

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 25<sup>th</sup> day of January, 2022, at 7:00 PM, there were:

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

Also present in person: **Don Giroux**- Highway and Parks Superintendent, **Tim Ford** – Highway Mechanic, **Dan Delpriore** – Code Enforcement Officer, **Robin MacDonald** – Water & Sewer Superintendent, and **Bill Davis** – MRB Group, and **Ron Brand** – Director of Planning and Development, **Adrian Bellis** – Planning Board Member, **Tim Delucia** – ZBA Member, **Tonia Ettinger**-resident, **Ed Hemminger** – Planning Board Chairman

Also present by telephone/video conferencing were: **John Piper**- HR Consultant, **Paul Rossi** (signed off at 7:12p.m.)

## **PUBLIC HEARINGS:**

### **Comprehensive Plan**

Supervisor Ingalsbe opened the public hearing at 7:00p.m. The Town Clerk read the legal notice. Mr. Brand stated that this started in late 2019 before Covid hit. He stated that they have had a number of committee meetings and then they went remotely for a bit and picked it back up in 2021 and went chapter by chapter with committee members. The draft was post on the website in October, then a public hearing by the committee, then the Town Board held a public hearing, the draft was then sent to County Planning and came back with positive remarks and recommending that it be adopted and commending the town for their consistent comprehensive planning efforts and plans to preserve historic resources, farmland, and other natural features and provide transportation options for the aging population and to develop a master plan for a community center in the southwest quadrant of the town. He added that tonight is the first of two public hearings that the town is required to hold and that this public hearing is on the draft document dated January 25 2022. He stated that it is a document that reflects updates that began the planning process in this town in 1967 then in 1987, 1993, 2003, 2011, and 2021(which is the document the Board has in from on them tonight). Mr. Brand stated that the document is approximately 275 pages, but it will go over 300 pages once all the environmental resolutions go into the document. He added that sometime in 2030 somebody else will do this all over again.

Supervisor Ingalsbe thanked all the committee members who worked on it and appreciates the time everyone put on it. Mr. Brand extended a special thank you to Susan Hopkins who is a professional engineer in Rochester, who was on the committee, and helped design and worked on the survey of community residents which received over 500 responses.

Supervisor Ingalsbe asked if there were any public comments, hearing none, the public hearing was closed at 7:05 p.m.

### **Local Law amending Chapter 165, Zoning Law, Article VII, Terminology & Definitions, Article IV, District Regulations, Article VI, Special Use Permits, and Article VIII, Administration and Enforcement**

Supervisor Ingalsbe opened the public hearing at 7:05 p.m. The Town Clerk read the legal notice. Mr. Brand stated that there was a Solar Committee created and they held two workshops that were attended both in person and virtually and input was received, and they have amended the solar regulations as well as other definitions and terms to reflect the protection of farmland, which the town was previously criticized on, and in this effort, they have identified a strategy for meeting a meaningful conservation easement for protecting lands of equal acreage that are being taken temporarily out of production for solar operations. He added that the County reviewed this law at their January meeting and that they recommended approval and sent it back to the town and he believes the town is ready is act on this, the moratorium on large scale solar ground monitoring systems for solar farms ends on February 10, 2022, and this law will be filed in the Secretary of State's office thereby ending this moratorium in advanced of the deadline. They wait for the receipt of applications for additional solar operations and they anticipate that there will be some.

Supervisor Ingalsbe asked if there were any public comments, hearing none, he closed the public hearing at 7:08 p.m.

### **Local Law to permit the Town Board to adopt a budget for the 2023 fiscal year that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c**

Supervisor Ingalsbe opened the public hearing at 7:08 p.m. The Town Clerk read the legal notice. Supervisor Ingalsbe stated that this is an annual event, they don't trust NYS when they figure out their tax cap allowance of their budgets, they always pass this law in case they do go over or even under. He added that they have not been challenged yet, but they also have not had an audit by NYS.

Supervisor Ingalsbe asked if there were any public comments, hearing none, he closed the public hearing at 7:10 p.m.

## **APPROVAL OF MINUTES:**

A motion was made by **Councilman Holtz** and seconded by **Councilman Herendeen**, that the minutes of the December 11, 2021, Town Board Meeting, and given to members for review, be approved. All Voting "Aye", ( Herendeen, Bowerman, Holtz, and Ingalsbe), Motion Carried.

**PRIVILEGE OF THE FLOOR: None.**

**PUBLIC CONCERNS: None.**

**REPORTS OF STANDING COMMITTEES:**

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

1. Discussed Bio-Scru Sludge Dryer demonstration.
2. Discussed Bio Tower #2.
3. Wet Well Cleaning – on-going.
4. Discussed dewatering digester 1.
5. Discussed alternate design to replace some of the old main on Rt. 332.
6. Watermain Breaks – 6.
7. Received DOH signed plans for the Rt. 96 & Rt. 332 water main replacement.
8. Discussed resolution for meeting.

**Highway & Parks:**

1. Highway- equipment maintenance, salted and plowed roads and sidewalks, removed snow from cul de sacs, repaired mailboxes, and hauled stone.
2. Parks- Building and Park Maintenance, salting parking lots, refurbishment of picnic tables and benches.
3. Discussed resolutions on agenda.

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

1. Discussed various projects: Farmington Market Center (TOPS) and Delaware River Solar project.
2. Discussed resolutions on agenda.
3. Report filed with Town Clerk and posted on website.

**Town Personnel Committee: None.**

**Town Finance Committee: Supervisor Ingalsbe reported: None.**

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

**REPORTS OF TOWN OFFICIALS:**

**Supervisor Peter Ingalsbe reported:**

1. Attended Canandaigua Town Board Meeting for the 202b refinancing for the Canandaigua-Farmington Water Tank and Transmission line.
2. Working on Capital projects and expenditures.

