

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 27th 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, **August Gordner** – Code Enforcement Officer, **John Weidenborner** – Zoning Officer, and **Ron Brand**- Director of Planning and Development, **Robin MacDonald** – Water & Sewer Superintendent, and **Ed Hemminger** – Planning Board Chairman, **Assemblyman Jeff Gallahan**, and **Adrian Bellis**-Planning Board Member

Also present by telephone/video conferencing were:

PUBLIC HEARINGS: None.

APPROVAL OF MINUTES:

A motion was made by **Councilman Casale** and seconded by **Councilman Holtz**, that the minutes of the July 13, 2021, Town Board Meeting, and given to members for review, be approved. All Voting “Aye” (Holtz, Casale, Herendeen, Bowerman, and Ingalsbe). Motion Carried.

PRIVILEGE OF THE FLOOR: None.

PUBLIC CONCERNS: None.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Holtz reported:

1. Work on fire inspection report items.
2. Discussed damages from large rain event that happened on July 17, 2021.
3. Pressure test Wangum Road force main -no leaks found.
4. Gathered data from flow meters.
5. Performing maintenance on our UV system.
6. Installing new aerator system in aerator pond.
7. Discussed Pull Pump at PS26.
8. Watermain Breaks – Rt. 332 (total of 3 breaks
9. Discussed installation of new watermain at the Rt. 96 and Mertensia Road project.
10. Discussed watermain breaks – 2 on Rt. 332 and 1 on Collett Road.
11. Discussed continuation of manhole repairs on Hunts Park Road.
12. Discussed resolutions for meeting.

Highway & Parks:

1. Highway- Equipment Maintenance, milled Collett Road, Fibermat portion completed in Northern Subdevelopment.
2. Parks- mowing at all town buildings and parks, top dressing on trails, and working on repairs to playground equipment.
3. Discussed resolution on agenda.

Town Operations Committee: Councilman Casale reported:

1. Discussed various projects: Beaver Creek Park, Delaware River Solar, Solar Moratorium extension, Exit 44 toll area, and credit union next to Burger King.
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:

1. Committee met on July 20, 2021, to discuss finances as of June 30, 2021.

Town Public Safety Committee: Councilman Holtz reported: None.

REPORTS OF TOWN OFFICIALS:**Supervisor Peter Ingalsbe reported:**

1. 2nd Quarter Sales Tax \$1,072,918.77-up from last year and up \$230,000 from 2019.
2. 1st payment of Mortgage Tax was \$442,242.35.
3. Federal ARPA Funds received -\$703,995.42.

Highway& Parks Superintendent Don Giroux reported:

1. Discussed receiving a second quote on the ADA crosswalk signs and it is about half the cost of the first quote. Still waiting on the third quote.
2. Collett Road paving to start on Monday.

Town Clerk Michelle Finley reported:

1. Officiated a wedding last Friday.
2. Attended two webinars since last board meeting.

Water & Sewer Superintendent Robin MacDonald reported:

1. Discussed rain storm damage – sewer lines on Collett Road.

Code Enforcement Officer August Gordner reported:

1. Myers RV is coming along.
2. Office is busy.
3. Dan and himself were out during the storm for stormwater issues and fire department issues.

Director of Planning and Development Ron Brand reported:

1. Report available on website and filed with the Town Clerk.
2. Discussed Sidewalk TAP Grant.
3. Spoke with Thruway Authority Dispatch about toll booth area and is waiting to hear back.
4. August 17th there will be a presentation by the Study Consultants on the Rt. 96 & 332 Sub areas studies. They have looked at various alternatives to preserving and protecting the corridor.
5. Discussed Solar Moratorium – Public Hearing scheduled for August 10th, it was sent to the County however it was not acted on by the County because they did not have a quorum and that the Town Board is free to act upon this because the 30 days would have expired so, this board needs to act on due to the expiration date is coming. Plan a public information meeting in August.

Assessor Michelle Nicodemus reported:

1. Finishing up responding to the States final assessment roll correction report, submitted it the County.
2. 2021 Tax Roll almost completed.
3. 2022 Reval.
4. Working on catching up on building permits.

