

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 13<sup>th</sup> day of July, 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, and **Ron Brand**- Director of Planning and Development, **Robin MacDonald** – Water & Sewer Superintendent, and **Ed Hemminger** – Planning Board Chairman, **Bill Davis** – MRB Group, **Paul Schreiner** – Parrone Engineering, **Frank DiFelice** – Developer, **Tim Diver** – Victor-Farmington Library, and **Jim Myers** – Victor-Farmington Library.

Also present by telephone/video conferencing were: **John Piper** – Consultant.

### **PUBLIC HEARINGS: REDFIELD GROVE INCENTIVE ZONING PROJECT**

Supervisor Ingalsbe opened the public hearing at 7 p.m. The Town Clerk read the legal notice. Mr. Schreiner, Parrone Engineering, stated that they are proposing a commercial development at the corner of Commercial Drive and Route 96 in the Redfield Grove Development on the north property line of the development they are proposing a board on board 6 foot high fence extending from the rear corner along the north line to the forty foot setback line and because the project is incentive zoning they have to come before the Board for a variance. Supervisor Ingalsbe stated that this is also a corner lot. Frank DiFelice was in attendance and he is the owner of the property.

Mr. Delpriore stated that he put together a packet for the board to review and Town Operations received it this morning. He added that the Board has the application that was submitted, the drawing of the proposed location, and what the board on board fence would look like. Mr. Brand stated that this is a Type II action under SEQR and a resolution to that affect has been prepared along with a resolution granting the variance for the front setback for the Boards consideration. Mr. Hemminger, Planning Board Chairman, stated that the Planning Board had no issue with granting the variance, they support it.

Supervisor Ingalsbe asked if anyone wanted to speak for or against, hearing none, he closed the public hearing at 7:05 p.m.

### **APPROVAL OF MINUTES:**

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

### **PRIVILEGE OF THE FLOOR: TIM NIVER AND JIM MYERS – VICTOR-FARMINGTON AMBULANCE**

Mr. Niver thanked the Board for their collaboration on putting in the story walk over at the Town Park. Mr. Niver talked about the Storywalk and that the boards should be changed out every 4-6 weeks. They were there to update the Board on the progress of a new library. Mr. Myers stated that after looking at many options and many sites they have chosen 160 School Street. They started this endeavor in 2017 and in 2018/2019 they had a space utilization study completed to understand what the community needed. They currently are in a 9,000 sq. ft. building and the study it recommended that they get a 24,000 sq. ft. library. He added that Farmington and Victor are growing communities. They see 400-500 people a day at the library. They won't purchase the property until they get a positive vote in May 2022.

Mr. Myers stated that their board always met once and month and now they are doing two meetings a month and they will hold their second meeting each month at the Farmington Town Hall. He stated that they are moving forward and hopefully will go before the Victor Planning Board in August. He stated that that the timeline is very tight because they have to have to dollar amount that their going to go out to the public within May 2022 to the school district by the second week in March 2022. They are on a tight schedule, so they are meeting all the time. They are going up to 24,000 sq. ft. but will back it off if the costs get out of hand but they want to bid it at 10-11 million dollars, they do have a million dollars in equity in the current library, which is paid off. He added the blueprints are being worked on now. They will be knocking down the structure that is on the property. They will have public meetings in Victor and in Farmington once they have the drawings. Mr. Myers stated that if they get a positive vote in May 2022 that will trigger construction drawings and FASNY (where they would get the money through). He added that there will be two propositions to vote on, one being for the operating portion that they are going to need and the other is securing the money that they will need to secure for the building. He added that plan b should they not get the positive votes would be that they will not come out again with anything. Mr. Myers stated that essentially, they will be doubling the tax rate, 60-65 cents per thousand.

Councilman Bowerman asked if they have reached out to more wealthy members of the community for donations. Mr. Myers replied that they did a feasibility study and thought they could raise two million but that came back and

said they couldn't do it, so they are now in their quiet portion (trying to raise \$250,000) of their fundraising campaign. The public part of the fundraising campaign will come out in February or March. Mr. Hemminger stated that he uses the library frequently and that it is a great resource.

