

WHEREAS, it is the lowest of three quotes received; Lakeland Equipment’s bid came in at $46,991.64 and

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the Highway/Parks Superintendent to purchase the rotary mower and canopy from Moffett Turf Equipment at a cost not to exceed $42,662.22 and

Grassland Equipment’s bid was $49,070.69,
TOWN BOARD MEETING  
JULY 13, 2010  
ORDER OF BUSINESS CONTINUED:

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to forward copies of this resolution to the Highway Department.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #211-2010:  
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING THE HIGHWAY/PARKS SUPERINTENDENT TO ACCEPT A BID FROM VANBORTEL FORD INC. FOR A NEW 2010 OR NEWER HALF-TON PICKUP FOR NO MORE THAN $23,720

WHEREAS, the Highway/Parks Superintendent sought bids for a half-ton pickup for the Highway Department and received two responses, from West Herr Ford for $23,875 and VanBortel Ford Inc. for $23,720,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the Highway Superintendent to accept the bid from VanBortel Ford Inc. at a cost not to exceed $23,720, and

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to forward a copy of this resolution to the Highway Department.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #212-2010:  
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

WHEREAS, the Town of Farmington is in the process site development for a new Highway Facility, and

WHEREAS, the Public Works Committee together with the site Development Committee has requested the Water & Sewer Supt seek “Requests for Proposals (RFP’S)” on Professional Services for Engineering Design and Submittals. (See attached)

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington acting on behalf of the Farmington Sanitary Sewer District hereby authorizes the Town Supervisor to enter into an Agreement with MRB Group P.C., Rochester NY for Engineering Services for the Design and Submittals for the Highway Complex Sanitary Sewer Project on Hook Rd, as outlined in the Professional Services agreement of June 17th 2010 for a total not to exceed $6,600.00.

BE IT FURTHER RESOLVED, that funds for said Engineer Services will be from Budget Code SS 8120.4 with a formal copy of this resolution kept on file at this office of the Water & Sewer Dept.

All voting “Aye”, the Resolution as amended was CARRIED.

RESOLUTION #213-2010:  
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

WHEREAS, the Water and Sewer Department has budgeted for Vehicle and Equipment replacement SS 8120.21 (Equipment - Trucks) and SW1 8340.21 (Equipment), and

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

WHEREAS, funds budgeted are from the Capital Reserve Account which has 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 2010 or latest model Truck including bids for the Utility Body & Crane.

BE IT FURTHER RESOLVED, that truck bids will be received until 10:00 A.M. on July 22, 2010 at the office of the Town Clerk, 1000 County Road 8, Farmington, NY 14425. The Utility Body Bids will be received until 10:00 a.m. on August 5, 2010 at the office of the Town Clerk, 1000 County Road 8, Farmington NY 14425.

All voting “Aye”, the Resolution as amended was CARRIED.
RESOLUTION #214-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE PURCHASE OF A PRINTER FOR THE RECREATION DEPARTMENT

WHEREAS, Recreation Director Mark Cain was given permission from the Supervisor to purchase a computer printer for the printing needs of his growing department and

WHEREAS, Cain purchased a printer at Staples for $79.98, and Staples has forwarded the town an invoice,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the following budget amendment, moving the amount from the Youth CE line to the Youth EQ line:

FROM: A7310.4 YOUTH CE ($79.98)
TO: A7310.2 YOUTH EQ $79.98

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to forward copies of this resolution to the Finance and Accounting Specialist.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #215-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF FARMINGTON AUTHORIZING SCHEDULING OF PUBLIC HEARING

WHEREAS, by written Petition dated April 30, 2010, submitted in due form by Petitioners, containing the required signatures, which has been presented and filed with the Town Board of the Town of Farmington, Ontario County, New York, for the Stonewood Extension #1 to the Farmington Sewer District (“District”) to serve the several single parcel of land within the proposed district; and

WHEREAS, the Town Board deems it to be in the best interests of the residents of the Town of Farmington to pursue the District, pursuant to a Map and Plan prepared by D.S.B. Engineers & Architects, P.C. and by David Freeland, and filed with the Town Clerk on July 9, 2010, (See Exhibit 1 attached hereto and made a part hereof.).

NOW, THEREFORE, BE IT RESOLVED, That the Order Calling for Public Hearing, attached hereto, shall be signed by the members of the Town Board of the Town of Farmington and published, posted and entered into the Minutes in accordance with Section 193 of the Town Law and the Town Clerk and/or Counsel to the Town are hereby authorized to take any and all further measures necessary to comply with the Town Law in preparation for the final adoption of the aforementioned extension.

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 July 13, 2010, by the following vote:

<table>
<thead>
<tr>
<th>Aye</th>
<th>Nay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Theodore M. Fafinski</td>
<td>X</td>
</tr>
<tr>
<td>Timothy Mickelsen</td>
<td>X</td>
</tr>
<tr>
<td>Michael Casale</td>
<td>X</td>
</tr>
<tr>
<td>Peter Ingalsbe</td>
<td>X</td>
</tr>
<tr>
<td>Steven Holtz</td>
<td>X</td>
</tr>
</tbody>
</table>

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #216-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING THE TOWN CLERK TO ATTEND THE 2010 CORNELL MUNICIPAL CLERKS INSTITUTE CONFERENCE JULY 18 TO 22 IN ITHACA

WHEREAS, Town Clerk Michelle Finley was successful in receiving a scholarship from General Code for $400 toward the cost attending the 2010 Cornell Municipal Clerks Institute Conference in Ithaca later this month, and

WHEREAS, the remaining cost of $375 for the July 18 to 22 conference includes the conference, meals and lodging,
NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the Town Clerk to attend the conference at a cost not to exceed $375 plus related expenses and keep a copy for her office.

All voting "Aye", the Resolution was CARRIED.

RESOLUTION #217-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

RESOLUTION TO PAY AUDITED BILLS
The bills were audited by the Town Board

<table>
<thead>
<tr>
<th>Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>$33,732.05</td>
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<tr>
<td>Highway Fund</td>
<td>$111,825.24</td>
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<tr>
<td>Storm Drainage</td>
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</tr>
<tr>
<td>Payroll</td>
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<tr>
<td>Highway Campus</td>
<td>$4,550.38</td>
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<tr>
<td>Sewer Plant Expan.</td>
<td>$26,110.31</td>
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<tr>
<td>Sewer District</td>
<td>$29,788.32</td>
</tr>
<tr>
<td>Water District</td>
<td>$336,171.65</td>
</tr>
</tbody>
</table>

TOTAL: $572,803.87

All voting “Aye”, the Resolution was CARRIED.

WAIVER OF THE RULE
TRAINING UNDER $100.00:
1. Ed McLaughlin to attend supervision seminar at the Rochester Plaza Hotel on Aug. 12 for $79.
2. Donna LaPlant attended the Western NY Chapter of the International Association of Assessing Officers seminar in June for $25.
3. Leslie O’Malley to attend the Association of Towns Planning and Zoning Summer School 2010 in Geneseo for $80.

DISCUSSION:
1. Pumpkin Hook parade, Aug. 6, 2010
2. Response from Town Attorney to request for fence and pool for a special-needs child in the Auburn Meadows subdivision. (Update)

EXECUTIVE SESSION: None.

A motion was made by Councilman Mickelsen and seconded by Councilman Casale to adjourn the meeting at 7:34 p.m. All voted “Aye” CARRIED.

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

TOWN BOARD MEETING  JULY 27, 2010

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 27th day of July, 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, Floyd Kofahl – Code Enforcement Officer, Dotti Mickelsen, Edward McLaughlin- Highway/Parks Superintendent, Paul Conrad-
TOWN BOARD MEETING  JULY 27, 2010

PUBLIC HEARINGS: STONEWOOD SEWER DISTRICT EXTENSION #1

At 7:00 PM, on this date, a Public Hearing was called to order to hear all persons/citizens, in interest, concerning the adoption of the proposed creation of the Stonewood Extension #1 to the Farmington Sewer District in the Town of Farmington. The Town Clerk read the Legal Notice, as published in the Town’s designated newspaper.

Supervisor Fafinski opened the public hearing. The homeowner appeared and stated that he tried to mediate his septic system and seems to be failing and is now trying to work through it to fix it the most cost effective way. He is still obtaining estimates. Councilman Mickelsen stated that this has been discussed at Public Works several times and agrees that it is appropriate for this site. Councilman Mickelsen asked for clarification on Legal Notice regarding no cost for sewer rents, he wanted to make sure it was understood that there would be quarterly sewer fees. Jim Crane replied that was correct.

Councilman Mickelsen asked the homeowner if he had a timeline for getting it in, the homeowner replied that it depends on what the cost is going to be but as soon as possible. The homeowner stated that once he is hooked up to the sewer then he will disconnect from the septic system. Code Enforcement Office Kofahl stated that according to town code the homeowner will have to hook up to the sewer system once the district is created. He added that the disconnect will happen when the hook up is done by crushing the tank. Councilman Mickelsen asked if there is a timeline written in the resolution creating the district, Water & Sewer Superintendent Crane stated that is depends if it is red flagged and the code takes effect once it is created. Supervisor Fafinski added that once the district is created and the owner doesn’t hook up then he can be cited for not doing so. Code Enforcement Officer Kofahl stated that the system is failing and that there is no other resolution other than hooking up to the sewer system and he believes there is nothing in the code as far as a timeline when it needs to be done. Councilman Ingalsbe stated that the Board doesn’t want to create a district if the owner isn’t going to hook up.

No one further wishing to be heard, for or against, concerning the foregoing subject matter, the Hearing was declared closed at 7:12 PM.

A motion was made by Councilman Mickelsen, seconded by Councilman Casale that the minutes of the July 13, 2010, meeting, given to members for review, be approved. Carried.

PRIVILEGE OF THE FLOOR: None.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Mickelsen reported:

Water & Sewer:
1. Several Resolutions on for tonight-Stonewood Sanitary Sewer District Extension #1, purchase of a truck, market salary adjustments, Town Board as Lead Agency for Purdy Road project.
2. Update on Billing Software.
3. Discussed test holes being performed at Highway Campus.
4. Purdy Road Water Project-Engineers plans have been submitted to the Dept. of Health.
5. Manhole inspections.

Highway & Parks:
1. Discussed Farmbrook Park parking lot.
2. Discussed CHIPS sealing – completed 9 miles of roads.
3. Six Wheeler should be arriving tomorrow.
4. Discussed extra clean up after recreation programs.
5. Discussed on-going vandalism at Farmbrook Park.

Town Operations Committee: Councilman Casale reported:

1. Discussed grant for trail study-received $2,000.
2. Discussed Auburn Meadows Incentive Zoning-get advanced copies of changes to Town Board prior to meeting.
3. Attended Shortsville groundbreaking on fire house.

Town Finance Committee: None

Town Public Safety Committee: None.
REPORTS OF TOWN OFFICIALS:

Supervisor Fafinski:
1. Discussed Town Board Audits of Town Clerk, Town Justices, Tax Collector that were completed in June/July 2010. Audit Reports are on file in the Town Clerk’s Office.
2. Discussed changing the September 14, 2010, Town Board Meeting to September 15, 2010, due to Primary Election.

Highway & Parks Superintendent Ed McLaughlin:
1. Reported that the new truck arrived today.
2. Discussed article in the Finger Lakes Times regarding the Blue Bells, article mentions Mertensia Park.

Town Clerk Michelle Finley:
1. Update on Dog Enumeration.
2. Cornell University Training.
3. Meeting with County Clerks Association August 6 to discuss dog licensing.

Water & Sewer Superintendent Jim Crane: NONE.

Code Enforcement Officer Floyd Kofahl:
1. Working on Code changes.
2. Reported that permits are up from last year.

Director of Planning and Development: None

Assessor Donna LaPlant:
1. Reported on continuation of residential revaluation.
2. Training at Cornell.
3. Reported receiving 11 Article 7s.

Fire Chief Paul Conrad: None.

Planning Board Member Mary Neale:
1. Excited about the plans for the four corners at the intersections of Rt. 96 and Rt. 332.

COMMUNICATIONS:
1. Notice of planning opportunity from the Genesee/Finger Lakes Regional Planning Council.
2. Letter of interest for vacant position on the Town’s Historic Preservation Board from resident Robert O. Kalbach.
3. Memos to Town Court and Town Clerk from the Supervisor. Re: Audit by Gina Dermody.
6. Copies of invoices from the Supervisor’s Office for past-due accounts.
7. Invoices from the Supervisor’s Office for legal and engineering fees.
8. Chargebacks to Ontario County and the Victor Central School District for attorney services provided in the racino case.
11. Cancellation of certificate of Workers Compensation Insurance for Pro Construction Inc.
13. Certificates of Liability Insurance for: Jim Jackson, B-R Carts & Kiosks, Townsend Oil Corp. and Spencerport Insurance Agency.
14. Letter to the Town Board from the state Department of Public Service. Re: Update on filing joint proposal and public statement hearings and NYSEG rate increase.
RESOLUTION #218-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

SEQR RESOLUTION DESIGNATING LEAD AGENCY STATUS COORDINATED REVIEW – PURDY ROAD WATER MAIN REPLACEMENT PROJECT

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has reviewed the Environmental Record prepared upon the above referenced Purdy Road Water Main Replacement Project (hereinafter referred to as Action); and

WHEREAS, the Town Board has determined that said Action is also subject to review and approval by other involved agencies under the provisions of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Town Board has, at its’ June 8, 2010 meeting declared its’ intent to be designated as the lead agency for this Action and has provided written notifications thereof to involved agencies for the purpose of conducting a coordinated review under the provisions of SEQR; and

WHEREAS, during the public review and comment period established the Town Board has not received any written objections to the Board being designated lead agency under the SEQR Regulations for the above described action.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby designate itself as the lead agency for making the required Determination of Significance under the SEQR Regulations for the Action.

All Voting "Aye", the Resolution was CARRIED.

RESOLUTION #219-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Holtz:

SEQR CRITERIA FOR DETERMINING SIGNIFICANCE – PURDY ROAD WATER MAIN REPLACEMENT PROJECT

Whereas, the Town of Farmington Town Board (hereinafter referred to as Town Board) is the designated Lead Agency for making the required Determination of Significance upon the above reference Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

Whereas, the Town Board has reviewed the Environmental Record as appears on Part 2 of the Short Environmental Assessment Form, prepared by Ronald L. Brand, Town Director of Planning & Development; and

Whereas, the Town Board finds that the Short Environmental Assessment Form provides a reasoned elaboration of the impacts likely to result from the Town Board’s action; and

Whereas, the Town Board has given consideration to the criteria for determining significance as set forth in Section 617.7 (c)(1) of the SEQR Regulations and the information contained in the Short Environmental Assessment Form prepared by the Town Director of Planning & Development.

Now, therefore, be it resolved that the Town Board reasonably concludes the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c) :

(v) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;

(ii) there will not be large quantities of vegetation or fauna removed from the future planned development site or destroyed as the result of the proposed action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed action; there will not be a significant impact upon habitat areas on any site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on any future development of the subject site;

(v) there are no known Critical Environmental Area(s) that will be allowed to be disturbed on the PD zoned site which will be impaired as the result of the proposed action;
(vi) the overall density of the PD zoned site will be consistent with the adopted Town Comprehensive Plan land use recommendations;

TOWN BOARD MEETING JULY 27, 2010
ORDER OF BUSINESS: (Continued)

(v) there will be no disturbance of any known important historical, archeological, architectural, or aesthetic resources on the PD zoned site, or will the proposed action impair the existing community or neighborhood character;

(xiii) there will not be a major change in the use of either the quantity or type of energy resulting from the proposed action;

(xiv) there will not be any hazard created to human health;

(xv) there will not be a substantial change in the use, or intensity of use, or land including agricultural, open space or recreational resources, or in its capacity to support existing uses;

(ix) there will be a large number of persons attracted to the sites for more than a few days, when compared to the number of persons who would come to such place absent the action;

(xiv) there will not be created a material demand for other actions that would result in one of the above consequences;

(xv) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and

(xvi) there are not two or more related actions which would have a significant impact on the environment.

Be it further resolved that based on the information and analysis above and the supporting documentation referenced above, the proposed action WILL NOT result in any significant adverse environmental impacts.

Be it finally resolved that the Town Board does hereby make a Determination of Non-Significance on said Action and directs the Town Supervisor to sign and date Part 2 of the Short Environmental Assessment Form and to file said Determination with the Town Clerk and the other identified Involved Agencies.

All voting "Aye", the Resolution was CARRIED.

RESOLUTION #220-2010: Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

Letter of Credit – Auburn Meadows Subdivision, Phase 3 - Release #9 in the total amount of $31, 691.56.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a request from David Degear, Town Planning Board Chairperson, July 21, 2010 recommending that the above referenced Letter of Credit Release #9 be approved in the total amount of $31, 691.56 for work completed in the Phase 3 portion of the Auburn Meadows Subdivision; and

WHEREAS, the Planning Board has reviewed the documentation submitted for the release of the Letter of Credit, including the Town Letter of Credit Release Form No. 9 for the Auburn Meadows Project signed by all department heads; and

WHEREAS, there is currently a total of $ 158,414.85 remaining in this letter of credit; and

WHEREAS, there will be a total of $ 126,723.29 remaining in the Letter of Credit; and

WHEREAS, the Planning Board has, in a resolution adopted on July 21, 2010 recommended the release of the requested amount, $ 31,691.56.

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, in the amount specified above herein.

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

Councilman Casale requested this resolution be Laid Over.
TOWN BOARD MEETING

ORDER OF BUSINESS: (Continued)

RESOLUTION #221-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

Letter of Credit – Auburn Meadows Subdivision, Phase 2 - Release #16 in the total amount of $ 93,188.75.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a request from David Degear, Town Planning Board Chairperson, July 21, 2010 recommending that the above referenced Letter of Credit Release #16 be approved in the total amount of $ 93,188.75 for work completed in the Phase 2 portion of the Auburn Meadows Subdivision; and

WHEREAS, the Planning Board has reviewed the documentation submitted for the release of the Letter of Credit, including the Town Letter of Credit Release Form No.16 for the Auburn Meadows Project signed by all department heads; and

WHEREAS, there is currently a total of $ 149,266.45 remaining in this letter of credit; and

WHEREAS, there will be a total of $ 56,077.80 remaining in the Letter of Credit; and

WHEREAS, the Planning Board has, in a resolution adopted on July 21, 2010 recommended the release of the requested amount, $93,188.75.

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, in the amount specified above herein.

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

Councilman Casale requested this resolution be Laid Over.

RESOLUTION #222-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING THE SUPERVISOR TO TAKE APPROPRIATE ACTION TO APPLY MOWING CHARGES TO PROPERTIES WITHIN THE TOWN TO THE TAX ROLL

WHEREAS, the Code Enforcement Officer has taken the necessary action to bring two properties within the Town to compliance per Town Code Chapter 112, therefore be it

RESOLVED, the Farmington Town Board authorizes the Supervisor to take appropriate action to apply mowing charges along with a 50% service charge to the following properties in the Town to the property tax roll:

1. 1507 Emma Lane Tax Map No 42.05-1-1.217 - $275 plus $137.50 service charge

2. 1453 Fraser Way - Tax Map No 42.05-1-1.107 - $275 plus $137.50 service charge

And, further be it, RESOLVED, that a copy of this resolution be forwarded to the Supervisor’s Secretary and the Code Enforcement Officer.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #223-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF FARMINGTON, ONTARIO COUNTY, NEW YORK, DETERMINATION OF SIGNIFICANCE STONEWOOD EXTENSION #1 TO THE FARMINGTON SEWER DISTRICT

WHEREAS, the Town of Farmington Town Board, hereinafter 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

WHEREAS, the Town Board has considered the potential impacts associated with said action.

TOWN BOARD MEETING  
JULY 27, 2010
ORDER OF BUSINESS: (Continued)

NOW, THEREFORE, BE IT RESOLVED THAT the Town Board makes this Determination of Non-Significance based upon: the map and plan prepared by DSB Engineers & Architects, P.C. and by David Freeland; the July 27, 2010, 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 SEQR 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 concern; 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 July 27, 2010, by the following vote:

Aye  X  Nay
Theodore M. Fafinski
Timothy Mickelsen
Michael Casale
Peter Ingalsbe
Steven Holtz

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #224-2010:  
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF FARMINGTON
APPROVING CREATION OF THE STONEWOOD EXTENSION #1 TO THE FARMINGTON SEWER DISTRICT

WHEREAS, a written Petition dated April 30, 2010, has been presented and filed with the Town Clerk of the Town of Farmington, Ontario County, New York, requesting establishment of the Stonewood Extension #1 to the Farmington Sewer 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 D.S.B. Engineers & Architects, P.C. and by David Freeland 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 July 27, 2010, 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 July 27, 2010, 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 persons interested in the subject thereof, concerning the same, and to 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 July 27, 2010, 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 upon 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 is otherwise sufficient;

2. The Order Calling Public Hearing was duly published in the Town’s official newspaper on July 18, 2010 and duly posted on the Town’s official sign board on July 16, 2010, all as required by law and is otherwise sufficient;

3. All of the property owners within the proposed District are benefited thereby;

TOWN BOARD MEETING

ORDER OF BUSINESS: JULY 27, 2010

(Continued)

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, on-going maintenance and improvements associated with said sewer district be assessed, levied and collected from the several lots and parcels of land within said sewer district in proportion as nearly as may be to the benefit which each lot or parcel will derive therefrom;

8. That the establishment of the District, as set forth in said Map and Plan, be and hereby is approved and such District shall 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 July 27, 2010, by the following vote:

Aye   Nay

Theodore M. Fafinski   X
Timothy Mickelsen     X
Michael Casale        X
Peter Ingalsbe        X
Steven Holtz          X

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #225-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING THE RESCHEDULING OF A TOWN BOARD MEETING FROM SEPTEMBER 14, 2010 TO SEPTEMBER 15, 2010

WHEREAS, the Farmington Town Board holds its meetings on the second and fourth Tuesday of each month and the regularly scheduled meetings in September 2010 would be on the 14th and 28th, and

WHEREAS, September 14th, 2010 is Primary Election day,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby reschedules the September 14th, 2010 Town Board meeting to Wednesday, September 15th, 2010 to avoid the scheduling conflict, and

FURTHER BE IT RESOLVED that the Town Clerk provide a copy of this resolution to the Supervisor’s Secretary, Jim Crane, Ed McLaughlin, Floyd Kofahl, Sheree Hooper, Donna LaPlant, the Town Court and Ron Brand.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #226-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN A CONTRACT WITH PITNEY BOWES FOR LEASE OF A POSTAGE MACHINE IN THE TOWN HALL

WHEREAS, the lease agreement with Pitney Bowes for use of the postage machine in the Town Hall will soon expire and Pitney Bowes has provided a renewal contract, and
WHEREAS, the 51-month contract, if renewed now, will cost $111 per month, a roughly $9 increase over the current amount, and

WHEREAS, the Supervisor’s Office has attempted to get quotes from other competitors to no avail,

TOWN BOARD MEETING JULY 27, 2010
ORDER OF BUSINESS: (Continued)

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the Supervisor to sign the contract with Pitney Bowes and

FURTHER BE IT RESOLVED that the Town Clerk provide a copy of this resolution to the Supervisor’s Secretary and forward the signed contract to Pitney Bowes.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #227-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING MARKET SALARY ADJUSTMENTS FOR WATER & SEWER EMPLOYEES

WHEREAS, in 2007 Water and Sewer Supt developed a Step Plan as requested by the Town Board for wage increases, has part of its Asset Management Program, and

WHEREAS, this Step Plan timetable outlines wage increases for newly hired employees within a 5 year duration based on performance and grade improvements,

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington acting on behalf of the Water & Sewer Districts hereby authorizes the Supervisors Office and the Water and Sewer Superintendent to Increase the hourly wages by $0.50 per hour for the following employees Josh Fagner and Cori Stapleton, including a $0.25 per hour increase for Kevin Scherbyn, Effective starting July 25, 2010.

BE IT FURTHER RESOLVED, that once Kevin Scherbyn has received Certification as a WWTP Grade II Operator his rate will increase $0.75 effective the pay period immediately following the date of receiving Grade II level.

BE IT FURTHER RESOLVED, these increases were include in the 2010 Budget and will be from budget lines SS-8120.1, SS-8130.1 and SW1-8340.1, and

BE IT FURTHER RESOLVED that the Town Clerk provide a copy of this resolution to the Supervisor’s Secretary and the Finance and Accounting Specialist.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #228-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Holtz:

Resolution authorizing the Purchase of a New One Ton, Cab & Chassis, 4x4 Truck for the Water & Sewer Department

WHEREAS, the Water and Sewer Department has as part of its Asset Management Program instituted an Equipment Replacement Plan, and

WHEREAS, this Replacement Plan timetable calls for an existing 1995 Chevrolet Service/Utility to be replaced, and

WHEREAS, W & S Dept opened bids on July 22nd for the purchase of one new 2010 or latest model truck, one-ton, Dual Rear Wheel Cab and Chassis, 4x4.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington acting on behalf of the Water & Sewer Districts hereby authorizes the Water and Sewer Superintendent to purchase one (1) new 2011 Ford F350 One-Ton, Cab and Chassis 4X4 from Vision Ford located in Rochester, New York at Bid price of $20,894.00

BE IT FURTHER RESOLVED, that this purchase will be from budget lines SS 8120.2 and SW1-8340.2 with funding from the Equipment Capital Reserves.

All voting “Aye”, the Resolution was CARRIED.
RESOLUTION #229-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING THE HIGHWAY/PARKS SUPERINTENDENT TO ATTEND THE 81st TOWN HIGHWAY CONFERENCE AND EXPO IN SARATOGA SPRINGS, N.Y.

TOWN BOARD MEETING JULY 27, 2010
ORDER OF BUSINESS: (Continued)

WHEREAS, the Highway/Parks Superintendent wishes to attend the 81st Town Highway Conference and Expo September 14 to 16, 2010 in Saratoga Springs, N.Y., and

WHEREAS, the event costs $99 and the hotel is $763.80 for the three-night stay,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the Highway/Parks Superintendent to attend the Town Highway Conference and Expo at a cost of $862.80 for registration and lodging plus related expenses and

FURTHER BE IT RESOLVED that the Town Clerk provide a copy of this resolution to the Supervisor’s Secretary and the Highway/Parks Superintendent.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #230-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING JOHN ZUTKOWSKI OF ARROW APRAISAL SERVICES TO COMPLETE PROFESSIONAL APPRAISAL SERVICES RELATING TO PENDING LITIGATION INVOLVING THE FINGER LAKES RACING ASSOCIATION, INC.

