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 January, 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: Dave Degear – Water & Sewer Superintendent, Ed McLaughlin – Highway & Parks Superintendent, Scott Makin – Planning Board Chairman, Adrian Bellis – ZBA Member and Recreation Advisory Member, Ron Brand – Director of Planning & Development, Floyd Kofahl – Code Enforcement Officer, Mary Neale – Planning Board Member, Goeffrey Astles – Deputy Town Supervisor, Dottie Mickelsen – resident, and Bill Davis – MRB Group, and Ernie Ackerman – A & D Development, and Walt Baker – Engineer for A&D Development.

PUBLIC HEARING: LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT FOR 2016

Supervisor Fafinski opened the public hearing at 7:00 p.m. The Town Clerk read the legal notice. Supervisor Fafinski gave a brief explanation on why they need to have an override local law in place. Supervisor Fafinski asked if anyone would like to speak for or against the proposed local law. Hearing none the public hearing was closed at 7:02 p.m.

APPROVAL OF MINUTES:

A motion was made by Councilman Mickelsen seconded by Councilman Casale, that the minutes of the January 13, 2015 meeting, given to members for review, be approved. All Voting “Aye” (Fafinski, Casale, Ingalsbe Mickelsen, and Holtz). Carried.

PRIVILEGE OF THE FLOOR: None.

PUBLIC CONCERNS: None.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Mickelsen reported:

Water & Sewer:

1. Discussed resolutions on agenda.  
2. Discussed I & I Manhole Improvement Project – Phase 4.  
3. Discussed Canandaigua-Farmington Sewer District-Purdy Road and Mobile Road Project.  
4. Discussed Buildings #1, #9, #10-Gas Detection System.  
5. Discussed Building #2-Front Office.  
7. Discussed various Farmington and Victor Sewer District Pump Stations.  
9. Discussed WWTP Decant Station Project.  
10. Discussed necessary repairs to Influent Building #10, North Masonry Wall and Double Door at Loading Dock.  
11. Discussed water main breaks- 1 on County Road 28.  
12. Discussed County Road 28 Water Main Project.  
13. Discussed District Improvements and Morgan’s Centerpointe Townhomes Project.  
14. Discussed Fox Road Meter Pit Project.  
15. Discussed NYS Route 332 Watermain Extension at Plaster Mill.  
17. Discussed with MRB Group – Brickyard Road Water Tank – repairs versus replacement – come back with options.

Highway & Parks:

1. Discussed generator proposal.  
2. Discussed power to salt barn.  
3. Discussed proposal for a garage door.  
4. Discussed working with Water & Sewer Superintendent – Mertensia Road Waterline.  
5. Discussed 284 agreement – two trucks ordered and mower for the Parks Department.

Supervisor Fafinski stated that they also discussed getting the security system left downstairs from old court office and installing it upstairs, especially for the Clerk’s office and out front.

Town Operations Committee: Councilman Casale reported:

1. Discussed DeFilice Incentive Zoning for Commercial Drive Extension.  
2. Discussed FedEx project on Collett Road.  
3. Discussed TCS project.  
4. Discussed work being started on a subdivision at the corner of Townline Road and New Michigan Road – Monarch Manor.  
5. Discussed Red Fern Town Homes project.  
7. Discussed Hickory Rise project.  
8. Discussed with a Broker for a New Burger King Franchise next to Aldi’s.  
9. Discussed application for a used car dealership at the old Denny’s Restaurant site.
10. Discussed Larson Subdivision located on Hook Road.
11. Discussed resolutions on agenda.
12. Discussed Beaver Creek Park Master Plan and Parks and Recreation Master Plan Update Committee.
13. Discussed Auburn Trail Grant Award.
14. Discussed Planning Board editing of Chapter 144, Land Subdivision, editing for new local law.
15. Discussed Mattiacio/RG&E project.
17. Discussed Sewer Master Plan Update.
18. Discussed with Town Clerk – changes to 2015 Fee Schedule.

Town Court Facility Committee: Councilman Holtz reported: None.

Town Personnel Committee: Councilman Holtz reported: Met briefly.

Town Comprehensive Plan Committee: None.

Town Finance Committee: None.

Town Public Safety Committee: None.

REPORTS OF TOWN OFFICIALS:

Supervisor Fafinski reported:
1. Discussed 4th quarter sales tax.
2. Discussed year end closeout of books.
3. Discussed prep work for AUD.

Highway & Parks Superintendent Ed McLaughlin reported: None.

Town Clerk Michelle Finley reported:
1. 57% collected for taxes and online payments are picking up.
2. 263 Handicapped permits issued in 2014.

Water & Sewer Superintendent Dave Degear reported: None.

Code Enforcement Officer Floyd Kofahl reported:

Director of Planning and Development Ron Brand reported:
1. Planning Board will meet on February 4, 2015, to declare the intent to be lead agency for FEDEX project.
2. Discussed Beaver Creek Park properties.
3. Discussed Monarch Manor.

Assessor Donna LaPlant reported:

Town Engineer reported: Bill Davis reported:
1. Discussed Sewer Use Law and the next steps involved.

Fire Chief Herb Hartman reported:

Planning Board Chairman Scott Makin reported:
1. Discussed various projects.
2. Discussed Organizational Meeting – 3 board members attended.
3. Recommendation for replacement on Board.

Zoning Board of Appeals Adrian Bellis reported: No Meeting.

Recreation Advisory Committee Adrian Bellis reported:
1. Discussed Easter Egg Hunt – March 28 at 11 am.
2. Discussed Ball Field Meeting – March 9th @ 6 pm.
3. Discussed setting tentative dates for Summer Recreation sign-ups.