Town Engineer Bill Davis reported:

Fire Chief reported: None.

Planning Board Chairman Ed Hemminger reported:

1. Next Meeting – Farmington Commons, Expansion of Storage Facility on Collett Road, Fowler four lot concept plan, and solar legislation amendments.

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. Letter to the Town Supervisor from the NYS Division of the Budget. Re: ARPA Coronavirus Local Fiscal Recovery Fund.
2. Letter to the Town Supervisor from Senator Pamela Helming. Re: NYS Senate Woman of Distinction Award.
3. Letter to Dudley Loew of the NYSDEC from the Town Supervisor. Re: Farmington – Victor Consent Order.
4. Letter to Michelle Phillips of the NYS Public Service Commission from the Town Supervisor. Re: Utility Moratorium on Terminations and Disconnections.
5. Certificates of Disqualification from Town Justices. Re: Small Claims Court Case.
6. Ontario County Clerk Recording Page. Re: Falanga et al. v Town of Farmington et al. Index No. 126079-2019.
7. Email to the Town Supervisor from Victor Town Supervisor Marren. Re: Number of homes sold and sales median.
8. Letter to the Town Supervisor from Janene Sweet of Ontario County Real Property Tax Services. Re: Intermunicipal Agreement to Support Certiorari Proceedings.
9. Rescind Notice. Re: Serenity Pool and Spa, LLC.
10. Notice of Cancellation of Insurance. Re: Victor Band Boosters.
11. Supreme Court Notice of Electronic Filing. Re: Pintail Crossing, LLC et al v. The Assessor for the Town of Farmington et al.
12. Cobbestone Arts Center Work Program in the Arts for Teens.
13. Certificates of Liability Insurance from: DiMarco Constructors, LLC; JD Rogers Electric and Mechanical Contracting; Kaplan Schmidt Electric, Inc.
14. Certificate of Workers' Compensation Insurance from: JD Rogers Electric and Mechanical Contracting; Ferrellgas L.P/Blue Rhino.
15. Certificate of Disability and Paid Family Leave Benefits from: JD Rogers Electric and Mechanical Contracting.

REPORTS & MINUTES:

1. Monthly Report – Judge Gligora – June 2021.
2. Project Review Committee Meeting Minutes – July 2, 2021.
3. Manchester Fire Department Incident Run Log – June 2021.
4. Planning Board Meeting Minutes – July 7, 2021.

ORDER OF BUSINESS:**RESOLUTION 262-2021:**

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

RESOLUTION AUTHORIZING THE APPOINTMENT OF JOSHUA FAGNER AS WORKING SUPERVISOR

WHEREAS, the Towns of Canandaigua, Farmington and Victor has seen significant growth over the past years especially in the public utilities service area and in the Operation & Maintenance of the Sanitary Sewer Collection System and the Canandaigua/Farmington Water System, and

WHEREAS, skilled Supervision in the field of the Water & Sewer Infrastructure System, overseeing water and sewer processing, equipment, maintenance of the water system and the sanitary sewer systems including pump station has become increasingly necessary to insure proper and safe operation, and

WHEREAS, in accordance with Civil Service Law the Town Board created a 2nd Working Supervisor position in the Water and Sewer Department per Resolution #159-2021, now therefore

BE IT RESOLVED, that the Town Board of Farmington acting on behalf of the Water and Sewer Districts, hereby authorizes the Acting Water and Sewer Superintendent to appoint Joshua Fagner as Working Supervisor at an hourly starting rate of \$28.51 per hour effective July 25th, 2021, and

BE IT FURTHER RESOLVED, that the Town Clerk provide copies of this resolution to the Acting Water and Sewer Superintendent, the Principal Account Clerk and the Confidential Secretary.

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

RESOLUTION #263-2021:

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

RESOLUTION WAIVING THE TOWN PARK PAVILION RESERVATION FEE FOR THE GIRL SCOUTS

WHEREAS, Lisa Kaminski of Girls Scouts of NYPENN Pathways, Inc. has requested the use of the Town Park Pavilion for a Girl Scout event on Sunday, October 3, 2021 and has requested a waiver of the reservation fee, therefore be it

RESOLVED, that the Farmington Town Board authorizes the waiver of the Town Park Pavilion reservation fee for a Girl Scouts even on October 3, 2021.

