

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 13th day of April, 2021, at 7:00 PM, there were:

PRESENT: Peter Ingalsbe – Supervisor
Mike Casale – Councilman
Steven Holtz – Councilman
Nate Bowerman – Councilman
Ron Herendeen – Councilman
Michelle Finley – Town Clerk

Also present in person: **Don Giroux** – Highway and Parks Superintendent, **Dan Delpriore** – Code Enforcement Officer, **Adrian Bellis** – Planning Board Member, **Ed Hemminger** – Planning Board Chairman, and **Robin MacDonald** – Acting Water & Sewer Superintendent.

Also present by telephone/video conferencing were: **Ron Brand** – Director of Planning and Development.

PUBLIC HEARINGS:

Supervisor Ingalsbe opened the public hearings at 7:00 p.m. The Town Clerk read the legal notice.

A LOCAL LAW AMENDING ARTICLE I (DOG CONTROL) AND II (DOG LICENSING) OF CHAPTER 49 OF THE FARMINGTON TOWN CODE, ENTITLED “ANIMALS”

Ms. Finley stated that the number of dogs that are allowed were added to the law. Mr. Delpriore added that the language was cleaned-up as well. Supervisor Ingalsbe asked if anyone wanted to speak for or against this proposed local law, hearing none, the public hearing was closed at 7:03 p.m.

A LOCAL LAW AMENDING CHAPTER 138 OF THE FARMINGTON TOWN CODE, ENTITLED “STORMWATER MANAGEMENT AND EROSION, AND SEDIMENT CONTROL”

Mr. Delpriore stated that language was cleaned-up with what the town adopted with their stormwater management plan. He added that they brought both documents up to a point of matching up to each other. Small changes here and there were made throughout the chapter but was more to make sure the terminology was the same for both documents. Supervisor Ingalsbe asked if anyone wanted to speak for or against the proposed local law, hearing none, the public hearing was closed at 7:04 p.m.

A LOCAL LAW AMENDING CHAPTER 140 OF THE FARMINGTON TOWN CODE, ENTITLED “STREETS AND SIDEWALKS”

Mr. Delpriore stated that he worked with the Highway Superintendent on cleaning up some of the language. He added that they also added trails in this section. He stated a lot of the terminology was updated. Supervisor Ingalsbe stated that the town doesn't want people parking at the end of the trails or on the sidewalks in their driveways. He added that there was no enforcement in the law so that was added. Supervisor Ingalsbe asked if anyone wanted to speak for or against the proposed law, hearing none, the public hearing was closed at 7:07 p.m.

A LOCAL LAW AMENDING CHAPTER 165 (ZONING) OF THE FARMINGTON TOWN CODE, SECTION 165-55 ENTITLED “KEEPING OF ANIMALS,” SECTION 165-61 ENTITLED “FENCES,” AND SECTION 165-76 ENTITLED “MOBILE HOMES AND MOBILE HOME PARKS”

Mr. Delpriore stated that Chapter 165 is Zoning and a lot of it they see goes to the ZBA to be handled by them and they receive a lot of questions when working with residents. He added that there are people who keep chickens and that was not defined that well where it should be in the code. Cleaned up definitions in that section.

The seconded section titled “Fences”, Mr. Delpriore stated they get a lot of questions about it because they didn't understand the language of it so they updated the language of the chapter, goes over where they can be placed, discussed corner lots, and tells what a front yard and side yard is.

Mr. Delpriore stated that the last section titled “Mobile Homes and Mobile Home Parks” was a long section and needed a lot of updates and was overlooked for many years. He added that the biggest thing that changed in this section was that they went to an operating permit versus a special use permit. He added that the section does go into some of the zoning requirements as well. Mr. Krenichyn, 4880 Fox Road, asked if the mobile homes parks is referred to something already existing. Mr. Delpriore replied that there are three mobile home parks and mobile homes are classified that is something that has wheels and axels that are removed when placed on a permanent foundation where they then become a permanent structure, and there are rules and regulations that cover just that.

Supervisor Ingalsbe stated that the Board would like to drop the wording PD (Planned Development) from the section and just use the authorizing the RMF districts so the board will not be acting on this local law tonight and a new public hearing notice will be sent to the newspaper for the April 27, 2021, Town Board Meeting. The new law reflecting that change will be posted.

Supervisor Ingalsbe asked if anyone wanted to speak for or against this proposed local law, hearing none, the public hearing was closed at 7:13 p.m.

APPROVAL OF MINUTES:

A motion was made by **Councilman Casale** and seconded by **Councilman Holtz**, that the minutes of the March 23, 2021, Town Board Meeting, and given to members for review, be approved. All Voting "Aye" (Holtz, Casale, Herendeen, Bowerman, and Ingalsbe). Motion Carried.

PRIVILEGE OF THE FLOOR: Jason Krenichyn – RV lot/Campers on corner of Fox Road and CR28

Mr. Krenichyn stated that he came to bring attention to the northwest corner of County Road 28 and Fox Road. He stated that for the last few years it has become increasingly expanding eye sore to those who drive by it daily, there is no residence just a vacant lot that becomes a miniature seasonal RV park in April and vacated in October/November. He stated that in years past campers come and go but last year one did stay permanently towards the north end of the property. He stated that currently a few non-permanent structures and another was erected this past weekend. He added that he usually gets calls or text from neighbors and friends regarding this issue and one even jokingly referred to it as a gypsy camp. He added that last year there were several weekends where there were major gatherings, and this would seem okay in some places, but this happens to be on the corner of a 55 mph reasonably busy thoroughfare and all not too long ago there were three major accidents in a three month stretch at this intersection. He added that he was home for all three of them and helped pull people out and this was without any camping on the corner. He fears that when there are three, four, or five pull ahead campers then another dozen or so cars on this corner that the danger level of the intersection will become exponential. Mr. Krenichyn stated that even though Mr. Holtz and Mr. Ingalsbe live in neighborhoods, but he implores them to imagine two or three campers showing up between your house and the neighbors, it wouldn't seem to belong there. He then said to Mr. Casale that he has open land to his west and invites him to look at the same. He then directed to Mr. Bowerman and Mr. Herendeen who have farmland borders them respectively and if they could imagine seasonal campers next to their homes, which at times seems like a travelling circus. He certainly understands that there are people who enjoy living in a camper for 6 or 7 months but there are places for that, there are seasonal RV parks and camp parks exactly for that. He added that when you drive down Fox Road it's decent house, decent house, decent house, then it is RV campers, canvas car ports, storage trailers, campers circled around a fire pit with 220 lines running all over the place so more campers can come hook up on the weekends. He stated that he didn't necessarily build his house in the middle of the country to have something like that pop up next door to him. He implored the Board to put themselves in his situation and to drive by sometime and look and see if they would like that next to them.

Supervisor Ingalsbe stated that he did look that lot up on GIS and the lot is about an acre in size. Mr. Delpriore stated that he had his staff look into this and that this has been an ongoing investigation for them. First Mr. Delpriore gave the definition of what a campground is per town code. He stated that a campground is a facility that is leased for rented spots out to people to gather for the placement of tents, travel trailers, RV's, and vehicles like that that are registered and regulated by the Department of Motor Vehicles. Mr. Delpriore stated that when they talked with the owner of the property, the owner stated that he does not receive money and that it is friends that are gathering and there is no code against that. Mr. Delpriore gave a brief history of the property and stated that there was a structure there that burned down in September 1993, a few years ago the current owner started putting a camper on the site where the house was so there is utilities that are existing. The owner stated that it was just friends and family that visit during the summer, he feels that he owns that land and within code he isn't doing anything that isn't allowed. Mr. Delpriore stated that he respects Mr. Krenichyn's comments but if the town regulates what this owner is doing it would say that Mr. Krenichyn couldn't have any friends or family at your property. Mr. Delpriore stated that they are keeping an eye on the property, the structures that are temporary on the property they are looking into because they are not up to code, but as far as the RV's that are on the property and as long as they are registered and not mounted then this is an allowed use. Mr. Delpriore added that in 2019 the owner requested a second driveway onto to Fox Road, but it was denied by the Highway Superintendent and Code Enforcement. Mr. Delpriore stated that if there is ever any money being exchanged then his office would need to know that because then it falls into a different category of the code. Mr. Delpriore stated that his office has received noise complaints but the Town does not have a noise ordinance so they can't enforce anything. Mr. Krenichyn stated that the noise complaints did not come from him. Supervisor Ingalsbe thanked Mr. Krenichyn for bringing this to their attention and they will keep an eye on the property.

