

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 24<sup>th</sup> day of June 2020, 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: **Dan Delpriore** – Code Enforcement Officer and **Bill Davis** – MRB Group

Also present by telephone/video conferencing were: **Ron Brand** – Director of Planning and Development, **Adrian Bellis** – Planning Board Member, **Michelle Nicodemus** – Assessor, and **Mark Cain** – Recreation Director.

**PUBLIC HEARINGS- None.**

**APPROVAL OF MINUTES:**

A motion was made by **Councilman Casale** and seconded by **Councilman Holtz**, that the minutes of the June 9, 2020, 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. Discussed Vaughn Chopper Pump Repair.
2. Discussed Drager Gas Detector Calibration.
3. Discussed Bio Tower Exhaust.
4. Discussed Sludge Hauling.
5. Discussed Beaver Creek Park.
6. Discussed Victor Manholes.
7. Discussed getting quotes for PS3 electrical work.

**Highway & Parks:**

1. Highway- equipment maintenance, mowing town roads, tree trimming and mulching, town cleanup, road crossing CFTL Road drainage.
2. Parks- building and park maintenance, mowing parks, mulched all trees and trimmed all branches, spraying for weeds and watering trees.
3. Discussed epoxy flooring in bathrooms are Pumpkin Hook Park and Town Park.
4. Discussed trees on Shortsville Road.
5. Discussed resolutions on agenda.

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

1. Discussed resolutions on agenda.
2. Discussed various projects: Auburn Trail close-out, Delaware River Solar, Lyons National Bank, Beaver Creek Park update, National Fuel Gas project.
3. Discussed inspections of Mobile Home parks.
4. Discussed Summer Recreation Program.
5. Public Hearings may resume starting July 6<sup>th</sup>.

**Town Personnel Committee: None.**

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

**Town Public Safety Committee: Councilman Holtz reported:**

**REPORTS OF TOWN OFFICIALS:**

**Supervisor Peter Ingalsbe reported:**

1. Update on Beaver Creek Park Project.
2. Ontario County IT Dept. over 1900 web ex meetings.

**Highway& Parks Superintendent Giroux reported: None.**

**Town Clerk Michelle Finley reported:**

1. Water and Sewer bills are in the mail.
2. Busy with building permits, dog licenses, and marriage licenses.

**Water & Sewer Superintendent reported: None.**

**Code Enforcement Officer Dan Delpriore reported:**

1. Summer Recreation sign ups went well, training of new staff on June 29<sup>th</sup>.
2. Discussed Ball fields guidelines.
3. Discussed Phase 4 starting Friday, June 26<sup>th</sup>. No malls or gyms.

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

1. Report available on website and filed with the Town Clerk.

**Assessor Michelle Nicodemus reported:**

1. Discussed Grievance Day process.
2. Submitted the Final Tax Roll for 2020 to the County.
3. No Reval in 2021.

**Town Engineer Bill Davis reported:**

1. Update on various projects: Manhole Rehab, ADA park project, and North Main Watermain Restoration.

**Fire Chief reported: None.**

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

**Planning Board Member Adrian Bellis reported:**

1. At their last meeting they extended the public hearings.

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

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

**Recreation Director Mark Cain reported:**

1. Summer Recreation Update – drive through sign ups went well, Pumpkin Hook and Mertensia Parks are full, Town Park and Farmington Park will keep registration open until June 30<sup>th</sup>, training of staff to occur on June 29<sup>th</sup> and 30<sup>th</sup>.
2. Working with Baseball and Softball teams – make sure to follow state guidelines.
3. Soccer will not be running a program this summer.

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

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

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

**Swap Shop Update: Councilman Holtz:**

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

**COMMUNICATIONS:**

1. NYS Department of Taxation and Finance Office of Real Property Tax Services 2020 Equalization Rate Status.
2. Letter to the Town Supervisor from Erica Miller of Robert J. Miller & Associates, Inc. Re: Grants development services.
3. Letter to the Confidential Secretary from ESRI. Re: ESRI Annual Records Review.
4. Unsigned letter to the Town Supervisor. Re: Intersection at County Road 28 and Canandaigua Farmington Townline Road.
5. Eye on the Courts Issue #53 – June 2020.
6. Certificates of Liability from: RG&E; Churchville Products Corp.; LeChase Construction Services, LLC; ADP TotalSource MI XXX, Inc.; DGA Builders, LLC.
7. Certificates of Workers' Compensation Insurance from: Churchville Products Corp.; DGA Builders, LLC; ADP TotalSource MI XXX, Inc.
8. Cancellation of Insurance from: Rick's Concessions.

