

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

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

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

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

PUBLIC HEARINGS- A LOCAL LAW EXTENDING LOCAL LAW NO. 4 OF 2020 – A MORATORIUM ON SOLAR COLLECTION SYSTEMS AND SOLAR FARMS

Supervisor Ingalsbe opened the public hearing at 7:00 p.m. The Town Clerk read the legal notice. Mr. Brand, Director of Planning and Development, read the following statement:

It is the purpose of this Local Law to extend the moratorium currently in effect upon approving any new application for solar collection systems and solar farms for an additional six (6) month period, ending on September 9, 2021. The extension of time enables the Town of Farmington sufficient time to review the Town’s existing solar law, Local Law No. 6 of 2017, Chapter 165, Article V, Section 65.3. The existing zoning regulations pertain to Solar PV Collection Systems, in particular solar farms requiring a special use permit.

During the previous six (6) month moratorium period Town Staff have had to contend with the delays associated with complying with the various Executive Orders issued during the pandemic which have affected timely responses from state agencies, in person reviews by town staff, and a still pending decision being made upon an Article 78 proceeding in the State Supreme Court upon the merits of the Town’s first approved Special Use Permit for a solar farm operation.

It is anticipated that the next six (6) month period will enable the Town to consider the effects of the pending decision by the Supreme Court upon the first solar farm decision; compare any court ordered amendments to the existing regulations; to review and recommend modifications to the current staff draft of proposed amendments to above cited local law regarding such operations; and to provide another opportunity for public comment upon these land use regulations. This ongoing review is in accordance with the goals, objectives and policies contained in the adopted Town of Farmington Comprehensive Plan.

Changes to said regulations would: permit an enhanced and easily understood code, to achieve the objectives of the Comprehensive Plan and encourage consistent and fair application of laws pertaining to such operations; incorporate the Judges pending decision upon the current Article 78 proceeding; incorporate any necessary changes to the criteria for issuing Special Use Permits and Site Plan Approvals; and reformat the text as it currently is contained within Chapter 165 of the Town Code.

It is, therefore, the intent of the Town Board, by adopting this proposed Local Law No. 5 of 2021, to continue the temporary suspension of all expansions to such existing operations and approval(s) of new such operations.

Based upon the foregoing, the Town Board wants to ensure that any such expansions to such existing operations or approval of such new operations are reviewed under the new regulations and not under the existing laws.

No part of the moratorium to be enacted by this local law shall apply to any complete application pertaining to any expansions to existing solar collection systems or solar farms or pertaining to any new solar collection systems or solar farms, provided that, prior to this local law taking effect, such complete application has been properly filed with the Town and the filing fee due to the Town on such application has been fully paid to the Town. Any application to which this exception applies shall be reviewed and processed and may be acted upon by the Planning Board, or Zoning Board of Appeals, or Town Board pursuant to all other relevant laws, ordinances, regulations and standards in effect at such time.

Compliance with General Municipal Law.

This Local Law was reviewed by the Ontario County Planning Board (Referral #34-2021) on February 10, 2021 and retained as a Class 2 and returned.

Ryan Ventore from a company based in Fairport inquired about the standard permit option for solar panels on residential homes. Mr. Delpriore replied that it doesn’t affect residential homes.

Supervisor Ingalsbe asked if anyone else wanted to speak for or against this local law, hearing none, the public hearing was closed at 7:11 p.m.

APPROVAL OF MINUTES:

A motion was made by **Councilman Holtz** and seconded by **Councilman Casale**, that the minutes of the February 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: BONNIE MAUTE – EAP REPRESENTATIVE

Mrs. Maute stated she has been a resident of the Town of Farmington for over 47 years and appreciates all the work they do however, she felt that she should have been given the opportunity to speak to the board when they were considering switching EAP services and going with a shared services model. She added that she also rented a convenient space so they could have more of a presence in the town. She stated that she has served the town for 16 years without flaw. Mrs. Maute reminded the Board that there is a 40-day cancellation notice required due to the schedules of employees who see her. She felt that it was unethical and not responsible of the town to not allow her to talk before a decision was made. Note: Mrs. Maute had an extensive discussion with the Town Board on February 23, 2021.

PUBLIC CONCERNS: None.

