

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 26<sup>th</sup> day of April, 2022, 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: **Tim Ford** – Deputy Highway and Parks Superintendent, , **Robin MacDonald** – Acting Water & Sewer Superintendent, **Dan Delpriore**– Code Enforcement Officer, **Ron Brand** – Director of Planning and Development, **Ed Hemminger**- Planning Board Chairman, **Adrian Bellis** – Planning Board Member, **Bill Davis** – MRB Group, **Tim DeLucia** – Planning Board Member, **Bonnie Fowler** – resident, **Karen Ballard** – resident, **Jane Barry** – resident, and **Tonia Ettinger**-resident

Also present by telephone/video conferencing were: John Piper, John LeFrois, Jeremy Stambousky, Jeff Ashline

**PUBLIC HEARINGS: LOCAL LAW AMENDING CHAPTER 165, ZONING LAW, ARTICLE III, SECTION 165-12, ZONING MAP, BY REZONING THREE (3) PARCELS OF LAND IDENTIFIED AS TAX MAP ACCOUNT NUMBERS 29.00-01-39, 29.00-01-40 AND 29.00-01-41.1, FROM GB GENERAL BUSINESS TO IZ INCENTIVE ZONING**

Mike Montalto, Project Manager, Costich Engineering, stated that the incentive zoning project formally started in January 2019, and was referred to the Planning Board by the Town Board and then reviewed by the County Planning Board then Town Board who made recommendations in favor of it. He added that due to economics associated with the improvements necessary for the incentive plan, the developer did not advance it further. Fast forward three years later, they resubmitted a revised incentive zoning plan for the same parcels and had privilege of the floor with the Town Board on February 8, 2022, then it was referred to the Planning Board for recommendation as to whether or not incentive zoning was an appropriate use for the parcel, the Planning Board reviewed the preliminary conceptual plan for the project and made a referral back to the Town Board recommending that they were in favor of the use in incentive zoning for this parcel and that it allowed for the comprehensive plan to be utilized for the development of the overall lands as individual plans come in. They appeared before the Ontario County Planning Board on April 13, 2022, and they reviewed it and it came back with an approval with comments to be considered. He stated that a few of the project elements have changed since last time, the signalized intersection that was proposed in 2019 is now moved off to the east of the parcel and developer of that site have site plan approvals for a signalized intersection for their project. Mr. Montalto stated there was also changes to their plan for instance Canandaigua National Bank was originally planned to be at the main entrance of the plaza and now are to eastern portion of the site, the use for a 5,000 sq. ft. national type chain restaurant has been eliminated from the plan, the Tops fueling kiosk has been shifted a little bit to the east, and since the plans next door are primarily office buildings, they removed the office building from their plan and revised the retail expansion portion of the plan. He added that the building setbacks from Route 96 have been increased than in the original plans. They are constructing lights down Mertensia Road. He added that they are not asking for uses that are not already permitted. They are not asking for access lot coverage, or general relief from all area requirements but what they are doing primarily is asking that instead of every time that each use comes in and having to get an independent use permit for example a banking ATM kiosk or fueling kiosk and that is all being looked at comprehensively in an overall plan.

He added that in 2019 there was some discussion on whether or not to put the TOPS Kiosks in and if it was necessary, and if there would it create issues with Byrne Dairy next door and the other gas station further east, and at that time they had a store manager from TOPS come in and speak to the Board stating that they don't compete with anyone, it is a discounted gas price for people who already shop with them and customers continue to ask for the fueling kiosks. He stated that the major change is that the signalized intersection has been moved to the adjoining property. Supervisor Ingalsbe asked Mr. Montalto to explain how the existing entrance on Rt. 96 has changed from 2019 until now. Mr. Montalto stated that in 2019 the access was going to be a right in and left and right out but now it will only be right in and right out, so left hand turns out of development onto Rt. 96 have been eliminated, anybody trying to go westbound on Rt. 96 comes to the Mercier Blvd. extension or Mertensia Road.

Supervisor Ingalsbe asked if Mavis Tire was the same as previously planned. Mr. Montalto replied yes, nothing has changed with them. Mr. Brand stated that the Planning Board conducted a very thorough review and filed a report with the Town Board previous to tonight's meeting, they found that the proposed design changes compliment not only the MTOD but also the Main Street Overlay District. He added that the State DOT is pleased to note that they have eliminated some turning movements on Rt. 96 which helps maintain the safety of traffic moving through the corridor. Mr. Brand stated that the location shown on the drawing for the new signalized intersection in the future when conditions warrant was approved by the DOT. He stated that they have requested from this applicant (Farmington Market Center) traffic generation information, which is underway, they did received today from BME Associates, the engineering firm representing the project to the east, GLN project, and they are awaiting to hear back on the T&A property (Farmington Commons parcel).

