

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 9<sup>th</sup> day of February 9, 2021, at 7:00 PM, there were:

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

Also present in person: **Don Giroux** – Highway and Parks Superintendent, **Dan Delpriore** – Code Enforcement Officer, **Ron Brand** – Director of Planning and Development, **Adrian Bellis** – Planning Board Member, **Bill Davis** – MRB Group, and Robin MacDonald – Acting Water & Sewer Superintendent.

Also present by telephone/video conferencing were: **Ed Hemminger** – Planning Board Chairman and **John Piper** – Consultant.

### **PUBLIC HEARINGS-**

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

A motion was made by **Councilman Casale** and seconded by **Councilman Holtz**, that the minutes of the January 26, 2021, Town Board Meeting, and given to members for review, be approved. All Voting “Aye” (Holtz, Casale, Herendeen, Bowerman, and Ingalsbe). Motion Carried.

**PRIVILEGE OF THE FLOOR: None.**

**PUBLIC CONCERNS: None.**

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

**Public Works Committee: Councilman Herendeen reported:**

1. Regular testing and maintenance.
2. Discussed Belt press sludge.
3. Discussed Wemco Pump.
4. Water main breaks – three – Honeysuckle, Wishing Well Lane, and Mertensia Road.
5. Started water main replacement on Yerkes Road.
6. Discussed being shorthanded due to Covid.

#### **Highway & Parks:**

1. Highway- Equipment Maintenance, salt and plowed roads, clearing sidewalks, and ongoing work on Bean Pole drainage and renovation work at Town Hall.
2. Parks- building and parks maintenance, salting and plowing of parking lots, training drivers on larger trucks, SDS ongoing updates, drywall repairs downstairs at the town hall, boarders have been built for swing set at Town Park, efforts to remove swing set at Pumpkin Hook Park will begin shortly.

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

1. Discussed various projects: Solar project, Blackwood Industrial Park, County Road 41/State Route 332 Intersection (Hathaway’s Corners), Town Code updates, Beaver Creek Park updates, GLN Realty project, AutoWash upgrades, and zoning code amendments, street scape design update, Bryne Dairy final site plan improvements, and Mertensia Road/Rt. 96 Watermain project update.
2. Discussed resolutions on agenda.

**Town Personnel Committee: None.**

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

**Town Public Safety Committee: Councilman Holtz reported: None.**

### **REPORTS OF TOWN OFFICIALS:**

**Supervisor Peter Ingalsbe reported:**

1. Discussed VLT Budget battle- Asked residents to send letter to Governor to put back in the budget.
2. Attended first Environmental Development Meeting at the County.
3. Looking at the State Comptrollers Report on Ethics. He will have the Ethics Committee review and update the Town’s Ethic Policy. Jeff Astles will oversee the committee as Chairman.

**Highway & Parks Superintendent Giroux reported:**

1. Update on drainage issue on Beanpole Circle.

**Town Clerk Michelle Finley reported:**

1. Tax Collection to date is at 92%.
2. Office is back at full staff.
3. Officiating wedding on Wednesday.

**Water & Sewer Superintendent Robin MacDonald reported:**

1. Thanked Jerry at Wayne County Sewer Department for sending over some help due to the town being short staffed at the Sewer Plant due to Covid.

**Code Enforcement Officer Dan Delpriore reported:**

1. 48 Permits issued in January.
2. 178 total inspections in January.
3. Update on Dollar General sewer issue.
4. Update on 1203 Annual State Report.
5. Update on MS4 Annual Report.

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

1. Report available on website and filed with the Town Clerk.
2. Local Law to expend the Moratorium on solar – waiting for the decision back from the Supreme Court Judge on the Appeal. It is originally to expire on March 9<sup>th</sup>.
3. Discussed draft local law on the main street overlay district and other amendments to the Town Code.

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

1. Update on the following projects: Working on year end submissions for the Industrial User Permits submitting final report to DEC, assistance with the emergency response plan, and change order for the Mertensia Road Watermain Extension.