REPORTS OF STANDING COMMITTEES:**Public Works Committee: Councilman Herendeen reported:**

1. Regular testing and maintenance.
2. Discussed Belt press sludge.
3. Discussed Digester 3 – new seal ordered.
4. Water main breaks – one- Ackerman Drive.
5. Buck pit to repair two heaters that are not working.
6. Matt Thompson to attend Grade 3 Supervision and Management Course.
7. Started 1000' of water main replacement on Yerkes Road.
8. Discussed resolutions on agenda.

Highway & Parks:

1. Highway- Equipment Maintenance, salt and plowed roads, clearing sidewalks, storm drainage, and hauling stone for the Canandaigua-Farmington Townline Road project.
2. Parks- building and parks maintenance, salting and plowing of parking lots and maintaining sidewalks, Farmbrook Park swing-set and border is completed and adding topsoil when weather permits, starting work on the Pumpkin Hook Park swing-set.
3. Discussed one resolution on agenda.

Town Operations Committee: Councilman Bowerman reported:

1. Discussed various projects: Solar project, Beaver Creek Park project, Blackwood Industrial Park, Hathaways Corners Project, Town Code updates, Comprehensive Plan Update, Zoning amendments, and MSOD.
2. Discussed resolutions on agenda.

Town Personnel Committee: None.

Town Finance Committee: Supervisor Ingalsbe reported:

1. Discussed email received from Chris Zeltmann, local representative for U.S. Senator Chuck Schumer, listing the amount of funds counties and towns would receive under the recently passed American Rescue Plan.

Town Public Safety Committee: Councilman Holtz reported: None.

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

1. Visited two town parks and noticed a lot of activity, playgrounds were being used and many people were out walking around.
2. Workshop – March 11th, 2021, at 3:30 p.m. at the Town Hall with the Water & Sewer department.

Highway& Parks Superintendent Giroux reported:

1. Discussed swing-set installation at two parks.
2. Storm Drainage update.

Town Clerk Michelle Finley reported:

1. Busy with tax collection, records management, and dog licensing.

Water & Sewer Superintendent Robin MacDonald reported:

1. Preparing bills to be mailed soon. Stormwater Coalition insert for water bills.

Code Enforcement Officer Dan Delpriore reported:

1. February permit total – 45, February permit inspections – 141, February Fire Inspections – 60, and February MS4/Stormwater inspections – 27.
2. 1203 Annual State Report submitted and approved by the State.
3. MS4 Annual Report – update.

Director of Planning and Development Ron Brand reported:

1. Report available on website and filed with the Town Clerk.
2. Discussed Delaware River Solar, TOPS Property.

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

1. Update on the following projects: Mertensia Road Water Replacement project, Brickyard Road tank project, and Beaver Creek Park.

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

1. Next Meeting – County Road 41 and Wood Drive project, MSOD input, Myers RV.

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

1. Letter to the Town Clerk from Tessa LaBrake of the Farmington Volunteer Fire Association. Re: New Member(s).
2. Letter to Governor Andrew Cuomo from Jeff Gallahan, Member of Assembly. Re: COVID-19 Vaccination for essential employees.
3. Letter to the Town Supervisor from John Rizzo of Ontario County Department of Finance. Re: Per mile costs for the 2022 Snow & Ice Removal Contracts.
4. Letter to the Town Supervisor from Travelers. Re: Notice of Non-Renewal.
5. Letter to the Town Supervisor from Mark McIntyre of Merchant McIntyre Associates.
6. Letter to the Acting W&S Superintendent from Paul Chatfield of MRB Group. Re: Eastview Mall Wet Weather Flow Investigation.
7. Letter to Karen Bodine of the Town of Victor from the Town Clerk. Re: Townhouse Application, adjacent to the Victor/Farmington Town Line, south of Collett Road and west of Mertensia Road (File #PB0301-21).
8. Letter of Transmittal from Tom Detrie of Bergmann Associations. Re: CR 28 at Shortsville Road Project.
9. Town of Victor Resolution #70 Payment to Town of Farmington – Upgrades to PS11 and PS5 Variable Drives.
10. Letter to the Town Supervisor from T. Barry Carrigan of Nixon Peabody. Re: Ontario County Industrial Development Agency (Blackwood Logistics LLC 2021 Facility).
11. Letter to David Dake and Luke Scannell of the NYSDEC and Greg Trost of the NYSDOT from the Town Supervisor. Re: 7-11 approval of discharge.
12. Letter to Nicole Bryan from the Zoning Inspector. Re: Code Violation.
13. NYSDEC Petroleum Bulk Storage Application.
14. Memo to Mark Mcanany of Bergmann Associates from the Town Supervisor. Re: GTC-State Routes 96 & 332 Sub-Area Study.
15. Email to the Town Supervisor from Chris Zeltman of Senator Schumer's office. Re: Direct aid for local governments.