Supervisor Fafinski stated that Mr. Cain needs to have a formal request setting the recreation fees to the Town Board.

Ontario County Planning Board Member reported:

Conservation Board Chairman Kolbach reported:

Town Historian Donna Herendeen reported:
COMMUNICATIONS:

1. 2014 Summary from the Victor Farmington Library.
2. Letter to the Town Supervisor from Erz O’Dell-Keller of the NYS Department of Public Service. Re: Reforming the energy vision.
5. Letter to Michael Meade, Director of Intergovernmental Affairs Bureau, Office of the Attorney General from Russ Page of the NYS Association of Town Superintendents of Highways, Inc. Re: Resolutions requesting NYS Governor, Legislature and Comptroller provide exclusions for highway safety from NYS Tax Cap Computations.
9. Certificates of Workers’ Compensation Insurance from: Ewing letter & Graphics Inc.; Irondequoit Garden Center Inc. dba Fireplace Fashions; Allstate Roofing & More LLC.

REPORTS & MINUTES:

1. VWCC Meeting Minutes - January 5, 2015.

ORDER OF BUSINESS:

RESOLUTION #72-2015:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

ESTABLISHMENT OF A MAINTENANCE BOND FOR SITE IMPROVEMENTS WITHIN SECTION 3, THE ESTATES AT BEAVER CREEK SUBDIVISION, IN THE TOTAL AMOUNT OF $ 22,668.88

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a request from Scott Makin, Town Planning Board Chairperson, dated January 21, 2015 recommending that the above referenced Maintenance Bond be established in the total amount of $ 22,668.88 prior to accepting the formal dedication of site improvements completed within Section 3 of The Estates at Beaver Creek Subdivision; and

WHEREAS, the above referenced site improvements include water main, sanitary sewer, storm sewer and pavement improvements; and

WHEREAS, the Planning Board has reviewed the documentation submitted for the establishment of the Maintenance Bond, including the completed and signed Form No. B-2, General Site Improvements Offered for Dedication.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby accepts the proposed Maintenance Bond and directs the filing thereof with the Town Clerk and the Town Development Office.

BE IT FURTHER RESOLVED, that the Applicant is hereby directed to prepare a separate Maintenance Bond prior to the Town Board accepting for dedication 910 lineal feet of asphalt top coat and 500 lineal feet of five foot wide sidewalk within Section 3.

FINALLY BE IT RESOLVED, that a copy of this resolution is to be issued to the developer, Ernie Ackerman of A & D Real Estate Development Company, Inc.

All Voting “Aye”(Fafinski, Casale, Ingalsbe, Mickelsen, and Holtz), the Resolution was CARRIED.

RESOLUTION #73-2015:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Holtz:

AUTHORIZATION FOR A PARTIAL RELEASE, RELEASE #2, FROM THE LETTER OF CREDIT ESTABLISHED FOR SITE IMPROVEMENTS WITHIN SECTION 3, THE ESTATES AT BEAVER CREEK SUBDIVISION, IN THE TOTAL AMOUNT OF $ 53,181.88

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a request from Scott Makin, Town Planning Board Chairperson, dated January 21, 2015 recommending that the above referenced Partial Release (Release #2) in the total amount of $ 53,181.88 from the established Letter of Credit for site improvements completed within Section 3 of The Estates at Beaver Creek Subdivision, be approved; and

WHEREAS, the Town Department Heads and Town Engineer have completed and signed the Letter of Credit Release Forms A-1 and B-2; and

WHEREAS, the Town Board has reviewed the documentation submitted for the above referenced partial release from the Letter of Credit.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby approves of the request for a Partial Release of $53,188.88 from the Letter of Credit, thereby leaving a balance of $45,687.12 remaining in the Letter of Credit to complete the project.
FINALLY BE IT RESOLVED, that the Town Clerk is to issue a certified copy of this resolution to the developer, Ernie Ackerman of A & D Real Estate Development Company, Inc. and to the Town Director of Planning and Development.

Voting “Aye”(Fafinski, Casale, Ingalsbe, Mickelsen, and Holtz), the Resolution was CARRIED.

RESOLUTION #74-2015:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

RESOLUTION AUTHORIZING EMERGENCY ELECTRICAL REPAIR – WASTE WATER TREATMENT PLANT, BUILDING #2, 75KVA STEP DOWN TRANSFORMER

WHEREAS, on January 6, 2015 the Water and Sewer Superintendent learned that the existing 75 KVA, 120/208 3-Phase electrical step down transformer located in the basement of the WWTP Building #2, Main Office had developed a high pitched annoyance humming, and

WHEREAS, the Water and Sewer Superintendent contacted Jim Colacino of Colacino Industries and learned that the original step down transformer that was installed in 1999 was improperly installed and not taken out of the shipping crate nor bolted to the concrete floor, causing the plates to break after years of vibrations; and

WHEREAS, in order to keep Building #2 operational, the Water and Sewer Superintendent has received price quotes for the emergency electrical repairs and installation of a new 75KVA, 480VAC to 120/208VAC 3-Phase Dry Type Transformer as a cost of $1,925.00 plus labor costs being $1,914.70 which was completed on Saturday, January 10, 2015, therefore be it

RESOLVED, that the Town Board of the Town of Farmington hereby authorizes the Water and Sewer Superintendent to pay the invoices #11909 and #11914 to Colacino Industries located at 126 Harrison Street, Newark, NY 14513 for the emergency electrical repairs to the WWTP Building #2 for a total cost not to exceed $3,839.70, and further be it

RESOLVED, that funding for emergency repair will be from budget line SS-8130.4 and SW1-8340.4; and further be it

RESOLVED, that copies of this resolution be submitted by the Town Clerk to the Supervisor’s Secretary and the Water and Sewer Superintendent.