WHEREAS, the Town is involved in a tax certiorari case for the 2009 and 2010 assessment roll years with Finger Lakes Gaming and Racetrack located at 5757 State Route 96, and

WHEREAS, the attorney for the Town defending this tax certiorari case recommends John Zutkowski of Arrow Appraisal Services be hired for professional appraisal services relating to this pending litigation, and,

WHEREAS, Ontario County and Victor Central School have entered into an intermunicipal cooperation agreement on this property, and both have determined it in their best interest hire John Zutkowski to provide professional appraisal services regarding this litigation

RESOLVED, the Farmington Town Board authorizes John Zutkowski of Arrow Appraisal Services be retained to provide professional appraisal services on the property located at 5757 State Route 96, at a cost not to exceed $150.00 per hour.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #231-2010:
Councilman Holt offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING THE CREATION OF A TEMPORARY TRAINING POSITION FOR A PRINCIPAL ACCOUNT CLERK

WHEREAS, the Supervisor has received the resignation of Principal Account Clerk Sheree Hooper, effective August 27, 2010, and

WHEREAS, the Ontario County Department of Human Resources has been notified and has sent out canvas letters to several individuals who have passed the Civil Service test for the assignment, and

WHEREAS, the Supervisor hopes to fill the position as soon as possible so the new hire can be trained by Hooper before her departure,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the creation of a temporary training position for Principal Account Clerk to be paid a salary of $38,000 to $40,000 annually, and

FURTHER BE IT RESOLVED that the Town Clerk provide a copy of this resolution to the Supervisor’s Secretary.

All voting “Aye”, the Resolution was CARRIED.
RESOLUTION #232-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FROM THE GENERAL FUND FOR FARMBROOK PARK IMPROVEMENTS

WHEREAS, the Finance and Accounting Specialist has identified the need to transfer funds for the improvements at Farmbrook Park,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the following budget amendment:

FROM: A599 Appropriated Fund Balance $71,040.00
TO: A7110.41R Parks – CE – Farmbrook Park Improvements $71,040.00

FURTHER BE IT RESOLVED that the Town Clerk provide a copy of this resolution to the Finance and Accounting Specialist.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #233-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FROM THE GENERAL FUND FOR MERTENSIAS PARK IMPROVEMENTS

WHEREAS, the Finance and Accounting Specialist has identified the need to transfer funds for the improvements at Mertensia Park,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the following budget amendment:

FROM: A599 Appropriated Fund Balance $32,000.00
TO: A7110.43R Parks – CE – Mertensia Park Improvements $32,000.00

FURTHER BE IT RESOLVED that the Town Clerk provide a copy of this resolution to the Finance and Accounting Specialist.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #234-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FROM THE GENERAL FUND FOR AN UNEMPLOYMENT PAYMENT

WHEREAS, the town has received a bill for $3.90 for a former employee’s unemployment payment,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the following budget amendment for that payment:

FROM: A599 Appropriated Fund Balance $3.90
TO: A9050.8 Unemployment Insurance ($3.90)

FURTHER BE IT RESOLVED that the Town Clerk provide a copy of this resolution to the Finance and Accounting Specialist.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #235-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

RESOLUTION TO PAY AUDITED BILLS
The bills were audited by the Town Board

ABSTRACT #13-2010

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### Payroll Summary

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<td><strong>TOTAL</strong></td>
<td><strong>$272,404.21</strong></td>
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All voting "Aye", the Resolution was CARRIED.

### Town Board Meeting

#### July 27, 2010

**Waiver of the Rule**

**Training under $100.00:**

**Discussion:**

**Executive Session:**

A motion was made by Councilman Mickelsen, seconded by Councilman Casale to enter in executive session to discuss pending litigation at 7:50 PM. Motion carried.

A motion was made by Councilman Casale, seconded by Councilman Mickelsen to close the executive session at 8:20 PM. Motion carried.

A motion was made by Councilman Casale and seconded by Councilman Mickelsen to adjourn the meeting at 8:20 p.m. All voted “Aye” CARRIED.

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

### Town Board Meeting

**August 10, 2010**

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 10th day of August, at 7:00 PM, there were:

**Present:**
- Theodore Fafinski – Supervisor – Necessarily Absent
- Peter Ingalsbe – Deputy Supervisor
- Timothy P. Mickelsen – Councilman
- Michael Casale – Councilman
- Steven Holtz – Councilman
- Michelle Finley – Town Clerk

Also present were: James Crane – Water & Sewer Superintendent, Dotti Mickelsen, Edward McLaughlin - Highway/Parks Superintendent, Mrs. Austin - Resident, Wesley Pettee-Resident, Donna LaPlant-Assessor, Brandon LaPlant-Resident, Mary Neale-Planning Board Member, and Students.

**Public Hearings:** NONE.

A motion was made by Councilman Mickelsen, seconded by Councilman Casale that the minutes of the July 27, 2010, meeting, given to members for review, be approved. Carried.

**Privilege of the Floor:** Wes Pettee- Auburn Meadows resident

Mr. Pettee stated that he just wanted to follow-up regarding Auburn Meadows Subdivision and he submitted a photograph that shows a community managing accessory structures instead of prohibiting them. The photo was taken in Michigan.

**Reports of Standing Committees:**

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

**Water & Sewer:**

1. Resolution on for tonight for the purchase of a truck body and crane.
3. Highway Complex update – soil study is done and reports are filed, Sanitary Sewer is underway.
4. Update of Purdy Road Water Project – Dept. of Health has requested a hydraulic test-MRB is working on that.
5. US Homes court action update.

**Highway & Parks:**
1. Work at Whitetail and Suede Circle.
2. Working with the Town of Victor on some shared services.
3. Farmbrook Park Update - work is slow and will continue.
4. Update on the sealing of roads.
5. Recreation program clean-up issues.

TOWN BOARD MEETING  AUGUST 10, 2010

Town Operations Committee: Councilman Holtz reported:

1. Update on defining patio lots versus conventional lots in Auburn Meadows, Town Attorney approved the definitions. Kofahl and Brand to forward on the definitions for the Boards review, Brand will draft a resolution for next town board meeting if acceptable. The changes are more of a clarification no change is local law.
2. Met with Town Clerk and Code Enforcement Officer – looking to use room where voting machines were stored for storage of maps, apply for grant.
3. Update on Senior Housing on Route 332 – the developer will be going for a left turn as your going north onto Rt. 332

Town Finance Committee: None

Town Public Safety Committee: None.

REPORTS OF TOWN OFFICIALS:

Deputy Supervisor Ingalsbe:

1. Reported on the progress of the Highway Campus.
2. Update sales tax revenue.
3. Update of new polling place.

Highway and Parks Superintendent Ed McLaughlin:

1. Found watermain on Suede Circle intersection.
2. Working on two catch basins.
3. Councilman Casale asked for a list of issues w Mertensia Park Lodge and the Recreation Program.

Town Clerk Michelle Finley:

1. Attended Dog License Task Force Committee Meeting – August 6, 2010.

Water & Sewer Superintendent Jim Crane: NONE.

Code Enforcement Officer Floyd Kofahl: NONE.

Director of Planning and Development: NONE.

Assessor Donna LaPlant:

2. 16 Article 7s.

Fire Chief Paul Conrad: None.

Planning Board Member Mary Neale:

1. Investigating Dog Kennels.

COMMUNICATIONS:

1. Notice of tax certiorari cases filed by Farmington Storage LLC; the Finger Lakes Racing Association.
3. Memo to the town Planning Board from the Director of Development. Re: Planning Board agenda items for the Aug. 4, 2010 meeting.
5. Letter from the Supervisor to the Ontario County Youth Bureau. Re: Youth Bureau state aid.
6. Certification of state equalization rate for Farmington from the state Office of Real Property Tax Services.
8. Letter from Lance Brabant of the MRB Group to the Director of Development. Re: Estates at Beaver Creek, Section 1, letter of credit.
9. Memos from Judge Lew and the Town Clerk to the Supervisor. Re: Recent audit by Gina Dermody.
10. Letter to the Town Board from the state Department of Health. Re: Estates at Beaver Creek/water supply.

TOWN BOARD MEETING AUGUST 10, 2010

12. Safety Watch newsletter.
13. Copy of letter to the Ontario County Administrator from the Office of the State Comptroller. Re: Workers compensation management.
14. Letter to the Supervisor from the state Department of Ag & Markets. Re: Hook Road campus.
17. Public Improvement Serial Bond from Canandaigua National Bank.
20. Invoices to the Victor Central School District and Ontario County for legal fees from the racino assessment case.
22. Certificates of workers comp insurance for: Triou’s Custom Homes.
23. Notice of cancellation of workers comp insurance for Paynes Construction Inc.

REPORTS & MINUTES:


ORDER OF BUSINESS:

RESOLUTION #220-2010: (Laidover @ 7/27/2010 Meeting)
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

Letter of Credit – Auburn Meadows Subdivision, Phase 2 - Release #16 in the total amount of $93,188.75.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a request from David Degear, Town Planning Board Chairperson, July 21, 2010 recommending that the above referenced Letter of Credit Release #16 be approved in the total amount of $ 93,188.75 for work completed in the Phase 2 portion of the Auburn Meadows Subdivision; and

WHEREAS, the Planning Board has reviewed the documentation submitted for the release of the Letter of Credit, including the Town Letter of Credit Release Form No.16 for the Auburn Meadows Project signed by all department heads; and

WHEREAS, there is currently a total of $ 149,266.55 remaining in this letter of credit; and

WHEREAS, there will be a total of $ 56,077.80 remaining in the Letter of Credit; and

WHEREAS, the Planning Board has, in a resolution adopted on July 21, 2010 recommended the release of the requested amount, $93,188.75.

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, in the amount specified above herein.

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 was CARRIED.

RESOLUTION #221-2010: (Laidover @ 7/27/2010 Meeting)
Councilman Mickelsen offered the following Resolution, seconded by Councilman Holtz:
Letter of Credit – Auburn Meadows Subdivision, Phase 2 - Release #16 in the total amount of $93,188.75.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a request from David Degear, Town Planning Board Chairperson, July 21, 2010 recommending that the above referenced Letter of Credit Release #16 be approved in the total amount of $93,188.75 for work completed in the Phase 2 portion of the Auburn Meadows Subdivision; and

TOWN BOARD MEETING  AUGUST 10, 2010
ORDER OF BUSINESS: (Continued)

WHEREAS, the Planning Board has reviewed the documentation submitted for the release of the Letter of Credit, including the Town Letter of Credit Release Form No.16 for the Auburn Meadows Project signed by all department heads; and

WHEREAS, there is currently a total of $149,266.45 remaining in this letter of credit; and

WHEREAS, there will be a total of $56,077.80 remaining in the Letter of Credit; and

WHEREAS, the Planning Board has, in a resolution adopted on July 21, 2010 recommended the release of the requested amount, $93,188.75.

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, in the amount specified above herein.

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 was CARRIED.

RESOLUTION #236-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Holtz:

Resolution authorizing the purchase of a New Service Utility Body, Crane & Hoist for the Water & Sewer Department

WHEREAS, the Water and Sewer Department has as part of its Asset Management Program instituted an Equipment Capital Replacement Plan, and

WHEREAS, this Replacement Plan timetable calls for an existing 1997 Chevrolet Service/Utility to be replaced, and

WHEREAS, W & S Dept opened bids on August 5th for the purchase of one new 2010 or latest model Service Utility Body with Crane & Hoist.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington acting on behalf of the Water & Sewer Districts hereby authorizes the Water and Sewer Superintendent to purchase one (1) new 2010 Service Utility Body with Crane & Hoist from Unicell Body Company located in Rochester, New York at Bid price of $20,569.00

BE IT FURTHER RESOLVED, that this purchase will be from budget lines SS 8120.2 and SW1-8340.2 with funding from the Equipment Capital Reserves.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #237-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FROM THE GENERAL FUND FOR THE PAYMENT OF COUNTRY CARE LANDSCAPE

WHEREAS, the town has received a bill for $550 for the payment of Country Care Landscape for mowing two properties in the Town that had violated code and

WHEREAS, the Town Board has authorized the Supervisor’s Office to ask the county to add the charges to the property owners’ tax bills to recoup the costs,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the following budget amendment:
FROM: A1990.4 Contingency $550.00
TO: A3620.4 Code Enforcement CE $550.00

FURTHER BE IT RESOLVED that the Town Clerk provide a copy of this resolution to the Finance and Accounting Specialist.

All voting "Aye", the Resolution was CARRIED.

TOWN BOARD MEETING AUGUST 10, 2010
ORDER OF BUSINESS: (Continued)

RESOLUTION #238-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

RESOLUTION SETTING A PUBLIC HEARING – ESTATES AT BEAVER CREEK - WATER

WHEREAS, a written petition dated January 28, 2010, has been submitted in due form by Petitioners ("Petitioner"), containing the required signatures, which has been presented and filed with the Town Clerk of the Town of Farmington, for the creation of The Estates at Beaver Creek Subdivision Water District Extension to the Canandaigua/Farmington Water District ("District"), the boundaries of which are described in Exhibit 1, attached hereto and made a part hereof, and

WHEREAS, D.S.B. Engineers & Architects, P.C. has prepared a map, plan and report which the Town Board of the Town of Farmington, New York has determined was prepared in such manner and detail as the Town Board has required relating to the creation of the District; and

WHEREAS, such map, plan and report has been duly filed in the office of the Town Clerk of the Town of Farmington, New York, and is available for public inspection thereat; and

WHEREAS, the boundaries of the proposed District are set forth in Exhibit 1, attached hereto and made a part hereof; and

WHEREAS, the improvements proposed consist of the construction and maintenance of distribution mains with associated appurtenances to serve said District, in accordance with the aforementioned map, plan and report now on file in the office of the Town Clerk of said Town; and

WHEREAS, the Petitioners are not requesting the Town to construct any improvements for the District.

WHEREAS, the Town will not bear any of the expenses of constructing the improvements within this District as the developer is paying 100% of these expenses; and

WHEREAS, the estimated costs of the district to the typical property or one-family or two-family home is $0 for debt service and $250.00 for water usage. The cost of constructing any future improvements shall be assessed, levied and collected from the several lots and parcels of land within the district in the same manner and at the same time as other town charges.

Additionally, the initial estimated hook-up fee is $850-1200 per lot which will be paid by the property owner. Any hook up fees to be charged shall be determined on an annual basis by the Town Board. Additionally, the owner will be required to pay for installation of the water service from the right-of-way to the structure using the water. These items are to be purchased by the affected property owner from a private contractor. The homeowner is responsible for all inside plumbing.

NOW, THEREFORE, be it ORDERED, that a meeting of the Town Board of the Town of Farmington will be held on August 24, 2010, at 7:00 p.m. at the Town Hall, 1000 County Road 8, Farmington, New York, to consider the petition to establish the District, including the environmental significance thereof and to hear all persons interested in the subject thereof, concerning the same, and for such other and further action on the part of said Town Board, with relation to the premises; and

BE IT FURTHER ORDERED, that this Order Calling for a Public Hearing shall be published and posted as required by 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 August 10, 2010, by the following vote:

<table>
<thead>
<tr>
<th>Aye</th>
<th>Nay</th>
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<tbody>
<tr>
<td>Theodore M. Fafinski</td>
<td>Necessarily Absent</td>
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<tr>
<td>Timothy Mickelsen</td>
<td>X</td>
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<td>Michael Casale</td>
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<td>Peter Ingalsbe</td>
<td>X</td>
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<tr>
<td>Steven Holtz</td>
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</table>
RESOLUTION #239-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION SETTING A PUBLIC HEARING –ESTATES AT BEAVER CREEK-SIDEWALK

WHEREAS, a written petition dated February 4, 2010, has been submitted in due form by Petitioners ("Petitioner"), containing the required signatures, which has been presented and filed with the Town Clerk of the Town of Farmington, Ontario County, New York, for the creation of The Estates at Beaver Creek Subdivision Sidewalk District ("District"), the boundaries of which are described in Exhibit 1, attached hereto and made a part hereof; and

WHEREAS, D.S.B. Engineers & Architects, P.C. has prepared a map, plan and report which the Town Board of the Town of Farmington, New York has determined was prepared in such manner and detail as the Town Board has required relating to the creation of the District; and

WHEREAS, such map, plan and report has been duly filed in the office of the Town Clerk of the Town of Farmington, New York, and is available for public inspection thereat; and

WHEREAS, the boundaries of the proposed District are set forth in Exhibit 1, attached hereto and made a part hereof; and

WHEREAS, the improvements proposed consist of the construction and maintenance of sidewalks with associated appurtenances to serve said District, in accordance with the aforementioned map, plan and report now on file in the office of the Town Clerk of said Town; and

WHEREAS, the Petitioners are not requesting the Town to construct any improvements for the District.

WHEREAS, the Town will not bear any of the expenses of constructing the improvements within this District as the developer is paying 100% of these expenses; and

WHEREAS, the estimated costs of the district to the typical property or one-family or two-family home is $0 for debt service and $5,000.00 for operation and maintenance charges. The cost of constructing any future improvements shall be assessed, levied and collected from the several lots and parcels of land within the district in the same manner and at the same time as other town charges.

NOW, THEREFORE, be it ORDERED, that a meeting of the Town Board of the Town of Farmington will be held on August 24, 2010, 2010, at 7:01 p.m. at the Town Hall, 1000 County Road 8, Farmington, New York, to consider the petition to establish the District, including the environmental significance thereof and to hear all persons interested in the subject thereof, concerning the same, and for such other and further action on the part of said Town Board, with relation to the premises; and

BE IT FURTHER ORDERED, that this Order Calling for a Public Hearing shall be published and posted as required by 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 August 10, 2010, by the following vote:

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<tr>
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<th>Aye</th>
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<td>Peter Ingalsbe</td>
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<td>Steven Holtz</td>
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All voting “Aye”, the Resolution was CARRIED.
RESOLUTION #240-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

RESOLUTION SETTING A PUBLIC HEARING-ESTATES AT BEAVER CREEK-SEWER

WHEREAS, a written petition dated January 28, 2010, has been submitted in due form by Petitioners ("Petitioner"), containing the required signatures, which has been presented and filed with the Town Clerk of the Town of Farmington, Ontario County, New York, for the creation of The Estates at Beaver Creek Subdivision Sanitary Sewer District ("District"), the boundaries of which are described in Exhibit 1, attached hereto and made a part hereof; and

TOWN BOARD MEETING
AUGUST 10, 2010
ORDER OF BUSINESS: (Continued)

WHEREAS, D.S.B. Engineers & Architects, P.C. has prepared a map, plan and report which the Town Board of the Town of Farmington, New York has determined was prepared in such manner and detail as the Town Board has required relating to the creation of the District; and

WHEREAS, such map, plan and report has been duly filed in the office of the Town Clerk of the Town of Farmington, New York, and is available for public inspection thereat; and

WHEREAS, the boundaries of the proposed District are set forth in Exhibit 1, attached hereto and made a part hereof; and

WHEREAS, the improvements proposed consist of the construction and maintenance of sanitary sewer mains with associated appurtenances to serve said District, in accordance with the aforementioned map, plan and report now on file in the office of the Town Clerk of said Town; and

WHEREAS, the Petitioners are not requesting the Town to construct any improvements for the District.

WHEREAS, the Town will not bear any of the expenses of constructing the improvements within this District as the developer is paying 100% of these expenses; and

WHEREAS, the estimated costs of the district to the typical property or one-family or two-family home is $0 for debt service and $280.00 for sewer rents. The cost of constructing any future improvements shall be assessed, levied and collected from the several lots and parcels of land within said District in proportion as nearly as may be to the benefit which each lot or parcel will derive therefrom.

Additionally, the initial estimated hook-up fee is $1,900.00 per lot which will be paid by the property owner. Any hook up fees to be charged shall be determined on an annual basis by the Town Board. Additionally, the owner will be required to pay for installation of the sewer service from the right-of-way to the structure using the sewer service. These items are to be purchased by the affected property owner from a private contractor. The homeowner is responsible for all inside plumbing.

NOW, THEREFORE, be it ORDERED, that a meeting of the Town Board of the Town of Farmington will be held on August 24, 2010, at 7:02 p.m. at the Town Hall, 1000 County Road 8, Farmington, New York, to consider the petition to establish the District, including the environmental significance thereof and to hear all persons interested in the subject thereof, concerning the same, and for such other and further action on the part of said Town Board, with relation to the premises; and

BE IT FURTHER ORDERED, that this Order Calling for a Public Hearing shall be published and posted as required by 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 August 10, 2010, by the following vote:

<table>
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<tr>
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<th>Aye</th>
<th>Nay</th>
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<td>Peter Ingalsbe</td>
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<td>Steven Holtz</td>
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All voting "Aye", the Resolution was CARRIED.

RESOLUTION #241-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION SETTING A PUBLIC HEARING-ESTATES AT BEAVER CREEK - LIGHTING
WHEREAS, a written petition dated February 4, 2010, has been submitted in due form by Petitioners ("Petitioner"), containing the required signatures, which has been presented and filed with the Town Clerk of the Town of Farmington, Ontario County, New York, for the creation of The Estates at Beaver Creek Subdivision Lighting District ("District"), the boundaries of which are described in Exhibit 1, attached hereto and made a part hereof; and

WHEREAS, D.S.B. Engineers & Architects, P.C. has prepared a map, plan and report which the Town Board of the Town of Farmington, New York has determined was prepared in such manner and detail as the Town Board has required relating to the creation of the District; and

WHEREAS, such map, plan and report has been duly filed in the office of the Town Clerk of the Town of Farmington, New York, and is available for public inspection thereat; and

TOWN BOARD MEETING  AUGUST 10, 2010
ORDER OF BUSINESS:  (Continued)

WHEREAS, the boundaries of the proposed District are set forth in Exhibit 1, attached hereto and made a part hereof; and

WHEREAS, the improvements proposed consist of the construction and maintenance of street lights with associated appurtenances to serve said District, in accordance with the aforementioned map, plan and report now on file in the office of the Town Clerk of said Town; and

WHEREAS, the Petitioners are not requesting the Town to construct any improvements for the District.

WHEREAS, the Town will not bear any of the expenses of constructing the improvements within this District as the developer is paying 100% of these expenses; and

WHEREAS, the estimated costs of the district to the typical property or one-family or two-family home is $0 for debt service and $225.00 for operation and maintenance charges. Additionally, the initial estimated set-up fee of $1,981.00 will be paid by the property owner. The cost of constructing any future improvements shall be assessed, levied and collected from the several lots and parcels of land within the district in the same manner and at the same time as other town charges.

NOW, THEREFORE, be it ORDERED, that a meeting of the Town Board of the Town of Farmington will be held on August 24, 2010, at 7:03 p.m. at the Town Hall, 1000 County Road 8, Farmington, New York, to consider the petition to establish the District, including the environmental significance thereof and to hear all persons interested in the subject thereof, concerning the same, and for such other and further action on the part of said Town Board, with relation to the premises; and

BE IT FURTHER ORDERED, that this Order Calling for a Public Hearing shall be published and posted as required by 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 August 10, 2010, by the following vote:

<table>
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<tr>
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<td>Steven Holtz</td>
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All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #242-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION TO PAY AUDITED BILLS
The bills were audited by the Town Board  ABSTRACT #14-2010

<table>
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<th>Description</th>
<th>Amount</th>
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<tr>
<td>Highway Fund</td>
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<tr>
<td>Storm Drainage</td>
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<td>Payroll</td>
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<tr>
<td>Highway Campus</td>
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<td>Fire Protection</td>
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<tr>
<td>Sewer District</td>
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<td>Water District</td>
<td>$8,108.74</td>
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</table>
TOWN BOARD MEETING AUGUST 10, 2010
ORDER OF BUSINESS: (Continued)

DISCUSSION:

1. Ontario County Board of Supervisors resolution increasing the formal sealed bid level for purchase contracts – will be discussed at next meeting.
2. Responses received so far from audits. Judge Lew and Town Clerk Finley responses on file in Town Clerk’s Office.

EXECUTIVE SESSION: NONE.

A motion was made by Councilman Mickelsen and seconded by Councilman Casale to adjourn the meeting at 7:30 p.m. All voted “Aye” CARRIED.

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

TOWN BOARD MEETING September 15, 2010

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 15th 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, Mrs. Colleen Austin- Resident, Jim Morse – Code Enforcement Officer, Mr. & Mrs. Neale-Planning Board Member, Paul Conrad-Fire Chief, and Wesley Pettee-Resident.

PUBLIC HEARINGS:

APPROVAL OF MINUTES:

PRIVILEGE OF THE FLOOR: Colleen Austin-Auburn Meadows resident

Mrs. Austin stated that she appeared before the Town Board on June 8th requesting relief from the incentive zoning regarding accessory structures in Auburn Meadows. She wasn’t sure if the resolution that was on tonight’s meeting would help her with her request and asked for guidance as what do to with her circumstance. Supervisor Fafinski stated that he believes this resolution is necessary before it can be determine what the status of the lots in Auburn Meadows are. He added that once the resolution is passed then the board would provide a written recommendation from the Building Department. Councilman Casale recommended that the Town Board hold a workshop prior to a Town Board Meeting to consider the request of relief.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Mickelsen reported:

Water & Sewer:

1. Discussed water loss in the system—it’s been at 15% and they have asked to target at 10%.
2. Discussed resolutions for Purdy Road Water.
3. Discussed billing software issues.
4. Discussed future sewer rates and capital reserves.

**Highway & Parks:**
1. Site visit to Perinton.
2. Discussed upgrading of barns.
3. Boxing out of Whitetail Lane and Suede Circle.
4. Resolution submitted for accepting the Highway Inventory Report as required by Highway Town Law.
5. Resolution authorizing the purchase of a Sidewalk Broom.
6. Letter was sent to Doyle regarding the alarm system at the Lodge.

**TOWN BOARD MEETING** **SEPTEMBER 15, 2010**

**Town Operations Committee:** Councilman Casale reported:
1. Discussed additional fees in the Building Department. RE: Variance fees.
2. Discussed grant for the Auburn Trails – need task force committee.
3. Discussed hiring one clerk to do all boards. Census from Board was to leave it as it is now with current staff.
4. Discussed meeting with Mark Cain and Ed McLaughlin regarding issues with alarm system.
5. Discussed Auburn Meadows bridge concerning public safety- visited site with other staff-grading is wrong, wrong size guardrails, and the design of slope- discussed sign offs on work completed. Board agreed that in the future to have MRB Group inspect these types of projects. The 3rd party inspection charge would be passed to the developer.