**Fire Chief reported: None.****Planning Board Chairman Ed Hemminger reported:**

1. Next Meeting – Site Plan for County Road 41 and Wood Drive – Single family home.

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

Dan Delpriore stated that he is working with the Recreation Director regarding the possibility of having an Easter Egg Hunt this year. Also reviewing covid restriction rules for offering Zumba.

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

1. Letter to the Town Supervisor from Tom and Rhonda Cook, Residents. Re: 6153 Amber Drive.
2. Letter to the Town Supervisor from Janene Sweet of Ontario County Real Property Tax Services. Re: Ontario County Schedule of Taxes for the year 2021.
3. First Light Service Order Form. Re: Side car for phone in Building/Code Office.
4. Email to the Town Clerk from Matthew Chaffer of the Conservation Board. Re: Resignation.

5. Casella Resource Solutions Third Party Signature Authorization for Special Waste Disposal. Re: Parks Garage.
6. Ontario County Board of Supervisors Resolution No. 20-2021. Re: Approval of the eight-year review and recertification of Ontario County Agricultural District 1 and the consolidation of Ontario County Agricultural Districts 6, 8 and 9 into Consolidated Agricultural District 1.
7. Letter to Kimberly McEathron of the EPA from the Code Enforcement Officer. Re: Town of Farmington MS4 Annual Report Review, Reporting Period March 9, 2020.
8. Letter to Anthony Ingrassia of Farmington Center, LLC from the Town Supervisor. Re: Unpaid engineering fees.
9. US Department of Agriculture New York European Cherry Fruit Fly Program Property Access Request.
10. Letter to the Court Clerk from Justice Craig Doran. Re: JCAP Grant award.
11. Certificates of Liability Insurance from: Gordon Beh Excavating Contractors, Inc.; Secore Contracting Services, LLC.

**REPORTS & MINUTES:**

1. ZBA Meeting Minutes – November 23, 2020.
2. Planning Board Meeting Minutes – January 20, 2021.
3. Monthly Report – Judge Gligora – January 2021.
4. Report to Town Public Works and Town Operations Committees for Town Board Meeting on Tuesday, January 26, 2021.
5. ZBA 2021 Rules of Procedure.
6. Ontario County Sheriff Traffic Report – January 2021.
7. Historic Preservation Meeting Minutes – January 9, 2020.
8. Historic Preservation Meeting Minutes – February 6, 2020.
9. Historic Preservation Meeting Minutes – March 12, 2020.
10. Historic Preservation Meeting Minutes – June 25, 2020.
11. Historic Preservation Meeting Minutes – September 10, 2020.
12. Historic Preservation Meeting Minutes – October 1, 2020.
13. Historic Preservation Meeting Minutes – November 5, 2020.
14. Building Department – Permit Report by Type – January 2021.
15. Building Department – Inspection Schedule – January 2021.
16. Building Department – Inspections Report – January 2021.
17. Monthly Report – Judge Lew – January 2021.

**ORDER OF BUSINESS:****RESOLUTION #82-2021:**

**Councilmen Bowerman, Casale, Holtz, Herendeen, and Supervisor Ingalsbe** offered the following Resolution, seconded by **Councilmen Casale, Bowerman, Holtz, Herendeen and Supervisor Ingalsbe**:

**RESOLUTION OF SYMPATHY FOR THE DLUZAK FAMILY**

**WHEREAS**, the Town Board was deeply saddened to learn of the untimely passing of Janet Dluzak, on January 15<sup>th</sup>, 2021; and

**WHEREAS**, Janet was a former Dog Control Officer for the Town of Farmington and the wife of former Highway employee, Charles “Bud” Dluzak;

**NOW THEREFORE BE IT RESOLVED** that the Town Board adopts this resolution extending its sincere sympathy to the Dluzak family and spreading her memory upon the minutes of this board meeting, and be it

**FURTHER RESOLVED** that the Town Clerk forward a copy of this resolution to Janet’s Husband, Charles Dluzak at 85 Ann Marie Lane, Honeoye, NY 14471-9345.