**Highway& Parks Superintendent Don Giroux reported:**

1. New truck arrived that was ordered 10 months ago.
2. He stated on a personal note that over the past 30 years he has seen a lot of changes in the town and seen faces come and faces go and that the people he has worked with from the labor board to the administration are some of the finest people that he has had the pleasure of working with. He stated that he is proud of some of the projects that he has been involved in over the years.

**Town Clerk Michelle Finley reported:**

1. Busy collecting taxes and water and sewer payments.

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

1. Busy cleaning around fire hydrants.

**Code Enforcement Officer Dan Delproire reported:**

1. Discussed Dollar General Fire and other fire calls.
2. Nu-Way Auto – car backed into building.
3. Gave year-end report – 979 permits.

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

1. Report available on website and filed with the Town Clerk.
2. Delaware River Solar is thinking about coming back to the board to amend their letter of credit, they are apprehensive about the length of time involved with the appeal, realizing they have up to 6 months so that would take them to June. He would like to Board to consider revising the LOC to allow a phase to start up for that project.
3. Received Farmington Market Center proposal- unfortunately some of the items they were estimating the values of are two years old. It was sent back so they could revise the figures.

4. Mr. Brand stated that he has worked with a lot of Highway Superintendents over the years and that Mr. Giroux is the gentlest and more objective Highway Superintendents that he has ever dealt with. He appreciates everything Mr. Giroux did to make the Auburn Trail positive and successful. He appreciates everything Don has done with all the contractors of all the various subdivisions. He stated that he will miss Don.

**Assessor reported: None.**

**Town Engineer Bill Davis reported:**

1. Update on the Brickyard Road Water Tank.
2. Congratulated Don on his retirement and that he was a pleasure to work with.

**Fire Chief reported: None.**

**Planning Board Chairman Ed Hemminger reported:**

1. Next Meeting- Myers RV sign plan, go over MTOD, Street Scape and Rules and Procedures.

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

**Recreation Advisory Committee Bryan Meck reported: None.**

**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. Camden Group Items of Note for December 2021.
2. Letter to the Town Supervisor from Melody Dowd of Ontario County Real Property. Re: Senior Citizens'; Persons with Disabilities; Alternative Veterans'; Cold War; Cold War Extension; Business Investment; and Solar/Wind Energy Exemption Options for 2022 Assessment Rolls.
3. 2022 Exemption Questionnaire.
4. Letter to the NYS Comptroller Department of Audit and Control from the Town Clerk. Re: Elected Officials.
5. Letter to the Town Clerk from Mary Gates, Director of Finance of the Ontario County Department of Finance. Re: Payment of all monies by the Ontario County Treasurer to the Supervisor of the Town of Farmington from January 1, 2021 to December 31, 2021.
6. Town of Victor Resolution No. 39 of 2022. Re: Contract – Replacement Generators to PS-10 and PS-13 per the Town of Farmington Capital Plan.
7. Letter to the Town Supervisor from Sheryl Robbins of the NYS DOH. Re: Public Water Supply, CFWD Approval – Routes 332 and 96 Main Replacements.
8. Email from the Town Supervisor to Patrick Allen of Ontario County Tax Mapping Department. Re: Auburn Meadows Section 7N – Amended & Filed Plat (merge Town parcels).
9. Letter to the Town Clerk from Benjy Stauffer of Town Web Design. Re: Municipal website.
10. Letter to the Town Supervisor from Kiley Broadway of Musco Lighting. Re: Sports facility solutions.
11. Letter to the Town Supervisor from Scott Lewis of Troy & Banks. Re: Franchise Fee Compliance Examination of Charter Communications (Formerly Time Warner Cable) Review Period: Calendar years 2015 – 2020.
12. Certificates of Liability Insurance from: Village of Manchester Fire Department; Lowe North Construction, Inc.; Systems Development Group, Inc.; FF Thompson Health System, Inc.
13. Cancellation of Workers' Compensation Insurance from: Systems Development Group, Inc.

## **REPORTS & MINUTES:**

1. Victor Fire Department Chief's Report – December 2021.
2. Ontario County Sheriff's Report – December 2021.
3. Building Department – Permit Report by Type – December 2021.
4. Building Department – Inspection Schedule – December 2021.
5. Building Department – Inspections Report – John Weidenborner – December 2021.
6. Building Department – Inspections Report – August Gordner – December 2021.
7. Project Review Committee Meeting Minutes – January 7, 2022.
8. Planning Board Meeting Minutes – January 5, 2022.

## **ORDER OF BUSINESS:**

### **RESOLUTION 70-2022:**

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

**RESOLUTION OF SYMPATHY FOR THE COOKSEY FAMILY**

**WHEREAS**, the Town Board was deeply saddened to learn of the untimely passing of Charles R. Cooksey, on November 21<sup>st</sup>, 2021; and

**WHEREAS**, Charles served for 21 years as Town Justice for the Town of Farmington from 1985 – 2005;

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

**FURTHER RESOLVED**, that the Town Clerk forward a copy of this resolution to Charles’ daughter, Deanna Hopkins (and family) at 1136 Belmont Drive, Farmington, NY 14425.