PUBLIC CONCERNS:**REPORTS OF STANDING COMMITTEES:****Public Works Committee: Councilman Herendeen reported:**

1. Regular testing and maintenance.
2. Discussed Belt press sludge.
3. Discussed Sand Filter backwash pump replacement.
4. Discussed Cleaning the tanks.
5. Water main breaks – one- North west corner of Route 332 and Collett Road.
6. Discussed new heater for PS-11.
7. Discussed new water main at Rt. 96 and Mertensia Road.
8. Discussed repairs to two water leaks – one in front of TOPS and one on LillyBrook.
9. Discussed installation of new water service for an existing home on New Michigan Road.
10. Discussed build dates for new trucks.

Highway & Parks:

1. Highway- Equipment Maintenance, Drainage for the Canandaigua-Farmington Townline Road project, Cross Culvert Cleaning/Inspection, removed winter marker stakes, repairing winter damage over seeding.
2. Parks- building and parks maintenance, preparing ballfield/winter cleanup and over seeding, and removed winter marker stakes.

Town Operations Committee: Councilman Bowerman reported:

1. Discussed various projects: Beaver Creek Park update, Comprehensive Plan Update, DRS Solar, and Auburn Meadows Subdivision.
2. Discussed resolutions on agenda.

Town Personnel Committee: None.**Town Finance Committee: Supervisor Ingalsbe reported: None.****Town Public Safety Committee: Councilman Holtz reported: None.****REPORTS OF TOWN OFFICIALS:****Supervisor Peter Ingalsbe reported:**

1. Discussed Ontario County Public Health – Vaccine Report – as of Monday, April 12, 2021, 53% of Ontario County residents have had first dose, 32% received 2nd dose. They have administered over 15,000 to date with 3 days scheduled this week. New school guidance as of last Friday from NYS.
2. Discussed NYS Budget – restored 100% of the VLT money, Highway money (CHIPS) increased, Extreme weather money increased. AIM money status quo but still stealing from county sales tax to pay towns and villages.
3. Discussed the approval of a Broad Band study.
4. Discussed piggybacking was extended.

Highway & Parks Superintendent Giroux reported:

1. Discussed Canandaigua-Farmington Townline Road project.
2. Discussed meeting with the Recreation Advisory Committee – playground presentation.

Town Clerk Michelle Finley reported:

1. 2021 Town and County Taxes were settled with the County Treasurer on April 6, 2021.
2. Busy collecting water and sewer and dog licensing.

Water & Sewer Superintendent Robin MacDonald reported:

1. Received 22 applications for water and sewer for Hathways Corners project.

Code Enforcement Officer Dan Delpriore reported:

1. Permits issued in March – 128.
2. Total issued since beginning of the year – 221.
3. Inspections for March – 324.
4. Total Fire Inspection for March – 25.
5. Total Zoning inspections for March – 56.
6. Total Stormwater/MS4 inspections for March – 10.

Director of Planning and Development Ron Brand reported:

1. Report available on website and filed with the Town Clerk.
2. Discussed Comprehensive Plan – draft on website-looking for comments until April 30th.
3. Agricultural Advisory Committee Meeting this Thursday.
4. Four new projects coming along, possibly an ice cream place.

Assessor Michelle Nicodemus reported: None.**Town Engineer Bill Davis reported: None.****Fire Chief reported: None.**

Planning Board Chairman Ed Hemminger reported:

1. Next Meeting – go over Myers RV schedule.
2. MTOD, MSOD, and the Site Design guidelines need to be consistent and right now when they look at the proposed MSOD guidelines there are some issues between that and the MTOD guidelines. They want to make sure they are giving the applicants the most updated information to be consistent so they know what are requirements and what are guidelines.

Zoning Board of Appeals Jeremy Marshall reported: None.**Recreation Advisory Committee Bryan Meck reported: None.****Recreation Director Mark Cain reported: None.**

Supervisor Ingalsbe stated that the Highway/Parks Superintendent met with the Recreation Advisory Committee and the Recreation Director to discuss playground equipment for Beaver Creek Park. Recreation Advisory Committee will look over options for two age groups and make recommendation to the Town Board.

Ontario County Planning Board Member reported: None.**Conservation Board Chairman Hilton reported: None.****Town Historian Donna Herendeen reported: None.****Swap Shop Update: Councilman Holtz:****Agricultural Advisory Committee Chairman Hal Adams: None.****COMMUNICATIONS:**

1. Letter to the Town Clerk from Paul Spitzer of the NYS DOT. Re: Traffic Study, County Road 41 between Route 332 and County Road 8.
2. Letter to the Highway Superintendent from Peter Ryan of the NYS DOT. Re: Consolidated Local Street and Highway Improvement Program (CHIPS).
3. Letter to the Town Supervisor from Stacey Wicksall of the Macedon Public Library. Re: Continued Support.
4. Letter to the Town Clerk from Tim Furlong of Eligo Energy. Re: EPA Green Power Community Certification.
5. Letter to the Town Supervisor from Nash Bok of Habitat for Humanity. Re: Support and encouragement.
6. Letter to the Town Clerk from Paul Spitzer of the NYS DOT. Re: Traffic study on Canandaigua Farmington Townline Road between Route 332 and Michigan Road.
7. Letter to The Victor Town Clerk from the Town Clerk. Re: Mertensia Road Property (area variances – front setback).
8. Letter to Raymond F. Wager of Mengel Metzger Barr & Co., LLP from Sheila Chalifoux. Re: Tax Certiorari Matters.
9. Letter to the Town Supervisor from Keith Wiese of Troy & Banks. Re: Audit.
10. Letter to the Town Supervisor from Steve Lottmann of Charter Communications. Re: Annual Franchise Fee Payment.
11. Eastern Shore Associates Coalition Cyber Breach and Liability Coverage declination.
12. Letter to the Town Supervisor from the Ontario County Administrator. Re: Legislation authorizing taxing entities to defer tax payments.
13. Town of Farmington Water & Sewer and Victor Sewer District Significant Industrial User Wastewater Discharge Permit. Re: Permit No. SIU-1.
14. Email to the Town Supervisor from Tim McDaniel, Resident. Re: Penalty fees.
15. Letter to the Town Supervisor from Paulina Renggli of the NYS Agriculture and Markets. Re: Municipal Shelter Inspection Report.
16. Letter to the Town Supervisor from Paulina Renggli of the NYS Agriculture and Markets. Re: Dog Control Officer Inspection Report.
17. Letter to the Town Supervisor from Jamie Jensen of USPS. Re: Mode of Delivery – CBU or Centralized.
18. Certificates of Liability Insurance from: Josh Lawn Care & Landscaping, Inc.; Hynes Concrete Contractor Inc.; Carini Excavating, Inc.; Highland Contractors of Western New York, Inc.; Concord Electric Corporation; Design Pool & Spa, Ltd.; Ryan Plumbing, Heating, Air Conditioning & Fire Protection, LLC; R-J Taylor General Contractors, Inc.; E and V Energy Corporation; Kennedy Mechanical Plumbing & Heating, Inc.; Mallo Home Improvements, Inc.; Pioneer Millworks, Inc.; Alternative Carbon Energy Systems, Inc.; Serenity Pool and Spa, LLC; Sonitrol Security Systems of Buffalo, Inc.
19. Certificate of Workers' Compensation Insurance from: Josh Lawn Care & Landscaping, Inc.; Hynes Concrete Contractor, Inc.; Concord Electric Corporation.; E and V Corporation; Ryan Plumbing, Heating, Air Conditioning & Fire Protection, LLC; R-J Taylor General Contractors, Inc.; Kennedy Mechanical Plumbing & Heating, Inc.; Mallo Home Improvements, Inc.; Marrano/Marc-Equity

- Corporation.; Penfield Plumbing and Heating, Inc.; Camco General Contracting, Inc.; New Energy Works of Rochester, Inc.; Spring Sheet Metal & Roofing, LLC; Holbrook Heating, Inc.
- 20. Certificate of Disability and Paid Family Leave Benefits Insurance from: Hynes Concrete Contractor, Inc.; Mallo Home Improvements, Inc.

REPORTS & MINUTES:

- 1. Recreation Board Meeting Minutes – March 9, 2021.
- 2. Building Department – Inspection Schedule – March 2021.
- 3. Building Department – Permit Report by Type – March 2021.
- 4. Monthly Report – Judge Lew – March 2021.
- 5. Monthly Report – Judge Gligora – March 2021.
- 6. Historic Preservation Meeting Minutes – August 6, 2020.
- 7. Historic Preservation Meeting Minutes – September 10, 2020.
- 8. Historic Preservation Meeting Minutes – October 1, 2020.
- 9. Historic Preservation Meeting Minutes – November 5, 2020.
- 10. Historic Preservation Meeting Minutes – January 2021.
- 11. Planning Board Meeting Minutes – March 17, 2021.
- 12. Monthly Traffic Report – Ontario County Sheriff Department – March 2021.
- 13. Project Review Committee Meeting Minutes – April 1, 2021.