Supervisor Ingalsbe stated that Reliant Federal Credit Union will be going in between AutoZone and Burger King and then there is still space on that property for something else. So, they know they will have to have an access onto

Mercier Blvd. Mr. Brand stated that the property next to the TOPS property is a project of commercial and highway-oriented uses along the frontage and interior is for office buildings (flex space).

Mrs. Bonnie Fowler, Hunters Drive, stated that she came before the Board when Byrne Dairy came and put a gas station in and asked why the town needs a 5<sup>th</sup> gas station within a two mile radius of the ones we already had and the answers that she got were that the town needed a gas station between Victor and Farmington, we need competitive gas pricing, we need a gas station in a less congested area, and then it was thrown in there that they had good ice cream. She asked the Board why they need a 6<sup>th</sup> station within a two-mile radius. She added that she drove around to all the gas stations and they are all the same, so she doesn't see it being more competitive, and that they town already has the gas station they wanted to avoid congestion. Supervisor Ingalsbe replied that the TOPS owners have already stated that is more for a convenience and a discount for their customers for who shop at TOPS and that they claim that they do not want to be competitive with other gas stations and that it is a service they offer their customers. Mrs. Folwer stated that TOPS can offer a lot of things, but it doesn't mean it is beneficial to Farmington. Supervisor Ingalsbe stated that TOPS wouldn't put a gas station in if they didn't think it would be beneficial. Mrs. Folwer asked what the use for them as a Farmington resident is. Supervisor Ingalsbe replied that if you shop at TOPS you might save some money by purchasing gas there after your purchases. Mrs. Fowler stated that not everybody shops at TOPS. She added that she is a member of the Byrne Dairy. Mr. Montalto stated that TOPS customers continue to ask for the fueling kiosk and that they do not engage in price wars with other companies, when you buy groceries, the receipt will show you how many cents off per gallon the customer would get, it depends on how much you spend on groceries. It is not a branded operation he stated.

Mike, owner of Advent Auto, asked if they were going to change the size of the road since they are keeping it to a two-lane highway and pulling out of any of those businesses right there in that area with the speed limit being 45 mph is already impossible to do. He asked if there would be a turning lane in the center and widen the road as he felt two lanes would not be enough. Mike also asked if electric kiosk were being installed as well as fuel pumps. Supervisor Ingalsbe replied that either the Town Board or the Planning Board will be talking with all the developers about adding electric charging stations. Supervisor Ingalsbe stated that the one good thing about having right in and right out across from Dollar Tree is that it eliminates people trying to turn left there and then the entrance to the east where the road will be to Mercier Blvd. will have a signalized intersection. Mike asked if the State was doing any type of review of the traffic. Supervisor Ingalsbe stated that they town has been in constant touch with them but the traffic studies that they are mentioning tonight are firms that are conducting them not DOT. Mr. Brand stated that the town probably beats out other towns in the region (9 counties) on traffic management and the town has develop an official highway corridor plan that shows the location of existing and future plans for signalized intersections, this location was originally approved by the State DOT and since has been moved to the east and will have marking improvements into Mercier Blvd. He added that a number of curb cuts have been eliminated as well so the State does not have to come in an widen the highway.

Jane Barry, Gannet Road, asked why the Town needs so many banks. Supervisor Ingalsbe made reference to Eastview Mall by stating that a jewelry store or bank or a clothing store wouldn't be in there if they didn't think they would make any money, so it is the same way with the banks here. Mrs. Barry asked if when existing TOPS onto to Rt. 96 if you would be able to go straight across to the Dollar Tree. Supervisor Ingalsbe replied no.

Mr. Delproire stated that no comments were made online, and no one was in chat. Supervisor Ingalsbe stated that they will be keeping the public hearing open to a future date as they are waiting for all the traffic data to come in then they will meet with both owners and the DOT. Mr. Hemminer stated that people need to remember that Rt. 96 and Rt. 332 are State roads and the State decides the speed limit not the town.

Councilman Casale made a motion to continue the public hearing at a later date, Councilman Bowerman seconded the motion. All were in favor, Motion CARRIED.

#### **APPROVAL OF MINUTES:**

A motion was made by **Councilman Casale** and seconded by **Councilman Bowerman**, that the minutes of the April 12, 2022, Town Board Meeting, and given to members for review, be approved. All Voting "Aye", ( Herendeen, Holtz, Casale, Bowerman, and Ingalsbe). Motion Carried.