All Voting “Aye”(Fafinski, Casale, Ingalsbe, Mickelsen, and Holtz), the Resolution was CARRIED.

RESOLUTION #75-2015:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

ESTABLISHMENT OF A MAINTENANCE BOND FOR SITE IMPROVEMENTS WITHIN SECTION 1, HICKORY RISE SUBDIVISION, IN THE TOTAL AMOUNT OF $ 56,146.90

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a request from Scott Makin, Town Planning Board Chairperson, dated January 21, 2015 recommending that the above referenced Maintenance Bond be established in the total amount of $ 56,146.90 prior to accepting the formal dedication of site improvements completed within Section 1 of the Hickory Rise Subdivision; and

WHEREAS, the above referenced site improvements include water main, sanitary sewer, storm sewer and a portion of the pavement improvements for Kennebec Court and Harl owe Lane; and

WHEREAS, the Planning Board has reviewed the documentation submitted for the establishment of the Maintenance Bond, including the completed and signed Form No. B-2, General Site Improvements Offered for Dedication by the Town Department Heads.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby accepts the proposed Maintenance Bond and directs the filing thereof with the Town Clerk and the Town Development Office.

BE IT FURTHER RESOLVED that the Applicant is hereby directed to prepare a separate Maintenance Bond prior to the Town Board accepting for dedication of the top coat of asphalt, temporary turn around, crosswalk stripping and signage, stone dust walkway, and on-site sidewalks and the sidewalks along the east side of Hook Road.

FINALLY BE IT RESOLVED that a copy of this resolution is to be issued to the developer, Gregg Bowering, Bramwell Park, LLC, the Town Highway Superintendent, the Town Water & Sewer Superintendent, the Town Code Enforcement Officer, the Town Engineers and the Town Director of Planning & Development.

All Voting “Aye”(Fafinski, Casale, Ingalsbe, Mickelsen, and Holtz), the Resolution was CARRIED.

RESOLUTION #76-2015:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Ingalsbe:

REQUEST TO PURCHASE TWENTY-SIX (26) BADGER WATER METERS For CENTERPOINTE APARTMENT COMPLEX, BUILDINGS #1 THROUGH #26, LOCATED IN THE CFWD, TOWN OF CANANDAUGUA

WHEREAS on December 29, 2014, Mr. Dave Garritano, Agent of the Owner for the Morgan Canandaigua Land L.L.C. paid the Canandaigua-Farmington Water District (CFWD) Application Fee for the 2 inch water service taps, meters and inspections at located at #2225, #2227, #2229 and #2233 (Buildings #1, 2, 3 and 4), and

WHEREAS, Badger/Itron water meters and remote readers will be required for all twenty-six (26) buildings for the new Morgan Centerpointe Townhouse project, and

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 a Meter Replacement Program with standardization of the purchase of the Badger and Itron AMR System, and

WHEREAS a written quote dated January 20, 2015 has been received from Area Representative of Badger and Itron for the Badger M170 BRZ, ELL with Test Plug at a cost of $562.00 each and the Badger M170 ADE Encoder with Itron 60W Rocketship style remote reader at a cost of $160.00 each, (combined total of $722.00 Each), and

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 Corp. of 785 Beahan Road, Rochester New York for twenty-six (26) each new two-inch Badger Meters at a cost of expense not to exceed $18,772.00, and

BE IT FURTHER RESOLVED, that funding for the purchase of water meters is appropriated under expense line SW1-8340.41 (Contractual Meters) and SW1-8140.51 (District Improvements-Brickyard Road) and

LASTLY LET IT BE FURTHER RESOLVED, that a copy of this Resolution will be supplied from the Town Clerk to the Water and Sewer Superintendent.

All Voting “Aye”(Fafinski, Casale, Ingalsbe, Mickelsen, and Holtz), the Resolution was CARRIED.

RESOLUTION #77-2015:
Councilman Casale offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION APPROVING MONUMENT SITE FOR VETERANS MEMORIAL

WHEREAS, the Vietnam War Commemorative Committee requests the Town Board’s approval to place a veterans memorial monument in one of the following town parks: Mertensia or Town Hall park and

WHEREAS, the Committee plans to use the residual donated monies collected during the Program (ending December 31, 2017) and possible grant money to finance the monument and

WHEREAS, the monument would be placed in the park after the end of the Commemorative Program, therefore be it

RESOLVED, the Farmington Town Boards approves the Vietnam War Commemorative Committee’s request to place a monument at either the Town Hall Park or Mertensia Park Lodge at the end of the program in 2017, and further be it

RESOLVED, that the funds remaining and any grants will be used to fund this monument.

All Voting “Aye”(Fafinski, Casale, Ingalsbe, Mickelsen, and Holtz), the Resolution was CARRIED.

RESOLUTION #78-2015:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING TRANSFER OF FUNDING FOR THE VETERANS ACCOUNT

WHEREAS, there is a balance of $1422.26 in the Historian Reserve Account to be used for future Veteran’s Events in the Town of Farmington over the next two years.

WHEREAS, there are expenditures to for the 2015 fiscal year

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington approves the transfer of $1422.26 to the expenditure line A7510.44.

RESOLVED, that the Town Clerk of the Town of Farmington forward copies of this resolution to the Bookkeeper.

All Voting “Aye”(Fafinski, Casale, Ingalsbe, Mickelsen, and Holtz), the Resolution was CARRIED.

