

At the Farmington Town Board Meeting, held in the Town Hall on the 23rd day of April 2019, 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 were: **Don Giroux** – Highway/Parks Superintendent, **Dan Delpriore** – Code Enforcement Officer, **Dave Degear** – Water & Sewer Superintendent, **Adrian Bellis** – Planning Board Member, **Ron Brand** – Director of Planning and Development, and **Bill Davis** – MRB Group, Scott Elliott, Skyler Williams, Brianna Cole-Allen, Pam Allen, Scott Maclean, Bonnie Fowler, Trisha Turner, Melissa Carey, Sue Baxendale, Todd Cragle, Michael Montello, Paul Backer, and Lou Terragnoli.

PUBLIC HEARINGS- REZONING OF THREE PARCELS OF LAND CONTAINING 18.3 ACRE OF LAND FROM GENERAL BUSINESS (GB) TO INCENTIVE ZONING (IZ) FOR THE FARMINGTON MARKET CENTER INCENTIVE ZONING PROJECT (Continued from the April 9, 2019 meeting)

Supervisor Ingalsbe continued the public hearing from the April 9, 2019, meeting at 7:00 p.m. Mike Montalto from Costitch Engineering gave a small presentation of the project that was given at the last meeting. He stated that the primary reason they are seeking incentive zoning for this project are to allow a reduced area setbacks for the properties on Route 96 in accordance with the current Comprehensive Plan. He added that this also allows them to take a comprehensive development plan on the entire parcel instead of segmenting with individual parcels, this plan takes into account an overall development plan for the entire acreage. Amenities are approximately one acre of dedicated land for roadway right of way, installation during Phase 1 of a non-signalized intersection, changing the intersection configuration for the existing plaza to eliminate left hand turns into the plaza from the westbound direction; milling, restriping and resurfacing approximately 1200 linear feet of Route 96 associated with intersection improvements; construction of approximately 1300 linear feet of sidewalk; signalized intersection improvements from a pedestrian standpoint to provide pedestrian signals; discussions on what their contribution would be to the sanitary sewer system capacity in the area. They will provide adequate landscaping.

Supervisor Ingalsbe pointed out on the map the blue area on the right hand side will be a town road that will connect to the Mercier Boulevard (Farmington senior apartments). He added that the long range plan would have people from the Calm Lake Drive/Hathaway Corners area to have access to that road and will be able to get to the Tops plaza avoiding the traffic on Route 332.

Steve Elliot, Tops Store Manager, along with longtime employees Melissa Carey and Sue Baxendale, stated that when they had their grand opening one of the things they spoke of was the fueling station as it was a part of their Go To Marketing strategy and right now their shoppers would have to travel to Henrietta or Walworth to take advantage of the gas points earned for shopping at the Farmington Tops location. He added that they are asked daily about the gas station and how much longer it will be. He stated that he has two guys who want to work at the gas station. Mr. Elliot stated that he has not run a store with the fueling station but he stated he will make sure this one is run in compliance with the laws. Mr. Terragnoli stated that Tops stores operate from 6 am to 11 pm and that the gas stations are built to reward their customers and they do not get into price wars, whatever the price it is, it is. Competitors set the prices. Councilman Bowerman asked if the station would be a standalone station for just gas or will there be a small convenient store. Mr. Terragnoli replied that in some cases they have convenient stores but he believes with this station is was just the kiosk that might sell like gum and candy. Mrs. Allen asked if this station would be similar to the one in Perinton. Mr. Terragnoli replied yes, but the one in Perinton is closed and the fuel station was removed.

Mrs. Allen stated that she had looked over the Comprehensive Plan and one of the goals was to have a healthy environment so she assumes that there are ample studies in relation to gas stations. Supervisor Ingalsbe stated that every gas station has to meet NYS DEC standards and he stated that all their tanks have to be doubled walled. Mrs. Allen asked if there was a limit on the number of gas stations within a certain radius. Supervisor Ingalsbe replied no. Mr. Terragnoli replied that they have to file permits with the DEC, have a spill plan, and daily testing and logs to keep. DEC does not regulate how close they need to be with one another.

Brianna Cole asked if there ever was a plan for a station at the Tops in Canandaigua, and why Farmington was picked over Canandaigua. Mr. Terragnoli replied that in Canandaigua there was a town law that stated you could not build so many gas station within a 1000 feet and the town was not going to rewrite the law to change that so it was killed in the very early stages.

Bonnie Fowler asked if the town is concerned about (1) the possibility of Tops closing like the Perinton store did, (2) that the competition would close other gas stations in the town. Mr. Terragnoli stated that most of the customers come from a distance not just necessarily Farmington, he stated that he believes Tops is not much of a factor when it comes to other gas stations closing. Mrs. Fowler asked the Board with the possibility of Byrne Dairy going on the other corner, does that not concern them when it comes to other gas stations within the town. Councilman Bowerman stated that the four stations that are in short distance with each other on Rt. 332 do not seem to be hurting for business and all of them have gone through significant renovations and upgrades. He added that there doesn't seem to be a lack of demand for gas. Councilman Bowerman added that they cannot say another business can't go in because there are competitors in the area and cannot say you can't put in another business because it's not fair; and it is not their job to protect the other gas stations, if they're not a viable business he feels for them but that's the business side of it. Mr. Terragnoli stated that Tops had filed Chapter 11 in the past and they had closed some stores, he said that this store is a good store and it is not going to happen and it will be here for many years. Councilman Holtz stated that they have said before that if the Tops goes away so does the fueling station.