**PRIVILEGE OF THE FLOOR: None.**

**PUBLIC CONCERNS: None.**

#### **REPORTS OF STANDING COMMITTEES:**

**Public Works Committee: Councilman Holtz reported:**

1. Digester #1 mixing pump and motor have been shipped for repairs.
2. Discussed Digester #1 needs a new heat exchanger pump – looking at pricing.
3. Mobil Solids Solutions has completed cleaning of Digester #1, still need to haul away sludge.
4. Discussed work to be performed on UV soon once parts are delivered.
5. Discussed Boiler Water recirculation pump – needs new seals.
6. Discussed watermain replacement at the intersection of Rt. 332 and Rt. 96. Bid has been awarded to Rochester Pipeline. Pre-con tentatively set for May 4, 2022.
7. NYS Fence should be starting the installation of the new security gate soon.
8. Watermain breaks – none.

9. Work has begun on the watermain replacement on Townline Road.
10. Flow testing and pressure monitoring has begun south of Townline Road.
11. Manhole Top for Wangum Road Lift Station has been ordered.
12. Installed new water meter at Hunt's Park.
13. Discussed resolutions for meeting.

**Highway & Parks:**

1. Highway- equipment maintenance, removed metal and debris from 5648 Collett Road (Town's property), plow damage, topsoil and grass seed, catch basin rebuilt on Glen Carlyn and pouring concrete on the 27<sup>th</sup>, training on soil and erosion.
2. Parks- Building and Park Maintenance, grill installed at Beaver Creek Park and playground is finished, opening park buildings and turning on water, getting picnic tables out, trash cans out, and benches.
3. Discussion items: Plow Truck budget, and park land behind Elmwood Circle.

**Town Operations Committee: Councilman Bowerman reported:**

1. Discussed various projects-Chapter 74 Town Code updates, Delaware River Solar project, Farmbrook subdivision (completing last sections), and public hearing on May 24<sup>th</sup> for updates to Chapter 165 of the Town Code.
2. Discussed resolutions on agenda.
3. Report filed with Town Clerk and posted on website.

**Town Finance Committee: Supervisor Ingalsbe reported:**

1. Committee reviewed final 2021 audit numbers, the first quarter revenue for 2022. Reviewed our reserve balances for all funds, discussed VLT allocations for the year 2022-2025 and set the 2023 budget schedule.

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

1. Bid opening on Friday to reline a portion of Hook Road waterline.
2. Working on a contract for asbestos removal of the lower-level floor tile.
3. Attended meeting along with the Assessor and Assessor's Aide on planning for the 2023 Revaluation of town property.

**Deputy Highway & Parks Superintendent Tim Ford reported:**

1. Will be interviewing this week for the Mechanic position.
2. Discussed Chamber signs.
3. Discussed property damage at Mertensia Park.
4. Reported that the grass is coming along at the Beaver Creek Park.

**Town Clerk Michelle Finley reported: None.****Water & Sewer Superintendent Robin MacDonald reported:**

1. Receiving calls from residents to fix yards, vendors now have topsoil.

**Code Enforcement Officer Dan Delproire reported:**

1. Reminder – Cannot park on Town Sidewalks.
2. Reminder – grass cannot be longer than 6 inches high and do not blow into roads or gutters.

**Director of Planning and Development Ron Brand reported:**

1. Report available on website and filed with the Town Clerk.
2. Hats off to the Conservation Board for picking up 20 bags of garbage along Rt. 332. Thanked the Committee for working on signage for Hickory Rise to educate people.
3. Five resolutions on agenda.

**Assessor reported:**

**Supervisor Ingalsbe stated that the town has hired Paul Arndt and he will be shared with the Town of Canandaigua.**

**Town Engineer Bill Davis reported:**

1. Waiting on approval from DOH for the Rt. 332 Waterline Replacement project, and waiting on DEC approval for Wangum Road Pumpstation project. Almost done with the design for Cline and Brownsville.