**REPORTS & MINUTES:**

1. Report to Town Public Works and Town Operations – June 9, 2020.
2. Project Review Committee Meeting Minutes – June 5, 2020.
3. Planning Board Meeting Minutes – June 3, 2020.

**ORDER OF BUSINESS:**

**RESOLUTION #214-2020:**

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

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN RENEWAL OF CURRENT MOWING CONTRACT FOR THE 2020 SEASON WITH ONTARIO COUNTY PUBLIC WORKS**

**WHEREAS**, the Town Supervisor received a request for renewal of the current mowing contract for the 2020 season from William C. Wright, P.E., Commissioner of Public Works,

**NOW THEREFORE BE IT RESOLVED** that the Town Board hereby authorizes the Town Supervisor to sign the renewal contract for the 2020 Season, and be it further

**RESOLVED**, that the Town Clerk provide a copy of this Resolution and contract to William C. Wright of Ontario County Public Works, the Principal Account Clerk and the Highway/Parks Department.

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

**RESOLUTION #215-2020:**

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

**RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN AN INTERMUNICIPAL COOPERATION AGREEMENT BETWEEN THE COUNTY OF ONTARIO, THE VICTOR CENTRAL SCHOOL DISTRICT AND THE TOWN OF FARMINGTON**

**WHEREAS**, the Ontario County Board of Supervisors, pursuant to Resolution No. 285-2007, established a policy and program for the County to share in the costs of defending legal challenges to real property tax assessments; and

**WHEREAS**, the Ontario County Board of Supervisors agree to share in the cost of defending certiorari proceedings in the Town of Farmington with Buckingham Properties, Saratoga Crossings I LLC, Saratoga Crossings II LLC and Saratoga Crossings III LLC, at a cost not to exceed 25% of defense costs, including professional appraisal and legal fees; and

**WHEREAS**, the Victor Central School District also agrees to share in the cost of defending this certiorari case and pay 25% of defense costs, including professional appraisal and legal fees

**RESOLVED**, the Farmington Town Board authorizes the Supervisor to sign the intermunicipal cooperation agreement and provide a copy to the Assessor, and be it further

**RESOLVED**, that the Town Clerk forward all three signed copies to Victor Central School with provided cover sheet.

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

**RESOLUTION #216-2020:**

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

**RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN THE CERTIFICATE OF SUBSTANTIAL COMPLETION FOR THE FAIRDALE PS 2 PROJECT**

**WHEREAS**, the Town of Farmington received from MRB the closeout documentation for the Fairdale PS 2 project which includes the certificate of substantial completion for the Contractor, C.P. Ward, the final payment application, release of lien, proof of bonds remaining in effect for one year, and record drawings,

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of Farmington hereby 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 retains the closeout documentation for the Town files, and forwards a copy of this resolution and the certificate of substantial completion to the Principal Account Clerk.

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

**RESOLUTION #217-2020:**

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

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO TAKE APPROPRIATE ACTION TO SIGN LAWN MOWING CONTRACT AND TO APPLY LAWN MOWING CHARGES TO THE PROPERTY WITHIN THE TOWN, TO THE TAX ROLL**

**WHEREAS**, the Code Enforcement Officer has taken the necessary action to bring property within the Town to compliance per Town Code Chapter 112, and

**WHEREAS**, the properties have not complied with Town Code Chapter 112, and

**WHEREAS**, the Code Enforcement Officer has requested bids for the maintenance of these properties, and

**WHEREAS**, Johnson Equipment, Property Maintenance Division submitted a quote for the lawn Care compliance actions and has been determined to be the lowest responsible quotes received as follows:

- 1. 1416 Creek Pointe \$48.00 per hour
- 2. 765 Wiegert Road \$48.00 per hour
- 3. 718 County Road 8 \$48.00 per hour

**NOW THEREFORE BE IT RESOLVED**, the Farmington Town Board authorizes the Town Supervisor to take appropriate action to apply mowing charges along with a 50% service charge to the above listed properties,

**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 the Town Clerk.

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

**RESOLUTION #218-2020:**

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

**RESOLUTION AUTHORIZING THE TOWN OF FARMINGTON TO REFUND PLANNING BOARD APPLICATION FEES TO EARL JOHNSON**

**WHEREAS**, The Town received \$215.00 fee for Preliminary application for subdivision and \$140.00 fee for Final application for subdivision for total of \$355.00 total fees for the application from Earl Johnson of 4686 Rushmore Road.

**WHEREAS**, the applicant has requested to withdraw the application and due to not delays in approval because of COVID-19

**WHEREAS**, the applicant has outstanding Engineering fees of \$135.00

**NOW THEREFORE, BE IT RESOLVED**, That the Town Board of Farmington does herein approve the refund of \$355.00 minus the engineering fees of \$135.00. Town Board of Farmington approves a refund in the amount of \$220.00 to Earl Johnson of 4686 Rushmore Road

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution and a refund check in the amount specified above herein is to be submitted by the Town Clerk to Earl Johnson of 4686 Rushmore Road, Palmyra, NY 14522.