ORDER OF BUSINESS:

RESOLUTION 144-2021:

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

A RESOLUTION ADOPTING THE ACTION ENTITLED “LOCAL LAW NO. 7 OF 2021, A LOCAL LAW TO AMEND CHAPTER 49 OF THE FARMINGTON TOWN CODE, ARTICLE I, TO BE ENTITLED DOG CONTROL AND ARTICLE II, TO BE ENTITLED DOG LICENSING.”

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) by Resolution No. 137 of 2021, dated March 23, 2021 accepted the final draft of the above referenced Local Law (Local Law No. 7 of 2021); and directed the scheduling of tonight’s public hearing upon the above referenced adoption; and

WHEREAS, the Town Clerk has published and posted the legal notice for tonight’s public hearing in accordance with the Town’s adopted Open Meetings Law provisions of New York State Town Law; and

WHEREAS, the Town Board has conducted a public hearing on the proposed amendments to Articles I and II of Chapter 49 of the Farmington Town Code; and

WHEREAS, the Town Board has given consideration to the public hearing record held upon the proposed amendments contained within the Final Draft of Local Law No. 7 of 2021.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby adopt in its entirety the above referenced Final Draft Local Law (Local Law No. 7 of 2021) dated March 23, 2021.

BE IT FINALLY RESOLVED, that the Town Clerk is to provide a Certified Copies of this resolution and the adopted Local Law to the New York State Secretary of State for filing in that Office.

BE IT FURTHER RESOLVED, that the Town Clerk upon receipt from the State Secretary of State Office is to submit a copy of the filed local law to General Code Publishers requesting Chapter 49 be amended and that copies thereof be provided to the Town for inserting in the Town Code Book.

BE IT FINALLY RESOLVED, that copies of this resolution be provided to: the Town Code Enforcement Officer; and the Town Director of Planning and Development.

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

Local Law No. 7 of the year 2021

“Amendments to Part II, General Legislation, Chapter 49, Article I, Sections 49-1 through 49-7, of the Farmington Town Code, entitled Dog Control; and Chapter 49, Article II, Section 49-8 through 49-18, entitled Dog Licensing.”

Be it enacted by the **Town Board**

Town of Farmington

as follows:

Section 1. Title. Article I, Chapter 49 of the Town of Farmington Code, entitled Animals is hereby amended as follows:

§ 49-1. Title.

Article I, Chapter 49, of the Town of Farmington Code shall be known and may be cited as the “Dog Control Law of the Town of Farmington.”

§ 49-2. Purpose.

This Section shall continue as § 49-2 of the Town of Farmington Code.

§ 49-3. Definitions.

The following terms are hereby defined and added to, in alphabetical order, this subsection of Article I, Chapter 49, Section 3 of the Town of Farmington Town Code.

(1)

DOG CONTROL OFFICER - Means any individual appointed by the Town Board to assist in the enforcement of this Article or any authorized officer, agent or employee of an incorporated humane society or similar incorporated dog protective association under contract with the Town of Farmington to assist in the enforcement of this article.

DANGEROUS DOG – means any dog which (i) without justification attacks a person, companion animal as defined in Article 7 of the Agriculture and Markets Law, subdivision five of section three hundred fifty, farm animal as defined in subdivision four of section three hundred fifty, or domestic animal as defined in subdivision seven and causes physical injury or death, or (ii) behaves in a manner which a reasonable person would believe poses a serious and unjustified imminent threat of serious physical injury or death to one or more persons, companion animals, farm animals or domestic animals or (iii) without justification attacks a service dog, guide dog or hearing dog and causes physical injury or death.

DOG SHOW – An event or exhibition in which a judge, familiar with a specific dog breed, evaluates individual purebred dogs for how well the dogs conform to the established breed type for their breed, as described in a breed’s individual breed standard.

§ 49-4. Restrictions.

The following subsection D. is hereby added.

§ 49-4. D. It shall be unlawful to keep four (4) or more dogs that are four (4) months of age or older on any premises, regardless of the number of owners, unless the provisions of the Zoning Law of the Town of Farmington, Chapter 165 of the Code of the Town of Farmington and the laws of the State of New York in regard to kennels are complied with.

§ 49-5. Prohibited Acts.

This subsection is hereby created and shall read in its’ entirety as follows:

§ 49-5. Prohibited Acts.

- A. No dog shall engage in loud howling or barking or conduct itself in such a manner as to annoy any reasonable person.
- B. No dog shall cause damage to or destruction of property or commit a nuisance.
- C. No dog shall bite, chase, or otherwise harass any person or other animal in such a manner as reasonably cause intimidation or puts such person in reasonable apprehension of bodily harm or injury.

§ 49-6. Complaints and Dangerous Dogs.

This subsection is hereby created and shall read in its’ entirety as follows:

§ 49-6. Complaints and Dangerous Dogs.

Any person who observes a dog committing a prohibited act listed in § 49-5 above herein, or as defined in Article 7, section 123, of the New York State Agriculture and Markets Law, may file a signed complaint, made under oath, with: the Town Code Enforcement Officer or an Assistant Town Code Enforcement Officer; or the Town Zoning Officer; or the Town Clerk or Deputy Town Clerk specifying the objectionable conduct of the dog, the date of such conduct, the nature of the event, any damage caused, a description of the dog, and the name and residence, if known, of the owner or person harboring said dog. The Town Official receiving the complaint shall immediately deliver the complaint to the Town of Farmington Town Justice Court in accordance with the provisions contained within § 49-7 below of this Chapter.

§ 49-7. Enforcement; penalties for offenses.

This is a re-numbered subsection of Part II, General Legislation, Chapter 49, Article I of the Farmington Town Code, formerly identified as § 49-5 Enforcement; penalties for offenses. The former provisions of § 49-5 are hereby repealed in their entirety and a new § 49-7 is hereby created and shall read in its' entirety, as follows:

§ 49-7. Enforcement; penalties for offenses.

- A. Enforcement Officers. The provisions of this Chapter may be enforced by any person, the Town of Farmington, or organization for the prevention of cruelty to animals, appointed by law, or pursuant to, a contract in effect with the Town of Farmington.
- B. Appearance Tickets and Process. Any person who is a member of an organization authorized to enforce the provisions of this Chapter may issue an appearance ticket for an alleged violation hereof, pursuant to section 150.20 of the New York State Criminal Procedure Law. In addition, an appearance ticket may also be issued for any alleged violation of Article 7, section 118 of the Agriculture and Markets Law of the State of New York. Said person is hereby authorized to serve any process relating to any proceeding, whether civil or criminal in nature, in accordance with the provisions of this Chapter. In the event an appearance ticket is unanswered, the Town of Farmington Town Justice Court shall permit filing of an information from the appropriate enforcement person and issue a warrant of arrest for the alleged violator.
- C. Seizure. Any dog found to be at large by the dog control officer in the Town of Farmington shall be seized, and properly fed and cared for by the Ontario County Humane Society until redeemed or disposed of in accordance with the provisions with the provisions of article 7, section 117 of the Agriculture and Markets Law of the State of New York. The owner of the dog, upon presentation of a valid dog license and upon payment of the impoundment fees established by the aforesaid Article 7, section 117 of the Agriculture and Markets Law of the State of New York may redeem such dog. In the event a dog is not redeemed within the statutory time period, an owner forfeits title to said dog, which shall then be made available for adoption or euthanized in accordance with Article 7, section 117 of the Agriculture and Markets Law of the State of New York. The seizure of any dog shall not relieve any person of prosecution for violation of the provisions of this Chapter.
- D. Commencement of Proceedings. Any person alleged to be found to have permitted any dog to be at large in the Town of Farmington shall be issued an appearance ticket for an alleged violation of this Chapter and shall be prosecuted in the manner provided for herein.
- E. Penalties of Violations. Pursuant to section 80.05 of the Penal Law of the State of New York, a violation of the provisions of this Chapter shall be punishable by a fine of not more than \$250.00.

Section 2. Article II Dog Licensing.

The following amendments are hereby made to Part II, General Legislation, Chapter 49, Article II, Sections 49-6 through 49-18 of the Farmington Town Code.

§ 49-6. Title.

This section of the Town of Farmington Town Code is hereby deleted and replaced in its' entirety to read:

§ 49-8. Title.

Article II, of Chapter 49 of the Town of Farmington Town Code, shall be known and may be cited as "Dog Licensing Law of the Town of Farmington Town Code."