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

**RESOLUTION #71-2022:**

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

**SEQR RESOLUTION ACCEPTING A DRAFT RESOLUTION FOR MAKING A DETERMINATION OF SIGNIFICANCE AND MAKING A DETERMINATION OF NON-SIGNIFICANCE UPON THE ACTION IDENTIFIED AS THE ADOPTION OF THE 2021 EDITION OF THE TOWN OF FARMINGTON COMPREHENSIVE PLAN**

**WHEREAS**, the Town of Farmington Town Board (hereinafter referred to as Town Board) by adopting Resolution No. 472 of 2021, dated December 28, 2021, accepted and established Parts 1, 2 & 3 of the Full Environmental Assessment Forms (FEAF) for the action classified as a Type I Action and known as the adoption of the 2021 Edition of the Town of Farmington Comprehensive Plan; and

**WHEREAS**, Parts 1, 2 & 3 of the FEAF have been posted on the Town’s website since said referenced date; and

**WHEREAS**, said FEAFs we also part of the Town’s submission of a referral to the Ontario County Planning Board for its review under the provisions of the New York State General Municipal Law; and

**WHEREAS**, the public record on said documents does not contain any disputed information or findings contained within said FEAFs; and

**WHEREAS**, the Town Board has also received a draft resolution prepared by the Town Director of Planning & Development setting forth the criteria for making a determination of significance under the provisions of Part 617.4 and Part 617. 7 the New York State Environmental Quality Review Act (SEQRA); and

**WHEREAS**, the Town Board is the only involved agency for the above described Action that has been previously identified as a Type I Action not subject to a Coordinated Review under the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Town Board further understands that it is obligated to provide a reasoned elaboration of the anticipated impacts upon the environment for the above described action using the criteria contained in Part 617.7 of the SEQR Regulations.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby accept the draft Town Board Resolution prepared by the Town Director of Planning and Development which is to be used for making a Determination of Non-Significance upon said Action as being a reasoned elaboration of the criteria for determining the significance.

**BE IT FURTHER RESOLVED**, that upon adopting said Resolution, thereby making a Determination of Non-Significance upon said Action, the Town Supervisor is hereby directed to sign and date the Part 3 of the FEAF.

**BE IT FURTHER RESOLVED**, that the Town Director of Planning and Development is to submit the Town Board’s Determination of Non-Significance to the New York State Department of Environmental Conservation in Albany for filing in the State’s Environmental Notice Bulletin, thereby satisfying the procedural requirements within the SEQR Regulations.

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

**RESOLUTION #72-2022:**

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

**CRITERIA FOR DETERMINING SIGNIFICANCE AND MAKING A DETERMINATION OF NON-SIGNIFICANCE - ACTION – ADOPTION OF THE 2021 EDITION OF THE TOWN OF FARMINGTON COMPREHENSIVE PLAN**

**WHEREAS**, the Town of Farmington Town Board (hereinafter referred to as Board) has received, reviewed and has accepted Parts 1, 2 and 3 of Full Environmental Assessment Form (FEAF) for the Action referenced above herein; and

**WHEREAS**, the Town Board has caused to be posted upon the Town’s website, since December 28, 2021, all 3 Parts of the accepted FEAFs for public review and comment; and

**WHEREAS**, all three parts of the FEAF were submitted to the Ontario County Planning Board as part of the required referral upon the proposed action under the provisions of New York State Town Law, Section 272-a and the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the public record does not contain any objections to these FEAFs; and

**WHEREAS**, the Town Board has given consideration to the criteria for determining significance as set forth in Section 617.7 (c) (1) of the SEQR Regulations and the information contained in the above referenced FEAFs, and the 2021 Edition of the Town of Farmington Comprehensive Plan which has been prepared in the format of a Draft Environmental Impact Statement.

**Now, therefore, be it RESOLVED**, that the Town Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 ( c ):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems; and
- (ii) there will not be large quantities of vegetation or fauna removed from the community or destroyed as the result of the proposed action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed action; there will not be a significant impact upon habitat areas within the community; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources within the community; and
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed action; and
- (iv) the overall density of the community is likely to remain the same and is anticipated to be consistent with the Town's Comprehensive Plan land use recommendations; and
- (v) there are no known important historical, archeological, architectural, or aesthetic resources in the community that will likely be adversely affected by the proposed action, or impair the existing community or neighborhood characters; and
- (vi) there will not be a major change in the use of either the quantity or type of energy resulting from the proposed action; and
- (vii) there will not be any hazard created to human health; and
- (viii) there will be changes in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses, which have been anticipated in the Plan and are felt likely not to have a major adverse impact upon the environment; and
- (ix) there will not be a large number of persons attracted to the community for more than a few days when compared to the number of persons who would come to such a place absent the action; and
- (x) there will not be created a material demand for other actions that would result in one of the above consequences; and
- (xi) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xii) there are not two or more related actions which would have a significant adverse impact upon the environment.

**Be it further RESOLVED**, that based upon the above referenced information, analysis of the SEQR Criteria above and the supporting documentation referenced above, the Town Board finds that the proposed action WILL NOT result in any significant adverse environmental impacts.

**Be it finally RESOLVED**, that the Town Board does hereby make a Determination of Non-Significance upon said Action and directs the Town Supervisor to sign and date the FEAF Part 3 and to file said document as provided for under the SEQR Regulations.

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

#### **RESOLUTION #73-2022:**

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

#### **ADOPTION OF THE 2021 EDITION OF THE TOWN OF FARMINGTON COMPREHENSIVE PLAN**

**WHEREAS**, the Town of Farmington Town Board (hereinafter referred to as Town Board) has tonight conducted the second public hearing upon the adoption of the above referenced Plan; and

**WHEREAS**, the Town Board has considered the Ontario County Planning Board Referral No. 10-2022, dated January 12, 2022, which recommends unanimous approval for adopting said Plan; and

**WHEREAS**, the Town Board has considered the public hearing comments made at tonight's second public hearing held upon the adoption of the above referenced Plan; and

**WHEREAS**, the Town Board has continuously posted both the preliminary and final draft copies of said Plan document on the Town's official website starting in October, 2021 and continuing through tonight, thereby providing an extensive period for public review and comment, and finding no substantial comments or objections to the adoption of said Plan; and

**WHEREAS**, the Town Board has, by separate resolution adopted previously tonight, made a Determination of Non-Significance under the provisions of Part 617.4 of the State's Environmental Quality Review (SEQR) Regulations, upon the adoption of the above referenced Plan.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board adopts, in accordance with the provisions of Section 272-a of the New York State Town Law, the 2021 Edition of The Town of Farmington Comprehensive Plan, as the Official Comprehensive Plan for the Town of Farmington.