**PUBLIC CONCERNS: None.**

**REPORTS OF STANDING COMMITTEES:**

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

1. Work on fire inspection report items.
2. Discussed replacing batteries in ¼ of the plants UPS's.
3. Pressure test Wangum Road force main -no leaks found.
4. Gathered data from flow meters.
5. Discussed quotes for PS-31 electrical service for new E-One Pumpstation.
6. Performing maintenance on our UV system.
7. Installing new aerator system in aerator pond.
8. Discussed Pull Pump at PS26.
9. Discussed Canandaigua Farmington Townline Road new watermain.
10. Discussed installation of new watermain at the Rt. 96 and Mertensia Road project.
11. Discussed watermain breaks – 2 on Rt. 332 and 1 on Collett Road.
12. Discussed continuation of manhole repairs on Hunts Park Road.
13. Discussed resolutions for meeting.

**Highway & Parks:**

1. Highway- Equipment Maintenance, fibermat treatment in North Farmington subdivision, street light repairs and bulb changed in Farmbrook, open roads swept with Vac-all prior to oil and stoning, trimmed low hanging branches, and shoulder material applied on Canandaigua Farmington Townline Road.
2. Parks- mowing at all town buildings and parks, ball field maintenance, repair of boxes at Town Parks, and trees planted in Town Park.
3. July 3<sup>rd</sup> grounds preparation and clean up at Town Park.
4. Discussed Pumpkin Hook park pavilion roof.
5. Discussed proposed maintenance of fire suppression system.
6. Discussed resolution on agenda.

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

1. Discussed various projects: Beaver Creek Park, Delaware River Solar, Hathaway's Corners, Farmington Market Center Project, and TAP Grant.
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. Meeting with Dan Delpriore (Code Enforcement Officer), Michelle Nicodemus (Assessor), Paula Ruthven (Assessor's Aide), Chris Debolt (County Administrator), and Donna LaPlant (Director of Real Property Tax Agency).
2. Webinar with Clean Gov to look at their financial software and how it can enhance the budget process as well as provide residents better visibility to the Town Budget.
3. Meeting with Supervisor Marren and Victor Farmington Volunteer Ambulance Corp. Deputy Chief to discuss plan for the joint Town Board Meeting scheduled for July 27<sup>th</sup> at 6 p.m.
4. Discussed Delaware Solar and Town Decommissioning Plan – questions and concerns by DRS with the plan as written. Both legal counsels will work on the concerns.
5. Sales Tax receipts – at least 10% higher than 2019.

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

1. Discussed fibermat portion was completed today.
2. Discussed Beaver Creek Park-tennis court/basketball court cleaned and apply topcoat tomorrow. Couple issues with water connections and it will be corrected. Discussed roadways and change orders to move forward.

**Town Clerk Michelle Finley reported:**

1. Busy collecting water/sewer, dog licenses, and building permits.

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

1. Discussed manhole rehab project – spray lining manholes will start soon.

**Code Enforcement Officer Dan Delpriore reported:**

1. Issued 101 permits in June, total to June 30<sup>th</sup> is 538 issued, 296 inspections in June, 1455 inspections to June 30<sup>th</sup>, 10 fire inspections for June, 32 inspections to June 30<sup>th</sup>, and 120 zoning inspections.

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

1. Report available on website and filed with the Town Clerk.
2. Discussed extending moratorium on solar.
3. Discussed TAP Grant.

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

1. Discussed Sewer Plan, Rt 332/Rt. 96 watermain design and Brickyard Water Tank.

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

1. Next Meeting – AutoWash, sidewalk/ trail lane master bike plan discussion, Solar legislation amendments discussion, and LOC's.

**Zoning Board of Appeals Jeremy Marshall 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 Hal Adams: None.****COMMUNICATIONS:**

1. General Code Estimate for Supplement No. 35.
2. Letter to Susan Ross, Resident, from the Town Supervisor. Re: Late fee.
3. Letter to Gregg Bowering of Bowering Homes, Inc. from the Director of Development. Re: Maintenance Bond #72188907, Auburn Meadows Subdivision, Section 9.
4. Memo to all employees from the Town Supervisor. Re: COVID-19 Safety Protocols.
5. Letter to the Town Supervisor from Senator Pamela Helming. Re: Nomination for Veterans Hall of Fame.
6. Certificates of Liability Insurance from: Master Peace Painting, LLC; Verizon Wireless; American Equipment, LLC; MW Controls Service, Inc.; ADP TotalSource MIXXX, Inc.
7. Certificate of Workers' Compensation Insurance from: ADP TotalSource MIXXX, Inc.