16. Certificates of Liability Insurance from: Tomra of North America, Inc.; Weydman Electric, Inc.; Mulvey Construction, Inc.; Alpco Recycling, Inc.; Empire Fence, Co., Inc.; Ewing Lettering & Graphics, Inc.
17. Certificate of Workers' Compensation Insurance from: Pride Mark Homes, Inc.; Mulvey Construction, Inc.

REPORTS & MINUTES:

1. Manchester Fire Department Incident Run Log – January 2021.
2. Monthly Report – Judge Lew – February 2021.
3. Ontario County Sheriff Traffic Report – February 2021.
4. Uniform Code Administration and Enforcement Report (Reporting Year: 2020).
5. Planning Board Meeting Minutes – February 17, 2021.
6. Manchester Fire Department Incident Run Log – February 2021.
7. Monthly Report – Judge Gligora – February 2021.

ORDER OF BUSINESS:

RESOLUTION 109-2021:

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

RESOLUTION ACKNOWLEDGING THE ATTENDANCE OF THE TOWN CLERK TO THE VIRTUAL NEW YORK STATE TOWN CLERK'S ASSOCIATION CONFERENCE APRIL 26 -28, 2021

WHEREAS, the NYSTCA will be holding their annual conference virtually this year due to the Covid-19 pandemic, and

WHEREAS, the cost of the virtual conference is \$125.00 and will be held April 26 – 28, 2021, therefore be it

RESOLVED, the Farmington Town Board acknowledges the attendance of the Town Clerk to the Virtual Conference at a cost not to exceed \$125.00.

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

RESOLUTION #110-2021:

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

ACCEPTANCE OF THE REQUEST FOR A PARTIAL RELEASE OF FUNDS, RELEASE #1, FROM THE LETTER OF CREDIT FOR SITE IMPROVEMENTS FOR THE SWETMAN PROPERTIES, LOT R-6B PROJECT, IN THE TOTAL AMOUNT OF \$31,065.30

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from the Town Planning Board, a resolution dated March 3, 2021 recommending the Town Board accept the above referenced partial release #1 from the Letter of Credit for approved site improvements for the Swetman Properties, Lot R-6B, in the total amount of \$31,065.30; and

WHEREAS, the Town Construction Inspector, Town Engineer and Town Department Heads have all reviewed and accepted the quantities and unit prices identified in the letter of credit release #1, dated February 24, 2021; and

WHEREAS, with this partial release of funds there will be a total of \$46,524.00 remaining in this Letter of Credit; and

WHEREAS, the Town Clerk has verified the remaining balance in this Letter of Credit after this first partial release of funds.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the first partial release of funds from the above referenced Letter of Credit Estimate, in the total amount of \$ 31,065.30.

BE IT FURTHER RESOLVED, that the Town Board does hereby direct the Town Clerk to provide certified copies of this resolution to: James Swetman, Swetman Properties, 1127 Corporate Drive, Farmington, New York 14425; Tom Danks, P.E., BME Associates, 10 Liftbridge Lane E., Fairport, New York 14450; the Town Planning Board Chairperson; the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; the Town Code Enforcement Officer; the Town Construction Inspector; the Town Engineer; the Director of Planning & Development; and John Robortella, Clerk of the Planning Board.

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

RESOLUTION #111-2021:

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

ACCEPTANCE OF THE REQUEST FOR A PARTIAL RELEASE OF FUNDS, RELEASE #1, FROM THE LETTER OF CREDIT FOR SITE IMPROVEMENTS FOR HOME POWER SYSTEMS, LLC, 1127 CORPORATE DRIVE EAST, IN THE TOTAL AMOUNT OF \$6,861.75

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from the Town Planning Board, a resolution dated March 3, 2021 recommending the Town Board accept the above referenced partial release #1 from the Letter of Credit for approved site improvements for the Home Power Systems, LLC, property, located at 1127 Corporate Drive East, in the total amount of \$6,861.75; and

WHEREAS, the Town Construction Inspector, Town Engineer and Town Department Heads have all reviewed and accepted the quantities and unit prices identified in the letter of credit release #1, dated February 24, 2021; and

WHEREAS, with this partial release of funds there will be a total of \$6,742.00 remaining in this Letter of Credit; and

WHEREAS, the Town Clerk has verified the remaining balance in this Letter of Credit after this first partial release of funds.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the first partial release of funds from the above referenced Letter of Credit Estimate, in the total amount of \$ 6,861.75.