**Town Finance Committee:** None.

**Town Public Safety Committee:** None.

**REPORTS OF TOWN OFFICIALS:**

**Supervisor Fafinski:**
1. Discussed the lighting district in the budget-It was thought that the poles located within the Farmbrook Lighting District were owned by the town but they are actually owned by RG&E. In researching Covington Commons Lighting District he started wondering why it is a dedicated lighting district when there is no dedicated road located within it and in researching he added that in the 1980’s there was a road proposed but never completed as it was the project was to be built out. He asked the Town Attorney to look into dissolving the Covington Commons Lighting District.
2. Tentative Budget will be filed with the Town Clerk prior to the September 28th meeting. Budget workshops are set.

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

**Town Clerk Michelle Finley:**
1. Discussed resolution to purchase online tax software.

**Water & Sewer Superintendent Jim Crane:**
1. Discussed maintenance of water system.

**Code Enforcement Officer Jim Morse:**
1. Discussed exit on Route 332 for the Senior Housing project.
2. Discussed Beaver Creek housing plans. Councilman Ingalsbe asked if they have started construction, Jim replied no.
3. Discussed Herendeen Subdivision project-Planning Board will be reviewing it at their next meeting.

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

**Assessor Donna LaPlant:** None.

**Fire Chief Paul Conrad:** None.

**Planning Board Member Mary Neale:**
1. Discussed Hereendeen Subdivision project – Councilman Ingalsbe asked if the Planning Board could have the Conservation Board look at the project.

COMMUNICATIONS:

1. Memo to Town Supervisor and Town Board Members from Highway/Parks Superintendent Ed McLaughlin. Re: Mill & Fill Operation - Farmbrook.
3. Letter to William Brandow, Associate at John G. Waite Associates from Ronald Brand, Director of Planning & Development. Re: 1816 Quaker Meetinghouse Museum Site Plan Application
5. Letter to David Degear, Planning Board Chair from John Malvaso. Re: Earthwork along Route 332 near Route 96.
6. Memo to the Town Highway Campus Committee from Ronald Brand, Director of Planning & Development: RE: Town Highway Campus Site Plan Steering Committee.

TOWN BOARD MEETING  
SEPTEMBER 15, 2010

8. Memo from Ontario County Board of Elections to Polling Place Proprietors. Re: Upcoming Elections.
9. Letter to Dennis Donnelly, Director of Internal Audit, NYS Office of Court Administration from Supervisor Fafinski. Re: Recent audits of Farmington Town Justices.
10. Letter to Supervisor Fafinski from Chad Hume, State Department of Public Service. Re: Public Payphone.
11. Letter to Supervisor Fafinski from Mary Smith, EPA. Re: Stormwater questionnaire.
12. Letter to Wesley Pette from the Supervisor. Re: Interest in service for the Town Planning Board and Zoning Board of Appeals.
13. Invoice to Farmington Service for engineering fees.
14. Memo to Town Justice Lew from Supervisor Fafinski. Re: Court order to remit monies from Special Town Court Supervisors Account.
15. Memo to Town Justice Lew from Supervisor Fafinski. Re: Court order to remit monies from Special Town Court Supervisors Account.
17. Email to Confidential Secretary Jessica Youngman from Carl Webeck, RG&E. Re: Green Rd Street Lighting, fiberglass poles.

REPORTS & MINUTES:


ORDER OF BUSINESS:

RESOLUTION #262-2010:  
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

Amendment to Town Board Resolution #178-2004 Conditions of Approval for Auburn Meadows Incentive Zoning District

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received an August 6, 2010 report containing recommendations from the Town Director of Planning & Development and the Town Code Enforcement Officer concerning the restrictions on the development of the Auburn Meadows Subdivision; and

WHEREAS, said restrictions are part of the above referenced Town Board Resolution #178-2004; and

WHEREAS, as part of this report input was received from the Town Attorney; and

WHEREAS, said input has been incorporated into these amendments; and
WHEREAS, the Town Board has given consideration to the merits of the recommended amendments contained in said report; and

WHEREAS, said amendments are hereby determined by the Town Board to: involve routine agency administration and management, not including new programs or major reordering of priorities that may affect the environment; involve interpreting an existing code, rule or regulation; and involve the adoption of regulations in connection with actions contained in Section 617.5 (c) of the State Environmental Quality Review Regulations.

NOW, THEREFORE, BE IT RESOLVED that the Town Board that the action to amend Town Board Resolution #178-2004 is hereby determined to be a Type II Action under the provisions of Article 8 of the New York State Environmental Conservation Law, the State Environmental Quality Review (SEQR) Regulations.

BE IT FURTHER RESOLVED that the Town Board does hereby delete in its entirety the following amenity: 2. All of the dwelling units shall be located on either patio lots containing not less than 10,000 square feet in total land area, or conventional lots containing an average of 20,000 square feet in total land area based upon an overall preliminary plat for the Auburn Meadows Incentive Zoning Project to be approved by the Town Planning Board.

TOWN BOARD MEETING September 15, 2010
ORDER OF BUSINESS: (Continued)

BE IT FURTHER RESOLVED that the Town Board does hereby establish the following amenity to replace the above referenced deleted item 2 to read as follows: 2. All of the dwelling units shall be located on either patio lots that are hereby defined as being a lot having less than 15,000 square feet in total lot area, or conventional lots that are hereby defined as being a lot having 15,000 square feet or more in total lot area. Furthermore, any lot having less than 15,000 square feet in total lot area and that is further defined in the Town Code as being a “Through Lot” shall also be defined as a patio lot within the Auburn Meadows Tract. Finally, all of the lots defined herein are to be based upon the overall preliminary plat for the Auburn Meadows Incentive Zoning Project as was approved by the Town Planning Board and is on file in the Town Development Office.

BE IT FURTHER RESOLVED that the Town Board does hereby delete in their entirety the restrictions number 4 and 5 as contained in the above referenced Town Board Resolution #178-2004.

BE IT FURTHER RESOLVED that the Town Board does hereby replace restrictions number 4 and 5 to read, in their entirety, 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

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.

All Voting “Aye”, the Resolution was CARRIED.

RESOLUTION #263-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Ingalsbe:

Letter of Credit Estimate – Saratoga Crossing, Lot #2 - in the total amount of $ 182,421.50.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a request from Ron Brand, Director of Planning and Development (hereinafter referred to as Director), to establish a Letter of Credit for required improvements within Lot #2 of the Saratoga Crossing Subdivision; and

WHEREAS, the Director’s recommendation is based upon the recommendations from both Jack Henehan, Construction Inspector (in a fax transmission dated 8-27-10) and James R. Gresens, P.E., MRB Group, P.C., the Town’s Engineer (in a letter dated September 7, 2010) both of which are on file with the Town Clerk; and

WHEREAS, these recommendations are accompanied with detailed contractor pricing for each item, prepared by Passero Associates, identified as Project No. 2007556.03, dated 8/1/10; and

WHEREAS, these quantities and unit prices identified are deemed to be consistent with the plans and private contractor pricing respectively.

RESOLUTION #263-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Ingalsbe:

Letter of Credit Estimate – Saratoga Crossing, Lot #2 - in the total amount of $ 182,421.50.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a request from Ron Brand, Director of Planning and Development (hereinafter referred to as Director), to establish a Letter of Credit for required improvements within Lot #2 of the Saratoga Crossing Subdivision; and

WHEREAS, the Director’s recommendation is based upon the recommendations from both Jack Henehan, Construction Inspector (in a fax transmission dated 8-27-10) and James R. Gresens, P.E., MRB Group, P.C., the Town’s Engineer (in a letter dated September 7, 2010) both of which are on file with the Town Clerk; and

WHEREAS, these recommendations are accompanied with detailed contractor pricing for each item, prepared by Passero Associates, identified as Project No. 2007556.03, dated 8/1/10; and

WHEREAS, these quantities and unit prices identified are deemed to be consistent with the plans and 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; and

BE IT FURTHER RESOLVED that the Town Board does direct the establishment of the above referenced Letter of Credit; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to notify the applicant Robert Morgan, Morgan Plaster Mill, and the applicant’s engineer, Jess Sudol, at Passero Associates, by U.S. Mailing 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 and the Town Engineer.

BE IT FINALLY RESOLVED that the Letter of Credit must be delivered to the Town not later than twelve noon on the 10th business day following the adoption of this resolution.

All voting “Aye”, the Resolution was CARRIED.

TOWN BOARD MEETING September 15, 2010
ORDER OF BUSINESS: (Continued)

RESOLUTION #264-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Mickelsen:

Resolution authorizing a Budget Transfer – Canandaigua/Farmington Water District

WHEREAS, the Canandaigua and Farmington Town Boards have authorized the adoption of the 2006, 2007, 2008, 2009 & 2010 Canandaigua/Farmington Water District budgets, and

WHEREAS, the Budgets approvals for each of those years included funds to be Transfer to Capital Equipment Reserves, and

WHEREAS, the total funds to be transferred for the years 2006 through 2010 now equals $490,000.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Farmington on behalf of the Canandaigua/Farmington Water District hereby authorizes the Supervisor to transfer $490,000.00 from unexpended Fund Balance to the Canandaigua/Farmington Water District Capital Equipment Reserve Fund.

BE IT FURTHER RESOLVED, that the supervisor is hereby authorized to transfer $490,000 as appropriated by the Canandaigua/Farmington Water District from SW1-201 to SW1-232.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #265-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

Approval to Purchase Water Supplies Purdy Rd Water replacement Project

WHEREAS, on August 24, 2010 the Town Board Approved the Construction of the Purdy Rd Water main Replacement Project, and

WHEREAS, The purchase is in accordance with the W&S Departments Capital replacement program and the Towns procurement policy (see attached Summary), and

WHEREAS, funds budgeted are from the Capital Reserve 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 Co of Syracuse NY at a cost estimated not to exceed $6550.00.

BE IT FURTHER RESOLVED, that any supplies and purchases will be from budget lines SW1-8340.2 & SW1 8340.4.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #266-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Mickelsen:
Recall and Amend Board Resolution 40-2010

WHEREAS, the Town Board Resolved on January 5, 2010 to reappoint Ed Hemminger as Chairman to the Zoning Board of Appeals for one year term, expiring December 31, 2010 (Town Law 267-271), and

NOW, THEREFORE BE IT RESOLVED, that the Farmington Town Board reauthorizes the appointment of Ed Hemminger as a member to the Zoning Board of Appeals for a five year term, expiring December 31, 2014.

All voting "Aye", the Resolution was CARRIED.

RESOLUTION #267-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Holtz:

Resolution of Sympathy - Lewis H. Martz

WHEREAS, the Town Board has learned of the untimely death of Lewis H. Martz, who served 28 years for the Town of Farmington as Justice and Councilman and was employed by the Town Water & Sewer Department and as a Building Inspector, and

WHEREAS, Mr. Martz was lifetime member of St. John’s Lutheran Church, a charter member of the Farmington Volunteer Fire Department, and a 78 year member of Farmington Grange #431, therefore be it

TOWN BOARD MEETING SEPTEMBER 15, 2010
ORDER OF BUSINESS: (Continued)

RESOLVED, that this resolution of sympathy by a part of the minutes of this meeting and his memory be preserved in our records, and be it further

RESOLVED, that a copy of this resolution be sent to the family of Lewis H. Martz to apprise them of our deepest sympathy.
All voting "Aye", the Resolution was CARRIED.

RESOLUTION #268-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING THE HIGHWAY/PARKS SUPERINTENDENT TO PURCHASE A SIDEWALK BROOM FOR POLAR TRACK SYSTEM

WHEREAS, the Highway/Parks Superintendent has requested authorization to purchase a Sidewalk Broom for Polar Track System from Grassland Equipment at a cost not to exceed $5,299.00, therefore be it

RESOLVED, the Farmington Town Board authorizes the Highway/Parks Superintendent to purchase a Sidewalk Broom for Polar Tract System at a cost not to exceed $5,299.00 (A-5410.2-$5,000 & A-7110.2-$299.00), and further be it

RESOLVED, that the Town Clerk forward copies of this resolution to the Bookkeeper and Highway Department.

All voting "Aye", the Resolution was CARRIED.

RESOLUTION #269-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

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.

Councilman Ingalsbe laid this resolution over recommending that Public Works look at it first.

All voting "Aye", the Resolution was LAIDOVER.

RESOLUTION #270-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE GENERAL FUND FOR GENERAL CODE EXPENDITURES
RESOLVED, the Farmington Town Board authorizes the following budget amendment for the General Fund for General Code Expenditures:

FROM: A1990.4 Contingency $2,366.45
TO: A1010.4 Town Board CE ($2,366.45)

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

All voting "Aye", the Resolution was CARRIED.

RESOLUTION #271-2010: Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE GENERAL FUND FOR RECORDS MANAGEMENT EXPENDITURES

RESOLVED, the Farmington Town Board authorizes the following budget amendment for the General Fund for Records Management Expenditures:

FROM: A1410.4 Town Clerk CE $119.92
TO: A1010.4 Records Management CE ($119.92)

TOWN BOARD MEETING SEPTEMBER 15, 2010
ORDER OF BUSINESS: (Continued)

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

All voting "Aye", the Resolution was CARRIED.

RESOLUTION #272-2010: Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING THE TOWN CLERK TO PURCHASE INTERNET TAX SYSTEM AND AUTHORIZING A BUDGET AMENDMENT FOR THE PURCHASE OF THE SYSTEM

WHEREAS, the Town Clerk’s BAS Software has an application to allow residents, banks, title companies, etc. to have the ability to view updated tax information and payment history online as well as print receipts, and

WHEREAS, the Town Attorney has no objection to offering the internet tax system, and

WHEREAS, the first year investment is $1,490 and $350 annually thereafter for hosting and support, therefore be it

RESOLVED, that the Farmington Town Board authorizes the Town Clerk to purchase the Internet Tax System and authorizes the following budget amendment for the purchase of such system:

FROM: A1990.4 Contingency $1,490.00
TO: A1330.4 Tax Collector CE ($1,490.00)

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 #273-2010: Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF FARMINGTON, ONTARIO COUNTY, NEW YORK, DETERMINATION OF SIGNIFICANCE THE ESTATES AT BEAVER CREEK SUBDIVISION LIGHTING DISTRICT

WHEREAS, the Town of Farmington Town Board, hereinafter 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

WHEREAS, the Town Board has considered the potential impacts associated with said action.

NOW, THEREFORE, BE IT RESOLVED THAT the Town Board makes this Determination of Non-Significance based upon: the map and plan prepared by DSB Engineers & Architects, P.C.; the August 10,
BE IT FURTHER RESOLVED THAT, the Town Board makes this Determination of Non-Significance based on the following reasons supporting this determination:

5. The Town Board considered the action as defined in subdivisions 617.2(b) and 617.3(g) of Part 617 of the SEQR Regulations; and,
6. 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 concern; and,
7. 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
8. The Town Board did set forth its determination of significance in written form containing a reasoned elaboration and providing reference to all supporting documentation.

RESOLUTION #274-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF FARMINGTON APPROVING CREATION OF THE ESTATES AT BEAVER CREEK SUBDIVISION LIGHTING DISTRICT

WHEREAS, a written Petition dated February 4, 2010, has been presented and filed with the Town Clerk of the Town of Farmington, Ontario County, New York, requesting establishment of The Estates at Beaver Creek Subdivision 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 D.S.B. Engineers & Architects, P.C. 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 August 10, 2010, 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 August 24, 2010, 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 persons interested in the subject thereof, concerning the same, and to 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 August 24, 2010, 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 upon 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:

3. That said Petition is signed, acknowledged or proved as required by law and is otherwise sufficient;
4. The Order Calling Public Hearing was duly published in the Town’s official newspaper on August 13, 2010 and duly posted on the Town’s official sign board on August 11, 2010, 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 as outlined in the Map, Plan and Report referred to herein;

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 be bounded and described as set forth in Exhibit 1 attached hereto and made a part hereof;

TOWN BOARD MEETING SEPTEMBER 15, 2010

ORDER OF BUSINESS: (Continued)

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 September 15, 2010, by the following vote:

Aye  Nay
Theodore M. Fafinski  X
Timothy Mickelsen  X
Michael Casale  X
Peter Ingalsbe  X
Steven Holtz  X

All voting "Aye", the Resolution was CARRIED.

RESOLUTION #275-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING TOWN EMPLOYEES TO RECEIVE FLU SHOTS AT THE TOWN HALL

WHEREAS, the Town Board, in cooperation with HealthWorks, will offer a Flu Clinic at the Town Hall on the following dates:

October 8th  9 am – 1 pm
October 13th  3 pm – 7 pm
October 16th  9 am – 1 pm

And, WHEREAS, there is no cost to Town Employees as long as they bring their health insurance card, therefore be it

RESOLVED, the Farmington Town Board authorizes the Town Employees to receive a flu shot at no cost provided they bring their health insurance card, and further be it

RESOLVED, that the Town Clerk forward copies of this resolution to all department heads.

All voting "Aye", the Resolution was CARRIED.

RESOLUTION # 276 TO PAY AUDITED BILLS
The bills were audited by the Town Board

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
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<tr>
<td>General</td>
<td>$55,827.10</td>
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<tr>
<td>Highway Fund</td>
<td>$36,268.30</td>
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<tr>
<td>Storm Drainage</td>
<td>$5,196.26</td>
</tr>
<tr>
<td>Payroll</td>
<td>$917.23</td>
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</tbody>
</table>
Sewer District $ 787,722.97
Water District $ 24,304.63
Highway Campus $ 194,994.00

TOTAL $1,105,230.49

All voting "Aye", the Resolution was CARRIED.

WAIVER OF THE RULE: NONE.

DISCUSSION:
1. Time Warner telephone service proposal
2. Beaver Creek lighting district proposal

TRAINING UNDER $100:
1. Floyd Kofahl and Jim Morse to attend National Electric Code training Thursday, Aug. 26 at a cost of $20 each.

TOWN BOARD MEETING SEPTEMBER 15, 2010

A motion was made by Councilman Holtz and seconded by Councilman Casale to adjourn the meeting at 8:04 p.m. All voted “Aye” CARRIED.

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

TOWN BOARD MEETING September 28, 2010

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.

TOWN BOARD MEETING SEPTEMBER 28, 2010

REPORTS OF TOWN OFFICIALS:

Supervisor Fafinski:
1. Gave summary of 2011 Tentative Budget – No tax increase, major increases are in 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.
2. 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.
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.

TOWN BOARD MEETING SEPTEMBER 28, 2010

12. Memo from Highway Superintendent to the Supervisors Secretary, Re: Sign in sheet for Workplace Violence Prevention and Safety Training.
15. Letter from Supervisor to Victor Arsenault, KOA Campground, re: Responses from the Town Attorney regarding amenities for the Sewer Line for the business.
17. Letter to Town Clerk from VP of Farmington Volunteer Fire Association, Re: additions, removals and change in volunteer status.
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
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.

TOWN BOARD MEETING SEPTEMBER 28, 2010
ORDER OF BUSINESS: (Continued)

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.

TOWN BOARD MEETING                                                     SEPTEMBER 28, 2010
ORDER OF BUSINESS:  (Continued)

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

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 LAID OVER.
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.

TOWN BOARD MEETING SEPTEMBER 28, 2010
ORDER OF BUSINESS: (Continued)

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

<table>
<thead>
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<th>Description</th>
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<td>Lighting District</td>
<td>$7,163.20</td>
</tr>
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</table>

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.

TOWN BOARD WORKSHOP October 12, 2010

At 6:20 pm, October 12, 2010, the Farmington Town Board met in a Workshop Session with Code Enforcement Officer Floyd Kofahl and Director of Development and Planning Ron Brand to discuss the process in which variances will be granted in the case in approving accessory structures on patio lots and the process that will be used if there is any to be granted.

TOWN BOARD WORKSHOP (Continued) October 12, 2010

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

Councilman Casale gave an overview of the meetings Government Operations has had with staff and the Town Attorney. He stated that it comes down to following the laws already set forth by Section 262 which requires our regulations to be uniformed for each class and kind of buildings throughout such a district, there is a question as to the character of the neighbor, the benefit to the community as a whole and all the other things that come into the initial zoning when it was previously worked on several years ago. Councilman Casale stated the he felt they should not amend anything at this time.

Councilman Holtz added that the board should remember how the handle past cases and keep consistency with how they handle appeals with incentive zoning throughout the whole process. He added that there will be a new resolution that they will need to decide if they are going to amend or introduce the new resolution all together. Councilman Casale added that in the past it has been up to the town to make the decision then it came down to turn it over to zoning because they had more experience with zoning, and he felt if the board open that up to zoning it would open up more things and he added that part of the duties of the board is to legislate. Councilman Casale added that they need to decide what’s best for the overall picture of what they are trying to do.

Supervisor Fafinski stated that there was another resolution that was drafted that would replace the resolution that was laidover. Councilman Casale agreed. Councilman Casale added that there is a lot of difference between use variance and area variance. In certain situations an area variance may not necessarily change the character of the neighborhood. He suggested that maybe something they can defer to the zoning board on an individual basis.

Code Enforcement Officer Kofahl stated that looking at dimensional variances which are area variances such as the setback issue and the other one is the actual use of the property for different things such as accessory structures. He added that the proposed resolution addresses those two different issues whereas dimensional variances would not affect the character of the neighborhood or have any longer term impact or anything whereas the use variances by nature of what they are do affect the neighborhood.

Director of Development Ron Brand researched various resources and did not find any decisions in court cases regarding accessory uses in an Incentive Zoning District. He stated that the basic incentive zoning process is where the Town Board established at the outset for the developer the various site amenities and zoning in conditions mentioned. The process is for the developer and not the individual property owners. Where the developer of the site proposes certain incentives that he or she is asking for in exchange for donating amenities to the community that they would otherwise not have. In the case of Auburn Meadows the incentive was to increase the density that would otherwise have been allowed in the RR80 district. He added that the Town established certain parameters for what the town defined as conventional lots and patio lots. Within each of those two types of lots the town established setbacks criteria and required minimum size lots for patio homes and other lots were identified as conventional with certain dimensional requirements. He added that in addition the Town set an overall density for the 469 units of the approximately 330 acres of land and that was also followed by the town establishing the criteria that everyone of those units would be single family detached. Mr. Brand stated that the Town satisfied the system of incentives to developers when you created the district with those incentives were applied to the rezoning of the overall property and could not at that time be applied to lots on record that did not exist. He
added that public concern is with the town’s requirement that town law requires all regulations that divides the town into different districts that the regulations dividing the districts have to be uniformed, so if you grant one regulation for one it changes it for all lots. Mr. Brand stated that the Zoning Board of Appeals continued a Public Hearing the other night and is awaiting to see if the Town Board will be authorizing the ZBA to grant dimensional variances or area variances for lots in the subdivision. The benefit of doing that allows the ZBA to grant or deny each application on its own merit and makes a decision based on the application. Mr. Brand added that if the town board were to amend the conditions of approval for the patio lots to not have 8 foot side yard setbacks but instead have 7.9 feet then all the other patio lots that are not built yet can have 7.9 foot setbacks and then someone else could come along and have 7.6 feet and then the board would amend that and then it would snowball from there. Mr. Brand stated that the board would need to decide what amenity that could be offered that would allow a benefit to the community not necessarily the property but a different set of criteria to look at, what is the amenity being offered to allow the board to consider the incentive to change the accessory structures on patio lots, and it has to be applied to the property as a whole, for example the amenity the town received from Auburn Meadows was over sized water and sewer lines, realignment of New Michigan Road, regional detention facilities, approximately 29 acres of parkland, trails that will connect to the Auburn Trails eventually, sidewalks, street lighting, and trees. He added that all these amenities were all identified as conditions of the incentive zoning at the time to benefit the community as a whole not the individual property owners. Mr. Brand stating that after meeting with staff they came to the conclusion that there has to be some public amenity here that justifies what the board is changing what was originally their condition of approval. Councilman Mickelsen referred to the new resolution and asked for clarification on wording in resolution. Mr. Brand stated that the resolution basically clarifies that the Zoning Board of Appeals has certain powers that the board already delegated to them under the town code. Those include to hear appeals in all other zoning districts. Where there is not a resolution establishing the conditions for the district when created, the Town Board has granted the powers to hear use variances and area variances. However, here they are looking at a situation where accessory use (fence and pool) is not a permitted accessory use (not an allowed use) and if the board were to send this authority to the Zoning Board of Appeals it would force the applicant to go through a use variance procedure. A use variance procedure is almost impossible to justify and it would not serve a purpose other than setting up future applications for use variances. Mr. Brand stated that the Board needs to decide if they want to continue to enforce the Board’s prohibition of accessory uses or structures on patio lots or does the board want to delegate it to the Zoning Board of Appeals.

Councilman Mickelsen stated that the way the resolution is worded it seems to him that the only reasons an applicant in this area would come before the ZBA is if there is an alleged error. Mr. Brand gave a better clarification. Councilman Casale stated that as they have discussed they could have someone boxed in by fences who didn’t want fences.

Councilman Ingalsbe stated that a lot of time has been spent on this research and basically it sounds like everyone wants to stay where they are at and not entertain any of the accessory structures at this time. Supervisor Fafinski stated that at the time this project was proposed the developer wanted a certain number of lots on the property which were higher than what the current zoning called for so the Town Board said they would entertain a greater density with certain amenities that would allow future growth within the town. He added that he remembers that the board was not happy with the number of lots to begin with and through negotiations agreed with the 469 lots. It was decided that a certain number will be patio lots. Patio lots are smaller than what they had envisioned for conventional sites in this development. The developer got the density we needed with the smaller lots. Mr. Brand agreed. Supervisor Fafinski added that the trade off was the developer could have the smaller lots but they could not have the accessory structures. Mr. Brand agreed. Councilman Mickelsen added that if those incentives were not agreed to back then they might not be sitting there tonight. Supervisor Fafinski stated that these restrictions in the zoning were an agreement between the town and the developer and not the residents because there were no residents on the property at the time. He felt that the lots would have to be developed with the current criteria. Councilman Mickelsen added that this was the first time the Board had dealt with incentive zoning so it was a learning process. Supervisor Fafinski read the proposed resolution. Town Operations, Code Enforcement Officer Floyd Kofahl and Director of Development and Planning, Ron Brand are in agreement. With no further business, the Workshop adjourned at 6:53 p.m.