**REPORTS & MINUTES:**

1. Historic Preservation Meeting Minutes – January – May 2021.
2. Planning Board Meeting Minutes – June 2, 2021.
3. Farmington Senior Citizens Meeting Minutes – June 7, 2021.
4. Conservation Board Meeting Minutes – May 24, 2021.
5. Building Department – Inspections Report – John Weidenborner – June 2021.
6. Building Department – Inspections Report – August Gordner – June 2021.
7. Building Department – Permit Report by Type – June 2021.
8. Building Department – Inspection Schedule – June 2021.
9. Monthly Report – Judge Lew – June 2021.
10. Planning Board Meeting Minutes – June 16, 2021.

**ORDER OF BUSINESS:**

**RESOLUTION 243-2021:**

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

**RESOLUTION AUTHORIZING TOWN CONTRIBUTIONS TO HSAs**

**WHEREAS**, the Town of Farmington has committed to contribute to employee HSAs for those enrolled in the Simply Bronze HSA health plan,

**WHEREAS**, the Town will deposit 50% of the 2021 contribution mid-year, and the remaining in Dec of 2021,

**NOW THEREFORE BE IT RESOLVED**, that the Town Board approves the contribution and electronic withdrawals for the following employees:

- John Weidenborner: single plan- \$500 in July, \$500 in Dec
- August Gordner: single plan- \$500 in July, \$500 in Dec
- Charlie Bove: single plan- \$500 in July, \$500 in Dec
- Michael Williamson: single plan- \$500 in July, \$500 in Dec
- Jason Phillips: employee plus spouse plan-\$750 in July
- Bruce Williams: single plan- \$500 in July, \$500 in Dec
- Sean Murphy; employee plus spouse plan-\$750 in July, \$750 in Dec

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

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

**RESOLUTION #244-2021:**

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

**RESOLUTION AUTHORIZING THE RENEWAL OF OPERATING PERMITS FOR FARMINGTON MANUFACTURED HOME COMMUNITY**

**WHEREAS**, as outlined in the Town of Farmington Code, Chapter 165, Article VI, 165-76, the renewal of the operating permits for the Farmington Manufactured Home Community and as required by Section 165-76A(3), when violations have been cited the application shall appear before the Town Board for a decision on said application; and

**WHEREAS**, this operating permit shall be issued with the following conditions:

1. After the 1st notice of violations has been sent out and prior to the issuance of an operating permit, one meeting must be arranged with the Zoning Enforcement Officer and a representative of the mobile home park to cover any concerns/issues
2. Any remaining open complaints/violations must be completed prior to the next years inspection.
3. As part of any renewal of an annual operating permit from the Code Enforcement Officer or Zoning Officer, a pedestrian access easement shall be filed with the County Clerk's office and copy thereof provided to the Town Clerk's office within a three-month calendar of the date of renewal of the annual operating permit. A pedestrian access easement extending across the entire frontage of a manufactured dwelling community site, which is adjacent to any public road, shall be provided to the Town for the purpose of constructing and maintaining a public sidewalk

**WHEREAS**, violations, cited in our recent inspections, have been corrected and the Zoning Officer is recommending approval of the renewal application,

**NOW THEREFORE BE IT RESOLVED**, the Farmington Town Board authorizes the Zoning Officer to issue the renewal of the Operating Permit for the Farmington Manufactured Home community for a period of one year from the date of this resolution

**AND, further be it RESOLVED**, that a copy of this resolution be forwarded to the Building Department, the Principal Account Clerk, the Confidential Secretary, and Farmington Manufactured Home Community with a certified copy of this resolution.

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

**RESOLUTION #245-2021:**

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

**RESOLUTION AUTHORIZING THE RENEWAL OF OPERATING PERMITS FOR HUNT'S MANUFACTURED HOME COMMUNITY**

**WHEREAS**, as outlined in the Town of Farmington Code, Chapter 165, Article VI, 165-76, the renewal of the operating permits for the Hunt's Manufactured Home Community and as required by Section 165-76a(3), when violations have been cited the application shall appear before the Town Board for a decision on said application; and

**WHEREAS**, this operating permit shall be issued with the following conditions:

1. After the 1st notice of violations has been sent out and prior to the issuance of an operating permit, one meeting must be arranged with the Zoning Enforcement Officer and a representative of the mobile home park to cover any concerns/issues
2. Any remaining open complaints/violations must be completed prior to the next years inspection.