Supervisor Ingalsbe stated that he likes to use the analogy that Eastview Mall has several shoes stores and jewelry stores, they all apparently think they can make it there because they go there so the Town of Victor or Eastview Mall don't regulate how many of a type of store they have, their just happy someone came in to occupied the space. He added that in Farmington, they are happy that the businesses do have a good occupancy rate with the buildings that are already in town. Councilman Casale commented on a statement made about if Tops goes out of business and leaves the area by saying that Wade's was there for many

years and it's a go to place to buy food, he feels it is a viable spot. Mrs. Allen stated that the business that was generated from Wade's was due to Mr. Wade, he was a pillar in the community and people loved him and gravitated to him. She added that is the driving force behind Tops and Wade's. She agreed that it is a great location but felt the love people had for Mr. Wade was the driving force. Councilman Casale asked if the numbers have gone down since Tops took over. Mrs. Baxendale stated that she has worked for Wade's and now Tops since 1979 and stated that the numbers have not gone down, after Mr. Wade passed away they had a slump in business because people were emotionally attached to Mr. Wade. She added that the store is just as busy as it was when Mr. Wade was living. She stated that Tops is their own wonderful company. Mr. Terragnoli stated that the community has welcomed them.

Mr. Allen stated that she know business and growth is inevitable and that's fine but she just felt that after reading the Comprehensive Plan that things were being tucked in and there is no maintenance of the character of the town and that she is not sure how a gas station on Rt. 96 in the community center is a good choice and it would be nice to see a cohesive design or thought that people would want to come to. She talked about design and architectural layout to maintain the town's character. Supervisor Ingalsbe commented that the Board only operates out of the incentive zoning aspect and the property is already zoned General Business, the applicant came to the Board to change the setbacks as Mr. Montello stated earlier and that the Board only asked them for certain amenities like a donation to the sanitary sewer district and the expansion of sidewalks south passed their property line where the current sidewalk stops which is an additional cost for them, and they have asked for upgrades to the intersection of Mertensia Road and Rt. 96. The Supervisor added that along with the Planning Board they have asked them to look at the internal layout of everything and include additional sidewalks to make it more walkable.

Mr. Brand stated that the whole area over there is identified as the community center/main street area and it's been a long time coming that the town has been able to get the owners of larger parcels of land to agree and sit down and talk about a common overall theme of developing the main street area. He added that the last gas station to be built was 15 years ago and they haven't had any since then along Rt. 332; along Rt. 96, however, is where the town is looking to see the opportunity for some additional commercial development and not just gas stations but also a convenient store with a gas facility, a grocery store with a gas facility, which is two different distinct corporations. He stated that they are also looking at an area that has low to moderate income homes and they see people walking on the shoulder of the road because there are no sidewalks and the town now has the opportunity to make those improvements like Mr. Montello talked about earlier. Mr. Brand stated that these improvements would allow people who do not have the luxury of owning a vehicle to get to the grocery store and use our park facilities. He added that this is part of an overall plan that is immulating from the Comprehensive Plan that the town has adopted.

Councilman Bowerman stated that the property is currently zoned General Business and they can build any of this with the exception of the gas station which would require obtaining a special use permit, and they wouldn't have to give the town anything but what they are asking for is to put the buildings closer to the road and in exchange they will give the town some amenities such as sidewalks and upgrades to the intersection. He added that the board has no ability to say what businesses go in. He added that once this is in the Planning Board hands then it is their job to say what design of the buildings they want in order to maintain a certain standard and what is required for landscaping to meet the overall goal of what we have in the town. He stated that the board does not get to pick and choose what they want and don't want there.

Mr. MacLean commented that he keeps hearing community center but they approved Myers RV to be in the community center area. He stated that he has lived here long enough to know that there were six gas stations in the Village of Victor that are no longer there. He stated that he has no problem with Tops putting in a gas station because that is to benefit their customers but he read somewhere that if Tops wanted to put one in that the State would require them to put in a turning lane down Rt. 96. Mr. MacLean stated that they did all this work down Rt. 332 to attract businesses and it took forever to get businesses there and they haven't. Supervisor Ingalsbe replied that Rt. 332 was built to get the traffic north and south. Mr. MacLean stated that he didn't understand why they want to put in a Mavis Tires place so far off from the road when that is a retail store that should be on Rt. 332. He added that this isn't planning for the future. Supervisor Ingalsbe stated that the board can not tell somebody what to put in that space, it is zoned General Business currently and that the Mavis Store could go out on Rt. 96 if the applicant wanted. Councilman Bowerman stated that the board can not dictate where businesses go based on who owns the land. Mr. MacLean stated that common sense tells him that Mavis Tires cannot survive there and that it is no better putting a gas station and Byrne Dairy where Auto Solutions use to be, where Wade's started. He added that just a Byrne Dairy would be fine with him. He stated that if the board wants to be a community center then put businesses in that will support a community center. Mr. MacLean stated that the board has been pushing sidewalks forever and he doesn't see people using them. Supervisor Ingalsbe replied that people use the sidewalks all the time, walking from Farmbrook to Tops. Mr. MacLean asked about the sidewalks from Collett Road to Rt. 96. Supervisor Ingalsbe replied that the town has applied for a grant to close all the gaps they have with sidewalks through out the town and they are still waiting to hear on that. He added that the town has budgeted money for sidewalks as well to help close the gaps.

Mr. MacLean asked if the town still plans on doing things like the way they did with rebuilding Mertensia Road as far as it taking three years to fix the road and if the town would have hired an outside firm to do it, it would have been done in a year. Supervisor Ingalsbe stated that the Town Line Road between Canandaigua and Farmington will probably take five years to complete. Mr. MacLean asked why. Supervisor Ingalsbe replied because of money and that there is only so much to go around even with them sharing the repairs. Mr. MacLean stated that he heard from the former Highway Superintendent that the town has had money for years to put in sidewalks along Mertensia Road and it took forever for them to be built. Supervisor Ingalsbe replied that the sidewalks weren't going to go in until the road was built.