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

**RESOLUTION #83-2021:**

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

**RESOLUTION AUTHORIZING JOHN WEIDENBORNER TO ATTEND THE NATIONAL STORMWATER CENTER FOR CSI-MS4 TRAINING ONLINE ON MARCH 4<sup>TH</sup> & 5<sup>TH</sup>, 2021**

**WHEREAS**, John Weidenborner has been cross training with Town staff on inspection of stormwater facility.

**WHEREAS**, John Weidenborner has been assigned to assisted the MS4 officer in inspections and review.

**WHEREAS**, The National Stormwater Center is hosting an online CSI-MS4 officer training on March 4<sup>th</sup> & 5<sup>th</sup> 2021

**WHEREAS**, this training is a National Certification that is good for 5 years

**WHEREAS**, the cost of this training is \$774.00 and is a budgeted training

**NOW, THEREFOR BE IT RESOLVED**, that the Town Board of Farmington authorizes John Weidenborner to attend the online National Stormwater Center training on March 4 & 5 at a cost not to exceed \$774.00.

**AND BE IT FURTHER RESOLVED**, that copies of this resolution be submitted by the Town Clerk to the Principal Account Clerk, Zoning Officer John Weidenborner and Code Officer Dan Delpriore.

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

**RESOLUTION #84-2021:**

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

**RESOLUTION AUTHORIZING THE BUILDING DEPARTMENT TO PURCHASE ADDITIONAL TRAINING FROM BAS (BUSINESS AUTOMATION SERVICE) FOR THE IPS SOFTWARE**

**WHEREAS**, with the appointment of August Gordner to Fire Marshall additional training is required to learn the software for IPS that works with fire inspections.

**WHEREAS**, with the appointment Leland Code to Assistance Code Officer and Wendy Helbig account clerk – typist additional training is required to learn the software for IPS.

**WHEREAS**, in compliance with the current purchasing policy for the Town, this software and training to be at a cost not to exceed \$300.00, now therefore be it

**NOW LET IT BE RESOLVED**, that the Town Board authorizes the Building Department to purchase additional training for the IPS system at a cost not to exceed \$300.00,

**BE IT FURTHER RESOLVED**, that copies of this resolution be submitted by the Town Clerk to the Principal Account Clerk and the Building Department.

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

**RESOLUTION #85-2021:**

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

**AUTHORIZATION TO REPAIR ONE FLYGT PUMP FOR EAST VICTOR ROAD PUMPSTATION-(PS-7)**

**WHEREAS**, The Acting Water and Sewer Superintendent has identified the need to repair this pump on East Victor Rd , and

**WHEREAS**, The Sewer Department has received a quote from Xylem Water Solutions USA, Inc. in the amount of \$3,771.00, and

**NOW, THEREFORE BE IT RESOLVED**, that the Farmington Town Board authorizes the Acting Water and Sewer Superintendent to purchase said repair Not to exceed \$3,771.00 from account code SS8120.4V, and

**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 #86-2021:**

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

**RESOLUTION TO APPROVE THE PURCHASE AND INSTALLATION OF CARPET IN THE LOWER LEVEL OF THE TOWN HALL**

**WHEREAS**, GP Flooring Solutions is installing carpet in one room downstairs provided by Ontario County; and

**WHEREAS**, GP Flooring Solutions has provided a quote for three additional rooms using Ontario County bid pricing; and

**WHEREAS**, the three additional rooms have no flooring at this time; now therefore

**BE IT RESOLVED**, that the Town Board hereby authorizes the purchase and installation of carpet in the lower level of the Town Hall at a cost not to exceed \$3,333.02; and

**BE IT FURTHER RESOLVED**, that the Town Clerk provide copies of this resolution to the Principal Account Clerk, the Highway Superintendent and Alan Gerhardy of GP Flooring Solutions at alan@gpflooringsolutions.com.