3. As part of any renewal of an annual operating permit from the Code Enforcement Officer or Zoning Officer, a pedestrian access easement shall be filed with the County Clerk's office and copy thereof provided to the Town Clerk's office within a three-month calendar of the date of renewal of the annual operating permit. A pedestrian access easement extending across the entire frontage of a manufactured dwelling community site, which is adjacent to any public road, shall be provided to the Town for the purpose of constructing and maintaining a public sidewalk

**WHEREAS**, violations, cited in our recent inspections, have been corrected and the Zoning Officer is recommending approval of the renewal application,

**NOW THEREFORE BE IT RESOLVED**, the Farmington Town Board authorizes the Zoning Officer to issue the renewal of the Operating Permit for the Hunt's Manufactured Home community for a period of one year from the date of this resolution

**AND, further be it RESOLVED**, that a copy of this resolution be forwarded to the Building Department, the Principal Account Clerk, the Confidential Secretary, and Hunt's Manufactured Home Community with a certified copy of this resolution.

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

**RESOLUTION #246-2021:**

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

**RESOLUTION AUTHORIZING THE RENEWAL OF OPERATING PERMITS FOR WOODLAWN COURT MANUFACTURED HOME COMMUNITY**

**WHEREAS**, as outlined in the Town of Farmington Code, Chapter 165, Article VI, 165-76, the renewal of the operating permits for the Woodlawn Court Manufactured Home Community and as required by Section 165-76A(3), when violations have been cited the application shall appear before the Town Board for a decision on said application; and

**WHEREAS**, this operating permit shall be issued with the following conditions:

1. After the 1st notice of violations has been sent out and prior to the issuance of an operating permit, one meeting must be arranged with the Zoning Enforcement Officer and a representative of the mobile home park to cover any concerns/issues
2. Any remaining open complaints/violations must be completed prior to the next years inspection.
3. As part of any renewal of an annual operating permit from the Code Enforcement Officer or Zoning Officer, a pedestrian access easement shall be filed with the County Clerk's office and copy thereof provided to the Town Clerk's office within a three-month calendar of the date of renewal of the annual operating permit. A pedestrian access easement extending across the entire frontage of a manufactured dwelling community site, which is adjacent to any public road, shall be provided to the Town for the purpose of constructing and maintaining a public sidewalk

**WHEREAS**, violations, cited in our recent inspections, have been corrected and the Zoning Officer is recommending approval of the renewal application,

**NOW THEREFORE BE IT RESOLVED**, the Farmington Town Board authorizes the Zoning Officer to issue the renewal of the Operating Permit for the Woodlawn Court Manufactured Home community for a period of one year from the date of this resolution

**AND, further be it RESOLVED**, that a copy of this resolution be forwarded to the Building Department, the Principal Account Clerk, the Confidential Secretary, and Woodlawn Court Manufactured Home Community with a certified copy of this resolution.

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

**RESOLUTION 247-2021:**

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

**A RESOLUTION MAKING A TYPE II CLASSIFICATION, UNDER THE PROVISIONS OF ARTICLE 8 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW, OF A PROPOSED ACTION GRANTING AN AREA VARIANCE FOR LOT #72 REDFIELD GROVE INCENTIVE ZONING PROJECT FOR A SIX FOOT TALL BOARD-ON-BOARD WOOD FENCE IN THE FRONT YARD PORTION OF THE LOT**

**WHEREAS**, the Town Board (hereinafter referred to as Town Board) has received an application from Frank DiFelice, DiFelice Development Incorporated, for an area variance to allow a six (6) foot tall board-on-board wood fence to be placed across a portion of the north property line for Lot #72, from the front setback of the proposed building located eighty-five (85) feet from the west right-of-way line for Commercial Drive to a point located forty (40) feet from the west right-of-way line for Commercial Drive (the defined portion of the Front Yard portion of Lot #72); and

**WHEREAS**, the Town Board has reviewed the above referenced Action and the criteria within Part 617.5 (c) of the New York State Environmental Quality Review (SEQR) Regulations, a part of article 8 of the New York State Environmental Conservation Law.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby classify the proposed Action as a Type II Action under Part 617.5 (c) (16) of the State's SEQR Regulations.