§ 49-7. Licensing of dogs.

This section of Chapter 49 is hereby deleted and replaced in its' entirety to read as follows:

§ 49-9. Licensing of Dogs.

All dogs being harbored in the Town of Farmington, unless otherwise exempted by the provisions contained in Article 7, section 109, of the New York State Agriculture and Markets Law, must be licensed by the age of four months with the Town Clerk of the Town of Farmington.

§ 49-10. Application.

This section of Chapter 49 is hereby deleted and replaced in its' entirety to read as follows:

§ 49-10. Application.

The owner of each dog required to be licensed, by the provisions of this Chapter of the Town of Farmington Town Code, shall obtain a dog license application form that is to be completed and returned, along with the items contained below herein, to the Farmington Town Clerk for issuing of a dog license:

- A. A dog license application form.
- B. The license application fee and any additional fees as established by the Town Board as part of the adopted of the Town of Farmington Annual Fee Schedule.
- C. Any applicable license surcharges.
- D. Proof that the dog has been vaccinated against rabies or a statement from a licensed veterinarian that such vaccination would endanger the dog's life, in which case vaccination would not be required.
- E. In the case of a spayed or neutered dog, a certificate by a licensed veterinarian or an affidavit signed by the owner of the dog showing that the dog has been spayed or neutered, provided such certificate or affidavit shall not be required if the same is already on file with the Farmington Town Clerk's Office. In lieu of the spay or neuter certificate, an owner may present a statement certified by a licensed veterinarian stating the he or she has examined the dog and found that, because of old age or other reason, the life of the dog would be endangered by spaying or neutering. In such case, the license fee for the dog shall be the same as for a spayed or neutered dog.

§ 49-9. Identification tag.

This section of Chapter 49 is hereby deleted and replaced in its entirety to read as follows.

§ 49-11. Identification tag.

Each dog licensed pursuant to this article shall be assigned, at the time the dog is first licensed, a municipal identification number. Such identification number shall be carried by the dog on an identification tag which shall always be affixed to a collar on the dog. No tag carrying an identification number shall be affixed to the collar of any dog other than the one to which that number has been assigned.

§ 49-12. License term.

Chapter 49, Section 10 is hereby deleted in its' entirety and is hereby replaced by a § 49-12. License term, which is to read in its' entirety as § 49-12, as follows:

§ 49-12. License term.

All dog licenses will be issued for a period of up to three years and said license will expire on the last day of the last month of the period for which they are issued.

§ 49-11. License nontransferable.

Chapter 49, Section 11. License nontransferable is hereby deleted in its' entirety and is replaced by § 49-13. License nontransferable which is to read, in its' entirety as § 49-13. License nontransferable., as follows:

§ 49-13. License nontransferable.

Any license issued pursuant to this Article, shall not be transferrable. Upon the transfer of ownership, or new address of any dog within the Town of Farmington, the new owner shall immediately make application for a new license for such dog.

§ 49-12. Purebred License.

Chapter 49, Section 12. Purebred License is hereby deleted in its' entirety and is replaced by § 49-14. Purebred License. Which is to read, in its' entirety, as follows:

§ 49-14. Purebred License.

The Town of Farmington will issue purebred licenses but will not issue separate purebred tags.

§ 49-13. Guide dog, service dog, hearing dog or detection dog tag.

Chapter 49, Section 13. Guide dog, service dog, hearing dog or detection dog tag is hereby deleted in its' entirety and replaced with § 49-15. Guide dog, service dog, hearing dog or dog tag. Which is to read, in its' entirety, as follows:

§ 49-15. Guide dog, service dog, hearing dog or detection dog tag.

The Town of Farmington will not issue a special tag for identifying any guide dog, service dog, hearing dog or detection dog tag.

§ 49-14. Fees and surcharges.

Chapter 49, Section 14. Fees and surcharges is hereby deleted in its' entirety and replace with § 49-16. Fees and surcharges. Which is to read, in its' entirety, as follows:

§ 49-16. Fees and surcharges.

The fees and surcharges for issuing dog licenses shall be fixed by the Town Board as part of the Town of Farmington's Annual Fee Schedule and by the provisions contained in Article 7, section 110, of the New York State Agriculture and Markets Law. Such Ton fees and surcharges may, from time to time, be changed as the Town Board may determine. These fees and surcharges include:

- A. The license fee for a spayed or neutered dog.
- B. The license fee for an unsprayed or an unneutered dog (such Town fee having to exceed the fee for a license for a spayed or neutered dog by such amount as mandated in Article 7, Section 110, of the New York State Agriculture and Markets Law);
- C. In addition to the license fee authorized by this Chapter and established by the Town Board of the Town of Farmington and contained in the Annual Fee Schedule, a surcharge for the issuance of a purebred license (such surcharge shall be, at a minimum, such amount as mandated by Article 7, Section 110, of the New York State Agriculture and Markets Law) for the purposes of carrying out animal population control efforts.
- D. In addition to the license fee authorized by this Chapter and established by the Town Board of the Town of Farmington as part of the Annual Fee Schedule, a surcharge is hereby authorized if the dog to be licensed is altered (such surcharge shall be, at a minimum, the amount specified in Article 7, Section 110, of the New York State Agriculture and Markets Law).
- E. In addition to the license fee authorized by this Chapter and established by the Town Board of the Town of Farmington as part of the Annual Fee Schedule, a surcharge is hereby authorized if the dog to be licensed is not altered (such surcharge shall be, at a minimum, the amount specified in Article 7, Section 110, of the New York State Agriculture and Markets Law).
- F. In addition to the license fee authorized by this article and established by the Town Board of the Town of Farmington as part of the Annual Fee Schedule, a surcharge is hereby authorized to recover and defray the cost of an enumeration of dogs living with the Town of Farmington.
- G. In addition to the license fee authorized by this Article and established by the Town Board as part of the Annual Fee schedule, a surcharge is authorized for offsetting costs associated with the provision and replacement of identification tags.

§ 49-15 Exemptions.

Chapter 49, Section 15. Exemptions. Is hereby deleted in its' entirety and replaced with § 49-17. Exemptions. Which is to read, in its' entirety, as follows:

§ 49-17. Exemptions.

- A. Exempted from payment of the license fees are applications submitted for a dog license for any of the following dogs, provided written documentation is provided with such application that certifies such dog as being any of the following:
 - 1. Guide dog.
 - 2. Hearing dog.
 - 3. Service dog.
 - 4. War dog.
 - 5. Working search dog.
 - 6. Detection dog.
 - 7. Police work dog.
 - 8. Therapy dog.
- B. At the time the Town Board establishes the license fees authorized pursuant to § 49-16 of this Article, the Town Board may permit a partial or full exemption to senior citizens, for the dog license fees fixed by the Town Board and made part of the Town's Annual Fee Schedule.
- C. A dog participating in a dog show within the Town of Farmington shall be exempt from wearing its' identification tag while participating in the event.

§ 49-15. Penalties for offenses.

Chapter 49, Section 16. Penalties for offenses. Is hereby deleted in its' entirety and replaced with § 49-18. Penalties for offenses. Which is to read, in its' entirety, as follows:

§ 49-18. Penalties for offenses.

A violation of this article shall be punishable by:

- A. A fine of \$25.00 for a first violation.

- B. A fine of \$50.00 for a second violation.
- C. Where the person is found to have committed two or more such violations within the preceding five years, either a fine of \$100.00; or imprisonment for not more than 15 days, or both.

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

Section 12. This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

RESOLUTION #145-2021:

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

A RESOLUTION ADOPTING THE ACTION “LOCAL LAW NO. 8 OF 2021, A LOCAL LAW TO AMEND CHAPTER 138 OF THE FARMINGTON TOWN CODE, TO BE ENTITLED STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL.”

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) by Resolution No. 137 of 2021, dated March 23, 2021 accepted the final draft of the above referenced Local Law (Local Law No. 8 of 2021); and directed the scheduling of tonight’s public hearing upon the above referenced adoption; and

WHEREAS, the Town Clerk has published and posted the legal notice for tonight’s public hearing in accordance with the Town’s adopted Open Meetings Law provisions of New York State Town Law; and

WHEREAS, the Town Board has conducted a public hearing on the proposed amendments to Chapter 138 of the Farmington Town Code; and

WHEREAS, the Town Board has given consideration to the public hearing record held upon the proposed amendments contained within the Final Draft of Local Law No. 8 of 2021.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby adopt in its entirety the above referenced Final Draft Local Law (Local Law No. 8 of 2021) dated March 23, 2021.