**BE IT FINALLY RESOLVED**, that certified copies of this resolution are to be provided by the Town Clerk to the Town Principal Account Clerk, the Town Confidential Secretary and to the Town Building Department for the property file.

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

**RESOLUTION #219-2020:**

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

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT WITHIN THE NORTH ROAD WATERLINE CAPITAL PROJECT**

**WHEREAS**, the 2020 water budget allocated transferring \$67,500 to the North Road Waterline Capital Project for both construction and observation expenses

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of Farmington hereby authorizes the following budget amendment within the capital project:

Debit: HN5031	Interfund Transfer	\$67,500	
Credit: HN1440.4	Engineering		\$2,500
Credit: HN8340.2	Waterline		\$65,000

**FULLY RESOLVED**, that the Town Clerk forward a copy of this resolution to the Principal Account Clerk and the Water and Sewer Department.

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

**RESOLUTION 220-2020:**

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

**RESOLUTION AUTHORIZING THE HIGHWAY/PARKS SUPERINTENDENT TO PURCHASE EXTENDED WARRANTY FOR 2021 INTERNATIONAL MODEL #HX620**

**WHEREAS**, the Highway/Parks Department has researched and discussed with public works the information for extended engine and after treatment warranty, and

**WHEREAS**, the general consensus is that extending the warranty is in the best interest to the public, **and now therefore be it**

**RESOLVED**, that the Town Board authorizes the Highway/Parks Superintendent to purchase a warranty package for the Cummins, 60 Month/100,000 Miles Engine Coverage including after treatment for (\$4,800) and Navistar Prepackaged Component to include wiring – 60 Month/100,000 Miles for (\$1,320), and totaling (\$6,120) to be funded from DA-5130.4 Machinery – Contractual, and be it further

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

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

**RESOLUTION #221-2020:**

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

**RESOLUTION AUTHORIZING THE PURCHASE OF A TOMMY LIFTGATE FOR TRUCK #29**

**WHEREAS**, Unicell Truck Equipment and Thruway Spring provided quotes for the Tommy Lift Gate for Highway Truck #29, and

**WHEREAS**, Unicell Truck Equipment's quote is (\$3,107), Thru-way Spring's quote is (\$3,645) and Thru-way Spring's 2<sup>nd</sup> quote is (\$3,806), and

**WHEREAS**, Unicell's quote is the lowest at \$3,107, and

**NOW THEREFORE BE IT RESOLVED**, that the Town Board approve that Highway Superintendent to purchase the Tommy Lift Gate from Unicell at a cost not to exceed \$3,200, and

**THEREFORE BE IT RESOLVED**, that these expenses be paid from the Highway Mechanic Contractual line (DA-5130.4), and

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

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

**RESOLUTION #222-2020:**

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

**RESOLUTION AUTHORIZING PUBLIC BIDDING FOR THE BEAVER CREEK PARK PROJECT – SITE WORK**

**WHEREAS**, the Town Board of the Town of Farmington (Town) has identified a need for the Beaver Creek Park Project and has been planning for the implementation of this park project for a number of years, and

**WHEREAS**, the Town accepted the offer of two parcels (totaling approximately 41 acres) from the Auburn Meadows and the Beaver Creek Estates Developments for the planning and implementation of a Town Park, now known as Beaver Creek Park, and

**WHEREAS**, the Town adopted the Town of Farmington Parks and Recreation Master Plan 2017-2022 on July 26<sup>th</sup>, 2017 identifying Beaver Creek Park as a proposed Park in the Town of Farmington; and

**WHEREAS**, the Town has issued a negative declaration upon the Action to make the Phase 1 Site Improvements to the Beaver Creek Park, 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 authorized the Preliminary Site Design Engineering for phase 1 of the park in June, 2017, and the Final Site Design for the Combined Project Sections and Bidding documents in August, 2019; and

**WHEREAS**, the Town has received a bidding schedule, prepared by MRB Group, identifying the bidding of the Beaver Creek Park in two phases, the first phase being the Maintenance/Restroom Building, which is out to bid with bids due July 7, 2020, and the second phase being the Site Work; and

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Farmington authorizes the Advertisement of Public Bidding for the Beaver Creek Park Project – Site Work, and that bids will be received until 2:00pm on Tuesday, July 22, 2020 at the office of the Farmington Town Clerk, 1000 County Road 8, Farmington, New York 14425, and

**BE IT FURTHER RESOLVED**, that funding for the Project will be from Beaver Creek Park Capital Project, and

**LASTLY BE IT FURTHER RESOLVED**, that a copy of this resolution will be supplied from the Town Clerk to the Principal Account Clerk.

