

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

Also present were: **Ron Brand** – Director of Planning & Development, **Ed McLaughlin**-Highway and Parks Superintendent, **Floyd Kofahl**-Code Enforcement Officer, **Jeff Graff**- Town Attorney, **Dean Lichterman**-Victor Herald, **Phil Robinson**-Farmington Fire Department, **Walter Baker**-D.S.B. Engineers, **Ernie Ackerman**-A&D Development and **High School Students**.

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 then asked what is the rush with Beaver Creek if Auburn Meadows is not completed with the number of houses, Mr. Baker replied that it would take about a year to get approvals for this project and that the housing market is moving along. Councilman Mickelsen stated that only about 20% is built out. Mr. Baker agreed. Councilman Mickelsen stated that he stands by the letter that was sent out already. Councilman Ingalsbe asked if there were any comments from staff. There were none. 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 but maybe in 6-8 months he will be. Supervisor 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.

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. Ontario-Wayne Stormwater Coalition working on website.

3. 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.
4. Permission was given to order a 10 wheel highway truck with dump body and plow with sander 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 buidings 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.
 3. New Fire Chief – Paul Conrad.

COMMUNICATIONS:

1. Letter to Michael Goodman of Goodman Enterprises from Jim Crane. Re: Canandaigua/Farmington Water District.
2. Letter to Sheryl Robbins, Sanitary Engineer at the state Department of Health, from Jim Crane. Re: Canandaigua-Farmington Consolidated Water District.
3. Notice from the Ontario County Office of Real Property Tax Services of town tax rates for 2010.
4. Letter from Ed McLaughlin to Mike Shoemaker at Selective Insurance. Re: DiMarco Notice of Claim.
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.
8. Letter from the State Comptroller to Supervisor. Re: Special district actions in 2010.
9. Memo from Michelle Finley to Rose Kleman. Re: Transfer of books and records.
10. Letter to Supervisor from the Ontario County Office of Real Property Tax Services. Re: Exemptions updates.
11. Letter to Supervisor from Time Warner Cable. Re: Programming contracts.
12. Letter to the Town Board from Sheryl Robbins, Senior Sanitary Engineer from the state Department of Health. Re: Auburn Meadows completed works.
13. Letter to the town from ClearWire vending. Re: Payment policy.
14. Letter to Kai Earle at the state Environmental Facilities Corp. Re: MBE/WBE Quarterly Payment Report Forms for the fourth quarter of 2009.
15. Letter to the Town Board from the state Department of Health. Re: Finger Lakes Water Works Conference.
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.
19. Note from Edna Aldrich to the Town Board. Re: Insurance premiums.
20. Certificates of Liability Insurance for Middle Department Inspection, BVR Construction Co., Rich Dufoe/DBA Superior Renovations, Network Building & Consulting, CB Structures Inc., Jim Biltucci Consulting Inc., Gypsum Systems Interiors LTD., and The Nichols Team Inc.
21. Certificates of Insurance for Ryan Homes and K B Construction.
22. Certificates of Workers Compensation Insurance for Arrow Contracting, Williamson Hardware, The Nichols Team, and Rochester Solar Technologies.
23. Invoices from the town to Florida West Land Corp. for engineering services for Farmington 332 LLC Senior Apts.; Michael Nasello for engineering services for the Route 96 medical care building; and to A&D Development for Auburn Meadows, Section 3.
24. Notice from the Ontario County Department of Human Resources. Re: New policy regarding Social Security numbers.
25. Notices of conditional renewal of coverage from Selective Insurance.
26. Letter to Supervisor from U.S. Rep. Eric Massa. Re: Inquiry with Governor Paterson regarding stimulus funding for local projects.
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:

1. Zoning Board of Appeals' approved meeting minutes for Oct. 26.
2. Town Clerk's annual report for 2009.
3. Judge Gligora Monthly Report for December 2009.
4. Building Permit Report for December 2009.
3. Judge Lew Monthly Report for December 2009.

EXECUTIVE SESSION:

A MOTION WAS MADE BY COUNCILMAN CASALE AND SECONDED BY COUNCILMAN INGASLBE 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.

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.

Resolution #44-2010 continued

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.

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:

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.

Resolution #45-2010 continued

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 contractural costs:

FROM:	SW1-8310.2	Water Administration – Equip.	\$7,900.00
	SW1-8310.4	Water Administration –CE	\$14,000.00

Resolution #48-2010 continued

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)

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.

Resolution #51-2010 continued

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**.

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 (\$0.02)

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)

 DA-5130.1 Machinery Repair – PS (\$174.60)

 DA-5132.1 Highway Garage – PS (\$109.20)

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 #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.

Resolution 57-2010 Continued:

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

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:

ABSTRACT #25-2009

General	\$22,456.10
Highway Fund	\$53,906.91
Storm Drainage	\$ 1,514.06
Payroll	\$ 162.44
Sewer District	\$22,446.55
Water District	<u>\$378,818.43</u>
TOTAL	\$479,304.49

ABSTRACT #1-2010

General	\$58,267.71
Highway Fund	\$14,316.77
Storm Drainage	\$ 6,067.08
Payroll	\$ 626.58
Sewer District	\$ 9,603.61
Water District	<u>\$ 5,348.35</u>
TOTAL	\$ 94,230.10

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: _____