BE IT FINALLY RESOLVED, that the Town Clerk is to provide a Certified Copies of this resolution and the adopted Local Law to the New York State Secretary of State for filing in that Office.

BE IT FURTHER RESOLVED, that the Town Clerk upon receipt from the State Secretary of State Office is to submit a copy of the filed local law to General Code Publishers requesting Chapter 138 be amended and that copies thereof be provided to the Town for inserting in the Town Code Book.

BE IT FINALLY RESOLVED, that copies of this resolution be provided to: the Town Code Enforcement Officer; the Town Highway and Parks Superintendent; the Acting Town Water and Sewer Superintendent; the Town Construction Inspector; the Town Engineers, MRB Group, Lance Brabant, CPESC; and the Town Director of Planning and Development.

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

Local Law No. 8 of the year 2021

“Amendments to Part II, General Legislation, Chapter 138, of the Farmington Town Code, entitled Stormwater Management and Erosion and Sediment Control.”

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

Section 1. The following amendments are hereby made to Part II, General Legislation, Chapter 138, of the Farmington Town Code.

§ 138-2. Definitions.

Chapter 138-2. of the Town of Farmington Town Code is hereby amended to include the following definition to be inserted alphabetically in its’ entirety as follows:

§ 138-2. STORMWATER MANAGEMENT PROGRAM PLAN (SWMP PLAN)

A plan document based upon guidelines accepted by the New York State Department of Environmental Conservation (NYSDEC), prepared by the Town’s Engineers and Town Staff, which has been publicly reviewed and formally adopted by the Town Board in an ongoing effort to reduce the illicit discharge of pollutants into the ground waters of the Town of Farmington and the State of New York to the maximum extent possible. The document is a living guide to achieve each of the six minimum control measures (MCMs) as required by the NYSDEC which is subject further to amendment based upon new information provided by the

NYSDEC. The document, upon adoption, is made part of the latest edition of the Town of Farmington Comprehensive Plan and shall remain as part of said Plan.

§ 138-7. A. Stormwater pollution prevention plans (SWPPP).

Chapter 138-7. A. of the Town of Farmington Town Code is hereby deleted and replaced in its' entirety to read:

§138.7.A. Stormwater pollution prevention plan requirement. No application for approval of a land development activity shall be reviewed until the appropriate board has received a stormwater pollution prevention plan (SWPPP) prepared in accordance with specifications in this Chapter and the latest adopted edition of the Town of Farmington Stormwater Management Program Plan (SWMP Plan).

§ 138-8. C. Performance and design criteria.

Chapter 138-8. C. of the Town of Farmington Town Code is hereby deleted and replaced in its' entirety to read:

§138.7.C. Shall meet all standards contained in the latest adopted edition of the Town of Farmington Stormwater Management Program Plan (SWMP Plan).

§ 138-10. Maintenance and repair of stormwater facilities.

Chapter 138-10 of the Town of Farmington Town Code is hereby amended by adding the following subsection F. to read in its' entirety as follows:

§138-10 F. Shall meet all standards contained in the latest adopted edition of the Town of Farmington Stormwater Management Program Plan (SWMP Plan).

§ 138-11. Administration and enforcement.

Chapter 138-11 of the Town of Farmington Town Code is hereby amended by adding the following subsection 11.A.6. Construction Inspection.

§138-11. A. 6. Shall meet all standards contained in the latest adopted edition of the Town of Farmington Stormwater Management Program Plan (SWMP Plan).

Section 2. If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been ordered.

Section 3. This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

RESOLUTION #146-2021:

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

A RESOLUTION ADOPTING THE ACTION “LOCAL LAW NO. 9 OF 2021, A LOCAL LAW TO AMEND CHAPTER 140 OF THE FARMINGTON TOWN CODE, TO BE ENTITLED STREETS AND SIDEWALKS.”

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) by Resolution No. 137 of 2021, dated March 23, 2021 accepted the final draft of the above referenced Local Law (Local Law No. 9 of 2021); and directed the scheduling of tonight's public hearing upon the above referenced adoption; and

WHEREAS, the Town Clerk has published and posted the legal notice for tonight's public hearing in accordance with the Town's adopted Open Meetings Law provisions of New York State Town Law; and

WHEREAS, the Town Board has conducted a public hearing on the proposed amendments to Chapter 140 of the Farmington Town Code; and

WHEREAS, the Town Board has given consideration to the public hearing record held upon the proposed amendments contained within the Final Draft of Local Law No. 9 of 2021.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby adopt in its entirety the above referenced Final Draft Local Law (Local Law No. 9 of 2021) dated March 23, 2021.

BE IT FINALLY RESOLVED, that the Town Clerk is to provide a Certified Copies of this resolution and the adopted Local Law to the New York State Secretary of State for filing in that Office.

BE IT FURTHER RESOLVED, that the Town Clerk upon receipt from the State Secretary of State Office is to submit a copy of the filed local law to General Code Publishers requesting Chapter 140 be amended and that copies thereof be provided to the Town for inserting in the Town Code Book.

BE IT FINALLY RESOLVED, that copies of this resolution be provided to: the Town Code Enforcement Officer; the Town Highway and Parks Superintendent; the Acting Town Water and Sewer Superintendent; the Town Construction Inspector; the Town Engineers, MRB Group, Lance Brabant, CPESC; and the Town Director of Planning and Development.

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

Local Law No. 9 of the year 2021

“Amendments to Part II, General Legislation, Chapter 140, of the Farmington Town Code, entitled Streets and Sidewalks”

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

Section 1. The following amendments are hereby made to Part II, General Legislation, Article I, Chapter 140, of the Farmington Town Code.

§ 140-3. Permit fee.

Article I. Highway Excavation, Chapter 140, Section 3. Permit Fee. of the Town of Farmington Town Code is hereby deleted and replaced in its’ entirety to read:

§140-3. Permit fee.
The applicant for a highway excavation permit specified above in §140-2 of this Chapter shall pay a fee to the Town Clerk prior to the issuance of such permit. Said fee shall be that which is made part of the annually adopted Town of Farmington Fee Schedule.

§ 140-4. Bond required.

Article I. Highway Excavation, Chapter 140, Sections 4., 5., 6. and 7. Of the Town of Farmington Town Code is hereby deleted and replaced in their entirety to read as follows:

§ 140-4. Bond required.

No highway excavation permit shall be issued until the applicant has provided the Town Clerk with:

- A. A performance bond or other acceptable form of surety, in the amount determined by the Town Highway Superintendent and accepted by the Town Board, to be sufficient for assuring the Town that its’ highway and the improvements therein, or adjacent thereto, and belonging to the Town, or which is determined to be in the best interest of the Town, will be restored to the condition in which they were found immediately prior to the excavating, drilling or boring for which such permit is issued. In the event the applicant shall disagree with the Highway Superintendent’s determination of the amount of the performance bond or other acceptable form of surety, the applicant may appeal this matter to the Town Board. The Town Board, by resolution, shall fix the amount of such performance bond or other acceptable form of surety. No permit shall be issued by the Town Highway Superintendent until an acceptable amount has been filed with the Town Clerk’s Office.
- B. A Certificate of Insurance coverage showing the applicant has coverage in the amounts acceptable to the Town’s Insurance Company.

§ 140-5. Waiver of bond.

No performance bond or other acceptable form of surety, shall be required for the issuance of a Town Highway Excavation Permit to excavate, drill or bore within the right-of-way boundary of any state or county highway. The Town Highway Superintendent shall clearly state upon such permit that no Town improvements are located within or adjacent to the area which is within the right-of-way boundary of any county, or state highway.

§ 140-6. Completion of work.

Such Town Permits shall be valid only during the period of time specified thereon, as determine by the Town Highway Superintendent. At the expiration of such period, or as may the work be completed sooner, and the expiration of five business days thereafter, the Town Highway Superintendent shall mail a notice to the applicant specifying the work performed has been accepted; and the property affected has been restored to the condition in which they were found. In the event the work is found not to be performed in accordance with the specifications contained in the permit and/or the property has not been restored to the condition in which it was originally found, the Town Board by resolution, shall then cause such work to be performed, applying the necessary amount in the performance bond or other acceptable for of surety to the timely completion of the work and/or the restoration of the property to its condition in which it was found. The

provisions of this section shall not limit the rights of the Town to bring any other legal action against the applicant, his agents or employees, to recover additional costs incurred by the Town.

Section 2. The following amendments are hereby made to Part II, General Legislation, Article II, Chapter 140, of the Farmington Town Code.

§ 140-9. Notice required prior to civil actions.

Article II. Notification of Defects, §140-9 is hereby renumbered §140-10. A new Article II Notification of Defects is hereby created to read in its' entirety as follows:

§ 140-9. Short title.