Mr. Montello spoke about the different phases of the project with first being the sidewalks and modifications to the intersection, development of the unsignalized intersection, the dedication of lands to the town, the fuel kiosk, the Canandaigua National Bank and Mavis Tires.

Mrs. Fowler stated that what the board is basically saying is that the board can't control anything that comes into town and as long as someone has met with all the boards and committees they can have any business they wanted too. Supervisor Ingalsbe replied that if someone has a business that qualifies under the General Business zoning or they can have an industrial business that qualifies under Light Industrial Zoning then one could put any type of business there, that's how it is all across the state not just them. He added that under General Business there are a ton of categories what is allowed and then what is allowed with a special use permit. Councilman Holtz added that even if it is an allowable use, one would still need to go to the Planning Board for the site plan and design and all that stuff, it is looked at by the Planning Board.

Supervisor Ingalsbe closed the Public Hearing at 8:15 p.m.

APPROVAL OF MINUTES:

A motion was made by **Councilman Casale** and seconded by **Councilman Holtz**, that the minutes of the March 26, 2019, Town Board Meeting, and given to members for review, be approved. All Voting "Aye" (Herendeen, Casale, Holtz, Bowerman, and Ingalsbe). Motion Carried.

PRIVILEGE OF THE FLOOR:**PUBLIC CONCERNS:****REPORTS OF STANDING COMMITTEES:****Public Works Committee: Councilman Holtz reported:**

1. Discussed Control Building #1 - Belt Press Building #7A and Influent Building #10.
2. Discussed Building #1, Boiler Replacement.
3. Discussed Building #7A Belt Press.
4. Discussed Influent #10, Hydro-Dyne #2.
5. Discussed various pumpstations.
6. Water Breaks – none.
7. Discussed Beaver Creek 12" Waterline Replacement, Section 2.
8. Discussed Ivory Road Extension.
9. Discussed resolution on agenda.

Highway & Parks:

1. Current projects- Highway – equipment maintenance, Swap Shop lot graded, hauling stone, and frames and grates in for Ivory Drive.
2. Parks – equipment maintenance, park clean up, park benches and tables, and ball fields.
3. Discussed resolutions on agenda.

Town Operations Committee: Councilman Bowerman reported:

1. Report from Director of Planning and Development on file and on the website.
2. Discussed resolutions on agenda.
3. Discussed Pintail Crossing, Rt. 332 Mini Storage, Auburn Meadows Section 6N and 9, Byrne Dairy, Aldi's, Farmington Gardens II, and Hathaways Corners project.

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

1. Received the draft Water & Sewer Audit for 2018.
2. Discussed vacancies.

Highway& Parks Superintendent Giroux reported:

1. Salt consumption has gone down since using Magic.

Town Clerk Michelle Finley reported: None.**Water & Sewer Superintendent Dave Degear reported:**

1. Proofread the water quality report.
2. Discussed 12" waterline on Beaver Creek.

Code Enforcement Officer Dan Delpriore reported:

1. Fire Inspections-16 so far this month.
2. Issued Special Events permit for Guitars and Stars on June 12th.

Director of Planning and Development Ron Brand reported:

1. Received email from the NYS Thruway Authority regarding an opportunity for a message board sign when the thruway tolls away to tell the travelers the conditions on the thruway westbound/eastbound.
2. Sent out an email today about the decommissioning for the solar farm.

Assessor reported: None.

Town Engineer reported: Bill Davis reported:

1. Discussed resolutions on the agenda tonight awarding bids for the Townline Road Culvert Project and the Fairdale Pumpstation 2 project.

Fire Chief reported: None.**Planning Board Member Adrain Bellis reported:**

1. Last Meeting – discussed the solar project and Home Power Systems.
2. Next Meeting – (2) 2 lot subdivisions and the LeFrois project.

Zoning Board of Appeals Tim Delucia reported: None.**Recreation Advisory Committee Brian Meck reported:****Ontario County Planning Board Member reported: None.****Conservation Board Chairman Hilton reported: None.****Town Historian Donna Herendeen reported: None.****Agricultural Advisory Committee Chairman Hal Adams: None.****COMMUNICATIONS:**