**Fire Chief reported: None.**

**Planning Board Chairman Ed Hemminger reported:**

1. Next Meeting- Farmbrook Section 7A subdivision, Capps Final 2 lot subdivision, and Safe Place Storage.

**Zoning Board of Appeals reported: None.**

**Recreation Advisory Committee Bryan Meck reported:**

**Supervisor Ingalsbe stated that the Summer Recreation Program is still looking for help.**

**Recreation Director Mark Cain reported: None.**

**Ontario County Planning Board Member reported: None.**

**Conservation Board Chairman Hilton reported: None.**

**Town Historian Donna Herendeen reported: None.**

**Swap Shop Update: Councilman Holtz reported: None.**

**Agricultural Advisory Committee Chairman Adams: None.**

**COMMUNICATIONS:**

1. Letter to the Town Supervisor from NYS Education Department – Grants/Finance. Re: Federal and State Grant Quarterly Status Report.
2. Letter to the Town Supervisor from the Ontario County Board of Elections. Re: Request for use of facilities for the upcoming Primary Election.
3. Letter to the Town Supervisor from the NYS Department of Health. Re: Public Water Supply – CFWD Partial Approval – Completed Works, Hathaway Corners Watermain.
4. Email to the Town Clerk from Geomail. Re: Notification of Action on Property 55.02-3-117.200 in the Town of Canandaigua.
5. Letter to Congressman Chris Jacobs from the Town Supervisor. Re: 1816 Farmington Meetinghouse Museum Project – Earmark for funds FY 2023 Community Project Funding Appropriations Request Form – Letter of Support.
6. Letter to the Town Supervisor from Jerry Goldman of Woods Oviatt Gilman, LLP. Re: Proposed Incentive Zoning – Farmington Market Center.
7. Letter to Jerry Goldman of Woods Oviatt Gilman, LLP from the Town Supervisor. Re: Proposed Incentive Zoning – Farmington Market Center.
8. Memo to the Code Enforcement Officer from Kimberly Boyd of BME Associates. Re: 352 Sheldon Road Stormwater Evaluation for GP-0-20-0001 Compliance.
9. Certificates of Liability Insurance from: Crown Castle International; Alternative Carbon Energy Systems, Inc.; Mallo Home Improvements, Inc.
10. Certificates of Workers’ Compensation Insurance from: Finger Lakes Racing Association, Inc.

**REPORTS & MINUTES:**

1. Farmington Senior Citizens Meeting Minutes – April 4, 2022.
2. Victor-Farmington Volunteer Ambulance Incident Run Log – March 2022.
3. Conservation Board Meeting Minutes – March 28, 2022.
4. Planning Board Meeting Minutes – April 6, 2022.
5. DRS – Yellow Mills Road Solar Facility Preconstruction Draft Meeting Minutes – April 21, 2022.

**ORDER OF BUSINESS:**

**RESOLUTION 187-2022:**

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

**CONTINUING DELIBERATIONS UPON THE ACTION INVOLVING THE ADOPTION OF A LOCAL LAW WHICH WOULD AUTHORIZE AN AMENDMENT TO THE TOWN’S OFFICIAL ZONING MAP, AS PROVIDED FOR IN CHAPTER 165, ZONING LAW, ARTICLE III, SECTION 165-12, ZONING MAP, FOR THE REZONING OF THREE (3) PARCELS OF LAND IDENTIFIED AS TAX MAP ACCOUNT NUMBERS 29.00-01-39, 29.00-01-40 AND 29.00-01-41.1, FROM GB GENERAL BUSINESS TO IZ INCENTIVE ZONING, FOR THE FARMINGTON MARKET CENTER PROJECT, TO AN UNSPECIFIED DATE AND TIME**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) at tonight’s meeting opened a public hearing upon the Town Board’s consideration of the adoption of the above referenced local law; and

**WHEREAS**, the Town Board has received and reviewed the Ontario County Planning Board’s referral, number 62 of 2002, which was classified as a Type 2 Referral, and makes no recommendation thereon; and

**WHEREAS**, the Town Board has received and considered the public testimony given at tonight’s public hearing; and

**WHEREAS**, the Town Director of Planning and Development has recently requested traffic trip generation studies from the Farmington Market Center Project, the adjacent GLN Farmington Realty project, and the nearby G&A Farmington Commons project, which at the present time are being worked on and which have not yet been provided.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby move to table further discussion upon the proposed adoption of the above referenced local law.

**BE IT FURTHER RESOLVED**, that upon receipt of the above requested three (3) traffic studies, the Director of Planning and Development is to schedule a work shop meeting with the identified property owners, representatives from the New York State Department of Transportation, and appropriate Town Staff to determine, if possible, an equitable share of the proposed extension of Mercier Boulevard and future signalization for a new intersection of Mercier Boulevard with State Route 96; and then provide a report with recommendations to the Town Board.

**BE IT FURTHER RESOLVED**, that once the requested traffic information has been received from all three (3) parties, then the Town Clerk will be directed to publish a separate legal notice for the continuation of this public hearing in the Town's Official Newspaper, to post a copy of said legal notice on the Town Hall Bulletin Board and to post a copy of said notice along with a copy of the draft local law on the Town's Official Website.