RESOLUTION #79-2015:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Holtz:

APPROVAL AUTHORIZING THE PURCHASE TWO GORMAN RUPP SUPER T-4A3-B ADI ROTATING ASSEMBLIES AND TWO SELF CLEANING ADI WEAR PLATES FOR THE VICTOR SEWER DISTRICT PS-17, BRUNSWICK, LOCATED AT #7251 GILLIS ROAD IN THE TOWN OF VICTOR

WHEREAS, on January 14, 2015 at 4:46 AM, trouble alarms were received by the Water and Sewer Department Supt. for PS-17 and crews were called in to determine the extent of the issues and problems caused with both Pump #1 and Pump #2 being plugged with rags which herein resulted in several hours of overtime to repair, and

WHEREAS, due to the high sewage flows from the daisy chain of lift stations in the Victor Sewer District, the urgent need arose to replacement the Gorman Rupp T-4A3-B rotating element and wear plate in Pump #1, the Water and Sewer Supt. requested and received a written price quote dated January 15, 2015 as required under the procurement policy for replacement of the Gorman Rupp Super T-4 sewer pump for the Wastewater Collection System at a cost of $2,352.96 plus $100.00 freight for a total of $2,452.96, and

WHEREAS, in addition a Gorman Rupp Super T4A3-B ADI rotating assembly and the Self Cleaning Wear Plate for ADI now need to be replaced with the Pump #2 for the Victor Sewer District Pump Station PS-17 located at #7251 Gillis Road in the Town of Victor as part of the Asset Management Plan for the next pump to be either rebuilt or replaced, 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 the second Gorman Rupp replacement pump from Siewert Equipment, Rochester, New York for a total cost of $2,352.96 plus $100.00 freight, at a total cost of two rotating assembly with wear plate and to pay the invoices at a cost not to exceed $4,905.92, and

BE IT FURTHER RESOLVED, budgeted as part of the ongoing maintenance this expenditure is from the Sanitary Sewer Budget lines SS-8120.2V, and

BE IT FURTHER RESOLVED that a copy of this resolution will be supplied from the Town Clerk to the Water and Sewer Superintendent.

All Voting “Aye”(Fafinski, Casale, Ingalsbe, Mickelsen, and Holtz), the Resolution was CARRIED.

RESOLUTION #80-2015:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

PROFESSIONAL SERVICE AGREEMENT FOR UTILITY BILLING “WORK ORDER” SOFTWARE CANANDAIGUA FARMINGTON WATER & SEWER DISTRICTS AND THE VICTOR SEWER DISTRICT

WHEREAS, by Resolution of June 14, 2011, the Town Board of Farmington acting on behalf of the Canandaigua Farmington Water District and the Farmington Sanitary Sewer District hereby authorization the Water and Sewer Supt to enter into a Professional Services agreement with B.A.S. - Business Automation Services Inc. of Clifton Park, NY for their Utility Billing Software, and

WHEREAS, the Water and Sewer Supt. has now identified a need to add the “Work Order Configuration” to the new BAS Utility Billing System and has recommended that the software be added at the quoted cost of 3 hours at $40.00 per hour including setup and testing at a cost of $420.00, and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Farmington acting on behalf of the Canandaigua-Farmington Water and Sewer Districts hereby authorizes the Town Supervisor to enter into a contract for additional software services for a Utility Billing System, Work Order Configuration, with Business Automation Services, Inc. at a cost not to exceed $420.00, and

BE IT RESOLVED, that the payment of $420.00 will be paid with the funding for the BAS Software is budgeted from line items SW1 8310.2 and SS 8110.2 & SS 8110.4.

BE IT FURTHER RESOLVED that a copy of this resolution will be supplied from the Town Clerk to the Water and Sewer Superintendent.

Discussion: Supervisor Fafinski questioned how long the Clerk’s Office has been waiting for password for BAS system. Town Clerk replied since last August. Supervisor Fafinski asked Water and Sewer Superintendent Degear when BAS was going to fix that problem, he replied that he did not know when. Councilman Mickelsen stated that they should make this resolution/payment contingent when the fix the issue, leverage sort of say. Degear replied that $420.00 is not a lot of leverage. He added that they need that work order now. Supervisor Fafinski asked for a roll call vote.

Three Voting “Aye”(Casale, Ingalsbe, and Holtz), Two voting “Nay” (Michelsen and Fafinski) the Resolution was CARRIED.

Supervisor Fafinski stated to Superintendent Degear to let BAS know it passed by a 3-2 vote and the reason for it was because they have been waiting six months for a fix on an already established program.

RESOLUTION #81-2015:
Councilman Mickelsen offered the following Resolution and seconded by Councilman Casale:

RESOLUTION AUTHORIZING TRANSFER OF FUNDING IN THE GENERAL ACCOUNT

WHEREAS, funding for the Beaver Creek Master Plan expense line A8020.46 was returned to the Parklands Reserve at the end of 2014,

WHEREAS, the expense line needs to be refunded for 2015,

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington approves the transfer of $45,000.00 from the Parklands Reserve account to the General Savings Account.

BE IT FINALLY RESOLVED, that the Bookkeeper completes the transfer and a copy of this resolution be submitted by the Town Clerk to the Bookkeeper.

All Voting “Aye”(Fafinski, Casale, Ingalsbe, and Holtz), the Resolution was CARRIED.

RESOLUTION #82-2015:
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF FARMINGTON OF LOCAL LAW NO. 2 OF 2015

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 January 27, 2015, 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 to override the tax levy limit established in General Municipal Law §3-c; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Farmington, on January 12, 2015 and all other notices required by law to be given were properly served, posted or given; and
WHEREAS, said public hearing was duly held on January 27, 2015, 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. 2 of 2015, entitled, “A local law to override the tax levy limit established in General Municipal Law §3-c,” 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.