This Article shall be known as the "Highway Excavations Civil Actions."

§ 140-9. Notice required prior to civil actions. Is hereby renumbered §140-10 and shall read in its' entirety as currently stated in § 140-9 of Chapter 149 of the Farmington Town Code.

§ 140-10. Defective sidewalks; presence of snow or ice. Is hereby renumbered § 140-11 and shall read in its' entirety as currently stated in § 140-10 of the Farmington Town Code.

§ 140-11. Transfer of notices to Clerk. Is hereby renumbered § 140-12 and shall read in its' entirety as currently stated in § 140-11 of the Farmington Town Code.

§ 140-12. Record of notices. Is hereby renumbered § 140-13 and shall read in its' entirety as currently stated in § 140-12 of the Farmington Town Code.

§ 140-13. Conflict with other requirements. Is hereby renumbered § 140-14 and shall read in its' entirety as currently stated in § 140-13 of the Farmington Town Code.

Section 3. The following amendments are hereby made to Part II, General Legislation, Article III, Chapter 140, of the Farmington Town Code.

§ 140-14. Title. Is hereby renumbered § 140-15 and shall read in its' entirety as follows.

§ 140-15. Short title. This Article shall be known as the "Sidewalk Maintenance and Repair Law of the Town of Farmington."

§ 140-15. Purpose. Is hereby renumbered § 140-16 and shall read in its' entirety as currently stated in § 140-15 of the Farmington Town Code.

§ 140-16. Duties of owners. Is hereby renumbered § 140-17 and shall read in its' entirety as currently stated in § 140-16 of the Farmington Town Code with the following amendment. There is hereby created a new § 140-17. A. that shall read in its' entirety as follows:

§ 140-17. A. Prohibition of parking on sidewalks and trails.

A. No vehicle shall be permitted to be parked in such a manner as to block or interfere with persons using any sidewalk or Town owned trail.

§ 140-17. Standards; damage necessitating repairs. Is hereby renumbered § 140-18 and shall read in its' entirety as currently stated in § 140-17 of the Farmington Town Code with the following amendment, § 140-18. C. is hereby deleted in its' entirety and is replaced in its' entirety to read as follows:

§ 140-18. C. All construction shall be in accordance with the provisions contained in the latest adopted version of the Town of Farmington Site Design and Development Criteria.

§ 140-18. Blacktop. Is hereby renumbered § 140-19 and shall read in its' entirety as currently stated in § 140-18 of the Farmington Town Code.

§ 140-19. Compliance required. Is hereby renumbered § 140-20 and shall read in its' entirety as currently stated in § 140-19 of the Farmington Town Code.

Section 4. If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been ordered.

Section 5. This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

RESOLUTION #147-2021:

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

RESOLUTION ACKNOWLEDGING THE ACCEPTANCE OF NEW MEMBERS TO THE FARMINGTON VOLUNTEER FIRE ASSOCIATION

WHEREAS, NY Consolidated Laws Section 1402 states that the Town Board must approve memberships for fire departments, therefore be it

RESOLVED, the Farmington Town Board acknowledges the acceptance of membership of the following people:

Timothy Wilcox
Joshua Jerome
Dawn Malcolm
Joseph Wilcox
Cassandra Murphy
Tianna Heid

And further be it, **RESOLVED**, that the Town Clerk send a certified copy of this resolution to the Farmington Volunteer Fire Association at PO Box 25117, Farmington, NY 14425.

All Voting "Aye" (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION 148-2021:

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

RESOLUTION WAIVING THE MERTENSIA LODGE RESERVATION FEE FOR THE SOUTH FARMINGTON FRIENDS CEMETERY FOUNDATION

WHEREAS, the South Farmington Friends Cemetery Foundation has requested the use of the Mertensia Lodge on May 15th, 2021, to host a pancake breakfast with proceeds to benefit the renovation project of the historic cemetery chapel, and

WHEREAS, the Foundation has requested to have the registration fee waived, therefore be it

RESOLVED, the Farmington Town Board authorizes the waiving of the reservation fee for the Mertensia Lodge for the South Farmington Friends Cemetery Foundation Pancake Breakfast on May 15, 2021, and further be it

RESOLVED, that the Town Clerk provide a copy of this resolution to the South Farmington Friends Cemetery Foundation.

All Voting "Aye" (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION 149-2021:

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

RESOLUTION WAIVING VARIOUS RESERVATION FEES FOR THE AMVETS POST 332

WHEREAS, the AMVETS Post 332 has requested the use of the Town Hall the first Thursday of each month at 7 p.m. for their Monthly Post Meeting, the Mertensia Lodge on the second Wednesday of each month at 11 a.m. for their Veterans Lunches, the Mertensia Lodge on July 28th and October 27th for their Women Veterans Dinner, and the Farmington Town Park on August 21st for their Post Picnic, and

WHEREAS, the AMVETS Post 332 has requested to have the registration fees waived, therefore be it

RESOLVED, the Farmington Town Board authorizes the waiving of the reservation fees for Town Hall the first Thursday of each month at 7 p.m. for their Monthly Post Meeting, the Mertensia Lodge on the second Wednesday of each month at 11 a.m. for their Veterans Lunches, the Mertensia Lodge on July 28th and October 27th for their Women Veterans Dinner, and the Farmington Town Park on August 21st for their Post Picnic, and further be it

RESOLVED, that the Town Clerk provide a copy of this resolution to the Ed Hemminger, Commander Farmington AMVETS Post 332.

All Voting "Aye" (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #150-2021:

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

RESOLUTION AUTHORIZING WAIVING THE MERTENSIA LODGE FEES FOR COBBLESTONE ARTS CENTER

WHEREAS, the Cobblestone Arts Center has requested use of the Mertensia Lodge to hold their Dayhab Program

for adults with disabilities on various dates, and have asked to have the fees waived, and

WHEREAS, the Town Board requires a head count and safety plan turned into the Building Department at least three days before the event, therefore be it

RESOLVED, the Farmington Town Board authorizes the waiving of the fees for the use of the Mertensia Lodge on various dates for the Cobblestone Arts Center for their Dayhab Program for adults with disabilities, and be it

FURTHER RESOLVED, that a copy of this resolution be sent to Vanessa Goodwin at vanessa@cobblestoneartscenter.com.

All Voting "Aye" (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #151-2021:

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN EMPLOYEE ASSISTANCE PROGRAM AGREEMENT WITH ASSOCIATES IN EMPLOYEE ASSISTANCE

WHEREAS, Associates in Employee Assistance provided the Town with a Contract for Employee Assistance Program (EAP), and

WHEREAS, Associates in Employee Assistance provided a competitive quote of \$1,140.00 per year, now therefore

BE IT RESOLVED, that the Farmington Town Board authorizes the Town Supervisor to sign the Employee Assistance Program (EAP) Two-Year Contract with Associates in Employee Assistance at a cost not to exceed \$1,140.00 per year, and

BE IT FURTHER RESOLVED, that copies of this resolution and original signed agreement be submitted by the Town Clerk to Confidential Secretary.

All Voting "Aye" (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #152-2021:

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

ACCEPTANCE OF THE REQUEST FROM THE TOWN ENGINEERS, MRB GROUP, D.P.C., TO ESTABLISH A TWO (2) YEAR MAINTENANCE BOND FOR SITE IMPROVEMENTS TO BE DEDICATED TO THE TOWN, WITHIN SECTION 7S, AUBURN MEADOWS SUBDIVISION, IN THE TOTAL AMOUNT OF \$49,045.50

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from the Town Engineers a cover letter, dated March 12, 2021 and a packet of dedication forms signed by the heads of the various Town Departments, recommending the Town Board accept a two (2) year maintenance bond for approved site improvements within Section 7S of the Auburn Meadows Subdivision Tract, in the total amount of \$49,045.50; and

WHEREAS, the Town Construction Inspector, Town Engineer, Town Highway and Parks Superintendent Town Code Enforcement Officer and the Acting Town Water and Sewer Superintendent have all inspected and accepted the site improvements to be dedicated, along with the quantities and the unit prices identified for establishing a two (2) year maintenance bond.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby accept these documents and directs the developer, A&D Real Estate Development Corporation, LLC, to file a surety, a two (2) year maintenance bond, with the Town Clerk, in the amount specified above herein.

BE IT FURTHER RESOLVED, that the developer's contractor is to make repair to the binder/road subbase on Jasper Drive, in the area of settlement/cracking, which is to be completed and inspected prior to the installation of the asphalt top coat within Section 7S of the Auburn Meadows Subdivision Tract.