**BE IT FURTHER RESOLVED**, that Type II Actions are not subject to further review under Part 617.

**BE IT FINALLY RESOLVED**, that the Town Board in making this Classification has satisfied the procedural requirements under SEQR and directs this resolution be placed in the Town Board's files upon this Action; and that certified copies of this resolution are to be provided to Mr. Frank DiFelice, DiFelice Development, Inc., Edward Hemminger, Town Planning Board Chairperson and to the Town Development Office.

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

**RESOLUTION 248-2021:**

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

**A RESOLUTION GRANTING AN AREA VARIANCE FOR LOT #72 REDFIELD GROVE INCENTIVE ZONING PROJECT FOR A SIX FOOT TALL BOARD-ON-BOARD WOOD FENCE IN THE FRONT YARD PORTION OF THE LOT**

**WHEREAS**, the Town Board (hereinafter referred to as Town Board) has received an application from Frank DiFelice, DiFelice Development Incorporated, for an area variance to allow a six (6) foot tall board-on-board wood fence to be placed across a portion of the north property line for Lot #72, from the front setback of the proposed building located eighty-five (85) feet from the west right-of-way line for Commercial Drive to a point located forty (40) feet from the west right-of-way line for Commercial Drive (the defined portion of the Front Yard portion of Lot #72); and

**WHEREAS**, the Town Board has under separate resolution classified the proposed Action as a Type II Action, thereby satisfying the procedural requirements under Part 617.5 (c) of the New York State Environmental Quality Review (SEQR) Regulations, a part of article 8 of the New York State Environmental Conservation Law; and

**WHEREAS**, the Action to grant a single variance for a fence is listed as an Exempt Action on the Ontario County Planning Board's Rules of Procedure, thereby not requiring a referral to the County; and

**WHEREAS**, the Town Board has conducted a public hearing upon this requested area variance, given consideration to the public record thereon and closed the public hearing.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does agree with the Planning Board's Conditions of Final Site Plan Approval (File #PB 0602-21) along with the final design for Lot #72 and, therefore, grants approval of a requested area variance to allow construction of a six (6) foot tall board-on-board wood fence to be placed across a portion of the north property line for Lot #72, from the Front Setback of the proposed building located eighty-five (85) feet from the west right-of-way line for Commercial Drive to a point located forty (40) feet from the west right-of-way line for Commercial Drive which is hereby defined to be the Front Yard portion of Lot #72.

**BE IT FURTHER RESOLVED**, that prior to signing the Final Site Plan Map for Lot #72, by the Town Planning Board Chairperson, there is to be a note added to the drawing that identifies this area variance granted by the Town Board, including the Town Board Resolution Number and date.

**BE IT FINALLY RESOLVED**, that certified copies of this resolution are to be provided to Mr. Frank DiFelice, DiFelice Development, Inc., Edward Hemminger, Town Planning Board Chairperson and to the Town Development Office.

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

**RESOLUTION 249-2021:**

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

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE MONTHLY REPORT OF THE SUPERVISOR FOR JUNE 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 June 2021 to the Town Supervisor on July 1, 2021, and

**WHEREAS**, the Town Supervisor approved and executed the Monthly Report of the Supervisor for June 2021 on July 1, 2021,

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby accepts the Monthly Report of the Supervisor for June 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 250-2021:**

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

**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 September 26<sup>th</sup> for Trivia Mania and October 9<sup>th</sup> for Bunko 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 September 26<sup>th</sup> and October 9<sup>th</sup>, 2021.