**BE IT FURTHER RESOLVED**, that copies of this resolution are to be provide to: Angelo Ingrassia, Farmington Market Center, LLC 550 Latona Road, Building E, Suite 501, Rochester, New York 14626; Michael Montalto, Project Manager, Costich Engineering, 217 Lake Avenue, Rochester, New York 14608; Richard and John Lefrois, Lefrois Builders & Developers, 1020 Lehigh Station Road, Henrietta, New York 14467; Peter Vars, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, New York 14450; Jim Stathopoulos, G&A Development & Construction Corporation, 101 North Street, Canandaigua, New York 14424; Jerry Goldman, Esquire, Woods Oviatt Gilman, LLP, 1900 Bausch & Lomb Place, Rochester, New York 14604; Matthew Oravec, P.E., Region 4 Director, New York State Department of Transportation, 1530 Jefferson Road, Rochester, New York 14623; and Greg Trost, Assistant Resident Engineer, New York State Department of Transportation, Ontario County Office, 125 Parish Street, Canandaigua, New York 14424.

**BE IT FINALLY RESOLVED**, that copies of this resolution are to be provided to the Town Director of Planning and Development, the Town Code Enforcement Officer, the Town Zoning Enforcement Officer, the Town Highway and Parks Superintendent, the Town Acting Water and Sewer Superintendent and the Town Engineer.

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

**RESOLUTION #188-2022:**

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

**RESOLUTION RESCHEDULING TWO TOWN BOARD MEETINGS IN 2022**

**WHEREAS**, the Federal Primary Election will be held on a normally scheduled Town Board meeting date, June 28<sup>th</sup>, 2022, and

**WHEREAS**, Election Day is on a normally scheduled Town Board meeting date, November 8<sup>th</sup>, 2022,

**NOW THEREFORE BE IT RESOLVED**, that the meeting of June 28<sup>th</sup>, 2022 at the Town Hall is rescheduled to Wednesday, June 29<sup>th</sup>, 2022 at the same location and time, and be it

**FURTHER RESOLVED**, that the meeting of November 8<sup>th</sup>, 2022 at the Town Hall is rescheduled to Wednesday, November 9<sup>th</sup>, 2022 at the same location and time, and be it

**FINALLY RESOLVED**, that the Town Clerk provide copies of this resolution to Town Department Heads the Town's legal newspaper.

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

**RESOLUTION #189-2022:**

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

**ESTABLISHMENT OF A LETTER OF CREDIT COUNTY MAX PROJECT – IN THE TOTAL AMOUNT OF \$417,376.60**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) has received a request dated April 20, 2022 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 located within the Country Max Project, located at the southwest corner of Hook and Collett Roads; 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 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 \$417,376.60.

**BE IT FURTHER RESOLVED**, that the Town Clerk, is to be provided copies of this resolution to: Matt Heilmann, Town Construction Inspector; Tim Ford, Town Highway & Parks Superintendent; Robin MacDonald, Acting Superintendent, Town Water & Sewer; 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 certified copy of this resolution is to be issued to each of the following: Donald Payne, Country Max, 6920 State Route 96, Victor, New York 14564; and Edward Parrone, Applicant's Engineer.

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

**RESOLUTION #190-2022:**

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

**ESTABLISHMENT OF A LETTER OF CREDIT TOMRA NY PROJECT – IN THE TOTAL AMOUNT OF \$140,158.42**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) has received a request dated April 20, 2022 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 located within the TOMRA NY RECYCLING Project, located at 5923 Loomis Road; 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 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 \$140,158.42.

**BE IT FURTHER RESOLVED**, that the Town Clerk, is to be provided copies of this resolution to: Matt Heilmann, Town Construction Inspector; Tim Ford, Town Highway & Parks Superintendent; Robin MacDonald, Acting Superintendent, Town Water & Sewer; 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 certified copy of this resolution is to be issued to each of the following: Jeremy Stambovsky, TOMRA NY Recycling, LLC, One Corporate Drive, Suite 710, Shelton, Connecticut, 06484; Bill Anterline, P.E., Fisher Associates, 180 Charlotte Street, Rochester, New York 14607; and Nicole Lake, Project Manager, Fisher Associates, 180 Charlotte Street, Rochester, New York 14607.

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

**RESOLUTION #191-2022:**

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

**RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE 2019 VLT CAPITAL RESERVE ACCOUNTS ONCE THE PUBLIC REFERENDUM PERIOD IS COMPLETE**

**WHEREAS**, the following funding transfers utilizing the 2019 VLT reserve fund were allocated in the 2022 budget:

- \$200,000 to the Parks Building Upgrade Capital Project
- \$182,334.15 to the Highway Fund for equipment purchases
- \$400,000 to the Tax Stabilization Reserve
- \$300,000 to create a Sidewalk Capital Project
- \$80,000 to the General Fund for Parks Equipment Purchases
- \$150,000 to the Town Facility and Land Acq Reserve
- \$362,363 to the Parks Equipment Reserve