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

RESOLUTION #264-2021:

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

PAULA RUTHVEN SUCCESSFUL COMPLETION OF PROBATIONARY PERIOD

WHEREAS, Paula Ruthven was hired on October 13, 2020 and has successfully completed the required six-month probationary period, and

WHEREAS, per employee policy, upon the successful competition of a probationary period, the hourly employee maybe granted a wage adjustment, now therefore be it

RESOLVED, that the Town Board hereby grants a \$.30 per hour wage increase as stated on the board approved 2021 Wage list for Paula Ruthven to be effective beginning with Payroll #17, and

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

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

RESOLUTION #265-2021:

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

RESOLUTION REGARDING THE CONSENT OF THE TOWN BOARD TO DEDICATE PART OF SAVALLA BOULEVARD AND TWO PARTS OF BARRY PLACE IN HATHAWAY'S CORNERS SUBDIVISION

WHEREAS, Upon reading the dedication of PART OF Savalla Boulevard and two parts of Barry Place (North and South) in Hathaway's Corners Subdivision, dated the 25th of June, 2021 and the Release related thereto dated the 25th day of June, 2021, all in the above entitled matter, wherein the owners of lands described therein have released the same to the Town of Farmington and its Highway Superintendent for highway purposes; now, therefore, be it

RESOLVED, that consent be and the same hereby is given to the Town Superintendent of Highways of the Town of Farmington to make an order laying out the lands described in said dedications, dated the 25th of June, for highway purposes, in accordance with the provisions of the Highway Law and other statutes applicable thereto.

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

RESOLUTION 266-2021:

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

RESOLUTION RECALLING AND AMENDING RESOLUTION NO. 251-2021 TO ADD ACCEPTING THE SIDEWALK EASEMENT FROM MARGARET VANEPPS

WHEREAS, Resolution No. 251-2021 accepted the Water and Utilities easement from Margaret VanEpps and should have also accepted a Sidewalk Easement therefore be it

RESOLVED, the Farmington Town Board accepts the Sidewalk Easement from Margaret VanEpps and authorizes the recall and amendment of Resolution No. 251-2021 to include the Sidewalk Easement, and further be it

RESOLVED, that the Town Clerk prepare all necessary documents to be filed with the Ontario County Clerks Office by the Town Attorney.

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

RESOLUTION 267-2021:

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

A RESOLUTION IN SUPPORT OF THE 1816 QUAKER MEETINGHOUSE MUSEUM - 2021 CONSOLIDATED FUNDING APPLICATION (CFA) FOR ENVIRONMENTAL PROTECTION FUNDS

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) finds that the Town of Farmington Comprehensive Plan – 2021 Edition (hereinafter referred to as the Plan) motto is "*Preserving the Past, Protecting the Present and Promoting the Future*;" and

WHEREAS, the Town Board further finds that the 1816 Quaker Meetinghouse Museum Project (hereinafter referred to as the Project) exemplifies the Plan's motto by providing a realistic and long-term solution for preserving the largest pre-Erie Canal building remaining in Western New York State; and

WHEREAS, the Town Board further finds that the Project exemplifies the Plan's motto by protecting Farmington's only national historic site; and

WHEREAS, the Town Board further finds that the Project exemplifies the Plan's motto by promoting the many movements relating to women's rights, the Underground Railroad and the Seneca Indians land rights; and

WHEREAS, the Town Board finally finds that the Project identifies the comprehensive restoration steps to be completed for enabling the Museum to meet its' long-term goal of preserving this nationally significant structure and site relating to equal rights as an interpretative center, community gathering place and heritage tourism site.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, based upon the above findings, determines that the above referenced Project satisfies the Plan's motto and, therefore, is in accordance with the goals and policies contained in the above referenced Plan and fully endorses the above referenced Project.