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

**RESOLUTION 87-2021:**

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

**CONFIRMING RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN SERVICE ORDER WITH FIRSTLIGHT FOR INTERNET UPGRADE FOR TOWN HALL**

**WHEREAS**, the Town Hall has a need for upgraded internet for the camera system; and

**WHEREAS**, the Town Supervisor received a quote for an internet upgrade for Town Court from FirstLight in the amount of an additional \$225.00 per month for a total cost of \$375.00 per month, and

**WHEREAS**, FirstLight is running a bandwidth upgrade promotion that will provide for the additional bandwidth free of cost for 3 months;

NOW, THEREFORE, BE IT **RESOLVED**, that the Town Board hereby authorizes the Town Supervisor to sign the Service Order with FirstLight at a cost not to exceed \$375.00 per month, and be it further

**RESOLVED**, that the Town Clerk give a copy of this resolution to the Principal Account Clerk and the Supervisor's Office.

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

**RESOLUTION 88-2021:**

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

**RESOLUTION CALLING ON THE STATE TO RESTORE VIDEO LOTTERY TERMINAL (VLT) FUNDING TO LOCAL GOVERNMENTS IN THE 2021-2022 STATE BUDGET**

**WHEREAS**, New York State has distributed VLT funding to local governments for over a decade since the original agreement to expand gaming to many racetracks in the State, and

**WHEREAS**, the distribution of this revenue was agreed to as a way to benefit the taxpayers who reside in the municipalities which are impacted by the presence of these racetracks in their communities, and

**WHEREAS**, Governor Cuomo has proposed the distribution of this funding to local governments be completely eliminated in the 2021-2022 budget except for the portion provided to the City of Yonkers, and

**WHEREAS**, the Town of Farmington (\$1.8 million) is among the municipalities which would endure the loss of this revenue, and

**WHEREAS**, this revenue ensures the provision of critical programs and services, funds capital projects and infrastructure improvements and directly reduces the amount needed to be raised in property taxes in the Town of Farmington, and

**WHEREAS**, the Farmington Town Board has reviewed the significant impact of the loss of VLT funding on the Farmington Taxpayers and strongly recommends the adoption of this resolution, now therefore be it

**RESOLVED**, that the Farmington Town Board urges Governor Andrew Cuomo and the members of the New York State Legislature to fully restore VLT funding in the 2021-2022 New York State Budget in order that the Town of Farmington and other impacted municipalities can continue to receive these critical revenues to benefit their taxpayers and residents in accordance with this funding's original intent, and be it further

**RESOLVED**, that copies of this resolution be sent by the Town Clerk to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Senator Pamela Helming and Assemblyman Jeff Gallahan.

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

**RESOLUTION #89-2021:**

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

**RESOLUTION FOR CHANGE ORDER GC-01 FOR MRI CONTRACTORS FOR MERTENSIA ROAD WATERLINE**

**WHEREAS**, change order GC-01 was submitted by MRB for an increase in contract price of \$48,890.00 to add 400 LF of 10" waterline, bringing the total to \$470,100,

**WHEREAS**, \$169,000 has been budgeted in 2021 to move to the Mertensia Road Capital Project and there is \$17,759.75 available to move from the North Road capital project,

**NOW THEREFORE BE IT RESOLVED**, that the Town Board approves the Supervisor to sign GC-01 and approves the transfer of funds and the following budget amendment within the Capital Project:

HG5031 Interfund Transfer	\$186,759.75	
HG8340.2 Waterline		\$186,759.75

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

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

**RESOLUTION #90-2021:**

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

**RESOLUTION TO RECALL RESOLUTION NO. 66 OF 2021 FOR THE ACTION ENTITLED “ADOPTION OF LOCAL LAW NO. 1 OF 2021, ENTITLED “A LOCAL LAW TO OVERRIDE THE TAX LEVY ESTABLISHED IN NEW YORK STATE GENERAL MUNICIPAL LAW, SECTION 4-C” AND RENUMBERING THIS ACTION LOCAL LAW NO. 4 OF 2021**

**WHEREAS**, the Town of Farmington Town Board (hereinafter referred to as Town Board) by Resolution No. 66 of 2021, dated January 26, 2021 adopted the above referenced Local Law (Local Law No. 1 of 2021); and directed the filing thereof with the New York State Secretary of State; and