Local Law No. 2 of the year 2015

A local law to override the tax levy limit established in General Municipal Law §3-c

Be it enacted by the Town Board of the Town of Farmington

County
City
Town of Farmington
Village

Section 1: Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Farmington, County of Ontario pursuant to General Municipal Law §3-c, and to allow the Town of Farmington to adopt a town budget for (a) town purposes (b) fire protection districts and (c) any other special or improvement district governed by the Town Board for the fiscal year 2016 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2: Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by a vote of sixty percent (60%) of the Town Board.

Section 3: Tax Levy Limit Override

The Town Board of the Town of Farmington, County of Ontario, is hereby authorized to adopt a budget for the fiscal year 2016 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

Section 4: Severability

If any clause, sentence, paragraph, section or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or 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 of this local law or in its application to the person, individual, firm or corporation or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Section 5: Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

All Voting “Aye”(Fafinski, Casale, Ingalsbe, Mickelsen, and Holtz), the Resolution was CARRIED.

RESOLUTION #83-2015:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Holtz:

RESOLUTION

WHEREAS, the Town Board of the Town of Farmington is the governing body of the special districts and/or fire protection districts set forth in the Schedule attached hereto and made a part hereof; and

WHEREAS, it is the intent of this resolution to override the limit on the amount of real property taxes that may be levied by the Town of Farmington, on behalf of the aforesaid special districts and/or fire protection districts, pursuant to General Municipal Law §3-c, and to allow the Town of Farmington, on behalf of the aforesaid special districts and/or fire protection districts, to adopt a budget for the fiscal year 2016 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c; and

WHEREAS, this resolution is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the tax levy limit for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Farmington, County of Ontario, is hereby authorized to adopt a budget for the fiscal year 2016 on behalf of the special districts and/or fire protection districts set forth in the Schedule attached hereto and made a part hereof that requires a real property tax levy in excess of the amount otherwise
prescribed in General Municipal Law §3-c.

All Voting “Aye”(Fafinski, Casale, Ingalsbe, Mickelsen, and Holtz), the Resolution was CARRIED.

RESOLUTION #84-2015:
Councillman Casale offered the following Resolution, seconded by Councilman Holtz:

REPORT AND RECOMMENDATION TO FORMALLY CONSIDER THE REQUESTED AMENDMENT TO THE TOWN’S OFFICIAL ZONING MAP, CHANGING THE ZONING DESIGNATION OF LAND LOCATED ALONG AT THE NORTHWEST CORNER OF NEW MICHIGAN ROAD AND THE CANANDAIGUA/FARMINGTON TOWN LINE ROAD, FROM RR-80 TO IZ INCENTIVE ZONING FOR THE MONARCH MANOR INCENTIVE ZONING PROJECT; SCHEDULING A PUBLIC HEARING UPON SAID REZONING FOR TUESDAY EVENING, FEBRUARY 24, 2015; AND ACKNOWLEDGING RECEIPT OF A DRAFT LOCAL LAW AUTHORIZING SAID OFFICIAL ZONING MAP AMENDMENT

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has submitted a report and recommendations (hereinafter referred to as Report) upon the proposed rezoning of this site for development of the Monarch Manor Incentive Zoning Project; and

WHEREAS, said Report, dated January 21, 2015 is submitted in accordance with the provisions of Chapter 165, Sections 34.1. H. I. and J. of the Town Code, as was previously requested by the Town Board on November 25, 2014, and set forth in Town Board Resolution number 463 of 2014; and

WHEREAS, said Report recommends the Town Board continue with the formal rezoning process provided for in Chapter 165 of the Town Code; and

WHEREAS, the Town Board has received and reviewed a draft of Local Law #3 of 2015 (hereinafter referred to as Local Law) entitled “Official Zoning Map Amendment, Monarch Manor Incentive Project, Rezoning of lands from R-80 Rural Residential to IZ Incentive Zoning;” and

WHEREAS, the Report and Local Law have been reviewed by the members of the Town Board.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby agree to proceeding with the formal rezoning request submitted by Ernie Ackerman, A&D Real Estates Development, LLC, for the rezoning of land from RR-80 Rural Residential to IZ Incentive Zoning.

BE IT FURTHER RESOLVED that the Town Board determines that the proposed rezoning is a Type 1 Action as identified under Section 617.4 (b) (2) and (3) of article 8 of the New York State Environmental Conservation Law.

BE IT FURTHER RESOLVED that the Action to rezone the land is an independent activity needing individual determination of significance which is a pre-requisite to Town Planning Board Approval of the overall site plan and subdivision plat maps to allow physical activities upon the subject site.

BE IT FURTHER RESOLVED that the Town Board is the only involved agency for this Action to adopt Local Law # 3 of 2015.

BE IT FURTHER RESOLVED that the Applicant is directed to prepare Part 1 of the Full Environmental Assessment Form and to submit a complete set of all documentation and maps associated with the proposed IZ Incentive Zoning Project to the Town Director of Planning and Development, who in turn, is hereby directed to submit the required draft local law and supporting package of information along with a completed referral form to the Ontario County Planning Board in accordance with the provisions set forth in Sections 239-1 and –m of the New York State General Municipal Law, for their February 11, 2015 meeting.

BE IT FURTHER RESOLVED that the Applicant is to submit five (5) additional sets of the documentation and maps to the Town Clerk not later than noon on Wednesday, January 28, 2015.

BE IT FURTHER RESOLVED that the Town Board does hereby schedule a public hearing to be held upon this application for rezoning, to be held on Tuesday, February 24, 2015 in the Town Hall, 1000 County Road 8, Farmington, New York, commencing at 7:00 p.m.