BE IT FURTHER RESOLVED, that the Town Board directs the Town Clerk to provide a Certified Copy of this resolution to Judith Wellman, 2 Harris Hill Road, Fulton, New York 13069, historicalnewyork@me.com.

BE IT FURTHER RESOLVED, that the Town Board directs the Town Clerk to provide a Certified Copies of this resolution to: United States Senators, Hon. Chuck Shumer and Hon. Kristen Gillibrand; United States Congressman, Hon. Christopher Jacobs; New York State Senator, 54th Senate District, Hon. Pamela Helming; New York State Assembly, 131st Assembly District, Hon. Jeffrey Gallahan.

BE IT FINALLY RESOLVED, that the Town Board directs the Town Supervisor to prepare and submit a letter of support and our endorsement for the 1816 Quaker Meetinghouse Museum 2021 Consolidated Funding Application to the State of New York for grant award under the Environmental Protection Funds.

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

RESOLUTION 268-2021:

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

FINAL RELEASE FROM THE LETTER OF CREDIT – REDFERN TOWNHOME PROJECT, IN THE TOTAL AMOUNT OF \$12,146.00

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from the Town Planning Board (hereinafter referred to as Planning Board) a resolution dated July 21, 2021, recommending the above referenced final release of funds from the Letter of Credit, in the total amount of \$ 12,146.00 for work completed; and

WHEREAS, the total amount of funds in this Letter of Credit is \$ 64,086.60; and

WHEREAS, there will be a zero balance remaining in the Letter of Credit after this release; and

WHEREAS, the Town Clerk has reviewed this requested release including completed Forms G-1.1 (Letter of Credit/Surety Final Release) and G-2.0 (Letter of Credit Release).

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Town Supervisor, to execute the final release of funds from the above referenced Letter of Credit.

BE IT FURTHER RESOLVED, that the Town Clerk is to be provided certified copies of this resolution to: Matt Heilmann, Town Construction Inspector; Don Giroux, Town Highway & Parks Superintendent; Robin MacDonald, Acting Town Water & Sewer Superintendent; Lance S. Brabant, CPESC, Director of Planning Services, MRB Group, D.P.C., Town Engineers; Dan Delpriore, Town Code Enforcement Officer; and Ronald L. Brand, Town Director of Planning and Development.

BE IT FINALLY RESOLVED, that a certified copy of this resolution is to be issued to the Letter of Credit holder, Primo DiFelice, DiFelice Development Corporation, 91 Victor Heights Parkway, Victor, New York 14564; Salvatore Gueli, Vice President, Genesee Regional Bank, 1850 South Winton Road, Rochester, New York 14618; and to Jess Sudol, P.E., President, Passero Associates, 242 West Main Street, Suite 100, Rochester, New York 14614.

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

RESOLUTION 269-2021:

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

RESOLUTION AUTHORIZING THE ACCEPTANCE OF DONATIONS

WHEREAS, a donation was made by Kona Ice, Dar's Delight, 546 Food Truck and K & P Kettle Corn vendors to the Town of Farmington Recreation Department from the July 3rd celebration in the total amount of \$470.00

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington accepts the donation,

RESOLVED, that the Town Clerk forward copies of this resolution to the Director of Recreation and the Principal Account Clerk.

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

RESOLUTION 270-2021:

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

RESOLUTION APPROVING CHANGE ORDER GC-05 FOR BLM CONTRACTORS FOR THE BEAVER CREEK PARK RESTROOM BUILDING

WHEREAS, change order GC-05 was submitted by MRB for a decrease in contract price of \$1093.53 due to a CMU block credit and unused allowance,

RESOLVED, that the Town Supervisor signs GC-05,

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

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

RESOLUTION 271-2021:

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

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A DONATION

WHEREAS, A resident of the Town of Farmington has donated \$200 to be used for the restoration in Powers Cemetery,

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington accepts the donation that will be deposited in the General Savings account,

FURTHER RESOLVED, that the following budget amendment transferring the revenue to the expense line be approved:

A2705 Donation	\$200	
A7520.4 Historical Property		\$200

RESOLVED, that the Town Clerk forward copies of this resolution to the Principal Account Clerk and the Historian.