**WHEREAS**, the Town Clerk has been notified by the Attorney for the Town that the Secretary of State Office did not file the last three local laws (#7, #8 and #9 of 2020) in December of last year and that said local laws would be filed after January 1, 2021; and

**WHEREAS**, the three cited local laws have now been filed with the New York State Secretary of State as Local Laws #1, #2 and #3 of 2021; and

**WHEREAS**, the Attorney for the Town has informed the Town Clerk that this local law number is to be changed to be Local Law No. 4 of 2021.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby recall the above referenced Resolution No. 66 of 2021 and deletes all references to the previously assigned Local Law Number (Local Law No. 1 of 2021) and replaces all references thereto with Local Law Number 4 of 2021.

**BE IT FINALLY RESOLVED**, that the Town Clerk is to provide Certified Copies of this resolution to: the Attorney for the Town; the Town Highway and Parks Superintendent; the Acting Town Water and Sewer Superintendent; the Town Construction inspector; the Town Code Enforcement Officer; the Town Zoning Officer; Lance Brabant, CPESC, MRB Group, D.P.C., the Town Engineers; and the Town Director of Planning and Development.

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

**RESOLUTION #91-2021:**

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

**RESOLUTION TO RECALL RESOLUTION NO. 435 OF 2020 FOR THE ACTION ENTITLED “ADOPTION OF LOCAL LAW NO. 7 OF 2020, AMENDMENTS TO CHAPTER 79 OF THE FARMINGTON TOWN CODE, ENTITLED DRAINAGE DISTRICT ENTRANCE FEES” AND RENUMBERING THIS ACTION LOCAL LAW NO. 1 OF 2021**

**WHEREAS**, the Town of Farmington Town Board (hereinafter referred to as Town Board) by Resolution No. 435 of 2020, dated December 8, 2020 adopted the above referenced Local Law (Local Law No. 7 of 2020); and directed the filing thereof with the New York State Secretary of State; and

**WHEREAS**, the Town Clerk has been notified by the Attorney for the Town that the Secretary of State Office did not file said local law until after January 1, 2021; and

**WHEREAS**, the Attorney for the Town has informed the Town Clerk that this local law number is to be changed to be Local Law No. 1 of 2021.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby recall the above referenced Resolution No. 435 of 2020 and deletes all references to the previously assigned Local Law Number (Local Law No. 7 of 2020) and replaces all references thereto with Local Law Number 1 of 2021.

**BE IT FURTHER RESOLVED**, that the Town Clerk, upon receipt of the notice of filing of said Local Law with the Secretary of State, is to send a request to General Code Publishers for updating Chapter 79 of the Town Code as has been amended herein.

**BE IT FINALLY RESOLVED**, that the Town Clerk is to provide Certified Copies of this resolution to: the Attorney for the Town; the Town Highway and Parks Superintendent; the Acting Town Water and Sewer

Superintendent; the Town Construction inspector; the Town Code Enforcement Officer; the Town Zoning Officer; Lance Brabant, CPESC, MRB Group, D.P.C., the Town Engineers; and the Town Director of Planning and Development.

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

**RESOLUTION #92-2021:**

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

**RESOLUTION TO RECALL RESOLUTION NO. 436 OF 2020 FOR THE ACTION ENTITLED "ADOPTION OF LOCAL LAW NO. 8 OF 2020, AMENDMENTS TO CHAPTER 153 OF THE FARMINGTON TOWN CODE, ENTITLED VEHICLES AND TRAFFIC" AND RENUMBERING THIS ACTION LOCAL LAW NO. 2 OF 2021**

**WHEREAS**, the Town of Farmington Town Board (hereinafter referred to as Town Board) by Resolution No. 436 of 2020, dated December 8, 2020 adopted the above referenced Local Law (Local Law No. 8 of 2020); and directed the filing thereof with the New York State Secretary of State; and

**WHEREAS**, the Town Clerk has been notified by the Attorney for the Town that the Secretary of State Office did not file said local law until after January 1, 2021; and

**WHEREAS**, the Attorney for the Town has informed the Town Clerk that this local law number is to be changed to be Local Law No. 2 of 2021.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby recall the above referenced Resolution No. 437 of 2020 and deletes all references to the previously assigned Local Law Number (Local Law No. 8 of 2020) and replaces all references thereto with Local Law Number 3 of 2021.