BE IT FURTHER RESOLVED that the Town Clerk is to provide notice hereof, along with a complete set of documents, to the Canandaigua Town Clerk, in accordance with the provisions of Section 239-nn of the New York State General Municipal Law.

BE IT FURTHER RESOLVED that the Town Clerk is to keep on file, for public review and inspection, one complete set of all documentation and maps for the proposed rezoning.

BE IT FURTHER RESOLVED that the Town Clerk is to file the other complete set with the Town Development Office for their records.

BE IT FURTHER RESOLVED that the Town Clerk is to provide legal notice to the Town’s Official Newspaper, to post notice of the public hearing upon the Town’s Official Website and the Town Bulletin Board, in accordance with established procedures.

FINALLY BE IT RESOLVED that a certified copy of this resolution is to be provided to the Town Clerk of the Town of Canandaigua, another copy to the Town of Farmington Director of Planning and Development and a final copy to the Applicant.

All Voting “Aye”(Fafinski, Casale, Ingalsbe, Mickelsen, and Holtz), the Resolution was CARRIED.
RESOLUTION #85-2015:
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:

REPORT AND RECOMMENDATION TO FORMALLY CONSIDER THE REQUESTED AMENDMENT TO THE TOWN’S OFFICIAL ZONING MAP, CHANGING THE ZONING DESIGNATION OF LAND LOCATED ALONG THE NORTH SIDE OF STATE ROUTE 96, BETWEEN GLEN CARLYN AND FAIRDALE GLENN, FROM R-7.2 PLANNED SUBDIVISION TO GB GENERAL BUSINESS; SCHEDULING A PUBLIC HEARING UPON SAID REZONING FOR TUESDAY EVENING, FEBRUARY 24, 2015; AND ACKNOWLEDGING RECEIPT OF A DRAFT LOCAL LAW AUTHORIZING SAID OFFICIAL ZONING MAP AMENDMENT.

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has submitted a report and recommendations (hereinafter referred to as Report) upon the proposed rezoning of this site for the rezoning of four parcels of land located along the north side of State Route 96, from R-7.2 Planned Subdivision to GB General Business; and

WHEREAS, said Report, dated January 21, 2015 is submitted in accordance with the provisions of Chapter 165, Sections 6. of the Town Code, as was previously requested by the Town Board on November 25, 2014, and set forth in Town Board Resolution number 462 of 2014; and

WHEREAS, said Report recommends the Town Board continue with the formal rezoning process provided for in Chapter 165 of the Town Code; and

WHEREAS, the Town Board has received and reviewed a draft of Local Law #4 of 2015 (hereinafter referred to as Local Law) entitled “Simmons/Rockwell GB General Business Rezoning Local Law;” and

WHEREAS, the Report and Local Law have been reviewed by the members of the Town Board.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby agree to proceeding with the formal rezoning request submitted by Timothy m. Webber, P.E., Project Manager/Civil Engineer, LaBella Associates on behalf of the property owners.

BE IT FURTHER RESOLVED that the Town Board determines that the proposed rezoning is an Unlisted Action as identified under Sections 617.4 (b) and (c) of article 8 of the New York State Environmental Conservation Law.

BE IT FURTHER RESOLVED that the Action to rezone the land is an independent activity needing individual determination of significance which is a pre-requisite to Town Planning Board Approval of the overall site plan and subdivision plat maps to allow physical activities upon the subject site.

BE IT FURTHER RESOLVED that the Town Board is the only involved agency for this Action to adopt Local Law # 4 of 2015.

BE IT FURTHER RESOLVED that the Applicant is directed to prepare Part 1 of the Short Environmental Assessment Form and to submit a complete set of all documentation and maps associated with the proposed Simmons/Rockwell Project to the Town Director of Planning and Development, who in turn, is hereby directed to submit the required draft local law and supporting package of information along with a completed referral form to the Ontario County Planning Board in accordance with the provisions set forth in Sections 239-l and –m of the New York State General Municipal Law, for their February 11, 2015 meeting.

BE IT FURTHER RESOLVED that the Applicant is to submit five (5) additional sets of the documentation and maps to the Town Clerk not later than noon on Wednesday, January 28, 2015.

BE IT FURTHER RESOLVED that the Town Board does hereby schedule a public hearing to be held upon this application for rezoning, to be held on Tuesday, February 24, 2015 in the Town Hall, 1000 County Road 8, Farmington, New York, commencing at 7:00 p.m.

BE IT FURTHER RESOLVED that the Town Clerk is to provide notice hereof, along with a complete set of documents, to the Canandaigua Town Clerk, in accordance with the provisions of Section 239-nn of the New York State General Municipal Law.

BE IT FURTHER RESOLVED that the Town Clerk is to keep on file, for public review and inspection, one complete set of all documentation and maps for the proposed rezoning.

BE IT FURTHER RESOLVED that the Town Clerk is to file the other complete set with the Town Development Office for their records.

BE IT FURTHER RESOLVED that the Town Clerk is to provide legal notice to the Town’s Official Newspaper, to post notice of the public hearing upon the Town’s Official Website and the Town Bulletin Board, in accordance with established procedures.

FINALLY BE IT RESOLVED that a certified copy of this resolution is to be provided to the Town Clerk of the Town of Canandaigua, another copy to the Town of Farmington Director of Planning and Development and a final copy to the Applicant.