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

RESOLUTION 272-2021:

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

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE LIGHTING FUND

WHEREAS, several fixtures have been re-lamped in the Auburn Meadow lighting district,

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

From:	SL1-599 Appropriate Fund Bal	\$686	
From:	SL1-5182.522 Pole Replacement	\$114	
To:	SL1-5182.523 Bulb Replacement		\$800

BE IT RESOLVED, that the Principal Account Clerk performs the budget transfer,

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 273-2021:

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

RESOLUTION AUTHORIZING RONALD L. BRAND, TOWN DIRECTOR OF PLANNING AND DEVELOPMENT, TO PREPARE A 2021-2022 TRANSPORTATION ALTERNATIVES PROGRAM (TAP) – CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM (CMAQ) GRANT APPLICATION FOR IMPLEMENTING THE CONSTRUCTION OF SIDEWALK/TRAIL CONNECTIONS SHOWN ON THE TOWN OF FARMINGTON SIDEWALK/TRAIL MASTER PLAN MAP, A PART OF THE 2021 EDITION OF THE TOWN OF FARMINGTON COMPREHENSIVE PLAN

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received information from the Town Director of Planning and Development (hereinafter referred to as Director) that the 2021-2022 TAP-CMAQ Grant Applications are now open and will close at 5:00 p.m. on Wednesday, September 29, 2021; and

WHEREAS, the Town Board has reviewed the Town of Farmington Sidewalk/Trail Master Plan Map, a part of the 2021 Edition of the Town of Farmington Comprehensive Plan, finding detailed delineations and distinctions between existing and proposed sidewalks/trail connections, and areas where sidewalks/trails do not exist and are not envisioned in the future; and

WHEREAS, the Town Board has also reviewed the Director’s report describing the subareas of the community where-in sidewalk/trail connections are envisioned to be installed which are dependent upon the award of TAP-CMAQ Grant funds; and

WHEREAS, the Town Board understands that the TAP-CMAQ Grant Application requires designating a Town Project Manager qualified for both Grant submission and project administration once the TAP-CMAQ Grant is awarded; and

WHEREAS, the Director was accepted by the New York State Department of Transportation for project administration, for the recently successfully completed Auburn Trail Connector Project, as being a qualified local official; and

WHEREAS, the 2021 Edition of the Town of Farmington Comprehensive Plan and the Genesee Transportation Council (GTC) State Routes 96 & 332 Subarea Study both identify the need for connecting the various sub-areas within the community where sidewalks/trail connections do not exist to areas where sidewalks/trail connections have been committed or constructed; and

WHEREAS, the Town Board further understands that a commitment to match a portion of the total proposed TAP-CMAQ Project cost is required; and

WHEREAS, the proposed sub-areas shown on the above referenced master plan map lie within the identified Community Center portion of the Town, thereby meeting the State’s requirement for awarding funds to projects that are in compliance with the State’s Public Infrastructure Investment Policy Act; and

WHEREAS, the above referenced master plan map links sidewalks/trail connections in the adjacent towns of Canandaigua and Victor meeting an inter-municipal need for alternative systems of transportation; and

WHEREAS, the action of constructing sidewalks is an Unlisted Action as classified under Part 617.5 of article 8 of New York State Environmental Conservation Law, the State’s Environmental Quality Review Regulations, thereby necessitating a determination of significance once detail design plans have been prepared for the construction of the sidewalk/trail connections.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, does hereby authorize the Director to complete and submit the 2021-2022 TAP-CMAQ Grant Application for the above referenced Connection Project.

BE IT FURTHER RESOLVED, that the Town Board does hereby commit to provide a match of twenty-five percent (25%) of the total TAP-CMAQ Grant to be awarded.

BE IT FURTHER RESOLVED, that the Town Board does hereby approve funding the Director to prepare and submit the final TAP-CMAQ Grant Application to the New York State Department of Transportation, on or before Wednesday, September 29, 2021 at 5:00 p.m.; and agrees to providing a stipend payment to the Director in an amount not to exceed \$1,000.00 for services to be rendered, with the funds available in the 2021 Planning Account Budget (A-8020-41).