1. Letter to the Town Supervisor from Christine Hood, Webelos Patrol Leader. Re: Arrow of Light Award.
2. Ontario County Planning Board 57-2019. Request for map amendment to rezone 18.3 acres from General Business to Incentive Zoning to accommodate 37,500 SF of permitted and specially permitted uses including a bank and a restaurant with drive-thru, fuel pumps, an 8 bay tire service store, a sit-down restaurant and an office building along the SR 96 frontage at Tops Plaza 6179 SR 96 in the Town of Farmington.
3. NYS Department of Taxation and Finance Office of Real Property Tax Services Municipal Report of Special Franchise Activity.
4. Letter to the Town Supervisor from MRB Group. Re: Municipal Risk Management: Emerging Issues presentation.
5. Letter to the Planning Board from Luke Donigan of Phillips Lytle, LLP. Re: Notice of FERC Order issuing Certificate and Approving Abandonment: Empire Pipeline, Inc. regarding Empire North Project.
6. Letter to NYSERDA from Kate Tylutki of the NYS Agriculture and Markets. Re: Final Notice of Intent – Notice of Intent to Undertake an Action Within an Agricultural District Delaware River Solar, Yellow Mills Solar Project in the Town of Farmington.
7. Letter to Ryan DelRe of Create A Scape Enterprise, LLC from the Code Enforcement Officer. Re: Stop Work Order.
8. Notice of Public Hearing on the Delaware River Solar Project.
9. Email to Julie Montana of Zoghlin Group from the Town Clerk. Re: FOIL Request for Delaware River Solar Project.
10. Ontario County Office for the Aging 2019 Senior of the Year Awards Nomination Form.
11. Notification of free class/training session on Response to Opioid Overdose at Our Lady of Peace Parish in Geneva on June 6, 2019.
12. Letter to Lorene Benson of Cobblestone Arts and Educational Center from Senator Pamela Helming. Re: Letter of Support.
13. Letter to the Town Supervisor from Tim Zeto of American Tower/Tower Alliance. Re: Tower lease.
14. Notice of 2019 NY Statewide Preservation Conference in Rochester April 25-27.
15. Letter to the Town Supervisor from Erika Benson of Gokce Capital, LLC. Re: Purchase of property Estate Drive/Chelsea Circle.
16. Letter to United Casualty and Surety Company from Timothy Boldt of Ernstrom & Dreeste, LLP. Re: Create A Scape Enterprise, LLC, Auburn Trail Connector Project.
17. Letter to Colleen Sheehan of Office of Real Property Tax Services Educational Services from Robin Johnson of Ontario County Real Property Tax Services. Re: Appointment of Acting Assessor.
18. Letter to the Town Supervisor from David Wolf and Scott Pearce of Just Solutions. Re: Available grant funds.
19. Letter to the Town Supervisor from Timothy Boldt of Ernstrom & Dreeste. Re: Notice of Mechanic's Lien.
20. Letter to the Town Supervisor from Rob Merkel of the Victor-Farmington Volunteer Ambulance. Re: First aid class for residents of Victor and Farmington on May 9th, 2019.
21. NYS DEC Permit. Re: Fairdale PS-2 Pump Station.
22. Letter to Max Joel of NYSERDA from Richard Ball of the NYS Agriculture & Markets. Re: Notice of Intent – Solar Photovoltaic System.
23. Letter to Anthony DiPrima of A&D Real Estate Development from the Director of Development. Re: Deficiencies, Section 4, The Estates @ Beaver Creek Subdivision – Surety.

24. Letter to the Town Supervisor from Kennedy & Madonna, LLP. Re: Impending NYS maximum contaminant level for PFOA and PFOS.
25. Letter to the Town Supervisor from Donald MacCormack and Jonathan Halligan of Bank of Greene County. Re: Municipal financing.
26. Letter to the Town Board from LeFrois Builders & Developers. Re: Farmington Market Center Incentive Zoning Application.
27. Asbestos Survey Report from Fisher Associates. Re: 5648 Collett Road.
28. Phase I Environmental Site Assessment from Fisher Associates. Re: 5648 Collett Road.
29. Certificate of Liability Insurance from: Willis of Pennsylvania, Inc.; John P. Close; Lawley Construction Solutions.
30. Certificate of Workers Compensation Insurance from: North American Roofing Systems, Inc.; Fineline Pipeline, Inc.; Frank J Marianacci, Inc.; Design Pool & Spa, Ltd.; Ontario Exteriors, Inc.; John Betlem Heating & Cooling, Inc.; Pittsford Tree & Landscape, Inc.; Spring Sheet Metal & Roofing, LLC; Holbrook Heating, Inc.; SSM & RC, Inc.; Pride Mark Homes, Inc.; Josh Lawn Care & Landscaping, Inc.
31. Certificate of Disability and Paid Family Leave Benefits Insurance from: Decks Unlimited of Western NY, Inc.
32. Cancellation/Nonrenewal Notice: Robert Dancause & Sons, Inc.

REPORTS & MINUTES:

1. Monthly Report – Town Clerk – March 2019.
2. Manchester Fire Department Incident Run Log – March 2019.
3. Farmington Senior Citizens Meeting Minutes – April 1, 2019.

ORDER OF BUSINESS:**RESOLUTION #183-2019:**

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN PROCLAMATION WITH THE INTERNATIONAL CODE COUNCIL DECLARING THE MONTH OF MAY 2019 AS BUILDING SAFETY MONTH

WHEREAS, our Town is committed to recognizing our growth and strength depends on the safety and economic value of the homes, buildings and infrastructure that serve our citizens, both in everyday life and in times of natural disaster, and;

WHEREAS, our confidence in the structural integrity of these buildings that make up our community is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers and others in the construction industry—who work year-round to ensure the safe construction of buildings, and;

WHEREAS, these guardians are dedicated members of the International Code Council, a U.S. based organization, that brings together local, state and federal officials that are experts in the built environment to create and implement the highest-quality codes to protect us in the buildings where we live, learn, work, worship, play, and;

WHEREAS, our nation benefits economically and technologically from using the International Codes® that are developed by a national, voluntary consensus codes and standards developing organization, our government is able to avoid the high cost and complexity of developing and maintaining these codes, which are the most widely adopted building safety and fire prevention codes in the nation; these modern building codes include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquake; and;

WHEREAS, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities' largely unknown guardians of public safety—our local code officials—who assure us of safe, efficient and livable buildings that are essential to keep America great, and;

WHEREAS, “No Code. No Confidence.” the theme for Building Safety Month 2019, encourages all Americans to raise awareness of the importance of safe and resilient construction; fire prevention; disaster mitigation, and new technologies in the construction industry. Building Safety Month 2019 encourages appropriate steps everyone can take to ensure the safety of our built environment, and recognizes that the implementation of safety codes by local and state agencies has saved lives and protected homes and businesses, and,

WHEREAS, each year, in observance of Building Safety Month, Americans are asked to consider the commitment to improve building safety and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.