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

**RESOLUTION 251-2021:**

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

**RESOLUTION AUTHORIZING ACCEPTANCE OF A WATER AND UTILITY EASEMENT FROM MARGARET VANEPPS**

**WHEREAS**, the Town of Farmington, by its officers or representatives, has engaged in discussions with Margaret VanEpps ("Owner") regarding the Town's obtaining a Water and Utility Easement over portions of its property known as 6225 Elizabeth Way bearing tax account parcel number 29.38-2-46.400, as shown on Map No. M-5 prepared by MRB Group dated August 2020 and to be filed in the Ontario County Clerk's Office; and

**WHEREAS**, Town of Farmington officials have recommended to the Town Board that said Owner grant to the Town the easement over said lands of said Owner; and

**WHEREAS**, said easement has been offered by Owner to the Town of Farmington; and

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

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

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

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

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

**RESOLUTION 252-2021:**

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

**CONFIRMING RESOLUTION ESTABLISHING A RESERVE FOR THE 2021 VLT STATE AID FUNDS**

**WHEREAS**, 2021 VLT funds were received in the amount of \$1,777,573.00, and were invested in a 12 month CD at Lyons National Bank at a competitive interest rate,

**NOW, THEREFORE BE IT RESOLVED**, that account A232V21 be established and that interest payments will be received quarterly for this account.

**FULLY RESOLVED**, that a copy of this resolution be submitted by the Town Clerk to the Principal Account Clerk.

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

**RESOLUTION 253-2021:**

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

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE GENERAL FUND**

**WHEREAS**, additional funding is needed in the expenditure lines listed below,

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of Farmington hereby authorizes the following budget amendments:

From:	A2210 General Services, Other Gov	\$20,000	
To:	A3989.4 Public Safety, Contractual		\$20,000
From:	A2725 VLT Funding	\$113,000	
To:	A1420.4 Contractual Law		\$100,000
To:	A1010.4 Town Board Contractual		\$ 8,000
To:	A1680.4 Central Data Processing Contractual		\$ 5,000

**BE IT RESOLVED**, that the Principal Account Clerk transfers the amount above

**FURTHER RESOLVED**, that copies of this resolution be submitted by the Town Clerk to the Principal Account Clerk.

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

**RESOLUTION 254-2021:**

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

**RESOLUTION AUTHORIZING ACCEPTANCE OF EASEMENTS AND A STORMWATER CONTROL FACILITY MAINTENANCE AGREEMENT AFFECTING THE AMERICAN EQUIPMENT PROJECT**

**WHEREAS**, the Town of Farmington, by its officers or representatives, has engaged in discussions with American Properties of WNY, LLC ("Owner # 1") regarding the Town's obtaining Sanitary Sewer and Utility, Access, Stormwater Management Facility, and Water and Utility Easements and a Stormwater Maintenance Agreement and has also engaged in discussions with The Collett Road, LLC

("Owner # 2") regarding the Town's obtaining a Sanitary Sewer and Utility Easement over portions of their respective properties, as shown on an Easement Plan prepared by BME Associates dated July, 2018, having drawing number 2579-20; and

**WHEREAS**, Town of Farmington officials have recommended to the Town Board that said Owner # 1 grant to the Town the easements and agreement over said lands of said Owner # 1; and

**WHEREAS**, Town of Farmington officials have recommended to the Town Board that said Owner # 2 grant to the Town the easement over said lands of said Owner # 2; and

**WHEREAS**, said easements and agreement have been offered by Owner # 1 to the Town of Farmington; and

**WHEREAS**, said easement has been offered by Owner # 2 to the Town of Farmington; and

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

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

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

**RESOLVED**, that the Town Board of the Town of Farmington does hereby accept the Easement attached hereto as Exhibit 2 from Owner # 2 in accordance with the terms and conditions contained in said instrument and directs that the same be recorded in the Office of the Clerk of the County of Ontario, the fees for said recording to be borne by Owner # 1; and be it further

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

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

**RESOLUTION 255-2021:**

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

**RESOLUTION OF ACKNOWLEDGMENT FOR CASELLA SCHOLARSHIP WINNER, MAGGIE O'BRIEN**

**WHEREAS**, Ontario County Deputy Administrator, Brian Young, provided the Town Supervisor with a list of Casella Scholarship winners, and

**WHEREAS**, one of the winners, Maggie O'Brien, is a resident of the Town of Farmington, and

**WHEREAS**, Maggie graduated from Victor High School Summa Cum Lauda and is currently attending SUNY College of Environmental Science and Forestry where she maintains a 4.0 GPA and studies Environmental Studies with a concentration in Natural Systems Applications. She is a two-time Ontario County/Casella Waste Management Scholarship winner and has received the Presidential Scholarship Award at SUNY ESF, lifetime acceptance into Phi Theta Kappa Honor Society and was inducted in the National Society of High School Scholars. Maggie is a member of the Friends of Recreation, Conservation, and Environmental Stewardship (FORCES) Club and a member of the Environmental Studies Student Organization. Recently, Maggie assisted with a Piping Plover Project at Sandy Island Beach State Park and grounds cleanup at Clark's Reservation, now therefore