BE IT FINALLY RESOLVED that certified copies of this resolution are to be provided to the Town Principal Account Clerk and the Director of Development.

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

RESOLUTION 274-2021:

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

RESOLUTION AUTHORIZING THE PURCHASE OF PLAYGROUND EQUIPMENT FOR BEAVER CREEK PARK

WHEREAS, the Recreation Committee met with the Highway Superintendent, and

WHEREAS, the equipment selected was **Quote (R0004210136) Miracle TotsChoice \$5,825.60**, pricing is based on **NYS Contract #PC 67836**, and

WHEREAS, the Rubber Mulch 45 Tons was **Quote #(104831-01-01) MRC \$27,655**, and pricing is based on **NYS Contract #PC 67834**, and

WHEREAS, the installation costs are as follows: **Miracle Recreation Equipment (NJPA) Contract 010521-LTS (\$8,000)** and **Jeffrey Associates - 350-1701 Playworld Challenger (NASPO) Master Agreement #6485 (\$24,470)**, and

WHEREAS, \$185,000 will be moved into the capital project from the general savings fund to cover playground costs and as well as current changeorders in the project, now

THEREFORE BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to sign the **four (4) quotes** to be funded from **Beaver Creek Capital Project** at a cost not to exceed \$66,000.00, and be it further

RESOLVED, that the Principal Account Clerk transfers the funding and inputs the following budget amendments:

Debit: A2725 VLT Funding	\$185,000	
Credit: A9950.9 Transfer to Capital Project		\$185,000
Debit: HB5031 Interfund Transfer	\$185,000	
Credit: HB7110.2 Park Construction		\$10,000
HB 7110.21 Site Work		\$5,000
HB 7110.23 Electrical		\$5,000
HB 7110.25 Playground Equipment		\$165,000

AND BE IT FINALLY RESOLVED, that the Town Clerk forward the originals of this Resolution to the Highway/Parks Department and the Principal Account Clerk and Supervisor's office.

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

RESOLUTION 275-2021:

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

APPROVAL TO AWARD LOWEST BIDS TO CORE AND MAIN SUPPLY LP LOCATED AT 6800 WEST HENRIETTA RD. RUSH NY, AND BLAIR SUPPLY CORP. LOCATED AT 785 BEAHAN RD. ROCHESTER, NY FOR THE TOWN OF FARMINGTON NY ANNUAL WATER & SEWER PARTS BID

WHEREAS, The Town of Farmington Water & Sewer Superintendent compiles a list of Water & Sewer Parts annually for bidding.

WHEREAS, the Water and Sewer Superintendent has received bids on July 26th at 10 a.m. from three venders of which two venders had the lowest unit prices. Core & Main Supply was low bid on Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 18, 20, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34. Blair Supply was low bid on Items 14, 15, 16, 17, 19, 23, 35, 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, and 50. The third vender FW Webb did not have any qualifying bids.

WHEREAS, The Water and Sewer Superintendent seeks to award the bid from Core & Main for the items listed above at a cost of \$66,042.00. and to award Blair supply the items listed above at a cost of \$10,997.49.

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

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

RESOLUTION 276-2021:

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

RESOLUTION DECLARING THAT A PUBLIC EMERGENCY CONDITION EXISTS WITHIN THE RIGHT-OF-WAY OF COLLETT ROAD BETWEEN NYS ROUTE 332 AND EAST CORPORATE DRIVE, DIRECTING A SEWER LINE REPLACEMENT WITHIN THIS AREA AND AUTHORIZING ENGINEERING DESIGN, PURCHASE OF SEWER PIPE, FIXTURES, AND MANHOLES

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has been informed by the Town's Acting Water and Sewer Superintendent, that employees in the Town Water and Sewer Department have discovered a significant sewer line collapse of approximately 950 feet in length located within the above-described area arising from the heavy rain even on July 17th, 2021; and

WHEREAS, as a temporary solution, a bypass sewer pumping system has been installed by the Town Water and Sewer Department until the necessary replacement can be made; and