**Now therefore be it RESOLVED**, that the Town Clerk publish the public notice for the withdrawal from the VLT reserve,

**Further RESOLVED**, that the Principal Account Clerk, of the Town of Farmington, is hereby authorized and directed to transfer the funding from the VLT reserve funds once the permissive referendum period is complete,

**Further RESOLVED**, that the Principal Account Clerk completes the following budget transfers within the capital projects:

HR5031 Interfund Transfer	\$200,000	
HR1620.2 Building Capital Outlay		\$200,000
HK5031 Interfund Transfer	\$300,000	
HK5410.2 Sidewalks		\$300,000

**Be it finally RESOLVED**, that the Town Clerk, of the Town of Farmington, is to forward a copy of this resolution as well as the public notice to the Principal Account Clerk.

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

**RESOLUTION #192-2022:**

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

**RESOLUTION ACCEPTING THE FINAL 2021 AUDIT REPORTS FROM RAYMOND F. WAGER, A DIVISION OF MMB & CO FOR THE TOWN OF FARMINGTON, AND THE CANANDAIGUA/FARMINGTON WATER FUND**

**WHEREAS**, representatives from Raymond F. Wager, CPA, a division of Mengel Metzger Barr & Co. presented the reports from the year ended December 31, 2021 audit,

**WHEREAS**, final reports include, Basic Financial Statements and Communicating Internal Control Related Matters Identified in an Audit

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of Farmington accepts the reports and files them with the Town Clerk,

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

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

**RESOLUTION #193-2022:**

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

**RESOLUTION DECLARING MISCELLANEOUS EQUIPMENT FROM THE TOWN HALL AND HIGHWAY DEPARTMENT AS SURPLUS SO IT MAY BE DISPOSED OF AT AUCTION OR DISCARDED**

**WHEREAS**, the Confidential Secretary has asked that the following items in the Town Hall be declared surplus so that they may be disposed of and/or discarded

- One (1) CyberPower Battery Backup
- One (1) Fellowes Shredder
- Assorted fuel keys from Gasboy system that is obsolete
- Two (2) Infotronics ID punch clocks from Attendance Enterprise software
- Punch cards from Attendance Enterprise software

**WHEREAS**, the Highway Department has asked that the following items be declared surplus so that they may be disposed of and/or discarded

**NOW THEREFORE BE IT RESOLVED**, that the Town Board hereby authorizes that miscellaneous equipment from the Town Hall and Highway Department 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 Department.

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

**RESOLUTION #194-2022:**

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

**CANANDAIGUA-FARMINGTON WATER DISTRICT-TOWN LINE ROAD EAST END 12" WATER MAIN PROJECT TO SET A BID DATE FOR PUBLIC BIDDING OF WATER MAIN FITTINGS AND SUPPLIES**

**WHEREAS**, the Water Superintendent for the Canandaigua-Farmington Water District (CFWD) has requested the purchase of water main fittings and supplies for the 2022 budgeted CFWD water main replacement project located within the joint Canandaigua-Farmington Town Line Road Highway Improvement Project that is currently underway, and

**WHEREAS** The Town Board of the Town of Farmington to authorize the Advertisement of Public Bidding for the Canandaigua-Farmington Town Line Phase-3 12" water main supplies, and

**WHEREAS**, The sealed bids will be accepted on or before May 6, 2022, at 10:30 AM at the **office** of the Farmington Town Clerk 1000 County Road 8, New York 14425 and the bids will be opened at this time. and

**Be it RESOLVED**, the Farmington Town Board acting on behalf of the Canandaigua Farmington Water District hereby authorizes the Water and Sewer Superintendent to set the bid date of May 6, 2022, at 10:30AM and

**Be it further RESOLVED**, that the Town Clerk provides a copy of this resolution to the Water/Sewer Superintendent, and Principal Account Clerk.

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

**RESOLUTION #195-2022:**

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

**RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR BIDDING AND THE BID OPENING DATE FOR THE ANNUAL WATER & SEWER PARTS BID**

**WHEREAS**, The Water and Sewer Superintendent has compiled a list of parts for the Town of Farmington annual parts bid, and

**WHEREAS**, the Water and Sewer Superintendent with this resolution has set the advertisement date of April 29, 2021 and a Bid Opening Date of May 6, 2022

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Farmington acting on behalf of the Farmington Water and Sewer District hereby authorizes the town clerk to advertise the bidding and the bid opening date being held May 6, 2022 at 11:00 AM at the Town of Farmington Town Hall located at #1000 County Road 8, Farmington New York.

