

At a regular meeting of the Town Board of the Town of Farmington held in the Town Hall of said Town on the 27<sup>th</sup> day of 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**- Farmington Fire Chief, **Mrs. Austin**- Resident, **Wesley Pettée**-Resident, **Donna LaPlant**-Assessor, **Brandon LaPlant**-Resident, and **Mary Neale**-Planning Board Member.

**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 Officer 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 it 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.
4. Letter to the Director of Development from the MRB Group. Re: Saratoga Crossing Lot 2.
5. Letter to the Director of Development from the MRB Group. Re: Quaker Meetinghouse Museum.
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.
9. Notices of petition in tax assessment matters involving Rerob LLC; Terrace Apartments III LLC; Terrace Apartments II LLC; Iron Mountain Properties; I. Gordon Corp.; Greg Schwartz, Reno Associates, Inc. Blackwood Associates and Padelford Properties; Hunt Properties and Natapow Realty Corp.
10. Letter to the Town Clerk from Winged Pheasant Golf Links. Re: Liquor License renewal.
11. Cancellation of certificate of Workers Compensation Insurance for Pro Construction Inc.;

12. Certificate of Workers Compensation Insurance for Irondequoit Garden Center Inc., Hibbs Enterprises, Meyers Co. Inc., Pro Construction, and James Jackson/DBA Jake Construction.
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.
15. Notice from the state Public Service Commission. Re: Program for transmitting documents electronically.

**REPORTS & MINUTES: None.**

**ORDER OF BUSINESS:**

**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 ):

- (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;
- (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

**ORDER OF BUSINESS: (Continued)**

- 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;
- (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;
  - (iv) the overall density of the PD zoned site will be consistent with the adopted Town Comprehensive Plan land use recommendations;
  - (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;
  - (v) there will not be a major change in the use of either the quantity or type of energy resulting from the proposed action;
  - (vi) there will not be any hazard created to human health;
  - (vii) 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;
  - (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 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.

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**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 #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**.

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**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.

**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:

	<u>Aye</u>	<u>Nay</u>
Theodore M. Fafinski	X	
Timothy Mickelsen	X	
Michael Casale	X	
Peter Ingalsbe	X	
Steven Holtz	X	

All voting "Aye", the Resolution 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

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**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;
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:

	<u>Aye</u>	<u>Nay</u>
Theodore M. Fafinski	X	
Timothy Mickelsen	X	
Michael Casale	X	
Peter Ingalsbe	X	
Steven Holtz	X	

All voting "Aye", the Resolution 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 14<sup>th</sup> and 28<sup>th</sup>, and

**WHEREAS**, September 14<sup>th</sup>, 2010 is Primary Election day,

**NOW THEREFORE BE IT RESOLVED** that the Town Board hereby reschedules the September 14<sup>th</sup>, 2010 Town Board meeting to Wednesday, September 15<sup>th</sup>, 2010 to avoid the scheduling conflict, and

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**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,

**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

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**WHEREAS**, W & S Dept opened bids on July 22<sup>nd</sup> 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 81<sup>st</sup> TOWN HIGHWAY CONFERENCE AND EXPO IN SARATOGA SPRINGS, N.Y.**

**WHEREAS**, the Highway/Parks Superintendent wishes to attend the 81<sup>st</sup> 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 APPRAISAL 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 Holtz** 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

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**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 MERTENSIA 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
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**TOWN BOARD MEETING**  
**ORDER OF BUSINESS: (Continued)**

**JULY 27, 2010**

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**

<b>General</b>	<b>\$148,182.12</b>
<b>Highway Fund</b>	<b>\$ 23,480.30</b>
<b>Storm Drainage</b>	<b>\$ 4,912.08</b>
<b>Payroll</b>	<b>\$ 2,435.50</b>
<b>Lighting</b>	<b>\$ 8,881.21</b>
<b>Sewer District</b>	<b>\$ 70,266.98</b>
<b>Water District</b>	<b>\$ 17,246.02</b>
<b>TOTAL</b>	<b>\$272,404.21</b>

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

**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: \_\_\_\_\_