NOW, THEREFORE, I, Peter V. Ingalsbe, Supervisor, of the Town of Farmington, do hereby proclaim the month of May 2019 as Building Safety Month. Accordingly, I encourage our citizens to join with their communities in participation in Building Safety Month activities, and

BE IT FURTHER **RESOLVED**, that the Town Clerk provide the original signed Proclamation to the Building Department for submission to the ICC.

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

RESOLUTION #184-2019:

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

RESOLUTION AUTHORIZING THE TOWN OF FARMINGTON TOWN BOARD TO REFUND THE ZONING BOARD FEES IN REGARD TO THE VARIANCE REQUESTED FOR 6003 AMBER DRIVE OF \$100.00 TO JACOB SLEIGHT

WHEREAS, The Town received the \$100.00 Zoning Board fees from Jacob Sleight of 6003 Amber Drive for variance in regard to an accessory structure in the front/side yard,

WHEREAS, The Zoning Board of Appeals does not have the authority to grant area variances to the incentive zoning conditions of approval for the Auburn Meadows Subdivision Tract as authority remains with the Town Board.

NOW THEREFORE, BE IT RESOLVED, that the Town Board of Farmington does herein approve the refund of \$100.00 to Jacob Sleight of 6003 Amber Drive.

MAY IT BE FURTHER RESOLVE, that copies of this resolution be submitted by the Town Clerk to Jacob Sleight of 6003 Amber Drive and to Building Department for the property file.

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

RESOLUTION #185-2019:

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

ESTABLISH A LETTER OF CREDIT FOR THE HATHAWAY'S CORNERS PROJECT - OFFSITE SANITARY SEWER – IN THE TOTAL AMOUNT OF \$174,383.17

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a request from the Town Planning Board, recommending the Town Board take action to approve the establishment of a letter of credit for off-site sanitary sewer improvements to be completed as part of the above referenced Project; and

WHEREAS, the Planning Board's recommendation is based upon their review and acceptance of the recommendations from the Town Construction Inspector and the Town's Engineers on the establishing said Letter of Credit; and

WHEREAS, the quantities and unit prices identified in the Applicant's Engineer's Estimates of Values were found to be consistent with the approved site plan improvements and the private contractor pricing respectively.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby accepts the Planning Board's recommendation and approves the establishment of the above referenced letter of credit for this project, in the total amount of \$174,383.17.

BE IT FURTHER RESOLVED, that a letter of credit in the amount specified above herein is to be filed with the Town Clerk's Office prior to the scheduling of a pre-construction meeting.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to notify tomorrow, by U.S. Mailing of certified copies of this resolution to Ryan Destro, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, New York 14450.

BE IT FINALLY RESOLVED, that certified copies of this resolution are to be provided to the Town Highway Superintendent, Town Water & Sewer Superintendent, Town Code Enforcement Officer, the Town Director of Planning and Development, the Town Construction Inspector and the Town Engineer.

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

RESOLUTION #186-2019:

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

ESTABLISH A LETTER OF CREDIT FOR THE ALDI'S EXPANSION PROJECT IN THE TOTAL AMOUNT OF \$25,295.05

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a request from the Town Planning Board, recommending the Town Board take action to approve the establishment of a letter of credit for site improvements to be completed as part of the above referenced Project; and

WHEREAS, the Planning Board's recommendation is based upon their review and acceptance of the recommendations from the Town Construction Inspector and the Town's Engineers on the establishing said Letter of Credit; and

WHEREAS, the quantities and unit prices identified in the Applicant’s Engineer’s Estimates of Values were found to be consistent with the approved site plan improvements and the private contractor pricing respectively.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby accepts the Planning Board’s recommendation and approves the establishment of the above referenced letter of credit for this project, in the total amount of \$25,295.05.

BE IT FURTHER RESOLVED, that a letter of credit in the amount specified above herein is to be filed with the Town Clerk’s Office prior to the scheduling of a pre-construction meeting.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to notify tomorrow, by U.S. Mailing of certified copies of this resolution to Timothy Scheg, P.E., APD Engineering & Architecture, 615 Fishers Run, Victor, New York 14564.

BE IT FINALLY RESOLVED, that certified copies of this resolution are to be provided to the Town Highway Superintendent, Town Water & Sewer Superintendent, Town Code Enforcement Officer, the Town Director of Planning and Development, the Town Construction Inspector and the Town Engineer.

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

RESOLUTION #187-2019:

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

RESOLUTION AMENDING TOWN BOARD RESOLUTION #197 OF 2017, WHICH PROVIDED FOR THE ACCEPTANCE OF A PROPOSED LETTER OF CREDIT – AMERICA’S BEST VALUE INN PROJECT – IN THE TOTAL AMOUNT OF \$47,978.11 AND AGREEING TO ACCEPT AN ALTERNATE FORM OF SURETY, A CERTIFIED BANK CHECK IN THE TOTAL AMOUNT OF \$47,978.11

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has previously agreed to accept (Town Board Resolution #197 of 2017, adopted May 10, 2017) a Letter of Credit, in the total amount of \$ 47,978.11, for work to be completed as part of the America’s Best Value Inn Project located at 6037 State Route 96; and

WHEREAS, Jason Gandhi, owner of the America’s Best Value Inn Project, has in a letter dated April 17, 2019 to the Town Supervisor requested the Town Board to accept a Bank Certified Check in the total amount of \$47,978.11, in lieu of a Letter of Credit; and

WHEREAS, Mr. Gandhi has also requested that he be allowed one (1) partial draw down on this amount pending acceptance by the Town Construction Inspector, Town Engineer, the Town Planning Board and the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby remove the requirement that a Letter of Credit be provided as a form of surety for site improvements for this project; and

BE IT FURTHER RESOLVED, that the Town Board does hereby accept the proposed form of surety for this project, a Bank Certified Check payable to the Town of Farmington, in the total amount of \$47,978.11.