Discussion: Councilman Mickelsen stated that he would like to not see this move forward at this time and referred to a comment made by the Planning Board was a concern that if it was rezoned GB then that project could go in there and although he not opposed to that particular project but that project could change and be something else to meet that zoning. Councilman Mickelsen stated he would like to see it move along under incentive zoning. He added that they should be consistent as in the past under planned development scenario with specific guidelines and controls as to what can go in there. Mr. Brand stated the Planning Board submitted a report of their recommendation that basically points out that the site involved is recommended in the Comprehensive Plan for Commercial Use. He added that this site was originally part of an overall planned development project a number of years ago, which basically called for that area at that time to be developed for commercial purposes of that
neighboring. Mr. Brand stated that there is 14.5 acres of land. Mr. Branded added that the application before them would consolidate the 14.5 acres and develop it all as an automobile dealership. Councilman Casale asked if this part of the MTOD, Mr. Brand replied yes. Councilman Casale stated it would fall more under our Comprehensive plan.

Councilman Mickelsen would like to defeat this resolution and stated that he is not against the specific project proposed, he would like to see it done in a different fashion such as incentive zoning. Councilman Ingalsbe stated that with incentive zoning a large project like the subdivisions because you have to have some amenities and some incentives. Mr. Brand stated that the site already has water, sewer, one access point. Mr. Brand stated that he wasn’t sure what amenities the town would need in they went incentive zoning. Councilman Mickelsen replied that they could always ask for something small like a cash incentive or donation to something else. Councilman Mickelsen stated that he was focusing on the future use of that land. Supervisor Fafinski asked if this was in accordance with the Comprehensive Plan, Mr. Brand replied yes. Supervisor Fafinski asked Planning Board Chairman Makin if the recommendation from them was a unanimous vote and Chairman Makin replied yes. Supervisor Fafinski stated that they should follow the recommendation from their Planning Board and Planner. Supervisor Fafinski asked for a roll call vote.

Three Voting “Aye” (Fafinski, Casale, Ingalsbe), Two voting “Nay” (Mickelsen and Holtz) the Resolution was CARRIED.

RESOLUTION #86-2015:
Councilman Holtz offered the following Resolution, seconded by Councilman Casale:

ACCEPTANCE OF PLANNING BOARD REPORT AND RECOMMENDATION UPON A REQUEST TO AMEND THE OVERALL SITE PLAN FOR THE AUBURN MEADOWS INCENTIVE ZONING SUBDIVISION TRACT;
ACCEPTANCE OF APPROXIMATELY 4 ACRES OF LAND TO BE DEDICATED AS PART OF THE BEAVER CREEK PARKLANDS; AND APPROVAL OF THE PROPOSED AMENDMENTS TO THE OFFICIAL OVERALL INCENTIVE ZONING PLAN MAP FOR THE AUBURN MEADOWS INCENTIVE ZONING SUBDIVISION TRACT THEREBY AMENDING TOWN BOARD RESOLUTION #272 OF 2013

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has submitted a report and recommendations (hereinafter referred to as Report) upon the request to amend Town Board Resolution #272 of 2013 which established the latest amendment to the above referenced Overall Incentive Zoning Plan Map for the Auburn Meadows Incentive Zoning Subdivision Tract; and

WHEREAS, the Report recommends the Town Board accept approximately four acres of land located within portions of amended Sections 7N and 8N of the Overall Plan Map referenced above herein; and

WHEREAS, the action to amend the Overall Plan Map is identified in Section 617.5 (c) (17), of article 8 of the New York State Environmental Conservation Law (ECL), as a Type II Action; and

WHEREAS, the Report identifies a number of further map amendments that are recommended to be made before the Planning Board Chairperson signs the Amendment Overall Plan Map for filing with the Town Clerk.

NOW, THEREFORE, BE IT RESOLVED the Town Board does hereby classify the proposed Action as being a Type II Action, in accordance with the provisions contained in the State Environmental Quality Review Regulations, thereby satisfying the procedural requirements of article 8 of the ECL.

BE IT FURTHER RESOLVED that the Town Board does hereby authorize the Planning Board Chairperson to sign an amend the Overall Plan Map by accepting the four acres of land, located within the amended portions of Sections 7N and 8N of the Project, once all of the conditions of approval contained elsewhere in this resolution have been complied with.

BE IT FURTHER RESOLVED that the Planning Board shall not entertain any further subdivision of land within Sections 7S, 7N, 8S, 8N and 9 until such time as there has been an amended Overall Plan Map signed by the Planning Board Chairperson and filed with the Town Clerk.

BE IT FURTHER RESOLVED that the Town Board directs the Applicant to amend the deed for Tax Map #041.00-1-58.100 by transferring the proposed four acre parcel of parkland to Tax Map #041.00-1-34.141 and noting that said land is hereby made part of the parkland previously dedicated to the Farmington Town Parklands. Said deed is to be filed in the Office of the Ontario County Clerk, on or before July 31, 2015 and a copy of said Deed, along with the Liber and Page is to be filed in the Town Development Office prior to any Building Permits being issued in Section 6, of the Auburn Meadows Subdivision Tract.

BE IT FURTHER RESOLVED that the Town Board directs the Applicant to further amend the Overall Plan Map cited above herein by incorporating the following findings contained in the Planning Board’s January 21, 2015 Report, in particular Findings #4, #6, #7, #8, #9, #10, #11 and #12.

BE IT FURTHER RESOLVED that the Town Board directs the Applicant to accept the sixty foot wide strip of land that was originally intended for the dedication of the proposed Jenlyn Court, between Amber Drive and the proposed Ivory Drive and that said site improvement is to be removed from the Overall Plan Map.

BE IT FURTHER RESOLVED that in lieu of accepting the right-of-way for the proposed Jenlyn Court, between Amber Drive and the proposed Ivory Drive, as indicated in the proposed amendment for Section 7N of the Overall Plan Map, the Applicant is to provide a strip of land twenty feet in width the entire length between Amber Drive and Ivory Drive that will contain a five foot wide concrete sidewalk providing public access between the above cited streets. The balance of the remaining lands within the proposed Jenlyn Court right-of-way is to be transferred to the owners of the four adjacent parcels of land without fee. A re-subdivision plat map for the affected lots located in Section 5, is to be approved by the Planning Board and filed in the Office of the Ontario County Clerk, on or before July 31, 2015.