BE IT FURTHER RESOLVED, that the Town Board does hereby direct the Town Clerk to provide certified copies of this resolution to: Anthony DiPrima, A&D Real Estate Development Corporation, LLC, 7 Beauclaire Lane, Fairport, New York 14450; Walt Baker, R.E.M., D.S.B. Engineers & Architects, 2394 Ridgeway Avenue, Rochester, New York 14626; the Town Planning Board Chairperson; the Town Highway and Parks Superintendent; the Acting Town Water and Sewer Superintendent; the Town Code Enforcement Officer; the Town Construction Inspector; the Town Engineer; the Town Director of Planning & Development; and John Robortella, Clerk of the Planning Board.

All Voting "Aye" (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #153-2021:

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

RESOLUTION AUTHORIZING ACCEPTANCE OF AN EASEMENT-1210 MERTENSIA ROAD

WHEREAS, the Town of Farmington, by its officers or representatives, has engaged in discussions with Taria Cunningham ("Owner") regarding the Town's obtaining a Water and Utility Easement and a Sidewalk Easement over portions of her property on 1210 Mertensia Road, as shown on maps prepared by MRB Group dated July and August, 2020; and

WHEREAS, Town of Farmington officials have recommended to the Town Board that said Owner grant to the Town the easements over said land of said Owner; and

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

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

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

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

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

All Voting "NAY" (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **DEFEATED**.

RESOLUTION #154-2021:

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

LETTER OF CREDIT PARTIAL RELEASE, RELEASE #6 – REDFIELD GROVE SUBDIVISION – PHASE 2, IN THE TOTAL AMOUNT OF \$ 144,894.47

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from the Town Planning Board (hereinafter referred to as Planning Board) a resolution dated April 7, 2021 recommending approval of the requested partial release of funds from the above referenced Letter of Credit. The total amount of funds recommended to be released for work completed in Phase 2 of the Redfield Grove Subdivision Tract, a part of the Redfield Grove Incentive Zoning Project, is \$144,894.47; and

WHEREAS, the Town Board has also been provided the Town Letter of Credit Release Forms G-1.1 and G-2.0 that have been signed by all of the town department heads and dated December 7, 2020; and

WHEREAS, the total amount of this Letter of Credit is \$ 1,021,054.44; and

WHEREAS, there will be a balance of \$ 245,644.11 remaining in the Letter of Credit after Release # 6; and

WHEREAS, the Town Clerk has reviewed this requested release finding the amounts contained therein to be accurate.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby authorize the Town Supervisor, to execute the above referenced partial release of funds from the above referenced Letter of Credit.

BE IT FURTHER RESOLVED, that the Town Clerk, is to be provided copies of this resolution to: Matt Heilmann, Town Construction Inspector; Don Giroux, Town Highway & Parks Superintendent; Robin MacDonald, Acting Town Water & Sewer Superintendent; Lance S. Brabant, CPESC, Director of Planning Services, MRB Group, D.P.C.; Dan Delpriore, Town Code Enforcement Officer; and Ronald L. Brand, Town Director of Planning and Development.

FINALLY BE IT RESOLVED, that a copy of this resolution is to be issued to the Letter of Credit holder, Frank DiFelice, DiFelice Development, Inc., 91 Victor Heights Parkway, Victor, New York 14564; and the applicant's engineers, Edward Parrone, P.E., Parrone Engineering, 349 W. Commercial Street, Suite 3200, East Rochester, New York 14445.

All Voting "Aye" (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #155-2021:

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

RESOLUTION REQUESTING ASSISTANCE FOR A REVALUATION PROJECT FROM SYLVIA STAPLES [FORMER EMPLOYEE OF ONTARIO COUNTY REAL PROPERTY TAX OFFICE] AND TOM FARLEY, CURRENTLY OF ONTARIO COUNTY REAL PROPERTY TAX OFFICE

WHEREAS, having undergone the data collection of real properties within the Town; the Assessor feels it is necessary to conduct a revaluation project of all properties for the 2022 assessment roll to return the Town to a uniform standard of assessment; and

WHEREAS, the Assessor is requesting valuation support assistance from Sylvia Staples and the County [Ontario County Real Property Tax Department]; and

WHEREAS, Sylvia Staples will help with RPSV4 valuation technical support at a cost of \$30.00 per hour to include updating land tables, cost and model components of the RPS program. Also, setting up options to print valuation documents; cost and comparable sheets, 510 notices and any other custom reports that are required to help complete the residential portion of the 2022 revaluation project; and

WHEREAS, Tom Farley of Ontario County Real Property Tax Office will help with commercial valuation and RPSV4 valuation technical support at a cost of \$40.00 per hour to include updating commercial land tables and valuation factor files. Also, training and helping the Assessor attach values to 207 commercial land parcels and to 144 of those parcels with additional property valuation needed, as well as, completing some valuation himself; and

WHEREAS, For 2022 budget purposes, the cost for all support would be approximately \$5,500 and would not exceed \$6,000; and

RESOLVED, the Farmington Town Board hereby requests assistance from Sylvia Staples and Tom Farley for the 2022 town wide revaluation project.

RESOLVED, that the Town Clerk forward a copy of this resolution to the Assessor, Sylvia Staples, and Ontario County Real Property Tax Department.

All Voting "Aye" (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #156-2021:

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

RESOLUTION AUTHORIZING PAYMENT TO DOYLE SECURITY FOR ANNUAL ALARM MONITORING

WHEREAS, the Town of Farmington's yearly Invoice covering Alarm Monitoring – Land Line, Service Contract, Fire Inspection and RAMP (remote access management program) from Doyle Security, and

WHEREAS, the invoice covers the service period of **April 1, 2021 through March 31, 2022**, and

WHEREAS, the Town's cost not to exceed **\$5,870.04, now therefore be it**

RESOLVED, that the Town Board authorizes the payment to Doyle Security Systems, Inc. for the annual agreement, and be it further

RESOLVED, that the Town Clerk forward the copies to the Highway/Parks Department to the Confidential Secretary, and the Principal Account Clerk

All Voting "Aye" (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #157-2021:

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

RESOLUTION ACCEPTING THE FINAL 2020 AUDIT REPORTS FROM RAYMOND F. WAGER, A DIVISION OF MMB & CO FOR THE JUSTICE ACCOUNTS

WHEREAS, representatives from Raymond F. Wager, CPA, a division of Mengel Metzger Barr & Co. has sent the reports for the agreed upon procedures for the Justice Accounts from the year ended December 31, 2020 audit,

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington accepts the reports and that the Town Clerk file one copy and mail a copy to George Danyluk, Chief Internal Auditor, NYS Unified Court System, 2500 Pond View, Suite LL01, Castleton-on-Hudson, NY 12033.

FULLY RESOLVED, that a copy of the resolution be forwarded to the Principal Account Clerk.

All Voting "Aye" (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #158-2021:

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

RESOLUTION TO FUND HISTORICAL MARKER EXPENSE LINE

WHEREAS, resolution 370-2020 authorized the acceptance of a Historical Grant in the amount of \$1140 for a historical marker

WHEREAS, the grant funds from 2020 rolled to fund balance,

WHEREAS, an invoice has been received for the historical marker,

BE IT FURTHER RESOLVED, the funds be moved to the expense line with the following budget amendment:

A599	Appropriated Fund Balance	\$1140	
A7510.43	Historical Marker		\$1140

BE IT FURTHER RESOLVED, that a copy of this resolution will be supplied from the Town Clerk to the Principal Account Clerk.

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

RESOLUTION #159-2021:

Councilman Bowerman offered the following Resolution, seconded by **Councilman Herendeen**:

RESOLUTION CREATING A SECOND WORKING SUPERVISOR POSITION

WHEREAS, The Town has identified that an additional Working Supervisor position is needed, and

WHEREAS, a new position duties statement was sent to Ontario County Human Resources for their review and approval, and

WHEREAS, Ontario County Human Resources sent the Town Supervisor a letter dated September March 30, 2021 enclosing a copy of Classification Certification No. 20-2021 which classifies one position of Working Supervisor for the Town of Farmington and has directed the Town to create the position,

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the creation of a second Working Supervisor position, and be it further

RESOLVED, that the Town Clerk forward a copy of this resolution to Michele Smith, Director of Ontario County Human Resources, the Acting W&S Superintendent, the Principal Account Clerk and the Supervisor’s Secretary.