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 12th day of October, 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: Edward McLaughlin - Highway/Parks Superintendent, Floyd Kofahl – Code Enforcement Officer, Mary Neale - Planning Board Member, Ron Brand – Director of Planning and Development, Wesley Pettee - Resident.

PUBLIC HEARINGS:

APPROVAL OF MINUTES:

A motion was made Councilman Casale, seconded by Councilman Mickelsen, that the minutes of the September 15, 2010, meeting, given members for review, be approved. Carried.


Mr. Goodwin stated he was there on behalf of the Herendeen’s who own the parcel at the corner of Hook and Collett Road approximately 69.3 acres. They would like to rezone the parcel to residential. He stated that they met with the Planning Board last week and Mr. Brand has forwarded his recommendations to the Town Board. He is here to speak for the rezoning and although he realizes it’s important to stick to the Comprehensive Plan and he knows by Town Law it’s required but the other side of the coin he wanted to point out that the Herendeen’s have been trying to sell the property for 15 years in its LI District and they have had difficulty in doing so. He is the third realtor and the Herendeen’s feel rezoning it to residential as a positive move because he has already received two offers from developers should the property be rezoned.

TOWN BOARD MEETING OCTOBER 12, 2010

Director of Development and Planning Ron Brand addressed Mr. Goodwin by stating that what he may find when working with developers may look at the existing site and look at the existing zoning regulations and decide to do something different. Mr. Goodwin asked how much would the sewer needed to be upgraded to for the capacity of the area. Supervisor Fafinski replied that the only thing he is aware of is that the Hook Road Pumpstation needs to be upgraded. Councilman Ingalsbe stated that pumpstation is the oldest one and that the nice thing about the location is that it is right across the street so hooking up to it would be easier. Councilman Mickelsen suggested to Mr. Goodwin that when he finds an interested developer that they submit a complete proposal package to the Town to assist them.

Wesley Pettee-Auburn Meadows

Mr. Pettee feels prohibiting accessory structures on lots that are between 10,000-15,000 sq. feet is a mistake and it degrades the value of single family homeownership. Mr. Pettee read the following definitions from the Town Code: Accessory and Special Use Permit. Mr. Pettee emphasized that accessory contributes to the comfort, convenience and necessity of the occupants. He felt it is an important thing to take into consideration and believes prohibiting accessory structures in residential areas conflicts with the town’s comprehensive plan. He can show the comprehensive plan supports the idea of quality built residential amenities to contribute to the residential character of the town. He added the comprehensive plan doesn’t say lets prohibit accessory structures in residential areas and based on the previous workshop held tonight he understands that a variance was to be issued for the property to be allowed accessory structures then it would be all the lots would be allowed that. He added that there is another mechanism for the town to designate whereby individual patio lots could be considered to have accessory structures.

Mr. Pettee thought the Town Board could reconsider their previous decision that prohibits the accessory structures on patio lots and find away whereby the towns staff or designate the authority to the Town Planning Board where each patio lot owner would be able to approach either the Town Staff or Planning Board for a special use permit. He asked that before the Board took action on the resolution tonight to think about the two definitions that were taken out of their own code and look back at the comprehensive plan and look at the residential components and ask themselves whether or not this restriction is consistent with the comprehensive plan.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Mickelsen reported:

Water & Sewer:
1. Discussed smoking in town buildings and vehicles-Jim is not aware of any issues.
2. Discussed increased water rates for the City of Canandaigua-staff will be meeting to discuss.
3. Purdy Road construction is moving along slowly.
4. Discussed billing software issue-no response yet.
5. Waiting for quote on leak detection.
6. Discussed easements for KOA sewer.

Highway & Parks:
1. MS4 questionnaire has been filed.
2. Discussed resolutions for tonight's meeting.
3. DEC inspected fuel tank at Highway Garage-needs a double wall-Mr. McLaughlin will be checking with company about changing the tank.
4. Whitetail and Suede Circle paving will be coming soon.
5. Farmbrook Park- positioning for pouring cement.
6. Discussed radio upgrade.
7. Discussed smoking in town buildings and vehicles.

Town Operations Committee: None.

Town Finance Committee: None.

Town Public Safety Committee: None.

TOWN BOARD MEETING
OCTOBER 12, 2010

REPORTS OF TOWN OFFICIALS:

Supervisor Fafinski:
1. 2011 Preliminary Budget will be filed with the Town Clerk on October 15, 2010.

Highway & Parks Superintendent Ed McLaughlin: None.

Town Clerk Michelle Finley:
1. BAS Internet Tax System installation on October 15, 2010.

Water & Sewer Superintendent Jim Crane: None.

Code Enforcement Officer Floyd Kofahl:
1. Discussed Section 2 of Saratoga Crossing project.
2. Discussed Senior Housing Project on Rt. 332.

Director of Planning and Development:
1. Received resolution from Town Canandaigua for their share of the GTC grant.
2. Planning Board and Zoning Board of Appeals were given copies of case laws to review for training credit.
3. Highway Garage-waiting for receipt of waiver from Ag & Markets to meet SEQR requirements.

Assessor Donna LaPlant: None.

Fire Chief Paul Conrad: None.

Planning Board Member Mary Neale: None.

COMMUNICATIONS:
1. Alteration Application from Finger Lake Foodservice, Inc. Vineyard Buffet.
2. Memo from Town of Manchester notifying the Town of a public hearing to be held on October 19, 2010 Re: Site Plan #4464-10.
3. Letter from Town Supervisor to Carl Webeck, Re: Phillips Landing, Mercier Drive Sr. Housing, and Beaver Creek Subdivision (East) Lighting Districts.
4. Notice from Town Supervisor, Re: Budget Workshop to be held on 10/14 @ 6:15 pm.
5. Letter from Nothnagle Realtors to Dave Degear, Re: Zoning Changes of the Herendeen Property at Collett and Hook Roads.
7. Letter from Town Supervisor, Re: Tax Exemption Status of Municipal Subdivisions.
9. Letter from NY Ag & Markets to Town Clerk, Re: Dog Control Officer Inspection Report.
10. Letter from NY Ag & Markets to Town Clerk, Re: Municipal Shelter Inspection Report.
11. Letter to Town Clerk from Town of Macedon Building & Zoning Office, Re: Notice of Public Hearing from project within 500 feet of the Town of Farmington.
Memo from Ron Brand, Director of Planning and Development, to the Farmington Planning and Zoning Boards, Re: New York Land Use Caselaw Update.

Letter from Town Supervisor to Chad Flansburg thanking him for his service on the Board of Assessment Review.

Letter from Ron Brand, Direct of Planning and Development, to Robert Somers, NYSADM, Re: Waiver Pursuant to Section 305(4) of New York State Agriculture and Markets Law for Herendeen Property.


Certificate of Completion of Preventing Workplace Violence Training for Tammy Means and Jennifer Grattan, Deputy Town Clerks.

Public Notice by Town Supervisor, Re: Joint Town Board Meeting with the Towns of Canandaigua, and Hopewell to review the 2011 budget for the Farmington-Canandaigua-Hopewell Consolidated Water Districts.

Letter to Town Clerk from the Town Attorney, Re: Recorded Easements for A&D Development


TOWN BOARD MEETING

REPORTS & MINUTES:

2. September Interfund Reconciliation.

ORDER OF BUSINESS:

RESOLUTION #287-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING A BUDGET TRANSFER FOR THE CANANDAIGUA-FARMINGTON WATER DISTRICT

RESOLVED, the Farmington Town Board authorizes the following budget transfer for the Canandaigua-Farmington Water District:

FROM: SW1-8310.2 Water Administration EQ $5,000.00
TO: SW1-8310.4 Water Administration CE ($5,000.00)

And, Further Be It, RESOLVED, that the Town Clerk forward copies of this resolution to the Water & Sewer Superintendent and the Bookkeeper.

All Voting “Aye”, the Resolution was CARRIED.

RESOLUTION #288-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN AGREEMENT WITH PENN POWER SYSTEMS FOR GENERATOR MAINTENANCE FOR BOTH GENERATORS

RESOLVED, the Farmington Town Board authorizing the Supervisor to sign Maintenance Agreement with Penn Power Systems for generators located at the Town Hall and Highway Garage for a one year period (11/1/2010 – 10/31/211) at a cost not to exceed $490.00 per department (A1620.54-$490.00 and A5134.4-490.00), and further be it

RESOLVED, that the Town Clerk forward the original signed agreement to the Highway Department as they will forward to Penn Power Systems.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #289-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:
Resolution authorizing the Supervisor to sign MRB proposal for the TOWN HIGHWAY CAMPUS, TOWN OF FARMINGTON, NEW YORK PROPOSAL FOR PROFESSIONAL SERVICES

Whereas, the Farmington Town Board (hereafter referred to as the Town Board) has requested a Request for Proposal (RFP) from our town engineering firm, MRB Group for professional services; and

Whereas, the Town Engineering firm, MRB Group has provided the attached RFP for the town to consider in relation to the Highway Campus Project, which states in part:

I. Preliminary Planning - Schematic Floor Plan:
1. Visit similar facilities with owner to visualize space needs and gain insight from others experience.
2. Refine building program based upon latest information.
3. Prepare schematic plan.
4. Review plan with Campus Steering Committee and revise accordingly:
5. One (1) On-Site Visit with the Campus Steering Committee.
Subtotal I ................................................................. $ 6,000.00

II. Development of Preliminary Site Plan:
1. Preliminary site plan (according to Town Code) including Highway Garage, Cold Storage Building, Fuel Storage/Dispensing Station, and Salt Storage Building based on available mapping and information. It is our understanding that according to the Steering Committee Minutes that the requirement for building elevations as part of site plan approval will be waived.
2. Identify areas on the plan for future soccer fields/practice fields
3. Prepare full SWPPP/NOI and size storm water facilities required on site.
4. Existing Lidar Topographic information will be used. If topographic information greater than this is required, it would be obtained as an additional service.
5. Utility locations will be plotted from existing information.
6. Railroad siding information will be added to the plans and shall be supplied by the Town.
    - Attend/Present at one (1) Town Planning Board Meeting
    - Attend/Present at one (1) Town Board Meeting.
    - Wetland delineation and survey of wetland boundary.
Subtotal II ........................................................................ $ 15,500.00

III. Final Site Plan Preparation:
1. Incorporation of Planning Board Review Comments.
2. Attend/Present at one (1) Town Planning Board Meeting
3. Attend/Present at one (1) Town Board Meeting
4. Provide the Town with one (1). mylar, six (6) paper copies, and one (1) digital copy of the final site plan.
5. Obtain all necessary signatures for site plan approval.
Subtotal III ................................................................. $ 3,000.00, and

Whereas: the Town Board Public Works Advisory Committee has reviewed the proposal and the Town Project Committee has also reviewed the proposal and recommends approval to the town board;

Now be it Resolved: That the town board authorizes the town supervisor to accept the RFP and the Town Clerk shall furnish a copy of this resolution to the Town Engineer, Town Supervisor, and Highway/Parks Superintendent.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #290-2010: Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

Letter of Credit – Auburn Meadows Subdivision, Phase 2 - Release #17

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a request from David Degear, Town Planning Board Chairperson, dated October 6, 2010 recommending that the above referenced Letter of Credit Release #17 be approved in the total amount of $ 32,430.58 for work completed in the Phase 2 portion of the Auburn Meadows Subdivision; and
WHEREAS, the Planning Board has reviewed the documentation submitted for the release of the Letter of Credit, including the Town Letter of Credit Release Form No.17 for the Auburn Meadows Project signed by all department heads; and

WHEREAS, there is currently a total of $56,077.80 remaining in this letter of credit; and

WHEREAS, there will be a total of $23,647.22 remaining in the Letter of Credit; and

WHEREAS, the Planning Board has, in a resolution adopted on October 6, 2010 recommended the release of the requested amount, $32,430.58.

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, in the amount specified above herein.

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 was CARRIED.

TOWN BOARD MEETING
OCTOBER 12, 2010
ORDER OF BUSINESS: (Continued)

RESOLUTION #291-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION IN SUPPORT OF TOWN JUSTICE COURT OBTAINING A GRANT

WHEREAS, the Town Court has notified the Town Board of their intent to obtain a Justice Court Action Plan grant to help maintain their level of efficiency, and

WHEREAS, the Town Board commends the Town Court for their initiative and supports their efforts in obtaining grants, therefore be it

RESOLVED, the Farmington Town Board supports the Town Courts initiative in obtaining a grant from the Justice Court Action Plan grant, and further be it

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

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #292-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING THE RETURN OF A CASH LETTER OF CREDIT TO GUCCI FOR THE ONTARIO PLAZA

WHEREAS, the Code Enforcement Officer has reviewed the release of a cash deposit on a letter of credit held by the town for the Ontario Plaza project received in 1990 and recommends the release of $3821.20, therefore be it

RESOLVED, that the Farmington Town Board authorizes the release of a cash deposit on a letter of credit in the amount of $3,821.20 to Ontario Square Realty Corp.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #293-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING THE RETURN OF FUNDS FOR BUILDING PERMITS

WHEREAS, the Code Enforcement Officer has reviewed the requests for return of funds for building permits and recommends the return of funds for the following properties:

1133 Corporate Drive $215.00
Old Xerxes Building-J. Hollingsworth $560.00

All voting “Aye”, the Resolution was CARRIED.
Ultrafab expansion—$376.00

Therefore be it, RESOLVED, that the Town Board authorizes the release of funds as stated above.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #294-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

RESOLUTION SETTING A PUBLIC HEARING FOR THE 2011 TOWN BUDGET

WHEREAS, the Farmington Town Board will complete their budget workshops on October 14 and will file the 2011 Preliminary Budget with the Town Clerk on October 15, 2011, therefore be it

RESOLVED, the Farmington Town Board sets a Public Hearing for the 2011 Town Budget for October 26, 2010 at 7:00 p.m. at the Farmington Town Hall, 1000 County Road 8, Farmington, NY 14425, and further be it

RESOLVED, that the Town Clerk submit a legal notice to the Messenger Post.

All voting “Aye”, the Resolution was CARRIED.

TOWN BOARD MEETING                              OCTOBER 12, 2010
ORDER OF BUSINESS:  (Continued)

RESOLUTION #295-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE GENERAL FUND TO INCREASE LAW CONTRACTUAL LINE

RESOLVED, the Farmington Town Board authorizes the following budget amendment for General Fund to increase budget line for deficiencies in Law Contractual Line:

FROM:    A1990.4 Contingency $2,109.04
TO:      A1420.4 Law Contractual ($2,109.04)

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

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #296-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN SNOW CONTRACTS WITH ONTARIO COUNTY PUBLIC WORKS

WHEREAS, Ontario County Public Works has submitted the 2010-2011 Snow Contracts for one year, therefore be it

RESOLVED, the Farmington Town Board authorizes the Supervisor to sign the Snow Contracts with Ontario County Public Works, and further be it

RESOLVED, that the Town Clerk forward copies of the resolution to the Highway/Parks Superintendent, Ontario County Public Works and the Supervisor.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #297-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

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
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

TOWN BOARD MEETING          OCTOBER 12, 2010
ORDER OF BUSINESS: (Continued)

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.

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 October 12, 2010, by the following vote:

Aye                Nay
Theodore M. Fafinski  X
Timothy Mickelsen     X
Michael Casale        X
Peter Ingalsbe
Steven Holtz X

All voting “Nay”, the Resolution was Defeated.

Councilman Mickelsen offered the following resolution, seconded by Councilman Ingalsbe:
RESOLUTION # 298-2010- TO PAY AUDITED BILLS

ABSTRACT #19-2010
The bills were audited by the Town Board

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<td>Code Compliance Review</td>
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<td><strong>TOTAL</strong></td>
<td><strong>$521,938.70</strong></td>
</tr>
</tbody>
</table>

All voting “Aye”, the Resolution was CARRIED.

WAIVER OF THE RULE: NONE.
DISCUSSION:

EXECUTIVE SESSION:

A motion was made by Councilman Mickelsen and seconded by Councilman Casale to enter into Executive Session to discuss a matter pertaining to the employment of a particular person at 8:00 p.m. All voting “Aye”.

A motion was made by Councilman Holtz and seconded by Councilman Ingalsbe to close Executive Session at 8:40 p.m. All voting “Aye”.

TRAINING UNDER $100: None.

A motion was made by Councilman Ingalsbe and seconded by Councilman Mickelsen to adjourn the meeting at 8:40 p.m. All voted “Aye” CARRIED.

TOWN BOARD MEETING

October 26, 2010

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 26th day of October, 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: Jim Crane – Water & Sewer Superintendent, Floyd Kofahl – Code Enforcement Officer, Dotti Mickelsen – Resident, Donna LaPlant – Assessor, Brandon LaPlant – Student, and Paul Conrad – Farmington Fire Chief.

PUBLIC HEARINGS: 2011 Town Budget

The Town Clerk read the legal notice.

At 7:00 p.m., on this date, a public hearing was called to order to hear all person/citizens, in interest, concerning the 2011 Town Budget. Supervisor Fafinski opened the public hearing. Supervisor Fafinski gave a general overview of the budget. He stated that it was probably one of the toughest budget years and there were four budget workshops conducted. The general overview is as follows: General Fund is up 3.9% partially due to park equipment purchase and health insurance costs. Tax rate is flat at $1.06 and amount to be raised by taxes is up 1.5%. Highway Fund is up 3.7% primarily due to retirement and health insurance costs – tax rate is flat at $1.06 and amount to be raised is up 4.4%. Fire Protection Fund is up 3.7% tax rate down by 2.3% amount to be raised by taxes is up 2.3%. Sewer District Fund – is up 4.9% - no tax rate just user fees and other revenues. Canandaigua-Farmington Water District is up 2.1% tax rate is down 2.68% amount to be raised by taxes is up 1.3%. Lighting Districts- town had an audit of lighting districts by an independent audit firm, Troy and Banks- a few lighting districts were under billed and some were overcharged took about two years to complete as a result those that were under billed will show an increase in 2011 in addition energy charges increased as well. Beaver Creek Sidewalk District – new district and the rate is $15 per $1,000 and the reason for that is because as of March 1st that property was not building lots, therefore the value is down this year for taxable status it will be up now that it has been subdivided into building lots. Auburn Meadows Sidewalk District-tax rate is down $.36 per $1000 to $.22 per $1000.

Supervisor Fafinski asked if anyone wanted to speak for or against the budget. A gentleman that lives in Phillips Landing spoke. He asked why health insurance and pension plans along with salaries can’t be frozen for one year and why do taxes have to go up during the one of the worst recession in years. Supervisor Fafinski responded that the tax rate is not going up and the pension fund is dictated by the State of New York. Supervisor Fafinski stated that elected officials salaries have been frozen for two years. Supervisor Fafinski added that the town has one of the lowest tax rates. The resident stated that he has one of the highest school rates and Supervisor Fafinski stated that the Town does not set school rates and has nothing to do with them and that he should contact the school board.
Councilman Ingalsbe stated that the Town Clerk had just updated the website so people can review taxes online that goes back to 2005. He stated the following were the rates from 2005 to present: 2005-$1.45, 2006-$1.45, 2007-$1.32, 2008-$1.19, 2009-$1.18, 2010-$1.06, 2011-$1.06.

The resident expressed his frustration with having his lawn torn up every year by the snow plows. Supervisor Fafinski stated that the town fixes those. Councilman Ingalsbe stated to the resident to get with the Highway Superintendent.

With no one else wishing to be heard the public hearing was closed at 7:21 p.m.

APPROVAL OF MINUTES: A motion was made by Councilman Casale and seconded by Councilman Holtz that the minutes from the September 28, 2010, meeting, given to members for review, be approved. Carried.

PRIVILEGE OF THE FLOOR: None.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Ingalsbe reported:

Water & Sewer:
1. Discussed three resolutions for the Hook Road Sanitary Sewer Project.
2. Discussed City of Canandaigua Water Rate.
3. Discussed Purdy Road Water Project.
5. Discussed Calvary Chapel Project.
6. Discussed I & I inspections.
7. Discussed cost review of watermain leak detection.
8. Discussed manholes.
10. Watermain break at Fawn Meadow Circle.

Highway & Parks:
1. Discussed RG&E in subdivision replacing electrical services.
2. Discussed Mertensia Lodge parking lot paving.
3. Discussed Holtz Road and Elizabeth Way speed reductions.
4. Discussed Farmbrook Park.

Town Operations Committee: Councilman Casale reported:
1. Discussed Auburn Meadows Trail.
2. Discussed visit to Homes Builders-Beaver Creek Subdivision.
3. Discussed complaints received on worm farm.

Councilman Ingalsbe mentioned website updates and mentioned that Reg Neale has been working with the Town Historical Society Committee and wrote a book on the Town of Farmington history and it will be out in bookstore after the first of the year. He added that there is also a website called aroundfarmington.com that will have information on it like community events, suggests, activities, and chat columns.

Town Finance Committee: None.

Town Public Safety Committee: None.

REPORTS OF TOWN OFFICIALS:

Supervisor Fafinski:
1. Discussed Comutel - possibility of getting franchise fees audited.
2. Discussed Herendeen rezoning request.

Highway& Parks Superintendent Ed McLaughlin: None.

Town Clerk Michelle Finley:
1. Gave Town Board draft local law on dog licensing for their review and input.
2. Discussed attending Town Clerk meeting-Oaths of Office.

**Water & Sewer Superintendent Jim Crane:**
1. Discussed proposed City of Canandaigua water rate.
2. Watermain break on Purdy Road.

**Code Enforcement Officer Floyd Kofahl:**
1. Discussed three private watermain breaks in mobile home park. New owners responded quickly.
2. Discussed 1816 Meeting House-preliminary approvals for foundation and moving existing building to new site.
3. Discussed investigation at worm farm on Yellowsmills Road. He will send a report to DEC for a request of a compliance review.

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

**Assessor Donna LaPlant:**
1. Continuation of Re-evaluation.

**Fire Chief Paul Conrad:**
1. Fire Department Open House.
2. Thanked Board for removing eye soar on New Michigan Road.

**TOWN BOARD MEETING**
**OCTOBER 26, 2010**

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

**COMMUNICATIONS:**
1. Letter from Ronald Brand to Town Operations Committee and Jeff Graff, RE: Auburn Meadows Incentive Zoning Town Board Resolution Amendment.
2. Letter from NYS Department of Environmental Conservation to Town Supervisor RE: Approval of Plans – Sanitary Sewer Extension/ Hook Rd.
5. Resolution #2010-096 – A Resolution Authorizing a Payment to the Town of Farmington for a Grant Match.
7. Letter from Northgate Realtors to Town Supervisor and David Degear RE: Harold and Carolyn Herendeen’s application for rezoning of a parcel on the SE corner of Collett and Hook Rd.
8. Regulated Municipal Separate Storm Sewer Systems (MS4s) Questionaire.

**REPORTS & MINUTES:** None.

**ORDER OF BUSINESS:**

**RESOLUTION #299-2010:** Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

Designation of Town Board as the Lead Agency for making the required determination of Significance upon the Action identified as the Hook Road Sanitary Sewer Extension Project.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) did on August 25, 2010 provide public notice of its declared intent to be designated Lead Agency for the above referenced Action; and
WHEREAS, the Town Board did provide copies of said notice along with Project documents to Involved and Interested Agencies requesting any objection(s) and that all comments are to be submitted on or before noon on Friday, September 24, 2010; and

WHEREAS, on Friday, September 24, 2010 a coordinated review of the above referenced Unlisted Action under the provisions of Article 8, Part 617, of the State Environmental Conservation Law was documented as being complete; and

WHEREAS, the Town Board finds that there are no Involved or Interested Agencies that have identified any objections to the Town Board being designated Lead Agency under the above referenced provisions of the State Environmental Conservation Law; and

WHEREAS, there are no comments identifying any potentially significant adverse environmental impacts that have not been adequately addressed.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby designate itself as the Lead Agency for the above referenced Project.

All Voting “Aye”, the Resolution was CARRIED.

RESOLUTION #300-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Mickelsen:

Determination of Significance upon the Action identified as the Hook Road Sanitary Sewer Extension Project.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) is the designated Lead Agency for the above referenced Action; and

TOWN BOARD MEETING
OCTOBER 26, 2010
ORDER OF BUSINESS: (Continued)

WHEREAS, the Town Board has given consideration to the public record compiled upon the coordinated review for the above referenced Action; and

WHEREAS, Town Board has given consideration to Parts 1 and 2 of the Short Environmental Assessment Form prepared by the Town Water and Sewer Superintendent and the Town Engineer; and

WHEREAS, the Town Board has given consideration to the criteria for determining significance as set forth in Section 617.7 ( c ) (1) of the SEQR Regulations; and

WHEREAS, the Town Board finds that the record shows there are no substantive comments affecting the environment that have not been addressed by the Town Engineer’s design of the proposed Action.

NOW, THEREFORE, BE IT RESOLVED that the Town Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 ( c ):

(i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;

   The Town Board finds that while there is likely to be some minor short term impacts associated with this type of construction (e.g. noise, dust, traffic restrictions, etc.) there will not be a substantial increase in potential for erosion, flooding, leaching or drainage problems resulting from the proposed Action.

(ii) there will not be large quantities of vegetation or fauna removed from any portion of the proposed alignment for the sanitary sewer or destroyed as the result of the proposed action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed action; there will not be a significant impact upon habitat areas on any site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources associated with the proposed Action;

(iii) there are no Critical Environmental Area(s) that will disturbed along any portion of the alignment for the proposed Action;

(iv) the overall density of sites located within the area adjacent to the proposed Action will be consistent with the land use recommendations contained in the adopted Town of Farmington Comprehensive Plan;

RESOLUTION #300-2010:
(v) there will be no disturbance of any known important historical, archeological, architectural, or aesthetic resources along the alignment of the proposed Action, or on any future site, or will the proposed Action impair the existing community or neighborhood character;

(vi) there will not be a major change in the use of either the quantity or type of energy resulting from the proposed Action;

(vii) there will not be any hazard created to human health from the proposed Action;

(viii) there will not be a substantial change in the use, intensity of use, or land including agricultural, open space or recreational resources, or in its capacity to support existing uses;

(ix) there will not be a large number of persons attracted to the site for more than a few days, when compared to the number of persons who would come to such place absent the proposed Action;

(x) there will not be created a material demand for other actions that would result in one of the above consequences;

(xi) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and

(xii) there are not two or more related actions which would have a significant impact on the environment.