BE IT FURTHER RESOLVED, that the Town Board does hereby direct the Town Clerk to provide certified copies of this resolution to: James Swetman, Home Power Systems, LLC, 1127 Corporate Drive East, Farmington, New York 14425; Tom Danks, P.E., BME Associates, 10 Liftbridge Lane E., Fairport, New York 14450; the Town Planning Board Chairperson; the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; the Town Code Enforcement Officer; the Town Construction Inspector; the Town Engineer; the Director of Planning & Development; and John Robortella, Clerk of the Planning Board.

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

RESOLUTION #112-2021:

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

RESOLUTION AUTHORIZING THE TOWN OF FARMINGTON TOWN BOARD TO AMEND THE CONSTRUCTION SCHEDULE IN REGARD TO WORKING ON FEDERAL HOLIDAYS IN THE SITE DESIGN AND DEVELOPMENT CRITERIA

WHEREAS, it is stated in the adopted Site Design & Development Criteria that no work is permitted on Federal Holidays (New Year’s Day, Birthday of Dr. Martin Luther King, President’s Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, and Christmas Day) and

WHEREAS, the Town has received from local contractors and the Rochester Home Builders Association a request to change the rules to allow work on 4 of the 11 Federal Holidays (Birthday of Dr. Martin Luther King, President’s Day, Columbus Day, and Veterans Day) and

WHEREAS, in the past the Town board has waved the rule and allowed contractors to work on these 4 Holidays and

WHEREAS, any work performed by contractors on these holidays shall be work that does not require Town inspections. If Town inspection are required and work is performed without the required inspections the work shall be removed and inspected by Town staff.

NOW THEREFORE, BE IT RESOLVED, That the Town Board of Farmington does herein approve amending the Town Site Design & Development Criteria to allow contractors to work on the following Federal Holidays: Birthday of Dr. Martin Luther King, President’s Day, Columbus Day, and Veterans Day as long as no Town inspections are required; and

BE IT FURTHER RESOLVED, that copies of this resolution to be submitted by the Town Clerk to Rick Herman of the Rochester Home Builders Association, to the Highway & Parks Superintendent, Water & Sewer Superintendent, & Construction Inspectors Matthew Heilmann & David Orians, MRB Lance Brabant, the Confidential Secretary and to Building Department.

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

RESOLUTION #113-2021:

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

RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE MONTHLY REPORT OF THE SUPERVISOR FOR FEBRURARY 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 February 2021 to the Town Supervisor on March 2, 2021, and

WHEREAS, the Town Supervisor approved and executed the Monthly Report of the Supervisor for February 2021 on March 2, 2021,

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

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

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

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

RESOLUTION 114-2021:

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

CONFIRMING RESOLUTION AUTHORIZING TRAINING OVER \$100.00 FOR MATT THOMPSON FOR HIS GRADE 3 OPERATORS LICENSE FOR THE SEWER DEPARTMENT

WHEREAS Matt Thompson currently holds a grade 2 Waste Water Operators license in the Sewer Department, and

WHEREAS, This training is needed so that Matt Thompson can take his Operator 3 Test for his operator's license in the Sewer Department, and

NOW, THEREFORE BE IT RESOLVED, that the Town Board, authorizes the Farmington Water and Sewer Acting Superintendent to pay for this training in the amounts of \$590.24 for lodging at the Brae Loch Inn, \$79.50 for a study book, and \$575.00 for the Grade 3 Supervision & Technical Ops course at SUNY Morrisville, at a Total amount not to exceed \$1,244.74 including meals; and

BE IT FURTHER RESOLVED, that funds for this training under budget code SS8130.4

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

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

RESOLUTION 115-2021:

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

RESOLUTION AUTHORIZING CHANGING THE DATE FOR THE JUNE 22ND TOWN BOARD MEETING

WHEREAS, Town Board Meetings are usually the 2nd and 4th Tuesday of each month, and

WHEREAS, the NYS Board of Elections has announced that June 22nd is the date of the Primary Election,

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Farmington authorizes the changing the Town Board Meeting on June 22nd, 2021 to Wednesday, June 23rd, 2021 at 7:00 p.m.; and

BE IT FURTHER RESOLVED, that a copy of this resolution will be supplied from the Town Clerk to Department Heads, the Director of Development and Bill Davis of MRB Group.