**BE IT FURTHER RESOLVED**, that the Town Board's adoption of said Plan tonight continues the ongoing planning program for the community which began in 1967, and which has been updated on several occasions, as required by Town Law and as documented in the Plan, which hereby creates the community's ongoing planning program period through 2030.

**BE IT FURTHER RESOLVED**, that the Town Board does hereby direct the publishing and distribution of copies of the 2021 Edition of the Town of Farmington Comprehensive Plan, as required.

**BE IT FURTHER RESOLVED**, that the Town Clerk certified copies of said Plan that are published, maintain a record of the distribution of said Plan, maintain the Official Copy in the Town Clerk's Office, provide a certified copy to the Ontario County Department of Planning, and a certified copy to be kept on file in the Town Development Office.

**BE IT FINALLY RESOLVED**, that a certified copy of the Plan, dated January 25, 2022 is to be posted and is to remain posted on the Town’s website during this next planning period.

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

**RESOLUTION #74-2022:**

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

**RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF FARMINGTON OF LOCAL LAW NO. 1 OF 2022**

**WHEREAS**, a resolution was duly adopted by the Town Board of the Town of Farmington for a public hearing to be held by said Town Board on January 25, 2022, at 7:00 p.m. at Farmington Town Hall, 1000 County Road 8, Farmington, New York, to hear all interested parties on a proposed Local Law to override the tax levy limit established in General Municipal Law §3-c; and

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Town of Farmington, on January 13, 2022 and all other notices required by law to be given were properly served, posted or given; and

**WHEREAS**, said public hearing was duly held on January 25, 2022, at 7:00 p.m. at the Farmington Town Hall, 1000 County Road 8, Farmington, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

**WHEREAS**, the Town Board of the Town of Farmington, after due deliberation, finds it in the best interest of the Town of Farmington to adopt said Local Law.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Farmington hereby adopts said Local Law No. 1 of 2022, entitled, “A local law to override the tax levy limit established in General Municipal Law §3-c”, a copy of which is attached hereto and made a part of this resolution, and be it further

**RESOLVED**, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Farmington, and to give due notice of the adoption of said local law to the Secretary of State of New York.

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

**RESOLUTION #75-2022:**

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

**RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF FARMINGTON OF LOCAL LAW NO. 2 OF 2022 ENTITLED**

**“A LOCAL LAW AMENDING: CHAPTER 165, ARTICLE II, TERMINOLOGY, SECTION 9 B. ADMINISTRATIVE TERMS DEFINED; CHAPTER 165, ARTICLE II, SECTION 10 DEFINITIONS; CHAPTER 165, ARTICLE IV, DISTRICT REGULATIONS, SECTIONS 165-18, -28, -29 AND -30; CHAPTER 165, ARTICLE V (SOLAR PHOTOVOLTAIC (PV) SYSTEMS), SECTION 165-63.3; CREATING CHAPTER 165, ARTICLE VI, SPECIAL PERMIT USES, SECTION 84.3, LARGE-SCALE GROUND-MOUNTED SOLAR PV SYSTEMS; AND AMENDING PORTIONS OF CHAPTER 165, ARTICLE VIII, SECTION 165-99 APPOINTMENT OF PLANNING BOARD; POWERS AND DUTIES, AND PORTIONS OF SECTION 165-100 SITE DEVELOPMENT PLAN OF THE CODE OF THE TOWN OF FARMINGTON.”**

**WHEREAS**, a resolution was duly adopted by the Town Board of the Town of Farmington for a public hearing to be held by said Town Board on January 25, 2022, at 7:00 p.m. at the Farmington Town Hall, 1000 County Road 8, Farmington, New York, to hear all interested parties on a proposed Local Law No. 2 of 2022, that is referenced above herein; and

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Town of Farmington, on January 11, 2022 and other notices required to be given by law were properly served, posted or given; and

**WHEREAS**, said public hearing was duly held, both in person and via Zoom, on January 25, 2022, at 7:00 p.m. at the Farmington Town Hall, 1000 County Road 8, Farmington, New York, and all parties in attendance and participating remotely were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

**WHEREAS**, the Town Board has acknowledged Ontario County Planning Referral Number 11-2022, a part of the County’s January 12, 2022 Meeting record, which was completed in accordance with the provisions of Section 239-1 and -m of the New York State General Municipal Law; and

**WHEREAS**, the Town Board of the Town of Farmington, after due deliberation, finds it in the best interest of the Town of Farmington to adopt the above referenced Local Law.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Farmington hereby adopts said Local Law No. 2 of 2022, entitled “A Local Law Amending: Chapter 165, Article II, Terminology, Section 9 B. Administrative terms defined; Chapter 165, Article II, Section 10 Definitions; Chapter 165, Article IV, District Regulations, Sections 165-18, -28, -29 and -30; Chapter 165, Article V (Solar Photovoltaic (PV) Systems), Section 165-63.3; Creating Chapter 165, Article VI, Special Permit Uses, Section 84.3, Large-scale ground-mounted solar PV systems; and Amending portions of Chapter 165, Article VIII, Section 165-99 Appointment of Planning Board; powers and duties, and portions of Section 165-100 Site development plan of the Code of the Town of Farmington.” a copy of which is attached hereto and made a part of this resolution.

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to certify said Local Law, and to enter it into the minutes of this meeting, and in the Local Law Book of the Town of Farmington; and to give due notice of the adoption of said local law to the Secretary of State of New York.

**BE IT FINALLY RESOLVED**, that upon the date of filing of this local law with the New York State Secretary of State, the moratorium currently in effect upon Large Scale Solar Energy Systems, Local Law No. 15 of 2021, shall become null and void.