WHEREAS, MRB Group, the Town's Engineers, is prepared to immediately begin and will design the above-described replacement project for New York State Department of Environmental Conservation (NYSDEC)'s and New York State Department of Health (NYSDOH)'s reviews and approvals; and

WHEREAS, the Town Board, in compliance with the requirements of the New York State Environmental Quality Review (SEQR) Act is obligated to classify the proposed Action; and

WHEREAS, 6 NYCRR Part 617, article 8 of the New York State Environmental Conservation Law (ECL) identifies, in Sections 617.5 (c)(6) and (42), that "street openings . . . for the purpose of repair or maintenance of existing utility facilities" and "emergency actions that are immediately necessary on a limited and temporary basis for the protection or preservation of life, health, property or natural resources, provided that such actions are directly related to the emergency and are performed to cause the least change or disturbance, practicable under the circumstances, to the environment", such as identified above herein, are classified as Type II Actions under the ECL.

NOW, THEREFORE BE IT RESOLVED, that the Town Board declares that the heavy rain even on July 17th has created a public emergency by causing the unforeseen collapse of the aforementioned sewer line(s) that affects public property as well as the life, health, safety and property of the inhabitants of the Town and/or the Town sewer district and that such public emergency requires immediate action that cannot await competitive bidding..

BE IT FURTHER RESOLVED, that the Town Board further classifies the proposed Action as being a Type II Action in accordance with the above cited sections of the New York State Environmental Conservation Law (ECL) noting that no SEQR determination of significance, Environmental Impact Statement or findings statement is required for actions which are classified Type II.

BE IT FURTHER RESOLVED, that the Town Board does hereby authorize the Town Acting Water & Sewer Superintendent to seek multiple quotes, for making the emergency repairs to the above defined area, once design is complete.

BE IT FURTHER RESOLVED, that the Sewer Fund Balance will be used to pay for all costs associated with the design and construction of the collapsed sewer line location within the above-described area.

BE IT FINALLY RESOLVED, that the Town Board approves of this emergency work and directs the Town Clerk to provide certified copies of this resolution to the Town Principal Account Clerk, the Town Acting Water and Sewer Superintendent and Bill Davis, MRB Group.

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

RESOLUTION 277-2021:

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

RESOLUTION DECLARING A PUBLIC WATER LINE REPAIR EMERGENCY ALONG THE EAST SIDE OF STATE ROUTE 332, BETWEEN STATE ROUTE 96 AND COUNTY ROAD 41, DIRECTING A WATER LINE REPLACEMENT WITHIN THIS AREA AND AUTHORIZING ENGINEERING DESIGN, PURCHASE OF WATER PIPE, HYDRANTS AND FIXTURES

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has been informed by the Town's Acting Water and Sewer Superintendent, that employees in the Town Water and Sewer Department have discovered numerous and on-going breaks occurring within approximately 3300 lineal feet of water line located along the east side of State Route 332 and within the area identified above herein arising out of unforeseen occurrence of corrosion of the waterlines; and

WHEREAS, within two weeks there have been four (4) watermain breaks within this described area; and

WHEREAS, approximately 3300 feet of pipe can be replaced by Town Water and Sewer Department employees; and

WHEREAS, there needs to be a boring underneath Beaver Creek which will need to be contracted out; and

WHEREAS, MRB Group, the Town's Engineers, is prepared to immediately begin the design the above-described replacement project for New York State Department of Health's review and approval; and

WHEREAS, the Town Board in compliance with the requirements of the New York State Environmental Quality Review (SEQR) Act is obligated to classify the proposed Action; and

WHEREAS, 6 NYCRR Part 617, article 8 of the New York State Environmental Conservation Law (ECL) identifies, in Sections 617.5 (c)(6) and (42), that "street openings . . . for the purpose of repair or maintenance of existing utility facilities" and "emergency actions that are immediately necessary on a limited and temporary basis for the protection or preservation of life, health, property or natural resources, provided that such actions are directly related to the emergency and are performed to cause the least change or disturbance, practicable under the circumstances, to the environment", such as identified above herein, is classified as a Type II Action under the ECL.