BE IT FURTHER RESOLVED that based upon the information and analysis above and the supporting documentation referenced above, the proposed Action WILL NOT result in any significant adverse environmental impacts.

BE IT FURTHER RESOLVED that the Town Board does hereby make a Determination of Non-Significance upon said Action and directs the Town Supervisor to sign and date the Short Environmental Assessment Form.

TOWN BOARD MEETING OCTOBER 26, 2010
ORDER OF BUSINESS: (Continued)

BE IT FINALLY RESOLVED that the Town Board does hereby direct copies of this adopted resolution to be provided to all identified Involved and Interested Agencies and copies filed in the Town Clerk’s Office, with the Town Water and Sewer Superintendent, with the Town Engineer and with the Town Development Office.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #301-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING THE WATER & SEWER SUPERINTENDENT TO SEEK REQUEST FOR PROPOSED INSTALLATION & MATERIALS FOR HOOK ROAD SANITARY SEWER

WHEREAS, the Determination of Significance has been completed for the Hook Road Sanitary Sewer Project and the Town Supervisor has authorized to sign the Short Environmental Assessment Form, and

WHEREAS, the design engineer MRB Group has completed the Hook Road Sanitary Sewer Design Plans, Review and documents for construction, and

WHEREAS, project approvals have been given by the NYS DEC, the NYS Dept. of Agricultural and Markets and other agencies as set forth under SEQR regulations, and

WHEREAS, funds budgeted are from the Highway capital Project Fund which has been established for the Hook Road Sanitary Sewer Project, therefore be it

RESOLVED, that the Farmington Town Board authorizes the Water & Sewer Superintendent to seek requests for proposals (RFP’s) for (1) 10 inch Sanitary Sewer pipe, (2) Manholes and necessary fittings and supplies (3) Sanitary Sewer installation and equipment cost, and further be it

RESOLVED, that the Request for Proposals will be received until 10:00 a.m. November 16, 2010 at the Office of the Town Clerk, 1000 County Road 8, Farmington, NY 14425.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #302-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:
Authorization for Town Supervisor to sign the Letter of Agreement for the Auburn Trail/Ontario Pathways Trail Connection Feasibility Study (FY 2010-2011 UPWP Project # 6522).

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a Letter of Agreement for disbursement and claim processing from the Genesee Transportation Council (hereinafter referred to as GTC) for commitments by GTC and the Town of Farmington to fund the above referenced GTC Feasibility Study; and

WHEREAS, the Town Board has received resolutions from Canandaigua City Council and Canandaigua Town Board committing to their agreed-to share of the total project costs; and

WHEREAS, the Town Board hereby determines that said Feasibility Study is a Type II Action under the provisions of Section 617.5 (c) (21) of Article 8 of the State Environmental Conservation Law; and

WHEREAS, the Town Board has previously made a commitment to GTC and the other two municipal entities identified above herein to manage the above referenced project.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby authorize the Town Supervisor to sign and execute the Letter of Agreement with GTC, to perform said Feasibility Study.

BE IT FURTHER RESOLVED that the Town Finance and Accounting Specialist is to be provided a copy of this resolution and is hereby directed to establish a balance in the appropriate account in the total amount of $6,000.00.

BE IT FURTHER RESOLVED that the Town Director of Planning and Development is hereby designated to serve as the Project Manager for the Town of Farmington for completing the scope of work associated with the Feasibility Study.

TOWN BOARD MEETING

ORDER OF BUSINESS: (Continued)

BE IT FINALLY RESOLVED that this resolution shall be forwarded along with two signed copies of the Letter of Agreement to Robert Torzynski, Program Manager – Bicycle & Pedestrian Planning, at the GTC Office within two business days.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #303-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE GENERAL FUND FOR SUPPLIES LINE

RESOLVED, that the Farmington Town Board authorizes the budget amendment from the General Fund Contingency Fund to the Central Storeroom CE Line to pay for the Central Supplies as follows:

FROM: A1990.4 Contingency $75.84
TO: A1660.4 Central Storeroom CE ($75.84)

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 #304-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE GENERAL FUND FOR CENTRAL DATA PROCESSING LINE

RESOLVED, that the Farmington Town Board authorizes the budget amendment from the General Fund Contingency Fund to the Central Data Processing CE Line to pay for the services as follows:

FROM: A1990.4 Contingency $260.01
TO: A1680.4 Central Data Processing CE ($260.01)

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 #305-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:
RESOLUTION AUTHORIZING A BUDGET TRANSFERS FOR THE SANITARY SEWER FUND FOR PERSONAL SERVICES

RESOLVED, that the Farmington Town Board authorizes the budget amendments from the Sanitary Sewer Funds to cover Personal Services as follows:

FROM: SS 8120.1 Sanitary Sewer PS $4,000.00
TO: SS 8120.12 Sanitary Sewer PS OT ($4,000.00)

FROM: SS 8130.1 Sewage Treatment & Disposal PS $6,000.00
TO: SS 8130.12 Sewage Treatment & Disposal PS OT ($6,000.00)

And, further be it, RESOLVED, that the Town Clerk provide a copy of this resolution to the Water & Sewer Dept. and Bookkeeper.

All voting "Aye", the Resolution was CARRIED.

RESOLUTION #306-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING A BUDGET TRANSFER FOR THE HIGHWAY AND PARKS FUNDS

RESOLVED, that the Farmington Town Board authorizes the budget amendments from the Highway and Parks Funds to cover over-time and general repairs:

TOWN BOARD MEETING
OCTOBER 26, 2010
ORDER OF BUSINESS: (Continued)

FROM: A7110.11 Parks PS Seasonal $890.00
TO: A7110.12 Parks OT ($500.00)
TO: A8160.12 Refuse/Garage OT ($390.00)

FROM: DA 5110.12 General Repairs OT $288.16
TO: DA 5132.1 Highway Garage PS ($111.36)
TO: DA 5130.1 Machine Repair PS ($176.80)

And, further be it, RESOLVED, that the Town Clerk provide a copy of this resolution to the Highway and Parks Department and Bookkeeper.

All voting "Aye", the Resolution was CARRIED.

RESOLUTION #307-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING A BUDGET TRANSFER FOR THE HIGHWAY AND PARKS FUNDS

RESOLVED, the Farmington Town Board authorizes the budget amendment from the Highway and Parks Funds to cover equipment and contractual expenses:

FROM: A 5132.4 Highway Garage Maint. CE $1,774.93
TO: A 5132.2 Highway Garage- EQ ($1,774.93)

FROM: A 5132.4 Highway Garage Maint. CE $100.00
TO: A 5132.41 Highway Garage Uniform Exp. ($100.00)

And, further be it, RESOLVED, that the Town Clerk forward a copy of this resolution to the Highway and Parks Department and Bookkeeper.

All voting "Aye", the Resolution was CARRIED.
RESOLUTION #308-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

RESOLUTION DENYING A REQUEST TO AMEND THE CONDITIONS OF APPROVING ACCESSORY STRUCTURES ON PATIO LOTS AND GRANTING THE TOWN OF FARMINGTON ZONING BOARD OF APPEALS AUTHORITY TO HEAR AND DECIDE APPEALS RELATIVE TO THE DIMENSIONAL CONDITIONS OF APPROVAL FOR ALL LOTS LOCATED WITHIN THE 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

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 the Town Board Resolution #178-2004 and replacing them with new restrictions numbered 4 and 5; and

WHEREAS, the Farmington Town Board has considered the requirements of Section 262 of New York State Town Law that requires all regulations within an established zoning district to be uniform for each class of use of kinds of buildings throughout a district; and

WHEREAS, the Farmington Town Board finds that there are no known incentives that could be considered under the provisions of Chapter 165-34.1 of the Farmington Town Code in exchange for the provisions of community benefits for allowing accessory structures on patio lots; and

WHEREAS, Section 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

TOWN BOARD MEETING
OCTOBER 26, 2010
ORDER OF BUSINESS: (Continued)

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 of Town Board Resolution #178-2004, as amended by Town Board Resolution #262-2010, 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 number 4 and 5 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

Be it further, RESOLVED, that the Town of Farmington Town Board does hereby refuse to consider allowing accessory structures to be placed upon the patio home portion of any site defined as a patio home within the mapped Auburn Meadows IZ Incentive Zoning District, and be it further

RESOLVED, that certified copies of this resolution shall be placed in the Town Development Office Project files for the Auburn Meadows Subdivision and filed with the Town Zoning Board of Appeals, the Town Code Enforcement Officer, the Town Engineer, MRB Group, P.C., and with the Town Clerk.

All voting "Aye", the Resolution was CARRIED.

Councilman Mickelsen offered the following resolution, seconded by Councilman Holz:

RESOLUTION # 309-2010- TO PAY AUDITED BILLS
The bills were audited by the Town Board

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<td>Highway Campus</td>
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</tbody>
</table>
All voting “Aye”, the Resolution was CARRIED.

WAIVER OF THE RULE: NONE.

DISCUSSION:

   Discussion: Supervisor Fafinski stated that Comutel has proposed auditing cable franchise fees, no upfront cost, if they find any money due they charge a 50% fee, Supervisor Fafinski will negotiate to 35-40% fee.

EXECUTIVE SESSION:

TRAINING UNDER $100:

1. Gary Scribner – Fall 2010 Regional Local Government Workshop $50.00.

A motion was made by Councilman Mickelsen and seconded by Councilman Casale to adjourn the meeting at 7:57 p.m. All voted “Aye” CARRIED.

TOWN BOARD MEETING November 09, 2010

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 9th 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: Edward McLaughlin- Highway/Parks Superintendent, Mary Neale-Planning Board Member, James Crane- Water & Sewer Superintendent, Dave Degear- Planning Board Chairman, Paul Conrad – Farmington Fire Chief, Ron Brand- Director of Planning & Development, Students.

Moment of Silence- remembrance of Veterans Day.

PUBLIC HEARINGS: None

APPROVAL OF MINUTES: None.

PRIVILEGE OF THE FLOOR: None.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Mickelsen reported:

Water & Sewer:

1. Discussed Pass to Tax for unpaid water and sewer.
2. Discussed water project on Purdy Road-almost completed.
3. Discussed ongoing billing software issue.
4. Discussed KOA easements.
5. Discussed smoking in town owned buildings and trucks.

Highway & Parks:

1. Farmbrook Park update- in the process of pouring concrete.
2. Mertensia Park update-additional money is needed for asphalt and swing set.
3. Received request for speed surveys –Elizabeth Way and Martz Road & Holtz Road.
4. Discussed purchasing lift gate for truck.
5. Discussed future purchases.
6. Discussed memo to staff regarding no smoking in buildings and trucks.
7. Discussed keys at Mertensia Park Lodge.
Town Operations Committee: Councilman Holtz reported:

1. Discussed Committee for Comprehensive Plan Update.

Town Finance Committee: None.

Town Public Safety Committee: None.

REPORTS OF TOWN OFFICIALS:

Supervisor Fafinski:

1. Discussed Phone Booth located at Town Hall. Verizon dropped cost to $25 plus tariffs to keep phone. Supervisor stated that it’s affordable as far as a public safety standpoint and felt the phone should be kept. Supervisor Fafinski asked the Board for the consensus: Councilman Mickelsen passed, Councilman Holtz stated he would like it reviewed for one year, remaining Councilmen were for it.

2. State Route 251 will be redone, initially the notification stated that the town had to move utilities, there was a meeting and Supervisor Marren was never aware of this, only notified Water & Sewer Department. Jim Crane stated that he wrote a letter to utilities engineer stating that the town was not in a position to pay for the moving of these utilities, after speaking with the boss the utility company will not charge any municipality relocation fees. He added that the meeting was more like where things were located. Supervisor Fafinski asked if he could get it in writing that we will not be charge. Jim Crane replied that he would follow up on that.

TOWN BOARD MEETING

Highway & Parks Superintendent Ed McLaughlin:

1. Discussed receiving a request from an Ellsworth Road resident to reduce speed limit. Supervisor Fafinski suggested having NYS DOT do a traffic study.

2. Discussed lighting at Gateway Drive. He will get with Jack at Water & Sewer to work on that.

Town Clerk Michelle Finley:

1. Discussed Local Law on Dog Licensing.

2. Discussed Online Taxes.

Water & Sewer Superintendent Jim Crane:

1. Discussed Empire Pipeline meeting.

Code Enforcement Officer Floyd Kofahl: None.

Director of Planning and Development:

1. Discussed training for Planning Board Members and Leslie O’Malley – discussed case law updates.

Assessor Donna LaPlant: None.

Fire Chief Paul Conrad: None.

Planning Board Chairman Dave Degear: None.

COMMUNICATIONS:

1. Memo from David Degear, Chairperson Farmington Planning Board. Re: Request by A&D Development for the release (release #17) of a portion of the Letter for Credit for Phase 2 of the Auburn Meadows Subdivision.

2. Memo from Ronald Brand, Director of Planning and Development. Re: Maintenance Bond, Section 3 Auburn Meadows Subdivision.

3. Letter from Riley and Graff, LLP to Michelle Finley, Town Clerk. Re: Recorded Deed Herendeen Estate to Town of Farmington.


5. Letter from Kenneth W. Kelly, General Manager Finger Lakes Ambulance to Ted Fafinski, Supervisor. Re: filing an application to amend operating certificate to include portions of Ontario County not included on current Certificate of Need (CON).

7. Letter from David C. Goehring, P.E., New York State Department of Transportation to Michelle Finley, Farmington Town Clerk. Re: Notice of Orders authorizing a 30 mph area speed limit within the Auburn Meadows Subdivision.

8. Letter from Michael Nozzolio, Senator, 54th District to Ted Fafinski, Town Supervisor. Re: represent Mary D’Arduini of Yellow Mills Road concerns with lack of municipal water at her home. The well runs dry and is placing a serious hardship on her family.

9. Letter from Patricia L. D’Amico, Executive Director Ontario County Youth Bureau to Ted Fafinski, Town Supervisor. Re: letter to William Gettman Jr, Deputy Commissioner of the Office of Children and Family Services, the Youth Bureau was advised state aid claims paid September 16, 2010 to March 31, 2010 would be reduced by 1.1 percent.

REPORTS & MINUTES:

1. Conservation Board Meeting minutes correction for September 27, 2010.
2. Conservation Board Meeting minutes correction for July 26, 2010.
5. Zoning Board of Appeals Meeting minutes for October 11, 2010.

TOWN BOARD MEETING NOVEMBER 09, 2010

ORDER OF BUSINESS:

RESOLUTION #310-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE GENERAL FUND FOR THE LAW CONTRACTUAL LINE

RESOLVED, the Farmington Town Board authorizes the following budget amendment for the General Fund for the Law Contractual Line:

FROM: A1990.4 Contingency $3,210.75 TO: A1420.4 Law Contractual ($3,210.75)

And further be it Resolved, that the Town Clerk forward a copy of this resolution to the Bookkeeper.

All Voting “Aye”, the Resolution was CARRIED.

RESOLUTION #311-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE GENERAL FUND FOR THE CENTRAL STOREROOM CONTRACTUAL LINE

RESOLVED, the Farmington Town Board authorizes the following budget amendment for the General Fund for the Central Storeroom Contractual Line:

FROM: A1990.4 Contingency $46.79 TO: A1660.4 Central Storeroom Contractual ($46.79)

And further be it Resolved, that the Town Clerk forward a copy of this resolution to the Bookkeeper.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #312-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE GENERAL FUND FOR THE CENTRAL DATA PROCESSING CONTRACTUAL LINE

RESOLVED, the Farmington Town Board authorizes the following budget amendment for the General Fund for the Central Data Processing Contractual Line:

FROM: A1990.4 Contingency $284.00 TO: A1680.4 Central Data Processing Contractual ($284.00)
And further be it Resolved, that the Town Clerk forward a copy of this resolution to the Bookkeeper.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #313-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE GENERAL FUND FOR THE ZONING CONTRACTUAL LINE

RESOLVED, the Farmington Town Board authorizes the following budget amendment for the General Fund for the Zoning Contractual Line:

FROM: A1990.4 Contingency $1,499.48
TO: A8010.4 Zoning Contractual ($1,499.48)

And further be it Resolved, that the Town Clerk forward a copy of this resolution to the Bookkeeper.

All voting “Aye”, the Resolution was CARRIED.

TOWN BOARD MEETING NOVEMBER 09, 2010
ORDER OF BUSINESS: (Continued)

RESOLUTION #314-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING THE TOWN CLERK TO PETITION NYS DEPT. OF TRANSPORTATION TO DO AN AREA SPEED LIMIT SURVEY WITHIN THE ELIZABETH WAY AREA

WHEREAS, the Highway/Parks Superintendent has requested that the Town Board direct the Town Clerk to petition NYS Dept. of Transportation to do an area speed limit survey for 30 mph within the Elizabeth Way area, therefore be it

RESOLVED, the Farmington Town Board authorizes the Town Clerk to petition NYS Dept. of Transportation to provide an area speed limit survey within the Elizabeth Way area and further be it

RESOLVED, that the Town Clerk forward a copy of this resolution to the Supervisor’s Office, Highway/Parks Superintendent and Ontario County Public Works.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #315-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Mickelsen:

RESOLUTION AUTHORIZING THE TOWN CLERK TO PETITION NYS DEPT. OF TRANSPORTATION TO DO A LINEAR SPEED LIMIT SURVEY FOR MARTZ ROAD AND HOLTZ ROAD BETWEEN HOOK AND SHELDON ROAD

WHEREAS, the Highway/Parks Superintendent has requested that the Town Board direct the Town Clerk to petition NYS Dept. of Transportation to do a linear speed limit survey for 45 mph for Martz Road and Holtz Road between Hook Road and Sheldon Road, therefore be it

RESOLVED, the Farmington Town Board authorizes the Town Clerk to petition NYS Dept. of Transportation to provide an Linear speed limit survey for Martz Road and Holtz Road between Hook Road and Sheldon Road and further be it

RESOLVED, that the Town Clerk forward a copy of this resolution to the Supervisor’s Office, Highway/Parks Superintendent and Ontario County Public Works.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #316-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:
RESOLUTION ACCEPTING A MAINTENANCE BOND ESTIMATE – COVERING A PORTION OF IMPROVEMENTS IN THE AUBURN MEADOWS SUBDIVISION, SECTION 3 - IN THE TOTAL AMOUNT OF $5,729.20

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a request from Ron Brand, Director of Planning and Development (hereinafter referred to as Director), to establish a Maintenance Bond, for a portion of the required improvements for Section 3, Auburn Meadows Subdivision (hereinafter referred to as Project); and

WHEREAS, the Director’s request is based upon the March 11, 2010 letter from James R. Gresens, P.E., MRB Group, P.C., the Town’s Engineer, recommending the Town Board establish an additional Maintenance Bond in the amount specified above herein for a period of two years or until the project is completed and inspected by the Town in accordance with the provisions of Chapter 144, Section 32, F. of the Town Code; and

WHEREAS, these recommendations are for the following surety items for the project, including asphalt top course, concrete sidewalks, street lights, stone dust trail, maintenance road and pond landscaping for Auburn Meadows Subdivision, Section 3; and

WHEREAS, the Planning Board, in a resolution dated November 3, 2010 recommended that said Maintenance Bond be accepted by the Town Board prior to the Town Board considering taking action upon release #10, of the Letter of Credit, for Section 3, of the Auburn Meadows Subdivision.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby accepts the Maintenance Bond, Number S447942, in the total amount of $5,729.20 and directs the Maintenance Bond be established only for those items specified.

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to, tomorrow, notify by U.S. Mail, certified copies of this Resolution to: Walter Bakers, D.S. B. Engineers and to Ernie Ackerman, A&D

TOWN BOARD MEETING NOVEMBER 09, 2010
ORDER OF BUSINESS: (Continued)

Development, giving them notice that the subject Maintenance Bond has been accepted and placed on file for those completed portions specified in the above referenced MRB Letter.

BE IT FURTHER RESOLVED that certified copies of this Resolution are also to be provided to the Town Finance and Account Specialist, the Director of Planning and Development, the Town Construction Inspector and the Town Engineer.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #317-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

Pass to Tax - 2010

WHEREAS, the Farmington Town Board has been notified by the Water and 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 2011 Tax Levy which are broken down in the following special districts:

WATER/SEWER DISTRICT

<table>
<thead>
<tr>
<th>District</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>WA-241 Andrews &amp; North Road Water</td>
<td>$331.56</td>
</tr>
<tr>
<td>WA-246 Canandaigua-Emerson-Townline Road (Canandaigua Only)</td>
<td>$162.20</td>
</tr>
<tr>
<td>WD-241 CDGA-Farmington Water (Canandaigua Only)</td>
<td>$30,808.26</td>
</tr>
<tr>
<td>WD-281 CDGA-Farmington Water (Farmington Only)</td>
<td>$36,938.22</td>
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<tr>
<td>WD-284 Maxwell Road Water District</td>
<td>$635.99</td>
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<tr>
<td>WD-285 Fox Road Water District</td>
<td>$184.46</td>
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<tr>
<td>WD-286 North Farmington Water Extension #2 (Ellsworth)</td>
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<td>WD-287 Sheldon Road Water District</td>
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<tr>
<td>WD-345 Canandaigua-Townline-Hopewell (Hopewell Only)</td>
<td>$NONE-</td>
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<tr>
<td>WT-248 Risser Road Extension</td>
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<tr>
<td>Canandaigua Sanitary Sewer</td>
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<tr>
<td>Farmington Sanitary Sewer</td>
<td>$39,461.79</td>
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<tr>
<td>Victor Sanitary Sewer</td>
<td>$98,564.01</td>
</tr>
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</table>

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 levy such sums against the property liable.
RESOLUTION #318-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

Establishing a Comprehensive Plan Update Committee and providing a charge to said Committee

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) is required under the provisions of Section 272-a of New York State Town Law and the Town Board Resolution adopting the Comprehensive Plan to provide a periodic update to the adopted Town of Farmington Comprehensive Plan (hereinafter referred to as Comprehensive Plan); and

WHEREAS, the Town Board has the authority under the provisions of Section 272-a of New York State Town Law to appoint a committee and to give said committee a specific charge to undertake, prepare and present to the public an update to the Comprehensive Plan; and

WHEREAS, the Town Board has considered the recommendations received at tonight’s meeting from the Town Operations Committee for creating a Comprehensive Plan Committee to be comprised of six (6) members; and

WHEREAS, the Town Board desires to have a final draft of the update to the Comprehensive Plan officially submitted to the Town Board at its second meeting in April, 2011; and

WHEREAS, the Town Board has already directed the Town Director of Planning and Development (hereinafter referred to as Director) to begin working on updates to the various maps contained in the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby establish a Comprehensive Plan Update Committee that is to be comprised of a total of six (6) members.

TOWN BOARD MEETING NOVEMBER 09, 2010

ORDER OF BUSINESS: (Continued)

BE IT FURTHER RESOLVED that the Update Committee shall be comprised of the following: Steve Holtz from the Town Board; David Degear; one member from the Town Conservation Board; Chris Dunfey from the Town Zoning Board of Appeals; and one ex-officio member from the Town Agricultural Advisory Committee and the Town Recreation Advisory Committee.

BE IT FURTHER RESOLVED that the Comprehensive Plan Update Committee shall work directly with the Director of Development in making the various amendments to the adopted Town of Farmington Comprehensive Plan for presentation to the Town Board for its consideration and acceptance and the commencement of the official amendment process required under New York State Town Law.

BE IT FURTHER RESOLVED that Leslie O’Malley is hereby appointed to serve as the Clerk to the Update Committee and will assist the Director of Development in making the final editing changes to the adopted Town of Farmington Comprehensive Plan, at her prevailing hourly rate from funds established in the Comprehensive Plan Account.