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

**RESOLUTION #196-2022:**

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

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN A RESIDUALS MANAGEMENT SERVICE AGREEMENT WITH CASELLA WASTE SERVICES OF ONTARIO, LLC**

**WHEREAS**, the Town Supervisor received a Residuals Management Service Agreement from Casella Waste Services of Ontario, LLC regarding disposal of sludge at the Ontario County Landfill; and

**WHEREAS**, the pricing in the Agreement is \$55.00 per wet ton for the remainder of the Calendar Year 2022 and \$60.00 per wet ton starting on January 1, 2023 with a CPI (consumer price index) to be completed on the anniversary date of the Agreement for the remainder of the contract term; now

**THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Farmington authorizes the Town Supervisor to sign the Residuals Management Service Agreement from Casella Waste Services of Ontario, LLC; and be it

**FURTHER RESOLVED**, that a copy of the resolution be forwarded to the Principal Account Clerk and the Acting W&S Superintendent.

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

**RESOLUTION #197-2022:**

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

**RECALLING TOWN BOARD RESOLUTION #325-2021, CORRECTING THE TOTAL AMOUNT TO BE FILED WITH THE LETTER OF CREDIT – AUTO WASH PROJECT, 6214 STATE ROUTE 96 – TO READ \$46,285.78**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) at their meeting on Tuesday, September 14, 2021, did approve and did direct the filing of a Letter of Credit for the above referenced Project, in the total amount of \$46,258.78; and

**WHEREAS**, the above referenced Letter of Credit has been received from Lyons National Bank (Letter of Credit #478) in the total amount of \$46,285.78.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby recall Resolution No. 325-2021 and does hereby amendment the amount specified in that resolution to read \$46,285.78.

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

**RESOLUTION #198-2022:**

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

**CLASSIFYING, UNDER THE PROVISIONS OF ARTICLE 8 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW, PART 617.5 STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) REGULATIONS, THE ACTION INVOLVING THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 165, ZONING LAW, ARTICLES II, V AND VI, REGARDING GENERAL REQUIREMENTS FOR ERECTING AND MAINTAINING COMMERCIAL SPEECH SIGNS, ACCESSORY STRUCTURES AND SPECIAL PERMIT CRITERIA FOR MINI WAREHOUSE SITES AS BEING A TYPE II ACTION; DIRECTING THE SUBMISSION OF THE DRAFT OF A LOCAL LAW DATED MAY 24, 2022, AND IDENTIFIED AS LOCAL LAW NO. \_ OF 2022, TO THE ONTARIO COUNTY PLANNING BOARD FOR REVIEW AND RECOMMENDATION UNDER THE PROVISIONS OF THE NEW YORK STATE GENERAL MUNICIPAL LAW; PUBLISHING A LEGAL NOTICE FOR A PUBLIC HEARING TO BE HELD UPON SAID DRAFT LOCAL LAW ON TUESDAY, MAY 24, 2022; AND DIRECTING THE POSTING OF SAID DRAFT LOCAL LAW ON THE TOWN'S WEBSITE**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) at their meeting on Tuesday, April 26, 2022, received a draft local law amending various Articles of Chapter 165, Zoning Law, of the Town of Farmington; and

**WHEREAS**, the Town Director of Planning and Development, the Town Code Enforcement Officer and the Town Zoning Enforcement Officer have all completed their work in the drafting the proposed local law; and

**WHEREAS**, the Town Board has today, in both the Town Public Works Committee and Town Operations Committee discussed the proposed local law; and

**WHEREAS**, the Town Board has tonight completed its review of said draft local law; and

**WHEREAS**, the Action is a local legislative decision, involving the adoption of a local law, that amends three (3) Articles of the Town Zoning Law, which by themselves does not commit an action to undertake, fund or approve any Type I or Unlisted Action as classified under Part 617.5 of article 8 of the New York State Environmental Conservation Law, the State's Environmental Quality Review (SEQR) regulations; and

**WHEREAS**, the Action is not site specific, it establishes only the criteria for determining compliance with technical requirements, and it does not entitle or permit a project sponsor to commence the action unless and until all requirements of Part 617.5 of the SEQR Regulations have been fulfilled; and

**WHEREAS**, a decision by the Town Board upon this Action does not entitle or permit an applicant to commence an action involving the development of land that is otherwise first subject to all requirements contained within New York State Town Law, article 8 of the New York State Environmental Conservation Law, and the Laws of the Town of Farmington until all requirements have been fulfilled and approvals have been granted.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby designate itself as the Lead Agency for making the Determination of Significance, under the State's SEQR Regulations, upon the above referenced rezoning Action.

**BE IT FURTHER RESOLVED**, that the Town Board does classify the proposed Action as a Type II Action as further set forth within Section 617.5 ( c ) (24), (33) and (34) of the State's SEQR Regulations.