NOW, THEREFORE BE IT RESOLVED, that the Town Board declares that unforeseen occurrence of corrosion of the waterlines has created a public emergency by causing the unforeseen breaks of the aforementioned water line(s) that affect public property as well as the life, health, safety and property of the inhabitants of the Town and/or Town water districts and that such public emergency requires immediate action that cannot await competitive bidding.

BE IT FURTHER RESOLVED, that the Town Board further classifies the proposed Action as being a Type II Action in accordance with the above cited sections of the New York State ECL noting that no SEQR determination of significance, Environmental Impact Statement or findings statement is required for actions which are classified Type II.

BE IT FURTHER RESOLVED, that the Town Board does hereby authorize the Town Acting Water and Sewer Superintendent to seek multiple quotes for making the necessary boring underneath Beaver Creek, as well as quotes on water pipe, hydrants and fixtures which are part of the above-described Emergency Action.

BE IT FURTHER RESOLVED, that the Town Board does hereby authorize use of the Town Fund Balance to pay for all project costs; and

BE IT FINALLY RESOLVED, that the Town Board approves of this emergency work and directs the Town Clerk to provide certified copies of this resolution to the Town Principal Account Clerk, the Town Acting Water and Sewer Superintendent and Bill Davis, MRB Group.

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

RESOLUTION 278-2021:

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

Abstract 14-2021

TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS

TO: MARCY DANIELS

FROM: J. MARCIANO

ABSTRACT NUMBER	<u>14</u>
DATE OF BOARD MEETING	<u>7/27/2021</u>

FUND CODE	FUND NAME	TOTAL FOR EACH FUND	VOUCHER NUMBERS
A	GENERAL FUND	\$60872.28	1252,1253,1255-1260,1262-1265, 1267-1272,1275,1277-1283,1285, 1286,1288,1291-1303,1305-1309 1321
HG	MERTENSIA WATERLINE	0	
DA	HIGHWAY FUND	19,863.28	1265,1295,1303,1308,1310-1317, 1321
SF	FIRE PROTECTION DISTRICT	30,392.50	1284
HB	BEAVER CREEK PARK	100,594.50	1252,1254,1261,1287,1304
HR	PARKS BLDGR REN CAP	434.00	1274
HW	WATER TANK REPAIR	0	
HZ	TOWNLIN CAP PROJ	24,669.78	1314,1319,1320
SD	STORM DRAINAGE	1,981.75	1264,1265,1295
SL1	LIGHTING DISTRICT	1,888.57	1290,1297
SS	SEWER DISTRICT	57,534.03	1220-1242,1264,1265,1295,1303, 1308,1321
SW1	WATER DISTRICT	16,183.82	1220,1221,1225,1226,1230,1233, 1236-1251,1264,1265,1295,1303, 1308,1321
TA93	LETTER OF CREDIT (CASH)	0	
TA200	PAYROLL DEDUCTIONS(TA85UNI,TA20,TA20D,TA86)	6,648.80	1238-1240,1265,1266,1276,1289, 1295,1306,1321
	TOTAL ABSTRACT	\$ 321,063.31	

Supervisor Ingalsbe abstained on Voucher 21-1281.

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

WAIVER OF THE RULE: No Objections

RESOLUTION 279-2021:

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

RESOLUTION WAIVING THE PUMPKIN HOOK RESERVATION FEE FOR THE CUB SCOUT PACK 50

WHEREAS, Krista Englert, on behalf of Cub Scout Pack 50, has requested the use of the Pumpkin Hook Park on August 2nd. 2021 for their Popsicles in the Park event and has requested a waiver of the park reservation fee, therefore be it

RESOLVED, that the Farmington Town Board authorizes the waiver of the lodge reservation fee for Cub Scouts Pack 50 for their Popsicles in the Park event on August 2nd, 2021.

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

EXECUTIVE SESSION: None.

With no further business before the Board, **Councilman Casale** offered a motion to adjourn the meeting at 7:51 p.m., seconded by **Councilman Bowerman**. Motion **CARRIED**.

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