BE IT FINALLY RESOLVED that the Director shall serve as the chairperson of said Committee and shall be responsible for preparing meeting agendas, meeting notices, various updates to the chapters of the Comprehensive Plan and provide periodic reports to the Town Board.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #319-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION ADOPTING THE 2011 TOWN BUDGET

WHEREAS, a Public Hearing was held October 26, 2010, for the 2011 Town Budget, therefore be it

RESOLVED, the Farmington Town Board adopts the 2011 Town Budget as attached and further be it

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

All voting “Aye”, the Resolution was CARRIED.
# 2011 Budget for the Town of Farmington

## General Fund

<table>
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<tr>
<th>ACCOUNT CODE</th>
<th>ACCOUNT:</th>
<th>Last Year Actual</th>
<th>Adopted Budget</th>
<th>Actual June 30th</th>
<th>Tentative Budget</th>
<th>Preliminary Budget</th>
<th>Adopted Budget</th>
<th>Change from 2010</th>
<th>% Change</th>
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**Appropriation TOTALS:** 2,260,054 1,371,270 2,308,522 2,349,185 89,131 3.9%

**Revenues**

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<td>Clerk's Fees</td>
<td>Attorney Fees</td>
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**Revenue TOTALS:** 4,903,003 2,260,054 1,433,190 2,308,522 2,349,185 2,349,185 89,131 3.9%
## 2011 Budget for the Town of Farmington

### Highway Fund

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<th>ACCOUNT CODE</th>
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**Appropriation TOTALS:**  
1,998,062 2,100,116 677,803 2,166,628 2,177,028 76,912 3.7%

**Revenues**  
**Real Property Taxes**  
DA 1001 525,105 502,876 502,876 514,668 525,068 525,068 22,192 4.4%
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**Revenue TOTALS:**

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## 2011 BUDGET FOR THE TOWN OF FARMINGTON

### Fire Protection Fund

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<th>Adopted Budget</th>
<th>Actual June 30</th>
<th>Tentative Budget</th>
<th>Preliminary Budget</th>
<th>Adopted Budget</th>
<th>Change from 2010</th>
<th>%Change from 2010</th>
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<td>315,753</td>
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<td>495,022</td>
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<td>441,295</td>
<td>477,160</td>
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<td>495,022</td>
<td>495,022</td>
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### Revenues

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<th>Adopted Budget</th>
<th>Actual June 30</th>
<th>Tentative Budget</th>
<th>Preliminary Budget</th>
<th>Adopted Budget</th>
<th>Change from 2010</th>
<th>%Change from 2010</th>
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<td>495,022</td>
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## 2011 Budget for the Town of Farmington

### Drainage District Fund

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<th>Preliminary</th>
<th>Adopted</th>
<th>Change from</th>
<th>%Change from</th>
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<td>June 30</td>
<td>Tentative</td>
<td>Preliminary</td>
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<td>Change</td>
<td>%Change</td>
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## 2011 Budget for the Town of Farmington

### Sewer District Fund

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<th>Preliminary Budget</th>
<th>2011 Adopted</th>
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<th>% Change</th>
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| Appropriation TOTALS:           | 3,095,000 | 2,830,000 | 801,623 | 2,970,000 | 2,970,000 | 140,000 | 4.9%    |           |           |           |           |           |           |           |         |         |        |        |        |         |           |

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**Revenue TOTALS:**

|                   | 3,095,077 | 2,830,000 | 1,500,852 | 2,970,000 | 2,970,000 | 2,970,000 | 140,000 | 4.9% |
## 2011 Budget for the Town of Farmington

### Cdga-Farm Water Fund

| Round # | 3 |

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<th>Preliminary</th>
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**Revenues**

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**Appropriation TOTALS:**

|         | 2,152,343 | 2,580,600 | 587,569 | 2,634,500 | 2,634,500 | 2,634,500 | 53,900 | 2.1% |

**Transfer to Capital Funds**

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<p>| Revenues | 2,152,343 | 2,580,600 | 587,569 | 2,634,500 | 2,634,500 | 2,634,500 | 53,900 | 2.1% |</p>
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# 2011 Budget for the Town of Farmington

## Calm Lake Lighting Fund

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**Appropriation TOTALS:**

- 4,168
- 4,500
- 2,123
- 4,600
- 4,600
- 4,600
- 100
- 2.2%

## Revenues

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**Revenue TOTALS:**

- 1,583
- 4,500
- 194
- 4,600
- 4,600
- 4,600
- 100
- 2.2%
# 2011 Budget for the Town of Farmington

## Fawn Estates Lighting Fund

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# 2011 Budget for the Town of Farmington

## Doe Haven Lighting Fund

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## 2011 Budget for the Town of Farmington

### Hook Road Lighting Fund

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<th>%Change from</th>
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### Revenues

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# 2011 Budget for the Town of Farmington
## Farmbrook Lighting Fund

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# 2011 Budget for the Town of Farmington

## Covington Common Lighting Fund

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**2011 BUDGET FOR THE TOWN OF FARMINGTON**

**Pheasant Crossing Lighting Fund**

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**Appropriation TOTALS:**

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**Revenues**

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**Revenue TOTALS:**

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Round #: 3
## 2011 Budget for the Town of Farmington

### Doe Haven III Lighting Fund

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<td>Street Lighting CE</td>
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<td>906</td>
<td>950</td>
<td>473</td>
<td>1,020</td>
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<td>70</td>
<td>7.4%</td>
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### Appropriation TOTALS:

| | | | | | | | | | |
| Appropriation TOTALS: | 906 | 950 | 473 | 1,020 | 1,020 | 1,020 | 70 | 7.4% |

### Revenues

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<th>Adopted Budget 2010</th>
<th>Actual June 30 2010</th>
<th>Tentative Budget 2011</th>
<th>Preliminary Budget 2011</th>
<th>Adopted Budget 2011</th>
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<th>%Change from 2010</th>
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<td>125</td>
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### Revenue TOTALS:

| | | | | | | | | | |
| Revenue TOTALS: | 70 | 950 | 423 | 1,020 | 1,020 | 1,020 | 70 | 7.4% |
### 2011 BUDGET FOR THE TOWN OF FARMINGTON

**Doe Haven II(NS) Fund**

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<td>0</td>
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## 2011 BUDGET FOR THE TOWN OF FARMINGTON

### Stonewood Lighting Fund

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<th>ACCOUNT CODE:</th>
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<th>Actual</th>
<th>Adopted</th>
<th>Actual Budget</th>
<th>June 30</th>
<th>Tentative Budget</th>
<th>Preliminary Budget</th>
<th>Adopted Budget</th>
<th>Change from 2010</th>
<th>%Change from 2010</th>
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<tr>
<td>Street Lighting CE</td>
<td>SL1 5182.51</td>
<td>0</td>
<td>1,200</td>
<td>0</td>
<td>300</td>
<td>300</td>
<td>300</td>
<td>-900</td>
<td>-75.0%</td>
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### Appropriation TOTALS:

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<tbody>
<tr>
<td></td>
<td>0</td>
<td>1,200</td>
<td>0</td>
<td>300</td>
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<td>300</td>
<td>0</td>
<td>0</td>
<td>0.00%</td>
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### Revenues

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<tr>
<th></th>
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<th>Actual</th>
<th>Adopted</th>
<th>Actual Budget</th>
<th>June 30</th>
<th>Tentative Budget</th>
<th>Preliminary Budget</th>
<th>Adopted Budget</th>
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<th>%Change from 2010</th>
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<td>1,200</td>
<td>1,200</td>
<td>0</td>
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<td>300</td>
<td>300</td>
<td>0</td>
<td>000</td>
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<td>Interest &amp; Earnings</td>
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<td>10</td>
<td>300</td>
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<td>0</td>
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</table>

### Revenue TOTALS:

|                       |                | 3,943      | 1,200  | 5,153   | 300           | 300     | 300              | -900              | -75.0%         |                  |                  |

---

**NOTE:** As of 9/1/10 awaiting RG&E to inform town of all charges dating back to hook up in February. They have been lumping this in with Townwide lighting, which was wrong.
## 2011 BUDGET FOR THE TOWN OF FARMINGTON
### Fairdale Glen Lighting Fund

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<tr>
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<td><strong>Appropriations</strong></td>
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<tr>
<td>Street Lighting CE</td>
<td>SL15182.50</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>4,000</td>
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<td>0</td>
<td>4,000</td>
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| | | | | | | | |
| **Revenues** | | | | | | | |
| Real Property Tax | SL11001K | 0 | 0 | 0 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 0.00% | |
| Interest & Earnings | SL12401 | 0 | 0 | 0 | 3,000 | 0 | 0 | 0 | 3,000 | 0.00% | |
| RGE REFUND | SL1 2401RF | 57 | 0 | 10 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.00% | |
| Fund Balance | SL1599 | 5,374 | 0 | 5,431 | 1,000 | 1,000 | 1,000 | 1,000 | 1,000 | 1,000 | 1,000 | 1,000 | 0.00% | |
| Revenue TOTALS: | | 5,431 | 0 | 5,441 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 0.00% | |

12 FIXTURES @ 155.93 = 1871.60
12 100 WATT HPS 23.78 = 285.36
1584 URD 138.76 = 1665.12
12 @ 6.00 ENERGY CHARGE 72.00
## 2011 Budget for the Town of Farmington

### Auburn Meadows Phase 1 Lighting Fund

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<td>Auburn-Point of Connection</td>
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<td>500</td>
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<td>Auburn-Pole Replacement</td>
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**NOTES:**
- Phase 1 - 3 lights
- Phase 2 - 3 lights
- Phase 3 - 4 lights

**Add'l:**
- 4 @ 200 = 800 one time fee
- URD 24.30 X 12 = $300
- 4C $5 X 12 = $240
## 2011 BUDGET FOR THE TOWN OF FARMINGTON

Auburn Meadows Sidewalk Fund

### Round # 3

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### Revenues

- **Real Property Taxes**
  - SM1001: 0 5,000 0 5,000 5,000 5,000 0 0.0%

- **Fund Balance**
  - SM599: 0 0 0 0 0 0 0 0

- **Interest & Earnings**
  - SM 2401: 0 0 0 0 0 0 0 0

### Revenue TOTALS:

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## 2011 BUDGET FOR THE TOWN OF FARMINGTON

### Fairdale Fund

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**Appropriation TOTALS:**

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**Revenues**

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**Revenue TOTALS:**

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**Round # 3**
## 2011 BUDGET FOR THE TOWN OF FARMINGTON

### Beaver Creek Fund

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**NOTES:**

1 @ $200 - one time
URD $13.29 per mo X 12 = $160
Energy charge $5 per mo. = $60

$420
### 2011 Budget for the Town of Farmington

**Phillips Landing Fund**

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**Appropriation TOTALS:**

- 0
- 0
- 3,000
- 3,000
- 3,000
- 0
- 0.00%

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<td>Real Property tax</td>
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**Revenue TOTALS:**

- 0
- 0
- 3,000
- 3,000
- 3,000
- 3,000

**NOTES:**

- 4 poles @ $200 (ontetime charge) = $800
- URD charge @ $4 per foot, 121.92=10.16 per month
- Overhead 13.44= 1.12 per month
- 1 pole replace - $1,800
- Cost of lights $5 per mo. X 4 poles x 12 = $240
## 2011 Budget for the Town of Farmington

### Mercier Lighting Fund

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### Revenues

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### 2011 BUDGET FOR THE TOWN OF FARMINGTON

**Beaver Creek Sidewalk Fund**

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<th>Actual</th>
<th>Tentative Budget</th>
<th>Preliminary Budget</th>
<th>Adopted Budget</th>
<th>Change 2010</th>
<th>%Change 2010</th>
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## Summary of All Funds

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<td>495,022</td>
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<td>Revenue TOTALS:</td>
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<td>6,035,639</td>
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<td>10,940,982</td>
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### CANANDAIGUA-FARMINGTON WATER DIST. BUDGET: 2011
#### % APPORTIONED COST

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<th>FARMINGTON</th>
<th>CANANDAIGUA</th>
<th>Risser Rd</th>
<th>North&amp;Andrews</th>
<th>Emerson-Allen</th>
<th>Hopewell T.L.</th>
<th>Maxwell</th>
<th>Fox Rd.</th>
<th>Ellsworth</th>
<th>Sheldon</th>
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<td><strong>Total Assessed Value</strong></td>
<td>629,242,916</td>
<td>199,368,761</td>
<td>$ 5,542,660</td>
<td>$ 6,708,702</td>
<td>$ 5,137,491</td>
<td>$ 1,449,986</td>
<td>$ 7,606,170</td>
<td>$ 7,923,688</td>
<td>$ 8,370,376</td>
<td>$ 4,272,186</td>
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<td><strong>Equalization Rate</strong></td>
<td>100%</td>
<td>100%</td>
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<td>100%</td>
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<td><strong>Full Value</strong></td>
<td>629,242,916</td>
<td>199,368,761</td>
<td>$ 5,542,660</td>
<td>$ 6,708,702</td>
<td>$ 5,137,491</td>
<td>$ 1,449,986</td>
<td>$ 7,606,170</td>
<td>$ 7,923,688</td>
<td>$ 8,370,376</td>
<td>$ 4,272,186</td>
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<tr>
<td><strong>PERCENT SHARE</strong></td>
<td>75.08%</td>
<td>24.92%</td>
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### TOTAL EXPENSES

**Operation & Maintenance**
- FARMINGTON: 1,912,281.00
- CANANDAIGUA: 634,719.00

#### DEBT SERVICE

- **Dist. & System Debt**
  - FARMINGTON: -
  - CANANDAIGUA: -

- **District Ext. Debt**
  - FARMINGTON: 51,518.00
  - CANANDAIGUA: 35,982.00

**TOTAL APPROP**
- FARMINGTON: 1,963,799.00
- CANANDAIGUA: 670,701.00

### REVENUE: Operation

- FARMINGTON: 1,508,622.00
- CANANDAIGUA: 500,738.00

- **DISTRICT DEBT**
  - FARMINGTON: (51,518.00)
  - CANANDAIGUA: (35,982.00)

- **APP. FUND BAL.**
  - FARMINGTON: 22,524.00
  - CANANDAIGUA: 7,476.00

- **Capital Reserve**
  - FARMINGTON: 93,850.00
  - CANANDAIGUA: 31,150.00

**APP. FUND BAL.**
- FARMINGTON: 287,285.00
- CANANDAIGUA: 95,355.00
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<th>SHARE O&amp;M + DEBT</th>
<th>71.86%</th>
<th>22.77%</th>
<th>0.63%</th>
<th>0.77%</th>
<th>0.59%</th>
<th>0.16%</th>
<th>0.87%</th>
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<td>$87,122.00</td>
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| AMOUNT TO RAISE | $274,974.00 | $87,122.00 | $8,675.00 | $13,831.00 | $14,591.00 | $4,118.00 | $12,230.00 | $21,099.00 | $17,184.00 | $12,316.00 |

| ESTIMATED 2011 TAX RATE | $0.43699 | $0.43699 | $1.56513 | $2.06165 | $2.84010 | $2.84003 | $1.60791 | $2.66278 | $2.05209 | $2.88283 |

| 2010 Tax Rate | $0.44901 | $0.44901 | $1.67278 | $2.09333 | $2.92014 | $2.91968 | $1.75875 | $2.82979 | $2.16353 | $2.94412 |

| 2009 TAX RATE | $0.50542 | $0.50542 | $1.78128 | $2.10851 | $3.94438 | $4.15198 | $1.90332 | $3.05060 | $2.29552 | $3.52385 |

-2.68%
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<td>25110</td>
<td>NONPROFIT CORP. - RELIGIOUS OR MINOR</td>
<td>RPTL 412-a</td>
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<td>NONPROFIT CORP.  - EDUCATIONAL OR MINOR</td>
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<td>25150</td>
<td>INH VOLUNTEER FIRE DISTRICT</td>
<td>RPTL 412-a</td>
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<td>RPTL 412-a</td>
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<td>41101</td>
<td>VETERANS EXEMPT ON ELIGIBLE FUND</td>
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<td>41111</td>
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<td>41121</td>
<td>ALT VETERANS EXEMPT PERIOD/DISABILITY</td>
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<tr>
<td>41131</td>
<td>COLD WAR VETERANS (10%)</td>
<td>RPTL 412-a</td>
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<td>COLD WAR VETERANS (DISABLED)</td>
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<td>PERSONS AGE 65 OR OVER</td>
<td>RPTL 412-a</td>
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TOTAL: $4,600.00

This dollar amount needs to match amount to be raised on the Calm Lake Lighting District worksheet.

10 parcels
### Exemption Details

<table>
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<tr>
<th>Exemption Code</th>
<th>Exemption Name</th>
<th>Statutory Authority</th>
<th>Number of Exemptions</th>
<th>Total Equalized Value of Exemptions</th>
<th>Percent of Value Exempted</th>
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<tr>
<td>42130</td>
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<td>1</td>
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<td>47910</td>
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<td>49900</td>
<td>HOUSING DEVELOPMENT FUND CO</td>
<td>P H F I L 777,954-a</td>
<td>1</td>
<td>1,470,703</td>
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**Total Exemptions**: 826

**Total Equalized Value**: $83,132,054

**Percent of Value Exempted**: 8.99

Values have been equalized using the Uniform Percentage of Value. The Exempt amounts do not take into consideration, payments in lieu of taxes or other payments for municipal services.

Amount, if any, attributable to payments in lieu of taxes: __________________________

Page 2 of 2
### Summary of Town Budget for 2011.00

<table>
<thead>
<tr>
<th>Fund</th>
<th>Adopted 2011.00</th>
<th>Revenues</th>
<th>Appr Reserv</th>
<th>Balance &amp;</th>
<th>Raised By Tax</th>
<th>Assessed</th>
<th>$ per Thousand</th>
<th>Tax Rate</th>
<th>$ per Thousand</th>
<th>Tax Rate</th>
<th>% change</th>
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<td>1,808,960</td>
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<td>190,225</td>
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<td>HIGHWAY FUND</td>
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<td>87,122</td>
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<td>0.449004</td>
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<tr>
<td>* COGA/FARM WATER - COGA</td>
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<td>36,626</td>
<td>87,122</td>
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<td>* COGA/FARM WATER - FARM</td>
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<td>* FOX ROAD WATER</td>
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<td>* SHELDON ROAD WATER</td>
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<td>* HOPESWELL TOWNLINE</td>
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<td>0.116308</td>
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<td>AUBURN MEADOWS SIDEWALK</td>
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</table>

**Totals:** 10,960,983 7,946,631 1,029,800 1,960,532
RESOLUTION #320-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING THE EXPENDITURE FROM A PARK LANDS/RECREATION RESERVE FUND

The Town Board of the Town of Farmington duly convened in regular sessions does hereby resolve pursuant to the provisions of Section 6-c of the General Municipal Law of the State of New York that the Town Supervisor of the Town of Farmington be and he hereby is authorized and directed to transfer from the Town of Farmington Parks Lands/Recreation Reserve Fund to the Town General Fund Eleven Thousand One Hundred and 00/100 Dollars ($11,100.00) of the principal and accumulated interest in said Reserve Fund to pay for the following items in the following amounts, with all such work to be done by the Town of Farmington equipment:

A. Mertensia Park:
   1. Pave top coat of parking lot & drive and installation of swing set: $11,100.00

TOTAL AMOUNT TO BE TRANSFERRED: $11,100.00

This resolution shall be subject to a permissive referendum, as permitted by law.

All voting “Aye”, the Resolution was CARRIED.

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

RESOLUTION #321-2010- TO PAY AUDITED BILLS

The bills were audited by the Town Board

<table>
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<th>Fund</th>
<th>Amount</th>
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<tbody>
<tr>
<td>General</td>
<td>$45,338.95</td>
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<tr>
<td>Highway Fund</td>
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<tr>
<td>Storm Drainage</td>
<td>$256.16</td>
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<tr>
<td>Payroll</td>
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<tr>
<td>Water District</td>
<td>$19,334.95</td>
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<tr>
<td>Sewer District</td>
<td>$25,720.96</td>
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<tr>
<td>Highway Campus</td>
<td>$56.73</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$127,408.49</strong></td>
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</tbody>
</table>

All voting “Aye”, the Resolution was CARRIED.

The Town Board took a break from 7:40 p.m. to 8:00 p.m. to wait for Special Counsel to arrive for Executive Session.

WAIVER OF THE RULE:

DISCUSSION:
1. Ontario County Board of Supervisors resolution increasing the formal sealed bid level for purchase contracts.
2. Responses received so far from audits.

EXECUTIVE SESSION:
A motion was made by Councilman Casale and seconded by Holtz to enter into executive session to discuss a matter of litigation at 8:04 p.m. Carried.
A motion was made by Councilman Mickelsen and seconded by Councilman Casale to close executive session at 8:27 p.m. Carried.

TRAINING UNDER $100: None.
A motion was made by Councilman Ingalsbe and seconded by Councilman Mickelsen to adjourn the meeting at 8:28 p.m. All voted “Aye” CARRIED.

TOWN BOARD MEETING

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 23rd 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: Edward McLaughlin - Highway/Parks Superintendent, Floyd Kofahl – Code Enforcement Officer, Mary Neale - Planning Board Member, James Crane - Water & Sewer Superintendent, Dave Degear - Planning Board Chairman, Paul Conrad – Farmington Fire Chief, Donna LaPlant - Assessor, Brandon LaPlant - student, Students.

PUBLIC HEARINGS: None

APPROVAL OF MINUTES:

A motion was made by Councilman Casale, seconded by Councilman Holtz, that the minutes of the October 12, 2010, workshop, October 12, 2010 and October 26, 2010, meeting, given members for review, be approved. Carried.

PRIVILEGE OF THE FLOOR:

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Ingalsbe reported:

Water & Sewer:
1. Discussed resolutions on agenda for tonight.
2. Purdy Road Water project update.
3. Discussed KOA easements.
4. Discussed Billing Software-turned over to town attorney.
5. Watermain break on Gannett Road.
7. Discussed town owned cellphone being stolen.

Highway & Parks:
1. Discussed resolutions on agenda for tonight.
2. Update on Farmbrook Park progress.
3. Discussed snow preparation on equipment.
5. Mertensia Lodge key policy.
6. Street Lighting request for Gateway Drive & Plastermill- Board agreed.
7. Discussed Induction Lighting.
8. Discussed Workers Compensation changes and future charges may increase.

Town Operations Committee: Councilman Casale reported:

1. Discussed patio homes in Auburn Meadows- special request for accessory structures. Asked Code Enforcement Officer and Director of Development and Planning to prepare response for the Boards review then to Town Attorney.
2. Discussed Senior Housing request of release of funds- not resolved as of yet.

Town Comprehensive Plan Committee: Councilman Holtz reported:

1. Held first meeting last Tuesday, met for an hour and a half, got a good overview of what lies ahead. There were 15-16 items identified to look at, next meeting Thursday at 6:30 p.m.

Town Finance Committee: None.

Town Public Safety Committee: None.
REPORTS OF TOWN OFFICIALS:

Supervisor Fafinski:
1. Attended Western NYS Association of Towns meeting. Asked Water & Sewer Superintendent to look into emission standards based on the Chesapeake Water Shed and how they would affect us.
2. Will be attending Emergency Training at the Office of Home Land Security in Rome next week.

Highway & Parks Superintendent Ed McLaughlin: None.

Town Clerk Michelle Finley:
1. Handed out proposed local law on Dog Licensing to Town Board Members-resolution on tonight for public hearing next meeting.
2. Attended Tax Collector meeting last week.
3. Mentioned Email sent out regarding November 9 meeting minutes.

Water & Sewer Superintendent Jim Crane: None.

Code Enforcement Officer Floyd Kofahl:
1. New Codes go in effect December 28, 2010-new certifications are complete.

Director of Planning and Development: None.

Assessor Donna LaPlant:
1. Continuing Reval.

Fire Chief Paul Conrad: None.

Planning Board Chairman Dave Degear: None.

COMMUNICATIONS:
1. Memo to Town Board Town Operations Committee. Re: Letter from town resident Coleen Austin, letter is attached.
2. Memo to Theodore Fafinski. Re: Planning Board Members Training Certification and One Zoning Board of Appeals Member Training certification.
5. Memo to Farmington Town Board. Re: Site visit to Auburn Meadows Subdivision, Section 3.
6. Email from Time Warner Cable. Re: official notices regarding changes in programming and services electronically via e-mail.
7. Email from Ted Fafinski. Re: preliminary budget has been filed with Town Clerk in preparation for public hearing.
8. New release. Re: Free movie day at Mertensia Road Lodge.
10. Letter from New York State Insurance Fund. Re: Cancellation of workers compensation for policy holder David Horn DBA.
11. Letter from Ted Fafinski to Ontario County Real Property Tax Office. Re: Town Board voted to forward documentation of contracted Pooler Enterprises to commence demolition of property on New Michigan Road.
15. State Aid Voucher for Victor Free Library.
21. Letter from Riley & Graff, LLP. Re: Recorded Easements.

TOWN BOARD MEETING
November 23, 2010

22. Email from Harold and Carolyn Herendeen. Re: property on corner of Collett Road and Hook Road.
24. Letter from Ted Fafinski. Re: letter concerning the need for a street light at the intersection of Plastermill Road and Gateway Drive from Michael Burdick.

REPORTS & MINUTES:


ORDER OF BUSINESS:

RESOLUTION #322-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING A BUDGET TRANSFER FROM THE UNRESERVED BALANCE FUND TO THE CONTINGENCY FUND FOR DEFICIENCIES DUE TO INCREASED EXPENDITURES

RESOLVED, that the Farmington Town Board authorizes the budget amendment from the Unreserved Balance Fund to the Contingency Fund to pay for deficiencies due to increased expenditures for demo of house on New Michigan Road and higher legal fees for Finger Lakes Race Track and Casino

FROM: A909 Fund Balance - Unreserved $18,000.00
TO: A1680.4 Contingency Account ($18,000.00)

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 #323-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING A BUDGET TRANSFER FROM THE GENERAL FUND CONTINGENCY TO CENTRAL COMMUNICATIONS FOR DEFICIENCIES DUE TO PHONE BILLS.

RESOLVED, that the Farmington Town Board authorizes the budget amendment from the General Contingency Fund to the Central Communications Fund to pay for deficiencies due to phone bills

FROM: A1990.4 Contingency $579.76
TO: A1650.41 Central Communications ($579.76)

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 #324-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING A BUDGET TRANSFER FROM THE GENERAL FUND CONTINGENCY TO CENTRAL STOREROOM FOR DEFICIENCIES DUE TO OFFICE SUPPLIES.

RESOLVED, that the Farmington Town Board authorizes the budget amendment from the General Contingency Fund to the Central Storeroom Fund to pay for deficiencies due to office supplies

FROM: A1990.4 Contingency $254.04
TO: A1660.4 Central Storeroom ($254.04)
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.

TOWN BOARD MEETING
NOVEMBER 23, 2010

ORDER OF BUSINESS: (Continued)

RESOLUTION #325-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING A BUDGET TRANSFER FROM THE GENERAL FUND CONTINGENCY TO CENTRAL DATA PROCESSING FOR DEFICIENCIES DUE TO INTERNET BILLS AND TOSHIBA PRINTER

RESOLVED, that the Farmington Town Board authorizes the budget amendment from the General Contingency Fund to the Central Data Processing Fund to pay for deficiencies due to Internet Bills and Toshiba Printer

FROM: A1990.4 Contingency $472.32
TO: A1680.4 Central Data Processing ($472.32)

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 #326-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING PARKS EMPLOYEE DAN RONK TO ATTEND TRAINING.

RESOLVED, that the Farmington Town Board authorizes Dan Ronk to attend to 2011 Empire State Green Industry Show To be held January 11-13, 2011 at the Rochester Riverside Convention Center at a cost not to exceed $185.00.

And, further be it, RESOLVED, that the Town Clerk provide a copy of this resolution to the Highway/Parks Superintendent.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #327-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

Councilman Ingalsbe noticed that the resolution included the installation and offered an amendment to delete the Sanitary Sewer Installation Councilman Casale seconded the motion. On amendment only, all voting “aye”.