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

RESOLUTION #160-2021:

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

BRUCE WILLIAMS SUCCESFULL COMPLETION OF PROBATIONARY PERIOD

WHEREAS, Bruce Williams was hired by the Highway/Parks Superintendent in the Fall of 2020, with a start date of October 19, 2020, and on April 19, 2021 has successfully completed the required six-month probationary period, and

WHEREAS, has shown knowledge base and per employee policy, upon the successful competition of a probationary period, the hourly employee maybe granted a wage adjustment, and

WHEREAS, the current Highway Superintendent deems that Bruce has displayed satisfactory job duties, now therefore be it

RESOLVED, that the Town Board hereby grants a \$.50 per hour wage increase as stated on the board approved 2021 Wage list of \$18.50 for Bruce Williams to be effective beginning with Payroll # 10, and

BE IT FURTHER RESOLVED, that the Town Clerk provides copies of this resolution to the Highway/Parks Department, the Supervisor’s Confidential Secretary and the Principal Account Clerk.

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

RESOLUTION #161-2021:

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN THE RELEASE OF UNITED CASUALTY AND SURETY INSURANCE COMPANY AS SURETY FOR THE AUBURN TRAIL PROJECT

WHEREAS, a signed release has been received from United Casualty and Surety Insurance Company which

discharges the Town of Farmington from all actions relating to the Auburn Trail Project,

WHEREAS, United Casualty has agreed to pay the Town of Farmington a final payment of \$28,511.78,

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington, with the direction from legal counsel, approves the Supervisor to sign the Release and Assignment on behalf of the Town, and that the signature is notarized,

FURTHER RESOLVED, that the signed release is returned to Sheldon Boyce, at Brenna Boyce Attorneys at Law, Suite 2000 Liberty Plaza, 31 East Main St., Rochester, NY 14614,

FULLY RESOLVED, that a copy of the resolution and the release be forwarded to Ronald Brand, Project Manager and the Principal Account Clerk.

All Voting "Aye" (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #162-2021:

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

RESOLUTION FOR CHANGE ORDER GC-02 FOR ROCHESTER PIPELINE CONTRACTORS FOR MERTENSIA ROAD WATERLINE

WHEREAS, change order GC-02 was submitted by MRB for a time extension due to unforeseen rock conditions,

WHEREAS, the substantial completion date will now be 4/30/21 with no change to the contract price,

NOW THEREFORE BE IT RESOLVED, that the Town Board approves the Supervisor to sign GC-02,

FULLY RESOLVED, that the Town Clerk returns the signed change order to MRB group and forwards a copy of the resolution and change order to the Water and Sewer Department and the Principal Account Clerk.

All Voting "Aye" (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #163-2021:

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

RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE MONTHLY REPORT OF THE SUPERVISOR FOR MARCH 2021

WHEREAS, Town Law states the Town Board must approve/reject the Supervisor's Monthly Report, and

WHEREAS, the Principal Account Clerk submitted the Monthly Report of the Supervisor for March 2021 to the Town Supervisor on April 1, 2021, and

WHEREAS, the Town Supervisor approved and executed the Monthly Report of the Supervisor for March 2021 on April 1, 2021,

WHEREAS, the Town Supervisor submitted said Monthly Report to the Town Board for approval via email,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby accepts the Monthly Report of the Supervisor for March 2021, and be it further

RESOLVED, that the Town Clerk give a copy of this resolution to the Principal Account Clerk.

All Voting "Aye" (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #164-2021:

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

RESOLUTION WAIVING THE TOWN PARK PAVILION RESERVATION FEE FOR THE VICTOR FARMINGTON LIBRARY

WHEREAS, the Victor Farmington Library has requested the use of the Town Park Pavilion on June 19th, 2021, for the launch of the Farmington Town Park's Storywalk from 9 a.m. until noon, and

WHEREAS, they have requested to have the registration fee waived, therefore be it

RESOLVED, the Farmington Town Board authorizes the waiving of the reservation fee for the Town Park Pavilion for the Victor Farmington Library's launch of the Farmington Town Park's Storywalk on June 19th, 2021, and further be it

RESOLVED, that the Town Clerk provide a copy of this resolution to Great Selin-Love of the Victor Farmington Library at gselin@pls-net.org.

All Voting "Aye" (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #165-2021:

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

RESOLUTION WAIVING THE FIRE INSPECTION FEES FOR THE FARMINGTON VOLUNTEER FIRE DEPARTMENT STATION #1 AND STATION #2

WHEREAS, the Town of Farmington Fire Marshal performed the annual fire inspection for the Farmington Volunteer Fire Department Station #1 and Station #2 on Wednesday, March 17, 2021 and

WHEREAS, the Farmington Volunteer Fire Department has requested to have the fire inspection fee of a total of \$150.00 waived, therefore be it

RESOLVED, the Farmington Town Board authorizes the waiving of the fire inspection fee for the Farmington Volunteer Fire Department Station #1 and Station #2 and further be it

RESOLVED, that the Town Clerk provide a copy of this resolution to the Farmington Volunteer Fire Department and August Gordner, Town of Farmington Fire Marshal.

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

RESOLUTION #166-2021:

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

Abstract 7-2021

TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS

TO: MARCY DANIELS

FROM: J. MARCIANO

ABSTRACT NUMBER	7
DATE OF BOARD MEETING	4/13/2021

FUND CODE	FUND NAME	TOTAL FOR EACH FUND	VOUCHER NUMBERS
A	GENERAL FUND	149,421.12	482-519,522-529,531-537, 553,594,595
HG	MERTENSIA WATERLINE	5,990.02	514
DA	HIGHWAY FUND	21,104.73	492,498,515,529,534,538-540, 542-548,550-552
HA	AUBURN TRAIL PROJ	0	
HB	BEAVER CREEK PARK	7,071.04	485,514,521,526,530
SF	FIRE PROTECTION DISTRICT	0	
HM	FUEL STATION CAP PROJ	0	
HN	NORTH RD CAP PROJ	0	
HP	TOWN PARK IMPROVEMENTS	0	
HQ	LED STREET LIGHTING	0	
HW	WATER TANK REPAIR	1,740.00	514
HZ	TOWNLINE CAP PROJ	17,838.96	545,549
SD	STORM DRAINAGE	13,948.97	513,514,541,580
SL1	LIGHTING DISTRICT	6,707.06	520,522
SM	SIDEWALKS	0	
SS	SEWER DISTRICT	52,750.37	501,514,529,531,533,536,541, 553-584
SW1	WATER DISTRICT	297,097.21	501,514,529,531,533,536,541, 553,555-557,561,567,569,573-576,580-593
TA93	LETTER OF CREDIT (CASH)	0	
TA200	PAYROLL DEDUCTIONS(TA85UNI,TA20,TA20D,TA86)	90.10	532,557,581-583
	TOTAL ABSTRACT	\$ 573,759.58	

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

TRAINING UNDER \$100: None.

DISCUSSION:

1. Late payment fee waiver request – Received a request from Donna Orbaw to waiver Victor Sewer late fee of \$17.50 due to not receiving the invoice from the post office. Supervisor Ingalsbe read Ms. Orbaw’s letter. He added that the town can not rely on whether the post office was the cause or not. Councilman Holtz stated that it has always been the town’s policy not to waive the fees, all agreed. Supervisor Ingalsbe will write her a letter back.

Mr. Krenichyn asked if he could pay the late fee and he was advised that he could and that the Town Clerk will get in touch with him tomorrow to make that payment.

2. Jerry Newton- Count Road 41, concerned about the truck traffic and would like to see weight restrictions and reduced speed limit. Supervisor Ingalsbe stated that Mr. Newton has consistently for the past three years complain about the weight and speed limit on County Road 41 and that if he had it his way he would put weight limits and reduce the speed, Supervisor Ingalsbe has consistent in telling him that County Roads are for heavier traffic and that they don’t want them on the town roads. Supervisor Ingalsbe stated that Mr., Newton contacted the County, Christopher Day, Department of Public Works, and pled his case there and Mr. Day contact Peter to give

him the heads up. Mr. Day told the Supervisor that he had said the same thing to Mr. Newton. Supervisor Ingalsbe stated that he heard from Mr. Newton a few days later and told him that the town was not going to change the weight limit or speed limit and that he certainly can do a petition and submit that to the town to go through proper channels. Councilman Holtz added that the town has increased patrol in that area and the speed limit is 40 mph. Supervisor Ingalsbe stated that he even asked for more patrol in that area specifically for speeders and they have flashing speed limit signs that they move around town.

3. Beaver Creek Park – 6 lights in the maintenance and bathroom area.

EXECUTIVE SESSION: None.

WAIVER OF THE RULE: None.

With no further business before the Board, **Councilman Casale** offered a motion to adjourn the meeting at 8:13 p.m., seconded by **Councilman Bowerman**. Motion **CARRIED**.

Michelle A. Finley, MMC, RMC -Town Clerk: _____