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

**RESOLUTION #76-2022:**

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

**RESOLUTION- SPECIAL DISTRICTS AND/OR FIRE DISTRICTS/FIRE PROTECTION DISTRICTS-EXCESS OF THE TAX LEVY LIMIT FOR 2023**

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

**WHEREAS**, it is the intent of this resolution to override the limit on the amount of real property taxes that may be levied by the Town of Farmington, on behalf of the aforesaid special districts and/or fire districts/fire protection districts, pursuant to General Municipal Law §3-c, and to allow the Town of Farmington, on behalf of the aforesaid special districts and/or fire districts/fire protection districts, to adopt a budget for the fiscal year 2023 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Farmington, County of Ontario, is hereby authorized to adopt a budget for the fiscal year 2023 on behalf of the special districts and/or fire districts/fire protection districts set forth in the Schedule attached hereto and made a part hereof that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

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

**RESOLUTION #77-2022:**

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

**RESOLUTION ACKNOWLEDGING THE ADDITION OF A NEW MEMBER TO THE FARMINGTON VOLUNTEER FIRE ASSOCIATION**

**WHEREAS**, Jason Parker recently became an Active Member of the Farmington Volunteer Fire Association, therefore be it

**RESOLVED**, the Farmington Town Board acknowledges and approves the new membership of Jason Parker to the Farmington Volunteer Fire Association, and further be it

**RESOLVED**, that a certified copy of this resolution be sent to the Farmington Volunteer Fire Association, PO Box 25117, Farmington, NY 14425, for their records.

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

**RESOLUTION #78-2022:**

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

**APPROVAL OF A REQUEST FOR THE FINAL RELEASE OF FUNDS (RELEASE #3) FROM THE LETTER OF CREDIT, SECTION 7S, AUBURN MEADOWS SUBDIVISION TRACT, IN THE TOTAL AMOUNT OF \$ 116,384.46**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) has received a resolution from the Town Planning Board (hereinafter referred to as Planning Board), dated January 19, 2022, recommending the Town Board take action to approve the request for the third and final release of funds in the above referenced Letter of Credit for this action; and

**WHEREAS**, the Planning Board's recommendation is based upon their review and acceptance of the recommendations received from the Town Construction Inspector, Town Department Heads and the Town's Engineers, and the signed Town Surety Release Forms (G-2.0) and (G-4.0); and

**WHEREAS**, the total amount of this letter of credit is \$ 647,740.86; and

**WHEREAS**, this final release of funds in the total amount of \$ 116,384.46 there will be a zero balance remaining in the Letter of Credit; and

**WHEREAS**, the Town Clerk has reviewed this requested final release of funds finding the amounts contained herein to be accurate.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby accepts the Planning Board's recommendation and approves the final release of funds from the Letter of Credit for the above referenced project, in the total amount of \$ 116,384.46.

**BE IT FURTHER RESOLVED**, that the Town Board authorizes the Town Supervisor to sign and date Form G-2.0, Town Letter of Credit Partial Release Form.

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to notify tomorrow, by U.S. Mailing, certified copies of this resolution to: Anthony DiPrima, 7 Beauclaire Drive, Fairport, New York 14450; and Walter Baker, D.S.B. Engineers & Architects, P.C., 2349 Ridgeway Avenue, Rochester, New York 14626.

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

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

**RESOLUTION #79-2022:**

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

**APPROVAL OF A REQUEST FOR THE PARTIAL RELEASE OF FUNDS (RELEASE #2) FROM THE LETTER OF CREDIT, SECTION 7N, AUBURN MEADOWS SUBDIVISION TRACT, IN THE TOTAL AMOUNT OF \$ 241,303.45**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) has received a resolution from the Town Planning Board (hereinafter referred to as Planning Board), dated January 19, 2022, recommending the Town Board take action to approve the request for the second partial release of funds in the above referenced Letter of Credit for this action; and

**WHEREAS**, the Planning Board's recommendation is based upon their review and acceptance of the recommendations received from the Town Construction Inspector, Town Department Heads and the Town's Engineers, and the signed Town Surety Release Forms (G-1.1) and (G-2.0); and

**WHEREAS**, the total amount of this letter of credit is \$ 719,426.93; and

**WHEREAS**, this partial release of funds in the total amount of \$ 241,303.45 there will be a balance remaining in the Letter of Credit of \$ 137,389.38; and

**WHEREAS**, the Town Clerk has reviewed this requested partial release of funds finding the amounts contained herein to be accurate.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby accepts the Planning Board's recommendation and approves the partial release of funds (Release #2) from the Letter of Credit for the above referenced project, in the total amount of \$ 241,303.45.

**BE IT FURTHER RESOLVED**, that the Town Board authorizes the Town Supervisor to sign and date Form G-2.0, Town Letter of Credit Partial Release Form.

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to notify tomorrow, by U.S. Mailing, certified copies of this resolution to: Anthony DiPrima, 7 Beauclaire Drive, Fairport, New York 14450; and Walter Baker, D.S.B. Engineers & Architects, P.C., 2349 Ridgeway Avenue, Rochester, New York 14626.

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

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

**RESOLUTION #80-2022:**

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

**APPROVAL OF A REQUEST FOR THE PARTIAL RELEASE OF FUNDS (RELEASE #2) FROM THE LETTER OF CREDIT, SECTION 8N, AUBURN MEADOWS SUBDIVISION TRACT, IN THE TOTAL AMOUNT OF \$ 232,595.63**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) has received a resolution from the Town Planning Board (hereinafter referred to as Planning Board), dated January 19, 2022, recommending the Town Board take action to approve the request for the second partial release of funds in the above referenced Letter of Credit for this action; and

**WHEREAS**, the Planning Board's recommendation is based upon their review and acceptance of the recommendations received from the Town Construction Inspector, Town Department Heads and the Town's Engineers, and the signed Town Surety Release Forms (G-1.1) and (G-2.0); and

**WHEREAS**, the total amount of this letter of credit is \$ 806,890.06; and

**WHEREAS**, this partial release of funds in the total amount of \$ 232,595.63 there will be a balance remaining in the Letter of Credit of \$ 146,213.04; and

**WHEREAS**, the Town Clerk has reviewed this requested partial release of funds finding the amounts contained herein to be accurate.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby accepts the Planning Board's recommendation and approves the partial release of funds (Release #2) from the Letter of Credit for the above referenced project, in the total amount of \$ 232,595.63.