WHEREAS, on October 26, 2010 the Town Board of Farmington authorized (Board Resolution Number 301-2010) the Water and Sewer Superintendent to seek Request for Proposals for (1) 10 inch Sanitary Sewer Pipe, (2) Manholes and necessary fittings and supplies, and

WHEREAS, the Request for Proposals were received and opened on November 16, 2010 (see attached results), and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Farmington acting on behalf of the Farmington Sanitary Sewer District hereby authorizes the Water and Sewer Superintendent to award the items from the November 16, 2010 Request for Proposals for the Hook Road Sanitary Sewer Project to the lowest vendors as follows (See attached tabulation sheet):

10 Inch Sanitary Sewer Pipe to Vellano Brothers for a total cost of $3,827.20
Manholes and Sewer Supplies to Kistner Concrete for a total cost of $4,238.26

BE IT FURTHER RESOLVED, that funding for these purchases is budgeted from the Highway Capital Project Fund which has been established for the Hook Road Sanitary Sewer Project.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #328-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING RELEASE #10 OF A LETTER OF CREDIT– AUBURN MEADOWS SUBDIVISION PHASE 3-IN THE AMOUNT OF $70,543.50
WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a request from David Degear, Town Planning Board Chairman, dated November 17, 2010, recommending that the above referenced Letter of Credit Release #10 be approved in the total amount of $70,543.50 for work completed in the Phase 3 portion of the Auburn Meadows Subdivision, and

TOWN BOARD MEETING
NOVEMBER 23, 2010
ORDNER OF BUSINESS: (Continued)

WHEREAS, the Planning Board has reviewed the documentation submitted for the release of the Letter of Credit, including the Town Letter of Credit Release Form No. 10 for the Auburn Meadows Project signed by all department heads; and

WHEREAS, there is currently a total of $126,723.29 remaining in the Letter of Credit; and

WHEREAS, there will be a total of $56,179.79 remaining in the Letter of Credit; and

WHEREAS, the Planning Board has, in a resolution adopted November 3, 2010, recommended the release of the requested amount, $70,543.50 after the Town Board has accepted the seconded Maintenance Bond, in the amount of $5,729.20, 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, in the amount specified above herein, and further 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 was CARRIED.

RESOLUTION #329-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING SCHEDULING OF PUBLIC HEARING FOR PROPOSED LOCAL LAW ENTITLED “A LOCAL LAW ADOPTING REGULATIONS REGARDING THE LICENSING OF DOGS”

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 entitled “A Local Law Adopting Regulations Regarding the Licensing of Dogs”; 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,

WHEREAS, this action by the Town Board is a “Type II” action under the regulations promulgated by authority contained in the State Environmental Quality Review Act (SEQRA), which appear in 6 NYCRR Part 617.5, thereby requiring no further action by the Town Board, in that Part 617.5 (c) states that actions that are not subject to review under SEQRA include, “(27) adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list” and subsection (20) on this list includes “routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”. This action involves continuing agency administration and management in that it pertains to the adoption of regulations regarding the licensing of dogs, an activity the Town of Farmington has conducted in the past and will continue to conduct.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be, and she hereby is, directed to schedule a public hearing to be held on December 14, 2010, 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 newspaper 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.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #330-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:
RESOLUTION SETTING A PUBLIC HEARING FOR THE 2011 FARMINGTON FIRE DEPARTMENT FIRE CONTRACT

WHEREAS, the Town Board has met with the Farmington Fire Department to discuss the 2011 budget, therefore be it,

TOWN BOARD MEETING NOVEMBER 23, 2010
ORDER OF BUSINESS: (Continued)

RESOLVED, the Farmington Town Board sets a Public Hearing for the 2011 Farmington Fire Department Fire Contract for December 14, 2010, at 7:01 p.m., at the Farmington Town Hall, and further be it

RESOLVED, that the Town Clerk post the Notice of Public Hearing in the Messenger Post and forward a copy to the Supervisor’s Office.

All voting “Aye”, the Resolution was CARRIED.

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

RESOLUTION # 331-2010- TO PAY AUDITED BILLS
The bills were audited by the Town Board

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<th>ABSTRACT #20-2010</th>
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<tr>
<td>General</td>
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<td>Highway Fund</td>
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<td>Storm Drainage</td>
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<td>Race Track Drainage Pond</td>
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<td>Lighting</td>
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<td>TOTAL</td>
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All voting “Aye”, the Resolution was CARRIED.

WAIVER OF THE RULE: No objections.

RESOLUTION #332-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION REQUEST FOR WAIVER OF FEE FOR FINGER LAKES THOROUGHBRED ADOPTION PROGRAM FOR USE OF MERTENSIA LODGE

WHEREAS, the Finger Lakes Thoroughbred Adoption Program, located in Farmington NY a not for profit corporation, is requesting the Town Board of the Town of Farmington to waive the rental fee from the use of Mertensia Lodge and

WHEREAS, the Finger Lakes Thoroughbred Adoption Program wishes to use the lodge to honor their volunteers for 2010 at an appropriate ceremony with food, and

WHEREAS, the Finger Lakes Thoroughbred Adoption Program understands that they would be required to place in deposit with the Town Clerk’s Office $100 as refundable clean up fee, therefore be it

RESOLVED, that the Town Board of the Town of Farmington hereby waives the rental fee only for Finger Lakes Thoroughbred Adoption Program in order for the organization to use the lodge on December 14, 2010 for the purpose of recognizing their volunteers (clean up refundable deposit of $100.00 is required) and directs a copy of this resolution be furnished to Ms. Wezo Pierson, representative of the Finger Lakes Thoroughbred Adoption Program.

All voting “Aye”, the Resolution was CARRIED.

DISCUSSION:

EXECUTIVE SESSION:

TRAINING UNDER $100:
A motion was made by Councilman Holtz and seconded by Councilman Casale to adjourn the meeting at 7:29 p.m. All voted “Aye” CARRIED.

**TOWN BOARD MEETING**

**December 14, 2010**

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 14th day of December, 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: Edward McLaughlin- Highway/Parks Superintendent, Jim Morse – Code Enforcement Officer, James Crane- Water & Sewer Superintendent, Dave Degear- Planning Board Chairman, Paul Conrad – Farmington Fire Chief, Dan Brent, Robert Kalbach, and VCS Students.

**PUBLIC HEARINGS:**

**Dog License Local Law:** The Town Clerk read the legal Notice.

At 7:00 p.m., on this date, a public hearing was called to order to hear all person/citizens, in interest, concerning the Dog License Local Law. Supervisor Fafinski opened the public hearing. Supervisor Fafinski gave a general overview of the changes in Dog Licensing. Supervisor Fafinski asked if anyone wanted to speak for or against said Local Law, hearing none the public hearing was closed at 7:01 p.m.

**Farmington Fire Contract:** The Town Clerk read the Legal Notice.

At 7:01 p.m., on this date, a public hearing was called to order to hear all person/citizens, in interest, concerning the Farmington Fire Contract. Supervisor Fafinski asked if anyone wanted to speak for or against said resolution, hearing none the public hearing was closed at 7:02 p.m.

**APPROVAL OF MINUTES:**

A motion was made by Councilman Holtz, seconded by Councilman Casale, that the minutes of the November 9, 2010, and November 23, 2010, 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. Discussed Hook Road Sewer-proposal on tonight’s meeting.
2. Discussed legal action for billing software issues.
3. Paying for new truck tonight.
4. Lost power at the Gypsum Mills Pumpstation on November 26 and at the East Victor Road Pumpstation on December 11.
5. Received request for proposals for the installation of 10” Sanitary Sewer Project.

**Highway & Parks:**
1. NYS DOT will not be lowering the speed limit on Hook Road but will be looking at Martz and Holtz Road.
2. Truck 7 was hit last week – will be out for two weeks for service.
3. Placed guardrail by pond near Stonehedge.
4. Plowing is in full swing.
5. Discussed drainage issue on Meadowbrook Lane.

**Town Operations Committee:** Councilman Casale reported:

1. No meeting but something came up w the trails grant – Director of Planning & Development is straightening out with City of Canandaigua.
2. Councilman Casale stated that he along with Councilman Ingalsbe wanted to suggest that upon hiring an employee that after 6 months they evaluate the individual to see if the job is what they expected. Supervisor Fafinski replied that that’s what the Probationary Period is for, it’s up to department Heads to do after completion of probationary period. Councilman Holtz suggested a memo to Department Heads reminding them of this procedure. Supervisor Fafinski stated that they can do it administratively. He added that probationary period can be extended if needed.

TOWN BOARD MEETING December 14, 2010

Town Comprehensive Plan Committee: Councilman Holtz reported:
1. Last meeting was December 2-looked at Chapter 2 (existing conditions) of plan.
2. Resolution on for tonight for Lu Engineers to create two new maps to show lighting districts and sidewalk districts.
3. Next meeting – December 16.

Town Finance Committee: None.

Town Public Safety Committee: None.

REPORTS OF TOWN OFFICIALS:

Supervisor Fafinski:
1. Received call from Ms. Rose Foley regarding speed limit on Ellsworth Road. Highway Superintendent stated he is looking into options.
2. Next Town Board meeting dates: Last Town Board meeting-December 28, Organizational Meeting-January 4 @ 4 p.m., First Town Board Meeting of 2011-January 11.
3. Discussed that the last two board meetings are mainly budget amendments and close out of year end stuff.

Highway & Parks Superintendent Ed McLaughlin:
1. Truck in shop.
2. Supply problem with salt.

Town Clerk Michelle Finley:
1. Dog tags have arrived.
2. Taxes.

Water & Sewer Superintendent Jim Crane:
1. Water bills are in the mail.

Code Enforcement Officer James Morse:
1. Working on expired permits.
2. Saratoga Townhomes received C of O.

Director of Planning and Development: None.

Assessor Donna LaPlant: None.

Fire Chief Paul Conrad:
1. Thanked Town for support.
2. Thanked Highway Superintendent, Water & Sewer Superintendent, and Code Enforcement Officer for assistance.
3. Look forward to working with staff in 2011.

Planning Board Chairman Dave Degear: None.

COMMUNICATIONS:
1. Letter from Ronald Henkel of R.H. Project Management Corp. copied to the Supervisor, Director of Development and Building Department head. Re: 40 undeveloped lots on Creek View Trail.
2. Letters from the Supervisor to all town committee members whose terms are due to expire December 31, 2010, Re: Organizational meeting.
4. Invoices from the Supervisor’s Office to various developers for legal and engineering charges.
5. Invitation to the Supervisor to attend the opening ceremony of the Geneva Public Library’s computer center.
7. Memo from Supervisor to Town Board members informing them of the scheduling of the Organizational Meeting for January 4, 2011.
8. Letter from Supervisor to Lillybrook Court resident Colleen Austin. Re: request for accessory to her patio lot for a special needs child.

TOWN BOARD MEETING December 14, 2010

10. Memo to department heads from Supervisor’s Secretary. Re: Ordering of 2011 calendars and inventory list.
11. Letter from Water and Sewer Superintendent to Cynthia Newcomb of the USDA. Re: Year-end report.
13. E-mail from Mark Cain to Town Board members. Re: Keys to the Lodge at Mertensia Park.
14. Memo from Highway Superintendent to Town Board members, Supervisor and Town Clerk. Re: Mertensia Lodge.
15. Letter to the Town Clerk from David C. Goehring of the state Department of Transportation. Re: Hook Road request for lower speed limit.
17. Letter to Joe Romanoski of Verizon from the Supervisor. Re: Payphone at the Town Hall.
22. Certificates of Workers Compensation Insurance for: TG Remodeling; Pro Construction; Victor Excavating; K &A Contracting.
25. Letter from Lance Brabant of the MRB Group to the Director of Development. Re: 5911 Loomis Road final site plan review.
27. Letter of credit for A&D Development.
29. Letter to Town Clerk Michelle Finley from David C. Goehring of the DOT. Re: Speed limit investigation of Holtz Road.
30. Letter to Town Clerk Michelle Finley from David C. Goehring of the DOT. Re: Speed limit investigation of Martz Road.
31. Letter to Town Clerk Michelle Finley from David C. Goehring of the DOT. Re: Investigation of conditions on Elizabeth Way.
32. Notice of claim from Selective Insurance.
33. List of parcels from the Ontario County Treasurer’s Office.
34. Memo from the Bookkeeper to department heads. Re: Vouchers.

REPORTS & MINUTES:

ORDER OF BUSINESS:

RESOLUTION #333-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

Resolution declaring fax machine from the Town Clerk’s Office obsolete and authorizing the Highway Department to dispose of it.

WHEREAS, the fax machine used for many years by Town Hall staffers, a Sharp UX-1100 located in the Town Clerk’s Office, stopped working properly and was not repairable, and, WHEREAS, a new fax machine was purchased to replace the damaged machine,
NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby declares the Sharp fax machine, Town Inventory No. 1217, obsolete and authorized the Town Highway/Parks Department to dispose of it, and further

BE IT RESOLVED that the Town Clerk give a copy of this resolution to the Highway Superintendent.

All Voting “Aye”, the Resolution was CARRIED.

TOWN BOARD MEETING DECEMBER 14, 2010

ORDER OF BUSINESS: (Continued)

RESOLUTION #334-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Mickelsen:

RESOLUTION AWARDING REQUEST FOR PROPOSALS – INSTALLATION FOR HOOK ROAD SANITARY SEWER

WHEREAS, on October 26, 2010, the Town Board of Farmington authorized (Board Resolution No. 301-2010) the Water & Sewer Superintendent to seek Request for Proposals for (1) 10 inch Sanitary Sewer Pipe, (2) Manholes and necessary fittings and supplies and (3) Sanitary Sewer Installation and Equipment cost for the Hook Road Sanitary Sewer Project, and

WHEREAS, the Request for Proposals were received and opened on November 16, 2010, (see attached results), and

NOW, THEREFORE BE IT, RESOLVED, that the Town Board of the Town of Farmington acting on behalf of the Farmington Sanitary Sewer District hereby authorizes the Water & Sewer Superintendent to award the last remaining item from the November 16, 2010, Request for Proposals for the Hook Road Sanitary Sewer Project to the lowest vendors as follows:

Sanitary Sewer Installation to Beardsley Management for a total cost of $47,800.00.

Be it further RESOLVED, that funding for these purchases is budgeted from the Highway Capital Project Fund which has been established for the Highway Facility & the Hook Road Sanitary Sewer Project.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #335-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN LIBRARY CONTRACTS FOR 2011

WHEREAS, the Farmington Town Board budgeted monies for library services in 2011, therefore be it

RESOLVED, the Farmington Town Board authorizes the Supervisor to sign library agreements for 2011, and further be it

RESOLVED, that the Town Clerk forward signed agreements to the libraries: Wood, Victor Free and Macedon Public, and copies to the Supervisor’s Office.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #336-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN THE 2011 FIRE CONTRACT WITH THE FARMINGTON FIRE DEPARTMENT

WHEREAS, the town contract for fire protection with the Farmington fire department will expire Dec. 31, 2010,

WHEREAS, a new contract has been written for fire protection,

WHEREAS, the contract with the Farmington Fire Department is for $495,022.00 in 2011,

RESOLVED, the Farmington Town Board authorizes the Supervisor to sign the contract and,

BE IT FURTHER RESOLVED, that the Town Clerk forward the signed contract to the Farmington Fire Department and provide copies to the Bookkeeper and Supervisor’s Secretary.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #337-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

**RESOLUTION AUTHORIZING THE RECLASSIFICATION OF A FULL TIME CODE ENFORCEMENT OFFICER POSITION**

WHEREAS, after much discussion it has been decided that the Town would benefit from changing a full-time Code Enforcement Officer position now held by Phillip Robinson to a part-time Fire Marshall, and

WHEREAS, Mr. Robinson is well-qualified for the position given his years with the Farmington Fire Department and experience in the Building Department, and

WHEREAS, the appropriate paperwork for reclassification of the position has been forwarded to the Ontario County Office of Human Resources and,

WHEREAS, the position will be non-competitive and report directly to Building Department head Floyd Kofahl, and

WHEREAS, the position will pay $14.15 per hour,

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes the reclassification of the position of full time Code Enforcement Officer to part time Fire Marshall, effective January 1, 2011, and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded by the Town Clerk to the Building Department, the Supervisor’s Secretary and the Bookkeeper.

**Discussion:** Councilman Mickelsen stated that this was discussed during the 2011 budget process.

All voting “Aye”, the Resolution was CARRIED.

**RESOLUTION #338-2010:**
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Mickelsen:

**RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN AN AGREEMENT WITH RG&E FOR OPTION 1 FOR A STREET LIGHT FOR PLASTERMILL ROAD AND GATEWAY DRIVE TO BE PART OF THE TOWNWIDE LIGHTING DISTRICT**

WHEREAS, the Town has requested from Rochester Gas and Electric that one street light be furnished at the corner of Plastermill Road and Gateway Drive, and

WHEREAS, RG&E has notified the town of two options to provide the service with varying costs for each, with charges based on current approved tariff rates,

WHEREAS, Option No. 1, which would have a pole and fixture installed at the northeast corner over Gateway Drive and cost about $12.48 per month is the preferred choice of the two,

NOW THEREFORE BE IT RESOLVED that the Supervisor is authorized to sign the agreement for Option No. 1 with RG&E, and

BE IT FURTHER RESOLVED that the Town Clerk forward the signed agreement to RG&E and provide copies to the Supervisor’s Secretary, the Bookkeeper and the Highway Superintendent.

**Discussion:** Supervisor Fafinski stated that they have gotten request due to increased traffic in that area. The Highway Superintendent and RG&E have looked at it and RG&E submitted two proposals and based off of the Highway Superintendents recommendation, Option #1 is the best suited.

All voting “Aye”, the Resolution was CARRIED.

**RESOLUTION #339-2010:**
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

**RESOLUTION APPOINTING TOWN RESIDENT ROBERT O. KALBACH TO THE HISTORIC PRESERVATION BOARD**

WHEREAS, the Robert O. Kalbach, Ph.D., of 5944 Allen Padgham Road, Farmington, in July 2010 sent the Supervisor a letter of interest to fill a vacancy on the Town’s Historic Preservation Board, and

WHEREAS, Dr. Kalbach is an assistant profession at Finger Lakes Community College and has a deep interest in history and becoming involved in community affairs,

NOW THEREFORE BE IT RESOLVED that the Town Board appoint Dr. Kalbach to the Historic Preservation Board for a three-year term, effective January 1, to expire December 31, 2013, and
BE IT FURTHER RESOLVED that the Town Clerk forward a copy of this resolution to Dr. Kalbach and ask that he report to her office to take an Oath of Office, and

BE IT FURTHER RESOLVED that the Town Clerk also provide a copy of this resolution to the Supervisor’s Secretary and Mary Neale, the Chairwoman of the Historic Preservation Board.

All voting “Aye”, the Resolution was CARRIED.

TOWN BOARD MEETING DECEMBER 14, 2010

ORDER OF BUSINESS: (Continued)

RESOLUTION #340-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING ADOPTION OF LOCAL LAW

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Farmington for a public hearing to be held by said Town Board on December 14, 2010, at 7:00 p.m. at Farmington Town Hall, 1000 County Road 8, Farmington, New York, to hear all interested parties on a proposed Local Law entitled, “A Local Law Adopting Regulations Regarding the Licensing of Dogs” and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Farmington, on November 30, 2010 and other notices required to be given by law were properly served, posted or given; and

WHEREAS, said public hearing was duly held on December 14, 2010, at 7:00 p.m. at the Farmington Town Hall, 1000 County Road 8, Farmington, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

WHEREAS, the Town Board of the Town of Farmington, after due deliberation, finds it in the best interest of the Town of Farmington to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Farmington hereby adopts said Local Law No. 6 of 2010, entitled “A Local Law Adopting Regulations Regarding the Licensing of Dogs”, a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Farmington, and to give due notice of the adoption of said local law to the Secretary of State of New York, and be it further

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 December 14, 2010, by the following vote:

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<tr>
<td><strong>Aye</strong></td>
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<tr>
<td>Theodore M. Fafinski</td>
<td>X</td>
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<tr>
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<td>Michael Casale</td>
<td>X</td>
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<td>Peter Ingalsbe</td>
<td>X</td>
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<tr>
<td>Steven Holtz</td>
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All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #341-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

RESOLUTION ADOPTING FEES PERTAINING TO THE LICENSING OF DOGS

WHEREAS, the Town Board of the Town of Farmington has adopted a Local Law Adopting Regulations Regarding the Licensing of Dogs; and

WHEREAS, this Local Law requires the Town Board to establish certain fees and surcharges pertaining to the licensing of dogs.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Farmington hereby establishes the following fees and surcharges:

1. The license fee for a non-purebred dog that is a spayed or neutered dog shall be $12.00.
2. The license fee for a non-purebred dog that is an unsprayed or an unneutered dog shall be $18.00.
3. Notwithstanding the license fee set forth above, the license fee for a non-purebred dog that is a spayed or neutered dog and that is owned by a senior citizen shall be $5.00.

4. Notwithstanding the license fee set forth above, the license fee for a non-purebred dog that is an unspayed or an unneutered dog and that is owned by a senior citizen shall be $12.50.

5. The purebred license fee shall be based on the number of purebred dogs to be covered under the license and shall be determined as follows:

<table>
<thead>
<tr>
<th>Number of Dogs</th>
<th>License Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-10 dogs</td>
<td>$25.00</td>
</tr>
<tr>
<td>11-25 dogs</td>
<td>$50.00</td>
</tr>
<tr>
<td>26+ dogs</td>
<td>$100.00</td>
</tr>
</tbody>
</table>

6. The surcharge if the dog to be licensed is altered shall be $1.00 per dog;

7. The surcharge if the dog to be licensed is not altered shall be $3.00 per dog;

8. The surcharge for the issuance of a purebred license shall be: $10.00;

   The surcharge for every dog counted in an enumeration but is found to be unlicensed shall be $5.00.

9. The surcharge for the provision and replacement of any identification tag shall be $3.00.

AND BE IT FURTHER RESOLVED, that these fees shall be effective as of January 1, 2011.

The following roll call vote was taken:

- Supervisor Fafinski: Aye
- Councilman Ingalsbe: Aye
- Councilman Mickelsen: Aye
- Councilman Casale: Aye
- Councilman Holtz: Aye

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #342-2010:

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

RESOLUTION AUTHORIZING LU ENGINEERS TO PROVIDE ADDITIONAL MAPS THAT WILL BE INCLUDED IN THE UPDATE TO THE TOWN OF FARMINGTON COMPREHENSIVE PLAN

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a proposal from Lu Engineers for providing two additional maps along with ten (10) 12 inch by 18 inch color copies of each map to be included in the adopted Comprehensive Plan (hereinafter referred to as Plan); and

WHEREAS, the two maps to be provided are the Lighting District Map and the Sidewalks & Trails Map; and

WHEREAS, the Director of Planning & Development has discussed the need for these two maps with the Plan Update Committee and has considered the need to have these two additional maps added to the list of maps already a part of the adopted Plan, and

WHEREAS, the cost for preparing these two additional will not exceed $2,500.00; and

WHEREAS, there are funds available in the 2010 Comprehensive Plan Budget Line A8020.42, therefore be it

RESOLVED, that the Town Board does hereby authorize the Town Supervisor to sign and execute the agreement with Lu Engineers, to perform said mapping for the total amount of $2,500.00 as specified in their proposal dated December 2, 2010, and further be it

RESOLVED, that the Town Finance and Accounting Specialist is to be provided a copy of this resolution and is hereby directed to encumber this amount to be charged against the 2010 budget line item, and further be it

RESOLVED, that this resolution shall be forwarded to Sure Hilton, P.E., at Lu Engineers along with a signed copy of the agreement within two business days.
RESOLUTION #343-2010:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

Authorize Special Counsel

WHEREAS, the Water and Sewer Superintendent has reported contract issues with the billing software installed by Harris Computer, and

WHEREAS, Harris Computer has failed to fulfill its contract obligations and has made no attempt to complete and address the issues regarding the Billing Software, outlined on numerous occasions by the Water and Sewer Department.

TOWN BOARD MEETING
DECEMBER 14, 2010
ORDER OF BUSINESS: (Continued)

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington acting on behalf of the Farmington Sanitary Sewer District and the Canandaigua/Farmington Water District hereby authorizes Special Counsel Brenna Brenna Boyce to commence an action for breach of contract, and all other applicable legal claims, against N. Harris Computer Corporation and any other legally responsible entity, for damages sustained by the Town as a result of its contract with Harris Computer to provide billing software to the Town.

BE IT FURTHER RESOLVED, This resolution shall take effect immediately. Funding shall be within the Water and Sewer Budgets.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #344-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION AUTHORIZING THE PURCHASE OF A NEW COMPUTER FOR THE BUILDING DEPARTMENT

WHEREAS, the Town is in the process of updating the Comprehensive Plan, and,

WHEREAS, the update requires the download and transfer of large quantities of data, including maps and other documents that will also be stored in their entirety electronically, and there is currently not a computer suitable for such tasks, and

WHEREAS, the town has received a quote from Keyser Computer for an appropriately sized desktop PC that will accommodate the Town’s needs, and

WHEREAS, funding is available within the Town’s 2010 budget,

NOW THEREFORE BE IT RESOLVED that the Supervisor is authorized to purchase a computer for this purpose in accordance with the attached specifications at a cost not to exceed $1,400, and

FURTHER BE IT RESOLVED that the Town Clerk provide copies of this resolution to the Director of Development, the Bookkeeper and the Supervisor’s Secretary.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #345-2010:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING JESSICA YOUNGMAN TO CARRY OVER VACATION TIME INTO THE NEW YEAR

WHEREAS, Supervisor’s Secretary Jessica Youngman has earned, per employee policy, five days vacation time on her one-year anniversary, December 7, 2010, and

WHEREAS, Youngman has asked to be allowed to carry over the five days of vacation to be used no later than March 31, 2011 because her anniversary allows but three weeks to use the time and it would prove a hardship to her office because of year-end duties,

NOW BE IT RESOLVED that the Town Board authorizes Youngman to carry over the requested vacation time until March 31, 2011, and be it

FURTHER RESOLVED that the Town Clerk provide copies of this resolution to the Bookkeeper and Supervisor’s Secretary.

Discussion: Supervisor Fafinski stated that he would be recuing himself as the employee works for him but wanted the board to know that she became eligible for vacation time in the beginning of the month.
and due to year end work she can’t take vacation time. Councilman Mickelsen read section out of Personnel Policy pertaining to carry over of vacation time. Councilman Mickelsen stated that this situation is different from the next two resolutions.

The following roll call vote was taken:

Supervisor Fafinski Abstained
Councilman Ingalsbe Aye
Councilman Mickelsen Aye
Councilman Casale Aye
Councilman Holtz Aye

Resolution Carried.

TOWN BOARD MEETING DECEMBER 14, 2010
ORDER OF BUSINESS: (Continued)

RESOLUTION #346-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING DON GIROUX TO CARRY OVER VACATION TIME INTO THE NEW YEAR

WHEREAS, Highway Department employee Don Giroux has asked that he be allowed to carry over three days of vacation time to be used for a trip planned in February, and

WHEREAS, Giroux understands that should he be allowed to carry over the vacation time it must be used no later than March 31, 2011,

NOW BE IT RESOLVED that the Town Board authorizes Giroux to carry over the requested vacation time until March 31, 2011, and be it

FURTHER RESOLVED that the Town Clerk provide copies of this resolution to the Bookkeeper, Supervisor’s Secretary, and Highway Department.