BE IT FURTHER RESOLVED, that the Town Principal Account Clerk is hereby directed to deposit this surety in a non-interest bearing account and to provide notice thereof to the Town Director of Planning and Development, and the Town Code Enforcement Officer.

BE IT FURTHER RESOLVED, that the Town Board does hereby agree to allow one (1) partial release of funds pending acceptance of said release by the Town Construction Inspector, the Town Engineer, the Town Planning Board and the Town Board.

BE IT FINALLY RESOLVED, that certified copies of this resolution are to be provided to: Jason Gandhi, America’s Best Value Inn, 6460 Cedar Creek Way, Farmington, New York 14425; to Lance Brabant, MRB Group, D.P.C., the Town’s Engineering Firm, 145 Culver Road, Suite 160, Rochester, New York 14610; to David Degear, Farmington Water & Sewer Superintendent; Jeannine Marciano, Farmington Principal Account Clerk; Matthew Heilmann, Town Construction Inspector; and the Town Director of Planning and Development for the Town’s Project File.

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

RESOLUTION 188-2019:

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

RESOLUTION UTILIZING TRIAD RECYCLING FOR MATTRESS RECYCLING FOR FARMINGTON SPRING CLEAN UP

WHEREAS, the Town of Farmington holds an Annual Spring Cleanup for three (3) days each May to give Town Residents an opportunity to rid themselves of unwanted waste and various household items,

NOW THEREFORE BE IT RESOLVED, that the Town Board support the hiring of Triad Recycling for the mattress portion of the Town Cleanup at a rate of \$15.00 per mattress and a \$650 trucking charge for an initial one hour load time and an additional \$75.00 per hour after, and

BE IT FURTHER RESOLVED, that the Town Clerk forward copies of the Resolution to the Highway/Parks Superintendent and the Principal Account Clerk.

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

RESOLUTION #189-2019:

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

RESOLUTION AUTHORIZING A TOWN CONTRIBUTION FOR AN HSA

WHEREAS, A Health Savings Account has been set up for Jason Phillips as part of his health care benefit package,

WHEREAS, HSA Bank will electronically withdraw funds two times per year in the amount of \$250 for a total of \$500,

NOW THEREFORE BE IT RESOLVED, that the Town Board approves the contribution and electronic withdrawal,

BE IT FURTHER RESOLVED that the Town Clerk forward copies of the Resolution to the Principal Account Clerk and the Supervisor's Office.

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

RESOLUTION 190-2019:

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

RESOLUTION AWARDING THE FAIRDALE GLEN PUMP STATION CAPITAL IMPROVEMENT PROJECT- FARMINGTON SEWER DISTRICT- LIFT STATION PS-2 LOCATED AT #1041 FAIRDALE GLENN

WHEREAS, in the Five and Ten Year Capital Improvement Plan for the Farmington Sewer District the Water and Sewer Supt. had identified a need to upgrade the existing sewer lift station PS-2 that was originally constructed in 1994 in which the Town of Farmington Town Board had determined the need exists to replace the public sanitary sewer pumping station PS 2, the Fairdale Glen Pumping Station, located at #1041 Fairdale Glen, and

WHEREAS, a proposal dated 8/23/18 was approved for the Town Engineer and MRB Group to provide Professional Services for engineering design services to upgrade the sewer lift station with improved electrical services with an emergency generator at PS-2, and

WHEREAS, by Resolution #138 of 2019 dated 3/12/19 the Public Bidding was established with sealed bids being received at the office of the Farmington Town Clerk, 1000 County Road 8, Farmington, NY 14425, and

WHEREAS, a public bidding opening was held on April 10, 2019 with three (3) bids being received in the amount ranging from \$392,100.00 to \$458,800.00 with the lowest bid being received from CP Ward, Inc.(See attached bid tabulation summary, and

WHEREAS, by letter dated April 17, 2019 The MRB Group had determined that the low bid was complete and competitive compared to the other bids received (see attached letter), and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington acting on behalf of the Farmington Sewer District hereby authorizes the Town Supervisor to sign the attached Notice of Award Letter to CP Ward, 100 West River Road, Scottsville, New York in the bid amount of \$382,100.00 plus \$10,000.00 Allowance for a total of \$392,100.00, and

BE IT FURTHER RESOLVED, that funding for the PS-2 Fairdale Glen Pump Station Capital Improvement Project is funded in the 2019 Budget under line HS-8120.2, and

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

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

RESOLUTION #191-2019:

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

RESOLUTION AUTHORIZING THE TOWN OF FARMINGTON CONSTRUCTION INSPECTOR MATT HEILMANN TO ATTEND THE 4 HOUR N.Y.S.D.E.C EROSION AND SEDIMENT CONTROL RE-TRAINING

WHEREAS, the town Construction Inspector for the Water and Sewer Department is required every three (3) years to attend the New York State 4-hour erosion and sediment control training, and

WHEREAS, the town Construction Inspector, Mr. Matt Heilmann, has requested approval to attend said re-training being held at the Town of Victor Town Hall on May 2, 2019 from 8:00 AM until 4:00 PM at a cost of \$100.00 per person, and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington acting on behalf of the Canandaigua-Farmington Water and Sanitary Sewer Districts, and the Victor Sewer District hereby authorizes the said required re-training for Construction Inspector Matthew Heilmann at a cost not to exceed \$100.00, and

BE IT FURTHER RESOLVED, that funds for said training is authorized as an expenditure from the Water Budget line SW1-8310.4 (Water Admin-CE) and Sewer Budget line SS-8110.4 (Sewer Admin-CE), and

LASTLY BE IT FURTHER RESOLVED, that the Town Clerk provides a copy of this resolution to the Water/Sewer Superintendent and the Principal Account Clerk.