**BE IT RESOLVED**, that the Town Board of the Town of Farmington and the Town Supervisor hereby acknowledge Maggie O'Brien for all of her accomplishments and congratulate her on receipt of the Casella Scholarship, and

**BE IT FURTHER RESOLVED**, that the Town Clerk provide a copy of this resolution to the Town Supervisor affixed with the Town Seal to be presented to Maggie O'Brien at the Board of Supervisor's Meeting on July 15<sup>th</sup>, 2021.

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

**RESOLUTION 256-2021:**

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

**SEAN MURPHY SUCCESSFUL COMPLETION OF PROBATIONARY PERIOD**

**WHEREAS**, Sean Murphy was hired by the Highway/Parks Superintendent on January 11<sup>th</sup>, and on July 11, 2021 he has successfully completed the required six-month probationary period, and

**WHEREAS**, the current Highway Superintendent deems that Sean has displayed satisfactory job duties and passed his CDL License, now therefore be it

**RESOLVED**, that the Town Board hereby grants the completion of his probationary period, and therefore let it

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

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



**RESOLUTION 257-2021:**

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

**RESOLUTION ACKNOWLEDGING THE CHANGE IN A MEMBERS STATUS AND ADDING A NEW MEMBER TO THE FARMINGTON VOLUNTEER FIRE ASSOCIATION**

**WHEREAS**, Scott Parker recently changed his status in the Farmington Volunteer Fire Association from Life Member to Active Member, and

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

**RESOLVED**, the Farmington Town Board acknowledges and approves of the change in member status for Scott Parker from Life to Active Membership, and the new membership of Joshua Parker to the Farmington Volunteer Fire Association, and further be it

**RESOLVED**, that the membership list be updated to reflect those changes for insurance purposes, 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, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

**RESOLUTION 258-2021:**

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

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

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

**WHEREAS**, the Water and Sewer Superintendent with this resolution has set the advertisement date of July 14, 2021 and a Bid Opening Date of July 26, 2021

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Farmington acting on behalf of the Farmington Water and Sewer District hereby authorizes the town clerk to advertise the bidding and the bid opening date being held July 26, 2021 at 10:00 AM at the Town of Farmington Town Hall located at #1000 County Road 8, Farmington New York.

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

**RESOLUTION 259-2021:**

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

**RESOLUTION ACCEPTING A DRAFT LOCAL LAW TO BE ENTITLED "EXTENDING LOCAL LAW NO. 4 OF THE YEAR 2020, ENTITLED "ESTABLISHING A MORATORIUM ON SOLAR COLLECTION SYSTEMS AND SOLAR FARMS, NOT TO EXCEED SIX (6) MONTHS;" SUBMITTING SAID DRAFT LOCAL LAW TO THE ONTARIO COUNTY PLANNING BOARD FOR CONSIDERATION AT THEIR JULY 14, 2021 MEETING; AND SCHEDULING A PUBLIC HEARING UPON SAID DRAFT LOCAL LAW FOR TUESDAY EVENING, AUGUST 10, 2021**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) has received from the Town of Farmington Director of Planning & Development (hereinafter referred to as Director) a draft local law to extend the current moratorium in effect upon solar collection systems and solar farms, which is scheduled to expire on August 10, 2021; and

**WHEREAS**, the proposed local law would either extend the moratorium period for an additional six month period of time that would expire on February 10, 2022; or with the enactment by Town Board Resolution indicating the Town Board is satisfied that the need for the moratorium no longer exists, whichever comes first; and

**WHEREAS**, the Town Board has reviewed the recommendation received from the Town Director requesting additional time to complete the preparation of a local law to regulate solar energy.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby accept the draft local law to extend the Moratorium on Solar Collection Systems and Solar Farms not to exceed six (6) months or upon a Town Board Resolution indicating the Town Board is satisfied that the need for the moratorium no longer exists, whichever comes first; and

**BE IT FURTHER RESOLVED**, that the Town Board does hereby classify the Action to adopt a local law enacting a Moratorium which is further classified as being a Type II Action under Part 617.5 (c) (36), 6 NYCRR, a part of article 8 of the New York State Environmental Conservation Law (ECL), the State's Environmental Quality Review (SEQR) Regulations.