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

RESOLUTION #116-2021:

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

RESOLUTION AUTHORIZING THE HIGHWAY/PARKS SUPERINTENDENT TO HIRE VENDORS FOR 2021 ANNUAL SPRING AND FALL CLEANUPS

WHEREAS, Alpco Recycling, E Waste and Shred-Text had the lowest prices (estimates attached), and

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes The Farmington Town Supervisor to sign the attached agreements and authorize The Highway Department to hire the above-mentioned vendors to facilitate the Town of Farmington's Spring & Fall Clean Up's, and be it further

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

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

RESOLUTION #117-2021:

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

RESOLUTION AUTHORIZING THE PURCHASE OF TWO FUEL CLOUD KIOSKS FOR THE FUEL STATION

WHEREAS, a quote has been received for two Fuel Cloud dedicated kiosks for use at the Fuel Station to replace the iPad; now therefore be it

RESOLVED, that the Town Board approves the installation of the kiosks at a cost not to exceed \$5100 which includes a \$600 credit for the iPad. Funding will be provided from the Fuel Station capital project; and be it

FURTHER RESOLVED, that a copy of this resolution be submitted by the Town Clerk to the Principal Account Clerk, the Highway Department and Bill Beach at Francis Smith & Sons, Inc, 26 Sam’s Road, Scott Township, PA 18447.

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

RESOLUTION #118-2021:

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

RESOLUTION APPROVING THE MRB AMENDMENT #1-EXTENDED CONSTRUCTION ADMINISTRATION & OBSERVATION SERVICES FOR THE BEAVER CREEK PARK CAPITAL PROJECT

WHEREAS, MRB has submitted amendment #1 for extended construction administration and observation services for the Beaver Creek Park capital project; now therefore be it

RESOLVED, that the \$35,000 is moved from the Auburn Trail Capital Project fund balance to the Beaver Creek Park Capital Project and the following budget amendments are completed within the capital projects:

HB5031	Interfund Transfer	\$35,000	
HB1440.2	Engineering		\$35,000
HA599	Appropriated Fund Balance	\$35,000	
HA9950.9	Transfer to Capital Project		\$35,000

AND BE IT FULLY RESOLVED, that the Town Clerk returns a copy of the signed amendment to MRB group and forwards a copy of the resolution and amendment to the Principal Account Clerk and the Building Department.

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

RESOLUTION #119-2021:

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

RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN THE GENERAL FUND

WHEREAS, a court grant was received from the Justice Court Assistance Program in the amount of \$2034.51, which is less than the \$2410.00 budgeted in the 2021 budget,

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington hereby authorizes the following budget amendment to adjust the revenue and expense line:

Debit: A1110.22 NYS Aid Expense	\$375.49
Credit: A3021 State Aid-Court	\$375.49

BE IT FURTHER RESOLVED that the Principal Account Clerk completes the budget amendment,

AND BE IT FINALLY 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 #120-2021:

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

RESOLUTION TO RECALL AND AMEND RESOLUTION #45-2021 APPROVING THE TOWN OF FARMINGTON FEE SCHEDULE FOR 2021

WHEREAS, the Fee Schedule was adopted at the Organizational Meeting on January 5, 2021, and

WHEREAS, the Town of Farmington has received final water pricing from the City of Canandaigua, and

WHEREAS, the wholesale rate will change for the Town and Village of Manchester based on the new City of Canandaigua wholesale rate, and

WHEREAS, the Town of Farmington is rescinding the \$1.00 sewer rate increase due to continued financial difficulties resulting from COVID-19 for our residents and commercial accounts, now therefore

BE IT RESOLVED, that the Town Board hereby recalls and amends Resolution #45-2021 and adopts the revised Fee Schedule for 2021 with changes listed above effective March 9, 2021, and

BE IT FINALLY RESOLVED, that the Town Clerk provide copies to the Highway Superintendent, the Acting Water & Sewer Superintendent, the Recreation Director, the Building Department, the Supervisor and the Principal Account Clerk and update fee schedule on the Town’s website.