BE IT FURTHER RESOLVED that the authorization to sign the amended Overall Plan Map is further based upon the Applicant’s continued commitment to install the stoned dust trail between the Canandaigua/Farmington Town Line Road sidewalk and the right-of-way of the to be acquired Auburn Trail at the time of construction of Phase 1 of the Auburn Trail Master Federal Aid Project Agreement Number PIN:4755.96, entitled Auburn Trail Connector, Town of Farmington, Ontario County, New York
FINALLY BE IT RESOLVED that a certified copy of this resolution is to be provided to the Town Planning Board Chairperson, the Town Highway and Parks Superintendent, the Town Code Enforcement Officer, the Town Engineer, the Town of Farmington Director of Planning and Development and a final copy to the Applicant.

All Voting “Aye”(Fafinski, Casale, Ingalsbe, Mickelsen, and Holtz), the Resolution was CARRIED.

RESOLUTION #87-2015:  
Councilman Ingalsbe offered the following Resolution, seconded by Councilman Casale:  

MARLA SCHULER - COURT CLERK - SIX MONTH PROBATIONARY PERIOD COMPLETE  

WHEREAS, Marla Schuler, has completed the required time line of the Probationary Period in the position of Court Clerk since her appointment to this position on June 30, 2014, and  

WHEREAS, the Town Personnel Policy allows an increase at this point with recommendation of the Department Head, and  

WHEREAS, this increase was budgeted and included in her wage increase from $13.25 to $13.70 beginning January 1st, 2015 as part of the position review during the probationary period and is in keeping within the 2015 budget limits, and  

FURTHER RESOLVED, that copies of this resolution be submitted by the Town Clerk to the Supervisor’s Secretary and Judge Gligora.

All Voting “Aye”(Fafinski, Casale, Ingalsbe, Mickelsen, and Holtz), the Resolution was CARRIED.

RESOLUTION #88-2015:  
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:  

<table>
<thead>
<tr>
<th>ABSTRACT # 2-2015</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>$ 82,556.34</td>
</tr>
<tr>
<td>Highway Fund</td>
<td>$ 68,087.78</td>
</tr>
<tr>
<td>Highway Campus</td>
<td>$ 29.10</td>
</tr>
<tr>
<td>Sewer I&amp;I Project</td>
<td>$ 0.00</td>
</tr>
<tr>
<td>Court Building Project</td>
<td>$ 165.04</td>
</tr>
<tr>
<td>Mertensia Rd Culvert</td>
<td>$ 3,533.24</td>
</tr>
<tr>
<td>Town Complex Sewer</td>
<td>$ 0.00</td>
</tr>
<tr>
<td>Waterline Rep Project</td>
<td>$ 1,679.18</td>
</tr>
<tr>
<td>Sidewalks</td>
<td>$ 0.00</td>
</tr>
<tr>
<td>Storm Drainage</td>
<td>$ 3,855.53</td>
</tr>
<tr>
<td>Fire Protection District</td>
<td>$201,387.67</td>
</tr>
<tr>
<td>Payroll Deductions</td>
<td>$ 1,834.41</td>
</tr>
<tr>
<td>Lighting District</td>
<td>$ 6,979.84</td>
</tr>
<tr>
<td>Water Tank Repair</td>
<td>$ 0.00</td>
</tr>
<tr>
<td>Sewer District</td>
<td>$ 88,914.66</td>
</tr>
</tbody>
</table>

TOTAL $492,827.03

All Voting “Aye”(Fafinski, Casale, Ingalsbe, Mickelsen, and Holtz), the Resolution was CARRIED.

WAIVER OF THE RULE: No Objections

RESOLUTION #89-2015:  
Councilman Mickelsen offered the following Resolution, seconded by Councilman Casale:  

RESOLUTION APPOINTING ADRIAN BELLIS AS A MEMBER OF THE TOWN OF FARMINGTON PLANNING BOARD  

WHEREAS, a vacancy exists on the Planning Board due to the passing of Meg Godly, and  

WHEREAS, candidates were interviewed and the Planning Board recommended Adrian Bellis as a member of the Planning Board, therefore be it  

RESOLVED, the Farmington Town Board appoints Adrian Bellis as a member of the Farmington Planning Board for a 5 year term, expiring December 31, 2019.

All Voting “Aye”(Fafinski, Casale, Ingalsbe, Mickelsen, and Holtz), the Resolution was CARRIED.
TRAINING UNDER $100:

1. Ed McLaughlin, Brent Bardun, Jeff Ransco, Jeremy Schifano and Dan Ronk to attend Plant gfIx Education Conference & Trade Show on February 10th in Rochester at a cost not to exceed $65 per person.
2. Dave Degear, Robin MacDonald, Tom Simonds, Paul Fleig, Josh Fagner, Ron Reynolds, Tom Parker, Mike Abraham, Steve Rodas, Dave Orians, Jerry Lacey and Ted Fafinski to attend the Finger Lakes Water Works Conference on February 5th in Geneva at a cost not to exceed $22 per person for members (11) and $25 for non-members (1).

DISCUSSION:

A motion was made by Councilman Holtz and seconded by Councilman Casale to adjourn the meeting at 7:56 p.m. Motioned CARRIED.

Minutes were taken and transcribed by: ________________________________

Michelle Finley, CMC, RMC - Town Clerk