**BE IT FURTHER RESOLVED**, that the Town Board authorizes the Town Supervisor to sign and date Form G-2.0, Town Letter of Credit Partial Release Form.

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to notify tomorrow, by U.S. Mailing, certified copies of this resolution to: Anthony DiPrima, 7 Beauclaire Drive, Fairport, New York 14450; and Walter Baker, D.S.B. Engineers & Architects, P.C., 2349 Ridgeway Avenue, Rochester, New York 14626.



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

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

**RESOLUTION #81-2022:**

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

**RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN THE CERTIFICATE OF SUBSTANTIAL COMPLETION FOR THE COLLETT RD SANITARY SEWER REPLACEMENT PROJECT**

**WHEREAS**, MRB has provided the Town with the final payment application for this project as well as the certificate of substantial completion, the release of liens, affidavit of payment of debts and claims, and correction period acknowledgement,

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of Farmington hereby authorizes the final payment to Villager Construction in the amount of \$215,000 and authorizes the Supervisor to sign the certificate of substantial completion,

**FULLY RESOLVED**, that the Town Clerk returns the certificate of substantial completion to MRB Group, and forwards a copy of this resolution and the certificate of substantial completion to the Principal Account Clerk and the Water and Sewer department.

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

**RESOLUTION #82-2022:**

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

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN RIGHT-OF-WAY MOWING CONTRACT FOR STATE RT 332**

**WHEREAS**, the Highway Department mows State Route 332 in the right-of-way, and

**WHEREAS**, State Department of Transportation has delivered the contract for the Town of Farmington for approval, and

**NOW THEREFORE BE IT RESOLVED**, that the Town Board hereby authorizes the Town Supervisor to sign the contract for the 2022 Season, and be it further

**RESOLVED**, that the Town Clerk provide a copy of this Resolution to the Principal Account Clerk and the Highway/Parks Department.

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

**RESOLUTION #83-2022:**

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

**TOWN BOARD AUTHORIZES HIGHWAY PARKS SUPERINTENDENT TO PURCHASE 12 ALUMINUM - 8 FOOT TABLES FOR THE PAVILLION AT BEAVER CREEK PARK**

**WHEREAS**, 12 Picnic tables are needed for the Beaver Creek Park Pavilion, and

**WHEREAS**, the three quotes were procured from the following vendors: Kay Park Recreation (**\$12,606**); Jamestown Advanced Products (**\$13,481.33**) and Grainger (**\$19,884.12**) before shipping is added, and

**WHEREAS**, Kay Park Recreation has the lowest prices, and

**THEREFORE BE IT RESOLVED**, that the Town Board authorizes Highway Parks Superintendent to purchase the 12 Picnic tables to be funded from Beaver Creek Park Capital Project and the price will not exceed **\$13,000**, and be it further

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

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

**RESOLUTION 84-2022:**

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

**TOWN BOARD AUTHORIZES HIGHWAY PARKS SUPERINTENDENT TO HIRE EMPIRE FENCE CO, INC. TO INSTALL FENCE IN THE BEAVER CREEK PAVILLION TO DIVIDE THE RECREATIONAL STORAGE AREA**

**WHEREAS**, fencing is needed to divide the pavilion at Beaver Creek Park for the Recreation Department, and

**WHEREAS**, the three quotes were acquired from the following vendors: Empire Fence (**\$4,050**); New York State Fence, Inc. (**\$5,980**), ROC City - gave a verbal that they couldn't do project, Unlimited Fence - gave a verbal that they couldn't do project and Steadman Fence - gave a verbal that they couldn't do project, and

**WHEREAS**, Empire Fence is best price and can do the job, and

**THEREFORE BE IT RESOLVED**, that the Town Board authorizes the Town Supervisor to sign the FAXED agreement to be funded from Beaver Creek Park Capital Project **and the price will not exceed \$4,500**, and be it further

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

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

**RESOLUTION #85-2022:**

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

**TOWN BOARD AUTHORIZES HIGHWAY PARKS SUPERINTENDENT TO PURCHASE LUMBER FROM SANTELLI LUMBER FOR PLAYGROUND AND SWINGSET BORDER AT BEAVER CREEK PARK**

**WHEREAS**, 2 playgrounds and 2 swing sets being installed at Beaver Creek Park, and

**WHEREAS**, the border keeps the rubber mulch contained under each piece of apparatus that is being installed at Beaver Creek Park, and

**WHEREAS**, the three quotes are Santelli Lumber (**\$6,438.47**), Matthews & Fields Lumber, Co. (**\$6,510.37**); and Hep Sales – North Main Lumber (**\$6,754.72**), and

**WHEREAS**, **Santelli Lumber** has the lowest price, and

**THEREFORE BE IT RESOLVED**, that the Town Board authorizes the Highway Superintendent to have the lumber purchased from Santelli lumber to be funded from **Parks – Contractual (A-7110.4) and the price will not exceed \$6,500**, and be it further

**RESOLVED**, that the Town Clerk forward the originals with signatures copies of this Resolution to the Highway/Parks Department and the Principal Account Clerk and Supervisor’s office.