**BE IT FURTHER RESOLVED**, that Type II Actions have been determined not to have a significant impact upon the environment or are otherwise precluded from environmental review under article 8 of the New York State Environmental Conservation Law.



**BE IT FURTHER RESOLVED**, that the Town Board does hereby direct the submission of the proposed local law for the amendments to Chapter 165 of the Farmington Town Code to the Ontario County Planning Board for its review and recommendation, under the provisions of Sections 239-l and -m of the New York State General Municipal Law, at their May 11, 2022, meeting.

**BE IT FURTHER RESOLVED**, that the Town Board does hereby schedule a public hearing to be held on Tuesday, May 24, 2022, starting at 7:00 p.m., in the Main Meeting Room, at the Farmington Town Hall, upon the above referenced Action.

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to cause to be published in the Town’s Official Newspaper a legal notice of this scheduled public hearing, to post a copy of said legal notice on the Town Hall Bulletin Board, and to post a copy of said notice along with a copy of the draft local law on the Town’s Official Website.

**BE IT FURTHER RESOLVED**, that certified copies of this resolution be provided to the Town Director of Planning and Development, the Town Code Enforcement Officer, and the Town Zoning Enforcement Officer.

**BE IT FINALLY RESOLVED**, that the Town Board directs a copy of this resolution is to be filed as provided for under the State’s SEQR Regulations.

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

**RESOLUTION #199-2022:**

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

**RESOLUTION ESTABLISHING THE PENALTY DATE FOR ALL UNPAID 2022 FIRST QUARTER ACCOUNTS LOCATED WITHIN THE CANANDAIGUA-FARMINGTON (CFWD) WATER AND VICTOR SEWER DISTRICTS**

**WHEREAS**, payment for the 1<sup>ST</sup> Quarter 2022 CFWD water and sewer bills and Victor Sewer District sewer bills are due on Friday, April 30, 2022,

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of Farmington acting on behalf of the Canandaigua-Farmington Water and Victor Sewer Districts hereby authorizes that payments must be received at the Town Clerk’s office prior to 8 am Monday, May 2, 2022 including online payments. Payments with US mail postmarks as of 12:00 AM May 1, 2022 will be accepted without penalty, and be it

**FURTHER RESOLVED**, a 20% late fee will be applied to the water and sewer portion of unpaid residential and commercial bills on Monday, May 2, 2022 with a tentative shutoff date of June 8, 2022 established for this quarter, and be it

**FINALLY RESOLVED**, that a copy of this resolution will be supplied from the Town Clerk to the Water and Sewer Department and the Principal Account Clerk.

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

**RESOLUTION #200-2022:**

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

Abstract 8 – 2022

**TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS**

<i>ABSTRACT NUMBER</i>		<u>8</u>	
<i>DATE OF BOARD MEETING</i>		<u>4/26/2022</u>	
<i>FUND CODE</i>	<i>FUND NAME</i>	<i>TOTAL FOR EACH FUND</i>	<i>VOUCHER NUMBERS</i>
A	GENERAL FUND	79,932.99	665-672,674-701,703-710,772-774
DA	HIGHWAY FUND	95,354.27	672,675,684,688,691,694,714-723,773
HB	BEAVER CREEK PARK	673.80	695,702,716
HD	TOWN SIGNS CAP PROJECT	4,850.00	727
HM	FUEL STATION CAP PROJECT	210.00	726
HT	TOWN HALL CAP PROJECT	0	
SF	FIRE PROTECTION DISTRICT	190,041.00	673
HW	WATER TANK REPAIR	0	
SL1	LIGHTING DISTRICT	1,551.05	696
SD	STORM DRAINAGE	48,401.65	672,694,721,724,725,751
SS	SEWER DISTRICT	68,860.05	666,672,683,684,691,694,704,710,725,728,729-756,773
SW1	WATER DISTRICT	40,861.83	666,672,683,684,691,694,704,710,725,728,730,736-738,741,742,746,751-754,757-771,773
TA200	PAYROLL DEDUCTIONS	7,605.92	666,672,694,706,711-713,752-753,773
	<b>TOTAL ABSTRACT</b>	<b>\$ 538,342.56</b>	

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

**TRAINING UNDER \$100: None.**

**DISCUSSION: None.**

**WAIVER OF THE RULE: None.**

**EXECUTIVE SESSION: None.**

With no further business before the Board, **Councilman Casale** offered a motion to adjourn the meeting at 8:07 p.m., seconded by **Councilman Bowerman**. Motion **CARRIED**.

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Michelle A. Finley, MMC, RMC -Town Clerk