**BE IT FURTHER RESOLVED**, that the Town Clerk, upon receipt of the notice of filing of said Local Law with the Secretary of State, is to send a request to General Code Publishers for updating Chapter 153 of the Town Code as has been amended herein.

**BE IT FINALLY RESOLVED**, that the Town Clerk is to provide Certified Copies of this resolution to: the Attorney for the Town; the Town Highway and Parks Superintendent; the Acting Town Water and Sewer Superintendent; the Town Construction inspector; the Town Code Enforcement Officer; the Town Zoning Officer; Lance Brabant, CPESC, MRB Group, D.P.C., the Town Engineers; and the Town Director of Planning and Development.

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

**RESOLUTION #93-2021:**

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

**RESOLUTION TO RECALL RESOLUTION NO. 437 OF 2020 FOR THE ACTION ENTITLED "ADOPTION OF LOCAL LAW NO. 9 OF 2020, AMENDMENTS TO CHAPTER 105 OF THE FARMINGTON TOWN CODE, ENTITLED PARKS, TRAILS AND CONSERVATION AREAS" AND RENUMBERING THIS ACTION LOCAL LAW NO. 3 OF 2021**

**WHEREAS**, the Town of Farmington Town Board (hereinafter referred to as Town Board) by Resolution No. 437 of 2020, dated December 8, 2020 adopted the above referenced Local Law (Local Law No. 9 of 2020); and directed the filing thereof with the New York State Secretary of State; and

**WHEREAS**, the Town Clerk has been notified by the Attorney for the Town that the Secretary of State Office did not file said local law until after January 1, 2021; and

**WHEREAS**, the Attorney for the Town has informed the Town Clerk that this local law number is to be changed to be Local Law No. 3 of 2021.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby recall the above referenced Resolution No. 437 of 2020 and deletes all references to the previously assigned Local Law Number (Local Law No. 9 of 2020) and replaces all references thereto with Local Law Number 3 of 2021.

**BE IT FURTHER RESOLVED**, that the Town Clerk, upon receipt of the notice of filing of said Local Law with the Secretary of State, is to send a request to General Code Publishers for updating Chapter 105 of the Town Code as has been amended herein.

**BE IT FINALLY RESOLVED**, that the Town Clerk is to provide Certified Copies of this resolution to: the Attorney for the Town; the Town Highway and Parks Superintendent; the Acting Town Water and Sewer Superintendent; the Town Construction inspector; the Town Code Enforcement Officer; the Town Zoning Officer; Lance Brabant, CPESC, MRB Group, D.P.C., the Town Engineers; and the Town Director of Planning and Development.

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

**RESOLUTION #94-2021:**

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

**RESOLUTION AUTHORIZING THE TOWN OF FARMINGTON CONSTRUCTION INSPECTOR DAVID ORIANI TO ATTEND THE 4 HOUR NYS DEC EROSION AND SEDIMENT CONTROL TRAINING**

**WHEREAS**, the town Construction Inspector for the Water and Sewer Department is required to attend the New York State 4-hour erosion and sediment control training, and

**WHEREAS**, the town Construction Inspector, David Oriani has not attended this training since his hire as the town Construction Inspector, said training is on February 23, 2021 from 8:30am to 12:30pm via Zoom at a cost of \$100.00 per person,

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of Farmington hereby authorizes the training for Construction Inspector David Oriani at a cost not to exceed \$100.00, and

**BE IT FURTHER RESOLVED**, that funds for the training is authorized as an expenditure for the Water Budget line SW1-8310.4 (Water Admin-CE) and Sewer Budget line SS8110.4 (Sewer Admin-CE), and

**BE IT FINALLY RESOLVED**, that copies of this resolution be submitted by the Town Clerk to the Principal Account Clerk and the Water and Sewer Superintendent.