Discussion: Councilman Mickelsen stated that he would be voting Nay on this resolution. Councilman Casale asked Highway Superintendent if this employee was denied vacation time off and the Highway Superintendent replied not necessarily denied but with several employees on vacation and with the weather coming it just wasn’t a good time. The Highway Superintendent stated that it’s the employees choice when to take their vacation time. Councilman Ingalsbe asked him if Mr. Giroux had scheduled the three days for this year, Highway Superintendent replied no. Councilman Holtz asked if Mr. Giroux could still take the time off this year, Highway Superintendent replied yes.

The following roll call vote was taken:

Supervisor Fafinski Nay
Councilman Ingalsbe Nay
Councilman Mickelsen Nay
Councilman Casale Nay
Councilman Holtz Nay

Resolution Defeated.

RESOLUTION #347-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING STEVE STRAIGHT TO CARRY OVER VACATION TIME INTO THE NEW YEAR

WHEREAS, Highway Department employee Steve Straight has asked that he be allowed to carry over three days of vacation time to be used by March 31, 2011, and

WHEREAS, Straight has indicated that he would like to use the time planned for a trip after the first of the new year, and the Highway Superintendent has indicated that a shortage of manpower due to other scheduled vacations and the snow removal schedule has prevented Straight from taking the time off in December,

NOW BE IT RESOLVED that the Town Board authorizes Straight to carry over the requested vacation time until March 31, 2011, and be it

FURTHER RESOLVED that the Town Clerk provide copies of this resolution to the Bookkeeper, Highway Department and Supervisor’s Secretary.
Discussion: The Highway Superintendent stated it was a similar situation as Mr. Giroux. Councilman Mickelsen stated that it sounds more like a planning issue. The Highway Superintendent stated that Mr. Straight had not been denied but he choose not to schedule at this time due to other employees time off.

The following roll call vote was taken:

Supervisor Fafinski  Nay
Councilman Ingalsbe  Aye
Councilman Mickelsen  Nay
Councilman Casale  Nay
Councilman Holtz  Nay

Resolution Defeated.

TOWN BOARD MEETING  DECEMBER 14, 2010
ORDER OF BUSINESS:  (Continued)

RESOLUTION #348-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN ANNUAL CONTRACTS FOR DOG CONTROL SERVICES FOR 2011

WHEREAS, the Town of Farmington budgeted monies in the 2011 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 2011, and further be it
RESOLVED, that the Town Clerk forward 3 signed originals to Ontario County.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #349-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION CONFIRMING BUDGET AMENDMENTS FOR THE HIGHWAY/PARKS DEPARTMENT

WHEREAS, the Bookkeeper made the following budget transfers for equipment/contractual expenses and payroll in the Highway/Parks Department so that expenses would be covered,

FROM:  DA-5110.4  General Repairs – CE  $20,000.00
TO:  DA-5130.4  Machine Repair-CE  $20,000.00
FROM:  A-7110.11  Parks-PS (Seasonal)  $250.00
TO:  A-7110.12  Parks – OT  $250.00
FROM:  A-1620.12  Buildings – OT  $2,000.00
TO:  A-7110.1  Parks – PS  $2,000.00

BE IT RESOLVED, that the Town Board confirms the aforementioned budget transfers, and
BE IT FURTHER RESOLVED, the Town Clerk forward copies of this resolution to the Accounts and Finance Specialist and the Highway Superintendent.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #350-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR PURCHASES BY THE TOWN HISTORIAN
WHEREAS, the Town Historian purchased display case hardware from Gaylord Inc. but needed $51.43 to be transferred from her equipment line to her supply line,

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes the following budget transfer:

FROM: A7510.2 Historian-EQ $51.43
TO: A7510.4 Historian – Contractual $51.43

BE IT FURTHER RESOLVED, the Town Clerk forward copies of this resolution to the Historian and the Bookkeeper.

All voting “Aye”, the Resolution was CARRIED.

TOWN BOARD MEETING DECEMBER 14, 2010
ORDER OF BUSINESS: (Continued)

RESOLUTION #351-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR TELEPHONE BILLS AND A NEW FAX MACHINE

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes the following budget transfer to fund monthly telephone bills and a new fax machine in the Town Clerk’s Office:

FROM: A1990.4 Contingency $709.12
TO: A1650.41 Central Communications $709.12

BE IT FURTHER RESOLVED, the Town Clerk forward copies of this resolution to the Bookkeeper.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #352-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR ENGINEERING FEES

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes the following budget transfer so that a charge for work by the Development Director on the ongoing Highway Campus project is applied to the correct account:

FROM: HC 5132.21 Garage & Capital Outlay $95.28
TO: HC 1440.21 Engineering & SEQR $95.28

BE IT FURTHER RESOLVED, the Town Clerk forward a copy of this resolution to the Bookkeeper.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #353-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR SUPPLIES TO CREATE BUDGET WORKBOOKS

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes the following budget transfer to fund the purchase of supplies to create budget workbooks:

FROM: A1990.4 Contingency $264.19
TO: A1340.4 Budget-contractual $264.19

BE IT FURTHER RESOLVED, the Town Clerk forward a copy of this resolution to the Bookkeeper.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #354-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:
RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR LEGAL SERVICES

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes the following budget transfer to fund services provided by the legal firms Boylan Brown and Riley & Graff:

FROM: A599 Fund Balance $9,881.78
TO: A1420.4 Law-Contractual $9,881.78

BE IT FURTHER RESOLVED, the Town Clerk forward a copy of this resolution to the Bookkeeper.

All voting “Aye”, the Resolution was CARRIED.

TOWN BOARD MEETING DECEMBER 14, 2010
ORDER OF BUSINESS: (Continued)

RESOLUTION #355-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE PURCHASE OF DOG TAGS

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes the following budget transfer for the purchase of dog licensing tags by the Town Clerk’s Office:

FROM: A1990.4 Contingency $373.32
TO: A1410.4 Town Clerk – Contractual $373.32

BE IT FURTHER RESOLVED, the Town Clerk forward a copy of this resolution to the Bookkeeper and keep a copy.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #356-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR TOWN HALL OFFICE SUPPLIES

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes the following budget transfer for the purchase of supplies like printer ink and desktop calendars:

FROM: A1990.4 Contingency $394.22
TO: A1660.4 Central Storeroom $394.22

BE IT FURTHER RESOLVED, the Town Clerk forward a copy of this resolution to the Bookkeeper.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #357-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE CANANDAIGUA-FARMINGTON WATER DISTRICT

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes the following budget transfer for the Canandaigua-Farmington Water District:

FROM: SW18340.4 Transmission & Distr. – Contractual $4,500.00
TO: SW18310.4 Water Administration – Contractual $4,500.00

BE IT FURTHER RESOLVED, the Town Clerk forward a copy of this resolution to the Bookkeeper and the Water and Sewer Department.

All voting “Aye”, the Resolution was CARRIED.

Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:
RESOLUTION # 358-2010- TO PAY AUDITED BILLS
The bills were audited by the Town Board

ABSTRACT #23-2010

General $ 70,464.84
Highway Fund $ 18,231.10
Storm Drainage $ 738.91
Payroll $ 1,763.90
Water District $ 35,210.81
Sewer District $ 30,780.46
Highway Campus $ 4,746.46
TOTAL $161,936.48

TOWN BOARD MEETING                                                        DECEMBER 14, 2010

Discussion: Councilman Ingalsbe stated that he would like to see dollar amounts listed after resolutions on budget amendments. Councilman Mickelsen stated that a purchase was made at the Homt Depot but the signature on the receipt was torn off, and reminded department heads present that the board needs to see the whole receipt.

All voting “Aye”, the Resolution was CARRIED.

WAIVER OF THE RULE:

DISCUSSION:

EXECUTIVE SESSION:

A motion was made by Councilman Mickelsen and seconded by Casale to enter into two (2) executive sessions to discuss a matter pertaining to the “medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation at 7:41 p.m. Carried.

A motion was made by Councilman Mickelsen and seconded by Councilman Casale to close executive session at 9:19 p.m. Carried.

TRAINING UNDER $100:

A motion was made by Councilman Mickelsen and seconded by Councilman Casale to adjourn the meeting at 9:20 p.m. All voted “Aye” CARRIED.

TOWN BOARD MEETING                                                               December 28, 2010

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 December, 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: Edward McLaughlin- Highway/Parks Superintendent, Floyd Kofahl – Code Enforcement Officer, James Crane- Water & Sewer Superintendent, Dave Degear- Planning Board Chairman, Donna LaPlant – Assessor, and VCS Students.

PUBLIC HEARINGS:

APPROVAL OF MINUTES:

A motion was made by Councilman Ingalsbe, seconded by Councilman Casale, that the minutes of the December 14, 2010, meeting, given members for review, be approved. Carried.

PRIVILEGE OF THE FLOOR:

REPORTS OF STANDING COMMITTEES:
Public Works Committee: Councilman Ingalsbe reported:

Water & Sewer:

1. Discussed resolutions on agenda for tonight.
2. Update on I & I Report.
3. Two watermain breaks – County Road 28 and Pine Hill/Glen Carlyn area.
4. Contacted Brownsville Road homeowner regarding manhole- no problems.
5. Discussed Highway Complex- contractor is ready to go, waiting for supplies.
6. Discussed the cul-de-sac located on Mercier Drive- suggested that Town Operations might want to look into whether or not they want to do a road dedication. (senior housing on Mercier Drive)
7. Reminded Board that at the January 4th Organizational Meeting the water rate increased due to the City of Canandaigua raising their rates.
8. Reminded Board that Jim Crane will be on vacation January 5, 6, & 7.

TOWN BOARD MEETING                                                               December 28, 2010

Highway & Parks:

1. Discussed resolutions on agenda for tonight.
2. Discussed speed survey request for Ellsworth Road.
3. Discussed truck accident and repairs.
4. Discussed Mertensia Lodge key issue.

Town Operations Committee: Councilman Holtz reported:

1. Discussed moving filing cabinets into storage room and adding shelving.
2. Discussed receiving annual report from Code Enforcement Officer at January 11, 2011, meeting.
3. Record year for permits.
4. Discussed Saratoga Crossings.
5. Discussed Soper building – has been sold.
6. Discussed RFP for Alburn Trails Feasibility Study.
7. Discussed and handed out NYS DEC regulations on outdoor wood broilers.

Town Comprehensive Plan Committee: Councilman Holtz reported:

1. Last meeting was December 16-looked at Chapter 3- talked about revisions on in law apartments, also talked about adding some conservation density zoning and looked at current land use map.

Town Finance Committee: None.

Town Public Safety Committee: None.

REPORTS OF TOWN OFFICIALS:

Supervisor Fafinski :

1. Discussed winding up year end stuff. There are a number of budget amendments to balance books.
2. Discussed 2011 projects.

Highway& Parks Superintendent Ed McLaughlin: None.

Town Clerk Michelle Finley:

1. January dog renewals are set to go out.
2. Taxes are going out Thursday.

Water & Sewer Superintendent Jim Crane: None.

Code Enforcement Officer Floyd Kofahl:

1. Discussed DEC report.
2. Discussed new codes taking effect today.

Director of Planning and Development: None.

Assessor Donna LaPlant:

1. Update on Re-evaluation.
COMMUNICATIONS:

3. Memo from the Bookkeeper to the Supervisor and Town Board. Re: Vacation accruals.
4. Memo from the Bookkeeper to Department Heads. Re: Vouchers.
5. Letter to the Town Clerk from Beth Salansky of the Finger Lakes Gaming and Race Track. Re: Renewal of liquor licenses.
7. Memo from the Bookkeeper to the Supervisor and Department Heads. Re: Inventory, fixed assets, infrastructure, land and improvements.

TOWN BOARD MEETING December 28, 2010

8. Memo from the Supervisor to the Town Board. Re: MRB projects update.
10. Letter to Town Tax Collectors from Shelley Reddout, Assessment Control Clerk for Ontario County. Re: Tax Roll and Warrant.
11. Letter to Michael Burdick of Dale Drive from the Supervisor. Re: Lighting of the intersection of Plastermill and Gateway Drive.
12. Copy of accident report for crash involving a Town Highway Department truck and private vehicle on December 8, 2010.
14. Engineering and legal fees charges mailed from the Supervisor’s Office to various developers.
15. Letter to Craig Jackson of the state Department of Environmental Conservation from the Water and Sewer Superintendent. Re: DEC Consent Order.
17. Certificates of Workers Compensation Insurance for: Chrisanntha Construction; Iversen Construction.
18. Claim from Selective Insurance related to accident involving town Highway Department truck.
19. Letter to the Supervisor from Karen DeMay, clerk of the Ontario County Board of Supervisors. Re: Environmental review of capital project.
22. Notice of tax rates for municipality from Shelley Reddout of the Ontario County Real Property Tax Services office.
23. Notice of No Access to the Water and Sewer Department from Hartford Steam Boiler Inspection and Insurance Co.

REPORTS & MINUTES:


ORDER OF BUSINESS:

RESOLUTION #359-2010: Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING THE USE OF THE TOWN HALL PARK FOR THE ANNUAL SPORTS CAR AND VINTAGE AUTO FESTIVAL ON JUNE 4 AND 5, 2011

WHEREAS, the Victor Lions Club has asked to use the Farmington Town Hall Park on Saturday, June 4 and Sunday, June 5, 2011 for the 40th annual Sports Car and Vintage Auto Festival,

WHEREAS, the about 700 show cars and up to 5,000 spectators are expected to attend and,

WHEREAS, organizers are seeking out additional areas for spectator parking between Collett Road and Route 332 as they did in recent years and plan to run a food tent as they did in 2010,

RESOLVED, the Farmington Town Board authorizes the Victor Lions Club to once again use the Town Hall Park for the annual Sports Car and Vintage Auto Festival on June 4 and 5, 2011 and be it further
RESOLVED, that the Town Clerk forward a copy of this resolution to the Code Enforcement Office and Highway Superintendent and mail a copy to James Swan of the Victor Lions Club at PO Box 86, Victor, NY 14564.

All Voting “Aye”, the Resolution was CARRIED.

RESOLUTION #360-2010: Councilman Holtz offered the following Resolution, seconded by Councilman Mickelsen:

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN CONTRACT WITH WILLIAMSON LAW BOOK CO. FOR 2011

WHEREAS, the Williamson Law Book Co. of Victor has forwarded the Town a contract for 2011 for software support for the Municipal Accounting program used by the Bookkeeper, and

WHEREAS, the contract costs $825 for the year and includes support as well as notice of all program enhancements and state mandated changes,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to sign the contract, and be it further

RESOLVED that the Town Clerk give a copy of this resolution to the Bookkeeper and mail the signed copy to Williamson Law Book Co.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #361-2010: Councilman Casale offered the following Resolution, seconded by Councilman Mickelsen:

RESOLUTION DIRECTING THE TOWN CLERK TO PETITION THE NYS DEPARTMENT OF TRANSPORTATION TO CONDUCT A LINEAR SPEED LIMIT STUDY

WHEREAS, the Highway Superintendent has requested that a Linear Speed Limit Study be completed on Ellsworth Road between Fox and Turner roads to establish a lower maximum speed limit,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Town Clerk to petition the New York State Department of Transportation to conduct the Linear Speed Limit Study on the aforementioned stretch of Ellsworth Road, and be it further

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

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #362-2010: Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION APPROVING THE 2011 WAGE LIST

WHEREAS, the attached 2011 Farmington town employee salary list reflects wages of all employees and has been reviewed, now be it

RESOLVED, the Town Board approves the 2011 salary list attached, and be it further

RESOLVED, that the Town Clerk forward a copy of this resolution and the salary list to the Bookkeeper.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #363-2010: Councilman Casale offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION APPROVING THE AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONIES IN 2011

WHEREAS, the attached 2011 agreement for the expenditure of Highway monies (Section 284 of the Highway Law) was submitted by the Highway Superintendent and reviewed by the Supervisor’s Office,

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby approves the agreement for the expenditure of highway monies in 2011 as it adheres to the previously adopted 2011 Town Budget, and be it further
RESOLVED, that the Town Clerk forward a copy of this signed resolution to the Highway Department, Bookkeeper and the Supervisor’s Secretary.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #364-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING JIM MORSE, PHIL ROBINSON AND FLOYD KOFAHLL TO ATTEND ANNUAL FINGER LAKES BUILDING OFFICIALS CONFERENCE

WHEREAS, Code Enforcement Officer Floyd Kofahl has requested that he and two employees, Jim Morse and Phil Robinson, be allowed to attend the annual Finger Lakes Building Officials Association conference March 14 to 17 at the RIT Inn and Conference Center in Rochester, and

WHEREAS, the cost of attendance is $390 per person,

TOWN BOARD MEETING DECEMBER 28, 2010
ORDER OF BUSINESS: (Continued)

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes Kofahl, Morse and Robinson to attend the conference at a cost not to exceed $1,170.00 to be deducted from the 2011 Town Budget, and be it further

RESOLVED, that the Town Clerk forward a copy of this resolution to the Building Department, Bookkeeper and Supervisor’s Secretary.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #365-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Mickelsen:

RESOLUTION APPROVING A BUDGET AMENDMENT FOR LIGHTING DISTRICTS

Whereas, the Town Bookkeeper has asked for a budget amendment to correct deficits in street lighting,

Now be it Resolved: That the Town Board authorizes the followed budget transfers:

<table>
<thead>
<tr>
<th>FROM:</th>
<th>TO:</th>
</tr>
</thead>
<tbody>
<tr>
<td>A599 Appropriated Fund Balance</td>
<td>A5182.4 Street Lighting Contractual</td>
</tr>
<tr>
<td>A9901.9 Transfers to Other Funds</td>
<td>SL1-5031 Interfund Transfer</td>
</tr>
<tr>
<td>SL1-5031 Interfund Transfer</td>
<td>SL1-5182.49 Fawn Estates</td>
</tr>
<tr>
<td>SL1-5182.50 Fairdale Glen</td>
<td>SL1-5182.4 Street Lighting Contractual</td>
</tr>
</tbody>
</table>

Be it Further Resolved that the Town Clerk provide copies of this resolution to the Bookkeeper and Supervisor’s Secretary.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #366-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Mickelsen:

RESOLUTION APPROVING A BUDGET AMENDMENT FOR HIGHWAY CAMPUS ENGINEERING FEES

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the bookkeeper to make the following budget amendment to cover deficiencies in engineering fees for the Highway Campus:

<table>
<thead>
<tr>
<th>FROM:</th>
<th>TO:</th>
</tr>
</thead>
<tbody>
<tr>
<td>HC5132.21 Garage &amp; Capital Outlay</td>
<td>HC1440.21 Engineering Fees</td>
</tr>
</tbody>
</table>

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

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #367-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Mickelsen:
RESOLUTION APPROVING A BUDGET AMENDMENT FOR PAYROLL FOR THE RECREATION DIRECTOR

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the bookkeeper to make the following budget amendment to fund payment to Recreation Director Mark Cain for the remainder of 2010:

FROM: A7310.13 Youth Programs – PS Rec Director $720.00
TO: A7310.1 Youth Programs – PS $720.00

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

All voting “Aye”, the Resolution was CARRIED.

TOWN BOARD MEETING DECEMBER 28, 2010
ORDER OF BUSINESS: (Continued)

RESOLUTION #368-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Mickelsen:

RESOLUTION APPROVING A BUDGET AMENDMENT FOR CENTRAL DATA PROCESSING

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the bookkeeper to make the following budget amendment to cover deficiencies in the Central Data Processing line for postage machine fees, the copier lease and current monthly Road Runner charges:

FROM: A1990.4 Contingency $756.83
TO: A1680.4 Central Data Processing $756.83

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

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #369-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Mickelsen:

RESOLUTION APPROVING A BUDGET AMENDMENT FOR THE PURCHASE OF A COMPUTER FOR THE BUILDING DEPARTMENT

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the bookkeeper to make the following budget amendment for the purchase of a computer for the Building Department to be used in the updating of the Comprehensive Plan:

FROM: A8020.41 Planning and Development $1,397.41
TO: A1680.2 Central Data Processing $1,397.41

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

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #370-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Mickelsen:

RESOLUTION APPROVING A BUDGET AMENDMENT FOR THE PURCHASE OF EQUIPMENT BY THE TOWN HISTORIAN

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the bookkeeper to make the following budget amendment to pay for miscellaneous archiving and display materials purchased by the Town Historian:

FROM: A7510.2 Historian – EQ $38.50
TO: A7510.4 Historian – CE $38.50

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

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #371-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Mickelsen:
RESOLUTION APPROVING A BUDGET AMENDMENT FOR THE PURCHASE OF OFFICE SUPPLIES FOR THE TOWN HALL

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the bookkeeper to make the following budget amendment to cover the purchase of misc. office supplies for the Town Hall:

FROM: A1990.4 Contingency $102.75
TO: A1660.4 Central Communications $102.75

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

All voting “Aye”, the Resolution was CARRIED.

TOWN BOARD MEETING DECEMBER 28, 2010
ORDER OF BUSINESS: (Continued)

RESOLUTION #372-2010: Councilman Casale offered the following Resolution, seconded by Councilman Mickelsen:

RESOLUTION APPROVING A BUDGET AMENDMENT FOR PHONE CHARGES

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the bookkeeper to make the following budget amendment to cover deficiencies in the Central Communications line for current phone charges:

FROM: A1990.4 Contingency $687.60
TO: A1650.41 Central Communications $687.60

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

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #373-2010: Councilman Casale offered the following Resolution, seconded by Councilman Mickelsen:

RESOLUTION APPROVING A BUDGET AMENDMENT FOR VOTING DISTRICT BILLING

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the bookkeeper to make the following budget amendment to cover payment to Ontario County for the town’s 11 voting districts:

FROM: A1990.4 Contingency $139.12
TO: A1450.4 Elections CE $139.12

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

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #374-2010: Councilman Casale offered the following Resolution, seconded by Councilman Mickelsen:

RESOLUTION APPROVING A BUDGET AMENDMENT TO ENCUMBER INVOICE FOR LEDGER BOOKS

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the bookkeeper to make the following budget amendment to encumber an invoice for ledger books:

FROM: A1330.4 Tax Collection CE $153.00
TO: A4020.4 Vital Stats $153.00

BE IT FURTHER RESOLVED that the Town Clerk provide a copy of this resolution to the Bookkeeper and keep a copy for herself.

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #375-2010: Councilman Casale offered the following Resolution, seconded by Councilman Mickelsen:

RESOLUTION APPROVING A BUDGET AMENDMENT TO ENCUMBER AN INVOICE APPROVED BY PRIOR RESOLUTION
NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the bookkeeper to make the following budget amendment to encumber the full amount of an invoice previously approved by the Town Board (Reso. 342, vouchers 2786, 2787, 2870):

FROM: A8020.41 Planning & Development $815.57
TO: A8020.42 Planning & Devel. Comp $815.57

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

All voting “Aye”, the Resolution was CARRIED.

TOWN BOARD MEETING DECEMBER 28, 2010
ORDER OF BUSINESS: (Continued)

RESOLUTION #376-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Mickelsen:

RESOLUTION APPROVING BUDGET AMENDMENTS FOR THE FARMINGTON SANITARY SEWER DISTRICT

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the bookkeeper to make the following budget amendments for the Farmington Sanitary Sewer District as requested by the Water and Sewer Superintendent:

FROM: SS8120.1 Sanitary Sewers – PS $300.00
TO: SS8120.12 Sanitary Sewers – PS OT $300.00
FROM: SS8130.1 Sewage Treatment – PS $300.00
TO: SS8130.12 Sewage Treatment – PS OT $300.00

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

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #377-2010:
Councilman Casale offered the following Resolution, seconded by Councilman Mickelsen:

RESOLUTION APPROVING A BUDGET AMENDMENT FOR BUDGET OFFICER PERSONNEL SERVICES

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the bookkeeper to make the following budget amendment to cover deficiencies in the Budget Officer line for payment to the Supervisor for his role as Budget Officer:

FROM: A1990.4 Contingency $0.12
TO: A1340.1 Budget Officer PS $0.12

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

All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #378-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION APPROVING A BUDGET AMENDMENT FOR PARKS PERSONNEL SERVICES - OVERTIME

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the bookkeeper to make the following budget amendment to cover deficiencies in the Parks PS OT line:

FROM: A7110.11 Parks PS Seasonal $100.00
TO: A7110.12 Parks PS OT $100.00

BE IT FURTHER RESOLVED that the Town Clerk provide a copy of this resolution to the Bookkeeper and the Highway Department.
All voting “Aye”, the Resolution was CARRIED.

RESOLUTION #379-2010:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION APPROVING A BUDGET AMENDMENT FOR WORK ON A SAFE IN THE TOWN CLERK’S OFFICE

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the bookkeeper to make the following budget amendment to pay for a contractor to open a locked safe in the Town Clerk’s Office:

FROM: A1990.4 Contingency $435.00
TO: A1410.4 Town Clerk – Contractual $435.00

TOWN BOARD MEETING DECEMBER 28, 2010
ORDER OF BUSINESS: (Continued)

BE IT FURTHER RESOLVED that the Town Clerk provide a copy of this resolution to the Bookkeeper and keep a copy for her office.

All voting “Aye”, the Resolution was CARRIED.

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

RESOLUTION # 380-2010- TO PAY AUDITED BILLS
The bills were audited by the Town Board

ABSTRACT #24-2010

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>$135,685.52</td>
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<tr>
<td>Highway Fund</td>
<td>$104,700.66</td>
</tr>
<tr>
<td>Storm Drainage</td>
<td>$7,525.88</td>
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<tr>
<td>Payroll</td>
<td>$181.45</td>
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<tr>
<td>Water District</td>
<td>$26,601.02</td>
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<tr>
<td>Sewer District</td>
<td>$83,282.54</td>
</tr>
<tr>
<td>Highway Campus</td>
<td>$4,962.99</td>
</tr>
<tr>
<td>Lighting</td>
<td>$6,686.55</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$369,626.61</strong></td>
</tr>
</tbody>
</table>

All voting “Aye”, the Resolution was CARRIED.

Supervisor Fafinski wished everyone a Happy New Year and thanked Board and Staff for their hard work.

A motion was made by Councilman Mickelsen and seconded by Councilman Ingalsbe to adjourn the meeting at 7:30 p.m. All voted “Aye” CARRIED.