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

**RESOLUTION #223-2020:**

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

**RESOLUTION AUTHORIZING ACCEPTANCE OF AN EASEMENT – 6125 COUNTY ROAD 41**

**WHEREAS**, the Town of Farmington, by its officers or representatives, has engaged in discussions with Dale C. Zajac (“Owner”) regarding the Town’s obtaining a Sanitary Sewer and Utility Easement over portions of his property on 6125 County Road 41, as shown on a map prepared by BME Associates dated June 21, 2019; and

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

**WHEREAS**, said easement and agreement have 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 instrument 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 the Town, 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, Holtz, and Bowerman), the Resolution was **CARRIED**.

**RESOLUTION #224-2020:**

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

Abstract 12-2020

**TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS**

TO: MARCY DANIELS

FROM: J. MARCIANO

ABSTRACT NUMBER	12
DATE OF BOARD MEETING	6/24/2020

FUND CODE	FUND NAME	TOTAL FOR EACH FUND	VOUCHER NUMBERS
A	GENERAL FUND	90,264.18	1017,1018,1021-1061,1067,1126-1129
HG	MERTENSIA WATERLINE	0	
DA	HIGHWAY FUND	111,414.02	1050,1060,1062-1065,1068-1076,1127,1128
HA	AUBURN TRAIL PROJ	0	
HB	BEAVER CREEK PARK	13,416.00	1029,1080,1119
HS	PUMPSTATION 2	19,440.65	1090
HM	FUEL STATION CAP PROJ	85.00	1125
HN	NORTH RD CAP PROJ	68,186.39	1116
HP	TOWN PARK IMPROVEMENTS	0	
HQ	LED STREET LIGHTING		
HW	WATER TANK REPAIR	1,966.50	1019
HZ	TOWNLINE CAP PROJ	0	
SD	STORM DRAINAGE	9,270.14	1076-1079,1127,1128
SF	FIRE PROTECTION DISTRICT		
SL1	LIGHTING DISTRICT	6,600.62	1129
SM	SIDEWALKS		
SS	SEWER DISTRICT	106,966.46	1019,1033,1038,1043,1049,1050,1053,1060,1077,1081-1112,1124,1127,1128
SW1	WATER DISTRICT	72,152.85	1019,1033,1038,1043,1049,1050,1053,1060,1077,1081,1083,1086,1091,1095,1097,1099,1100-1101,1102,1105,1109,1111,1113-1118,1120-1128
TA93	LETTER OF CREDIT (CASH)		
TA200	PAYROLL DEDUCTIONS(TA85UNI,TA20,TA20D,TA86)	6,676.51	120,1050,1086,1127,1128
	<b>TOTAL ABSTRACT</b>	<b>\$ 506,439.32</b>	

Councilman Herendeen Abstained from Voucher 1080.

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

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

**WAIVER OF THE RULE: No objections**

**RESOLUTION #225-2020:**

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

**RESOLUTION AUTHORIZING HIGHWAY SUPERINTENDENT TO HIRE M&S TREE SERVICE FOR TREE REMOVAL**

**WHEREAS**, there are 1 dead tree and hanging branches in the other two in the road right of way that have become a road hazard in the Town of Farmington, and

**WHEREAS**, the Highway Superintendent has requested three bids from **M&S Tree Service (\$800)**, **Terry Tree did not respond to calls** and **Mac's Tree Service called but would not be available to return a quote**, and

**NOW THEREFORE BE IT RESOLVED**, that the Town Board authorizes the Highway/Parks Superintendent to hire M&S Tree Service for the felling of the dead tree and branches, and

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

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

**DISCUSSION:**

**EXECUTIVE SESSION:**

Councilman Holtz made a motion to enter into executive session to discuss the employment of a particular employee at 7:33 p.m., Councilman Casale seconded the motion. All voting "Aye".

Councilman Herendeen made a motion to exit the executive session at 8:15 p.m., seconded by Councilman Casale, All voting "Aye".

**RESOLUTION #226-2020:**

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

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN A SEPARATION AGREEMENT-  
WATER & SEWER DEPARTMENT**

**WHEREAS**, the Town Supervisor received a Separation Agreement dated June 24, 2020; now therefore be it

**RESOLVED**, that the Town Board of the Town of Farmington hereby authorizes the Town Supervisor to sign a Separation Agreement dated June 24, 2020.

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

With no further business before the Board, **Councilman Casale** offered a motion to adjourn the meeting at 8:18 p.m., seconded by **Councilman Bowerman**. Motion **CARRIED**.

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