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

**RESOLUTION #95-2021:**

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

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE MONTHLY REPORT OF THE SUPERVISOR FOR JANUARY 2021**

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

**WHEREAS**, the Principal Account Clerk submitted the Monthly Report of the Supervisor for January 2021 to the Town Supervisor on February 5, 2021, and

**WHEREAS**, the Town Supervisor approved and executed the Monthly Report of the Supervisor for January 2021 on February 5, 2021,

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

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

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

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



**RESOLUTION #96-2021:**

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

Abstract 3-2021

**TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS**

TO: MARCY DANIELS

FROM: J. MARCIANO

ABSTRACT NUMBER	3
DATE OF BOARD MEETING	2/9/2021

FUND CODE	FUND NAME	TOTAL FOR EACH FUND	VOUCHER NUMBERS
A	GENERAL FUND	52,572.29	128-157,159,160,213,214
HG	MERTENSIA WATERLINE	1,297.50	146
DA	HIGHWAY FUND	66,280.67	150,161-173
HA	AUBURN TRAIL PROJ	0	
HB	BEAVER CREEK PARK	7,535.05	146,158,215
SF	FIRE PROTECTION DISTRICT	0	
HM	FUEL STATION CAP PROJ	0	
HN	NORTH RD CAP PROJ	0	
HP	TOWN PARK IMPROVEMENTS	511.00	146
HQ	LED STREET LIGHTING	0	
HW	WATER TANK REPAIR	24,738.00	146
HZ	TOWNLINE CAP PROJ	4,393.73	170
SD	STORM DRAINAGE	1,814.10	146,157,174-175,197
SL1	LIGHTING DISTRICT	2,594.74	155
SM	SIDEWALKS	0	
SS	SEWER DISTRICT	54,105.73	135,143,146,150,157,159,160,174,177-203,214
SW1	WATER DISTRICT	15,549.46	135,143,146,150,157,159,160,162,174,177,183-189,192-194,197-202,204-212,214
TA93	LETTER OF CREDIT (CASH)		
TA200	PAYROLL DEDUCTIONS(TA85UNI,TA20,TA20D,TA86)	34.30	198-199
	<b>TOTAL ABSTRACT</b>	<b>\$ 231,426.57</b>	

Supervisor Ingalsbe abstained from Voucher No. 21-141.

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

**TRAINING UNDER \$100:**

- August Gordner and Dan Delpriore to attend 4 Building Code classes at the Oncenter in Syracuse, NY, on June 21<sup>st</sup>, 2021, at a cost not to exceed \$95.00 per person.

**WAIVER OF THE RULE: No Objection**

**RESOLUTION #97-2021:**

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

**RESOLUTION AUTHORIZING SCHEDULING OF PUBLIC HEARING FOR PROPOSED LOCAL LAW ENTITLED "A LOCAL LAW EXTENDING LOCAL LAW No. 4 of 2020, A MORATORIUM ON SOLAR COLLECTION SYSTEMS AND SOLAR FARMS"**

**WHEREAS**, the Town Board of the Town of Farmington, after due deliberation, finds it in the best interests of the Town to schedule a public hearing to solicit public comment upon a proposed Local Law entitled "A Local Law Extending Local Law No. 4 of 2020, a Moratorium on Solar Collection Systems and Solar Farms"; and

**WHEREAS**, the Town Board of the Town of Farmington has reviewed the draft of the aforementioned proposed Local Law attached hereto as Exhibit "1" and deems it in the best interests of the Town of Farmington to proceed in accordance with the Code of the Town of Farmington and the Laws of the State of New York in adopting said Local Law; and

**WHEREAS**, this action by the Town Board is a "Type II" action under the regulations promulgated by authority contained in the State Environmental Quality Review Act (SEQRA), which appear in 6 NYCRR Part 617.5 (30), thereby requiring no further action by the Town Board.