**BE IT FURTHER RESOLVED**, that Type II Actions listed within Part 617.5 (c) are not subject to further review as said Actions have been determined not to have a significant impact on the environment or are otherwise precluded from environmental review under the ECL.

**BE IT FURTHER RESOLVED**, that the Town Board does hereby instruct the Director of Planning and Development to submit the proposed local law to the Ontario County Planning Board, for its review under the provisions of Sections 239-l and -m of the New York State General Municipal Law, at its July 14, 2021 Meeting.

**BE IT FURTHER RESOLVED**, that the Town Board does hereby schedule a public hearing, to be held upon this proposed local law, for Tuesday evening, August 10, 2021, commencing at 7:00 p.m., Eastern Day Light Savings Time, in the Farmington Town Hall.

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to publish legal notice in the Town’s Official Newspaper, the Daily Messenger; to post notice hereof on the Town’s Official Website; and to post notice hereof on the Official Bulletin Board at the Town Hall, 1000 County Road 8, Farmington, New York 14425.

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

**RESOLUTION 260-2021:**

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

**RESOLUTION AUTHORIZING COLACINO INDUSTRIES PROJECT #40026-PS-31 E-ONE POWER PEDISTAL**

**WHEREAS**, the Acting Water and Sewer Superintendent has established that PS-31 Hamptons Pump Station needs an electrical upgrade, and

**WHEREAS**, the Water and Sewer Department has budgeted for such upgrades in the 2021 Victor sewer budget under budget line SS8120.20V, and

**Be it RESOLVED**, the Farmington Town Board authorizes the Acting Water and Sewer Superintendent to accept estimate # E41458 from Colacino Industries, as the lowest responsible quote, not to exceed \$ 6,350.00 and

**Be it further RESOLVED**, the funds are appropriated in the 2021 budget line SS8120.2V, and

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

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

**RESOLUTION 261-2021:**

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

Abstract 13-2021

**TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS**

**TO: MARCY DANIELS** **FROM: J. MARCIANO**

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

FUND CODE	FUND NAME	TOTAL FOR EACH FUND	VOUCHER NUMBERS
A	GENERAL FUND	\$100,889.67	1124-1126,1129-1137,1139,1140,1142,1143,1145-1148,1150-1163,1165-1171,1173-1176,1178,1180-1185,1187-1192,1207,1217
HG	MERTENSIA WATERLINE	0	
DA	HIGHWAY FUND	147,517.72	1124,1147,1169,1170,1196,1196-1206,1208,1210-1213,1216
HA	AUBURN TRAIL PROJ	0	
HB	BEAVER CREEK PARK	9335.22	1127,1166,1179,1186,1218
HM	FUEL STATION	4,664.00	1144,1215
HW	WATER TANK REPAIR	4,215.25	1128,1166
HZ	TOWNLINE CAP PROJ	17,806.84	1166,1202,1209
SD	STORM DRAINAGE	1,973.51	1118,1166,1214
SL1	LIGHTING DISTRICT	1823.63	1178
SS	SEWER DISTRICT	49,104.91	1081-1083,1094-1123,1128,1143,1166,1169,1175,1185,1188,1190,1193-1195,1214
SW1	WATER DISTRICT	368,256.06	1079-1093,1095-1097,1106,1107,1110,1111,1113,1117-1123,1128,1143,1166,1175,1185,1188,1190,1195,1214
TA93	LETTER OF CREDIT (CASH)	0	
TA200	<b>PAYROLL DEDUCTIONS(TA85UNI,TA20,TA20D,TA86)</b>	32,338.32	1121,1122,1138,1141,1149,1164,1172,1177,1183,1189,1219
	<b>TOTAL ABSTRACT</b>	\$ 468,371.54	

Councilman Holtz abstained on Voucher 21-1204.

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

**WAIVER OF THE RULE: None.**

**EXECUTIVE SESSION: None.**

With no further business before the Board, **Councilman Casale** offered a motion to adjourn the meeting at 7:56 p.m., seconded by **Councilman Bowerman**. Motion **CARRIED**.

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