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

RESOLUTION #192-2019:

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

RESOLUTION AUTHORIZING THE PURCHASE OF SEWER MANHOLES FOR THE TOWN OF FARMINGTON BEAVER CREEK PARK PROJECT, PHASE 1

WHEREAS, by Resolution #101 of 2019 (2/12/19) the Farmington Town Board authorized the Public Bidding of the water materials are required with the Legal Notice for Bidding for the Beaver Creek Park Water and Sewer Materials for the Canandaigua-Farmington Water District and the Farmington Sewer District, and

WHEREAS, by Resolution 130 of 2019 (3/12/19) the Town Board awarded the purchase of various water materials required for the 8" PVC DR-14 water main with water valves and fire hydrants, plus the 8" SDR-35 and the 4" SDR-21 sanitary sewer main without the 48" diameter precast concrete sewer manholes as no bids had been received except for just the sanitary sewer manhole frames and covers which were awarded, and

WHEREAS, the Water and Sewer Supt. reached out to three concrete pre-caster and manufactures for a RFP to quote a total of three 48" diameter precast concrete manholes with cone tops with the sanitary sewer manhole SMH-1 being constructed at 10' height; SMH-2 being 8.85' height and SMH-3 being 8.25' in height.

WHEREAS, BE IT RESOLVED, that the Water and Sewer Supt. has reviewed the quotes and is recommending the purchases from Kistner Concrete Products, Pembroke New York for SMH-1 at \$1,461.24; SMH-2 at a cost of \$1,736.02 and SMH-3 at a cost of \$1,34.04 plus freight/delivery for a combined total cost not to exceed \$5,500.00, and

BE IT FURTHER RESOLVED, that funding for said sewer supplies materials will be from the 2019 Budget Code HB 7110.22 (Beaver Creek Park) and

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

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

RESOLUTION #193-2019:

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

RESOLUTION DECLARING MISCELLANEOUS EQUIPMENT FROM THE SUPERVISOR'S OFFICE AS SURPLUS SO IT MAY BE DISPOSED OF AT AUCTION OR DISCARDED

WHEREAS, the Supervisor's Office has asked that the following items in the Town Supervisor's Office be declared surplus so that they may be disposed of and/or discarded

One (1) Dell Laptop Inventory #20187

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes that miscellaneous equipment from the Supervisor's Office be declared surplus and disposed of and/or discarded, and be it further

RESOLVED, that the Town Clerk forward copies of this Resolution to the Principal Account Clerk and the Highway/Parks Department.

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

RESOLUTION #194-2019:

Councilman Casale offered the following Resolution, seconded by **Councilman Herendeen**:
Abstract 8-2019

TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS

TO: MARCY DANIELS FROM: J. MARCIANO

ABSTRACT NUMBER	8
DATE OF BOARD MEETING	4/23/2019

FUND CODE	FUND NAME	TOTAL FOR EACH FUND	VOUCHER NUMBERS
A	GENERAL FUND	68,448.22	727,728,730-761,763,800,830-832
CW	LOCAL SOLID WASTE MANAGEMENT	0.00	
DA	HIGHWAY FUND	46,369.84	737,747,762,764-773,800,831-832
HW	WATER TANK REPAIR	3,852.70	729
HZ	TOWNLINE CAP PROJ	0.00	
SD	STORM DRAINAGE	12,540.78	800,831
SF	FIRE PROTECTION DISTRICT	208,969.33	736
SL1	LIGHTING DISTRICT	0.00	
SM	SIDEWALKS	0.00	
SS	SEWER DISTRICT	67,353.72	750,762,774-810,831-832
SW1	WATER DISTRICT	82,991.02	750,762,774,776,781,784-789,791,794,795,800-802,805,809,811-829-831
TA93	LETTER OF CREDIT (CASH)	0.00	
TA200	PAYROLL DEDUCTIONS(TA85UNI,TA20,TA20D,TA86)	6,487.58	735,785,786,831-832
	TOTAL ABSTRACT	\$ 497,013.19	

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

TRAINING UNDER \$100:

1. Dan Delpriore and Sarah Mitchell to attend the Genesee/Finger Lakes Regional Planning Council Spring 2019 Regional Local Government Workshop on May 17th at the Burgundy Basin Inn at a cost not to exceed \$75.00 each.

WAIVER OF THE RULE: No Objection.

RESOLUTION #195-2019:

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

RESOLUTION AWARDING BID FOR THE CANANDAIGUA FARMINGTON TOWN LINE ROAD CULVERT REPLACEMENT

WHEREAS, bids were received on April 10, 2019 at 10:00 a.m. at the Town Hall, and

WHEREAS, two bids were received with the low bidder being CP Ward with a total lump sum base bid, plus allowance, plus unit price work, of \$616,601.00, and

WHEREAS, MRB Group created a bid tabulation table for review,

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Town Supervisor to sign the Notice of Award to CP Ward for the Canandaigua Farmington Town Line Road Culvert Replacement Project at a cost not to exceed \$616,601.00, and be it further

RESOLVED, that the Town Clerk forward copies of this Resolution to the Principal Account Clerk, the Highway/Parks Superintendent and Greg Hotaling of MRB Group.