**NOW, THEREFORE, RESOLVED**, that the Town Clerk be, and she hereby is, directed to schedule a public hearing to be held on March 9, 2021, at 7:00 p.m. at the Farmington Town Hall, 1000 County Road 8, Farmington, New York; and be it further

**RESOLVED**, that the Town Clerk be and hereby is, authorized to forward to the official newspaper of the Town a Notice of Public Hearing in the form substantially the same as that attached hereto as Exhibit "2"; and be it further

**RESOLVED**, that the Town Clerk be, and she hereby is, directed to post a copy of the proposed Local Law on the Town of Farmington sign board, the Town's website and take any and all other necessary actions to properly bring the aforementioned Local Law before the Town Board of the Town of Farmington for its consideration.

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

**DISCUSSION:****1. Victor Farmington Volunteer Training Department Introduction -**

Supervisor Ingalsbe stated that Victor Farmington Ambulance has reached out to the town to offer CPR AED training at their facility at no cost to the town. They will stagger employees over a few days. Board had no issue with offering this to town employees.

**2. Email from Rick Herman from Rochester Home Builders Association –**

Supervisor Ingalsbe stated that the town doesn't have a law but a general rule that no building on Federal holidays and last year the town did waiver two holidays. He added that Mr. Herman is suggesting that the board approve that under no circumstances will any job that requires the town's inspector's attention or some type of approval be scheduled, the residential construction trades are asking for 4 of the 11 holidays – Martin Luther King Day, Presidents' Day, Columbus Day, and Veterans Day. He added that on these days limited exterior work along with some interior work will be scheduled as usual. Councilman Holtz stated that the Construction Inspector commented that he enjoys his time off as part of his job and he is okay with allowing it as long as it doesn't interfere with staff's time off. Councilman Holtz added that the contractors should fully understand that if they bury something that requires an inspection the town will make them dig it back up or tear it back down, but it will get inspected. Councilman Bowerman stated that they would not be doing any work that would require an inspection by a town employee. Code Enforcement Officer Delpriore state that this is two-fold for them because it is a lot of work before hand to let all their contractors know as reminders that the town does not allow work on federal holidays and then they have had complaints against contractors who know the rules but still work on the holidays so staff has had to come in on holidays to remind people that they are not working on holidays. He added that on the flip side of it, staff has no problem telling them to dig it back up. He added that for the most part contractors know not to do something without an inspection, and most times they are out 48 hours for inspections, and they know they can not cover things up without staff seeing it. He added that the town has given exceptions in the past, so he felt it wasn't a big ask to allow work on the four holidays.

Highway Superintendent Giroux stated his concerns over the laying of asphalt and the inspections required for that. Councilman Holtz stated that if it requires an inspection then the contractors will not be able to do it. Supervisor Ingalsbe stated that he will work with Mr. Delpriore on verbiage to answer back Mr. Herman. Mr. Delpriore asked if the board was allowing work this coming Monday, Presidents Day, and they replied yes. They discussed the possibility of a resolution in the future so there is something on the record.

**3. Workers Compensation formula-**

Councilman Holtz stated that they received information on how the County calculates Workers Compensation formula as far as what the town pays. He added it was two main things: the risk of the employees versus the number of claims the town has. He added that the town only controls the number of claims as far as safe working conditions, the higher the risks the more you pay for workers compensation. He added that on the claims side of things, the number of claims for the town have gone down. We have the second lowest in the county. Councilman Bowerman added that as employees wages go up as do the workers comp payment.

**4. EAP (Employee Assistance Program)-**

Supervisor Ingalsbe stated that the town received the rates for this year and due to the increasing cost, they opted out to not renew with EAP and go with the County contract. Supervisor Ingalsbe will get with Marcy on sending information to employees.

**EXECUTIVE SESSION: None.**

With no further business before the Board, **Councilman Bowerman** offered a motion to adjourn the meeting at 7:38 p.m., seconded by **Councilman Casale**. Motion **CARRIED**.

Michelle A. Finley, MMC, RMC -Town Clerk: \_\_\_\_\_