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

**RESOLUTION #86-2022:**

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

**RESOLUTION AUTHORIZING THE WATER AND SEWER AND THE HIGHWAY/PARKS SUPERINTENDENTS TO ENTER INTO A 63 MONTH LEASE AGREEMENT WITH TOSHIBA BUSINESS SOLUTIONS FOR A WIDE FORMAT HP DJ T2600 36” PS MODEL NUMBER 3XB78A#B1K**

**WHEREAS**, both the Highway/Parks and Water/Sewer Superintendents have done extensive research on the purchase or lease of a wide format multi-function system for printing and scanning plan drawings, and

**WHEREAS**, a 63 month Lease Agreement with a Service Agreement Proposal dated January 25, 2022 with Toshiba Business Solution for a wide format printer, model 3XB78A#B1K, and

**WHEREAS**, the cost of the lease of the Toshiba printer and scanner will be shared by the Highway/Parks Department and the Water & Sewer Department, and

**THEREFORE LET IT BE RESOLVED**, that the Farmington Town Board authorizes the Town Supervisor to sign the thirty-nine (63) month lease agreement from Toshiba Business Solutions for a HP DJ T2600 Print Color, Copy Color Scan with next business day service and support for duration of lease at cost of \$267.70 per month, and

**LET IT BE FURTHER RESOLVED**, that funding for this lease and maintenance agreement with Toshiba will be from SD-8540.42 - \$66.925; SD-8540.4 - \$66.925; SS-8120.40 – \$66.925; SW1-8340.40 - \$66.925), and

**RESOLVED**, that the Town Clerk provide a copy of this Resolution to the Highway/Parks Superintendent, the Acting Water and Sewer Superintendent and the Principal Account Clerk.

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

**RESOLUTION #87-2022:**

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

**RESOLUTION WAIVING THE MERTENSIA LODGE RESERVATION FEE FOR THE FARMINGTON-VICTOR KIWANIS**

**WHEREAS**, Barbara Years, on behalf of the Farmington-Victor Kiwanis, has requested the use of the Mertensia Lodge on April 30<sup>th</sup> for Bunko Tournament and May 21<sup>st</sup> for Trivia Mania and has requested a waiver of the lodge reservation fee, therefore be it

**RESOLVED**, that the Farmington Town Board authorizes the waiver of the lodge reservation fee for the Kiwanis All Stars Relay for Life Team fundraisers on April 30<sup>th</sup> and May 21<sup>st</sup>, 2022.

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

**RESOLUTION #88-2022:**

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

**RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN MUTUAL AID AGREEMENT WITH ONTARIO COUNTY**

**WHEREAS**, the Ontario County Department of Public Works and its municipalities entered into a five-year Mutual Aid Agreement in 2017 to formally acknowledge its practice of sharing resources and talent, and

**WHEREAS**, that agreement is slated to expire, and the County has therefore forwarded the attached, a proposed Extension Agreement to be in effect for an additional five years,

NOW THEREFORE BE IT **RESOLVED**, that the Town Board hereby authorizes the Supervisor to sign the attached agreement, which is effective January 25, 2022, and lasts through January 24, 2026 as a showing of its commitment to sharing resources whenever possible, and be it

**FINALLY RESOLVED**, that the Town Clerk provide copies of this agreement to the Highway Department, the Water and Sewer Department and forward the original signed agreement (two copies) to the Ontario County Department of Public Works, to the attention of Bill Wright.

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

**RESOLUTION #89-2022:**

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

**RESOLUTION AUTHORIZING THE HIGHWAY/PARKS SUPERINTENDENT TO FILL A LABORER POSITION IN THE HIGHWAY DEPARTMENT**

**WHEREAS**, the Highway/Parks Superintendent has asked that he be allowed to fill one (1) Laborer position in the Highway Department at a rate of \$ 19.50 per hour, and

**WHEREAS**, it has been verified that Eric Fritz's application has been approved by Ontario County Human Resource Department, and

**RESOLVED**, that the Town Board authorizes the Highway/Parks Superintendent to fill one Laborer position for the Highway Department with Eric Fritz and after completion of Town of Farmington Paperwork he would begin his employment, on Monday, January 31<sup>st</sup>, 2022, and be it further

**RESOLVED**, that the Town Clerk forward copies of this Resolution to the Highway/Parks Superintendent and the Supervisor's Office.

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

**RESOLUTION #90-2022:**

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

**APPROVAL OF A RECOMMENDATION FROM THE TOWN PLANNING BOARD AND DIRECTING THE ESTABLISHMENT OF SURETY FOR SITE IMPROVEMENTS ASSOCIATED WITH THE RELIANT FEDERAL CREDIT UNION PROJECT, TO BE LOCATED WITHIN THE FARMINGTON COMMONS SITE, IN THE TOTAL AMOUNT OF \$ 193,244.00**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) has received a resolution from the Town Planning Board (hereinafter referred to as Planning Board), dated January 19, 2022, recommending the Town Board take action to approve the establishment of a Letter of Credit for the above referenced project, in the total amount of \$ 193,244.00; and

**WHEREAS**, the Planning Board's recommendation is based upon their review and acceptance of the recommendations received from the Town Construction Inspector and the Town's Engineers of their review of the Applicant's Engineer's Estimate of Value for the approved site improvements to be dedicated to the Town.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby accepts the Planning Board's recommendation, approves of the proposed surety amount, and directs the Applicant to file a Letter of Credit with the Town Clerk's Office, for the above referenced project, in the total amount of \$ 193,244.00.

**BE IT FURTHER RESOLVED**, that the Town Code Enforcement Officer shall schedule a pre-construction meeting for the above referenced project once said Letter of Credit has been filed with the Town Clerk's Office.

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to notify tomorrow, by U.S. Mailing, certified copies of this resolution to: Jim Stathopoulos, G&A Development & Construction Corporation, 101 North Street, Canandaigua, New York 14424; Matthew Tomlinson, CPESC, Marathon Engineering, 39 Cascade Drive, Rochester, New York 14614; and Jerry Goldman, Esquire, Woods Oviatt Gilman, LLP, 1900 Bausch & Lomb Place, Rochester, New York 14604.