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

RESOLUTION #196-2019:

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

RESOLUTION RECALLING AND AMENDING RESOLUTION #178-2019

WHEREAS, the Town Board passed Resolution #178-2019 on April 9, 2019 acknowledging the Town Clerk's appointment of Deputy Town Clerk Cathy Rothfuss and the appointment of Jennifer Goodell as First Deputy Town Clerk effective April 22, 2019, and

WHEREAS, the actual effective date was April 10, 2019, and

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby recalls and amends Resolution #178-2019 with the effective date being April 10, 2019, and be it further

RESOLVED, that the Town Clerk forward copies of this Resolution to the Principal Account Clerk and the Confidential Secretary.

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

RESOLUTION #197-2019:

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

RESOLUTION RECALLING AND AMENDING RESOLUTION #179-2019

WHEREAS, the Town Board passed Resolution #179-2019 on April 9, 2019 authorizing the hiring of a Part-time Clerk in the Building Department effective April 22, 2019, and

WHEREAS, the actual effective date was April 10, 2019, and

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby recalls and amends Resolution #179-2019 with the effective date being April 10, 2019, and be it further

RESOLVED, that the Town Clerk forward copies of this Resolution to the Building Department, Principal Account Clerk and the Confidential Secretary.

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

RESOLUTION #198-2019:

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

APPROVAL TO ACCEPT A THREE YEAR MAINTENANCE SERVICE AGREEMENT FOR EMERGENCY POWER GENERATOR LOCATED AT WASTE WATER TREATMENT PLANT AND AT VARIOUS SANITARY SEWER LIFT STATION LOCATIONS IN FARMINGTON AND VICTOR SEWER DISTRICTS

WHEREAS, in preparation for providing uninterrupted emergency standby electrical power at the Waste Water Treatment Plant and at the various lift stations located within the Farmington and Victor Sewer district, the W&S Supt. has identified the need for a yearly service maintenance contract agreement for the power generators, and

WHEREAS, the Water and Sewer Department was currently under an annual yearly (three year) contract with Penn Power Systems for maintenance and service work (Resolution #277 of 2015 & #123 of 2015) dated July 28, 2015 which now has expired on June 30, 2018, and

WHEREAS, the Water and Sewer Supt. had sent out Requests for Proposals (RFP’s) to five (5) vendors with four (4) providing written quotes being submitted which ranged from \$4,922.92 to \$9,220.00 per year with Colacino Industries being the lowest at \$4,922.92; Kinsley Power at \$6,875.00; Penn Power System at \$7,760.00 and Commercial Power Systems at \$9,220.00 per year, and

WHEREAS, the four (4) emergency generator service and maintenance proposals have been reviewed by the W&S Department and is recommending acceptance of the lowest quote provided by Colacino Industries which also meets all specifications and requirements, and

NOW, THEREFORE BE IT RESOLVED, that the Farmington Town Board authorizes the Supervisor to sign the attached three-year service agreement for the period of May 1, 2019 to April 30, 2022 with Colacino Industries of Newark New York at a total cost per year estimated not to exceed \$4,922.92, and

BE IT RESOLVED, that the generator maintenance and this contract will be funded from budget lines SS 8130.4 (CE); SS 8120.4 (CE –Farmington) and SS 8120.4V (CE-Victor), 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” (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #199-2019:

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

DESIGNATING LEAD AGENCY STATUS, UNDER THE PROVISIONS OF ARTICLE 8 OF NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW, PART 617, STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) REGULATIONS, FOR THE FARMINGTON MARKET CENTER INCENTIVE REZONING PROJECT; AND MAKING A DETERMINATION OF SIGNIFICANCE THEREON

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has, by adopting Resolution # 112 of 2019, dated February 26, 2019, decided to give consideration to a request from Angleo Ingrassia, Farmington Center LLC, to rezone land identified as Tax Map Numbers 29.00-01-39, 29.00-01-40 and 29.00-01-41.1, from GB General Business to IZ Incentive Zoning (hereinafter referred to as Action); and

WHEREAS, the rezoning Action that involves only a local legislative decision to determine compliance with technical requirements set forth in the Town Code; and

WHEREAS, a decision by the Town Board upon this Action does not entitle or permit the applicant to commence the Action until all requirements of Part 617 have been fulfilled.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby designate itself as the Lead Agency for making the Determination of Significance upon the above referenced Action.

BE IT FURTHER RESOLVED, that the Town Board does determine that the proposed rezoning Action is classified as an Unlisted Action as set forth in Section 617.5.

BE IT FURTHER RESOLVED, that the Town Board has reviewed and accepted Part 1 of the Short Environmental Assessment Form.

BE IT FURTHER RESOLVED, that the Town Board has completed Part 2 of the Short Environmental Assessment Form.

BE IT FURTHER RESOLVED, that based upon the information and analysis above and the supporting documentation, the Board determines that the proposed Action WILL NOT result in any significant adverse environmental impacts.

BE IT FINALLY RESOLVED, that the Board directs that copies of this determination be filed as provided for under the SEQR Regulations.

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

DISCUSSION: None.

EXECUTIVE SESSION:

A motion was made by Councilman Casale to enter into Executive Session at 8:36 p.m. to discuss the employment history of a particular individual, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular individual and it was seconded by Councilman Bowerman. All Voting "Aye", the motion was **CARRIED**.

Councilman Holtz made a motion to exit the Executive session at 9:12 p.m., Councilman Bowerman seconded the motion. All Voting "Aye", the motion **CARRIED**.

With no further business before the Board, **Councilman Casale** offered a motion to adjourn the meeting at 9:13 p.m., seconded by **Councilmen Herendeen**. Motion **CARRIED**.

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