**BE IT FINALLY RESOLVED**, that certified copies of this resolution are also to be provided to the Town Highway & Parks Superintendent, the Town Highway & Parks Deputy Superintendent, the Acting Town Water & Sewer Superintendent, the Town Code Enforcement Officer, the Town Director of Planning and Development, the Town Construction Inspectors, David Orians and Matthew Heilmann, and the Town Engineer.

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

**RESOLUTION #91-2022:**

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

**APPROVAL OF A REQUEST FOR THE FINAL RELEASE OF FUNDS (RELEASE #4) FROM THE LETTER OF CREDIT, SECTION 9, AUBURN MEADOWS SUBDIVISION TRACT, IN THE TOTAL AMOUNT OF \$ 20,000.00.**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) has received a resolution from the Town Planning Board (hereinafter referred to as Planning Board), dated January 19, 2022, recommending the Town Board take action to approve the request for the fourth and final release of funds in the above referenced Letter of Credit for this action; and

**WHEREAS**, the Planning Board's recommendation is based upon their review and acceptance of the recommendations received from the Town Construction Inspector, Town Department Heads and the Town's Engineers, and the signed Town Surety Release Forms (G-2.0) and (G-4.0); and

**WHEREAS**, the total amount of this letter of credit is \$ 1,149,224.13; and

**WHEREAS**, this final release of funds in the total amount of \$ 20,000.00 there will be a zero balance remaining in the Letter of Credit; and

**WHEREAS**, the Town Clerk has reviewed this requested final release of funds finding the amounts contained herein to be accurate.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby accepts the Planning Board's recommendation and approves the final release of funds from the Letter of Credit for the above referenced project, in the total amount of \$ 20,000.00.

**BE IT FURTHER RESOLVED**, that the Town Board authorizes the Town Supervisor to sign and date Form G-2.0, Town Letter of Credit Partial Release Form.

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to notify tomorrow, by U.S. Mailing, certified copies of this resolution to: Anthony DiPrima, 7 Beauclaire Drive, Fairport, New York 14450; and Walter Baker, D.S.B. Engineers & Architects, P.C., 2349 Ridgeway Avenue, Rochester, New York 14626.

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

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

**RESOLUTION #92-2022:**

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

**RESOLUTION AUTHORIZING THE PURCHASE OF SEVEN (7) SMART LIGHTING CONTROLLERS WITH SLC CONNECTIVITY FOR VARIOUS STREET LIGHTS WITHIN THE TOWN**

**WHEREAS**, several street lights located within the Town of Farmington have a need for smart lighting controllers with SLC connectivity, and

**WHEREAS**, Town has received a quote for smart lighting controllers with SLC connectivity from Cimcon Lighting, now therefore be it

**RESOLVED**, that the Town Board authorizes the purchase of seven (7) smart lighting controllers with SLC connectivity from Cimcon Lighting at a cost not to exceed \$750.00 including the annual data plan, and be it further

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

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

**RESOLUTION #93-2022:**

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

Abstract 2 – 2022

**TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS**

ABSTRACT NUMBER		<u>2</u>	
DATE OF BOARD MEETING		<u>1/25/2022</u>	
FUND CODE	FUND NAME	TOTAL FOR EACH FUND	VOUCHER NUMBERS
A	GENERAL FUND	125,212.11	35-41,43-81,91,92,94,135,136
DA	HIGHWAY FUND	88,911.11	43,46,54,58,63,70,74,77,82-90,134,136-137
HB	BEAVER CREEK PARK	93.89	93
HW	WATER TANK REPAIR	17,500.00	56
SL1	LIGHTING DISTRICT	2,731.78	94
SD	STORM DRAINAGE	9,550.13	46,56,66,70
SS	SEWER DISTRICT	258,584.51	46,56,58,68,70,76,77,81,95-123,136
SW1	WATER DISTRICT	36,285.88	46,56,58,68,70,76,77,81,95,97,98,104-109,111-118,122,124-133,136
TA200	PAYROLL DEDUCTIONS		42,46,58,70,78,116-117
	<b>TOTAL ABSTRACT</b>	\$ 545,878.16	

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

**TRAINING UNDER \$100:**

1. Dan Delpriore to attend the Western NY Stormwater Conference and Trade Show on Tuesday, March 22, 2022 at the Buffalo Niagara Convention Center at a cost not to exceed \$90.00.

**DISCUSSION: None.**

**WAIVER OF THE RULE: No Objection.**

**RESOLUTION #94-2022:**

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

**RESOLUTION AUTHORIZING PUBLIC BIDDING FOR THE NYS ROUTE 332 & 96 WATERMAIN REPLACEMENT PROJECT**

**WHEREAS**, the Town of Farmington Town Board (herein referred to as Town Board) has identified the need for replacement of approximately 820 lineal feet of existing cast iron watermain with PVC and HDPE pipe, located along the south side of NYS Route 96 and the east side of NYS Route 332 (herein referred to as Action); and

**WHEREAS**, the Town Board issued a resolution dated June 22, 2021 that the Action is classified as a Type II Action, pursuant to the provisions contained in Part 617 of article 8 of the New York State Environmental Conservation Law, the State’s SEQR Regulations; and

**WHEREAS**, the Town Board has engaged MRB Group to design the watermain replacement and obtain NYS Department of Health approval of the plans and specifications for the above noted project which was received via correspondence dated January 6, 2022; and

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Farmington authorizes the Advertisement of Public Bidding for the NYS Route 332 & 96 Watermain Replacement Project and that bids will be received until 10:00 AM on Thursday, February 17, 2022 at the office of the Farmington Town Clerk, 1000 County Road 8, Farmington, New York 14425, and

**LASTLY 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, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

**EXECUTIVE SESSION: None.**

With no further business before the Board, Councilman Bowerman offered a motion to adjourn the meeting at 7:44 p.m., seconded by Councilman Holtz. Motion **CARRIED**.

Michelle A. Finley, MMC, RMC -Town Clerk