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

RESOLUTION #121-2021:

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

RESOLUTION FOR THE CONTINUED DISTRIBUTION OF CABLE FRANCHISE FEES TO FINGER LAKES TELEVISION

WHEREAS, the Cable Communications Act of 1984 established the cable franchise fee as a funding mechanism for public access cable television stations, and

WHEREAS, Finger Lakes Television was established to serve the western Finger Lakes, including the County of Ontario, and

WHEREAS, Finger Lakes Television operates as a project of the Finger Lakes Community College Foundation through a donation of space, utilities and administrative services from Finger Lakes Community College, and

WHEREAS, the Town of Farmington has a franchise agreement with a cable television provider that collects and distributes cable franchise fees to the Town, and

WHEREAS, the Town of Farmington has long had a practice of distributing 5 percent of its total cable franchise fees to Finger Lakes Television, and

WHEREAS, the Finger Lakes Television Advisory Board has requested a formal statement of the Town’s intention to continue this practice for the purposes of financial planning, now therefore

BE IT RESOLVED, that the Farmington Town Board intends to continue its practice of distributing 5 percent of its cable franchise fee receipts to Finger Lakes Television through 2025, and

BE IT FURTHER RESOLVED, that the Farmington Town Board will revisit this resolution in 2025 to consider renewing said resolution at that time, and

BE IT FINALLY RESOLVED, that copies of this resolution be submitted by the Town Clerk to the Finger Lakes Community College Foundation, 3325 Marvin Sands Drive, Canandaigua, NY 14424; and the Finger Lakes Community College Office of Community Affairs, 3325 Marvin Sands Drive, Canandaigua, NY 14424.

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

RESOLUTION #122-2021:

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

AUTHORIZATION TO PURCHASE NEW BADGER WATER METERS, ITRON METER READER ENCODERS WITH INLINE CONNECTORS FOR VARIOUS LOCATIONS WITHIN THE CANANDAUGUA-FARMINGTON WATER DISTRICT

WHEREAS, in 1998 the Farmington Water and Sewer Department was authorized by Board Resolution #153-98 and #154-98 to make improvements to its billing and meter-reading capabilities, and

WHEREAS, the Water and Sewer Department has purchased and installed New Billing Software including the Itron Automated Meter Reading System for usage of the CFWD, and

WHEREAS, in 1998 the Water and Sewer Superintendent was authorized by Resolution #201-98 to begin a CFWD Meter Replacement Program with standardization of the purchase of the Badger and Itron AMR System, and

WHEREAS written quote #Q141769 dated March 1, 2021 has been received from Schmidt’s Wholesale, Inc. who is now the Area Representative for Badger and Itron for the following water meters and readers as follows:

80 each Badger 55, 1” bare meters less encoder with CI bottom plate at a cost of \$146.2083 each for a total cost of \$11,696.66

96 each Badger RCDL55 HR-E Encoder 6 dial, gallons, Itron in-line connector, W/ 5 FT wire at a cost of \$89.8333 each for a total cost of \$8,624.00

36 each Badger RCDL70 1” lead free bronze bare meter CI Bottom Plate Less/Connector at a cost of \$241.1280 each for a total cost of \$8,680.00.

36 each Badger RCDL70 HR-E- Encoder 6 Dial, Gallons, Itron in-line connector, with 5FT wire at a cost of \$92.556 each for a total cost of \$3,332.00

NOW, THEREFORE BE IT RESOLVED, that the Farmington Town Board acting on behalf of the Canandaigua–Farmington Water District (CFWD) hereby authorizes the Water and Sewer Superintendent to purchase various Badger/Itron water meters from Schmidt’s Wholesale, Inc. Post Office Box 5100, Monticello, New York for at a total cost not to exceed \$32,949.06, and

BE IT FURTHER RESOLVED, that funding for the purchase of water meters is appropriated in the approved 2021 Budget under expense line SW1-8340.41 (Contractual Meters), and

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

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

RESOLUTION #123-2021:

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

RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF FARMINGTON OF LOCAL LAW NO. 5 OF 2021 ENTITLED “EXTENDING LOCAL LAW NO. 4 OF THE YEAR 2020, ESTABLISHING A MORATORIUM ON SOLAR COLLECTION SYSTEMS AND SOLAR FARMS.”

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Farmington for a public hearing to be held by said Town Board on March 9, 2021, at 7:00 p.m. at the Farmington Town Hall, 1000 County Road 8, Farmington, New York, to hear all interested parties on a proposed Local Law entitled, “Extending Local Law No. 4 of the Year 2020, Establishing a Moratorium on Solar Collection Systems and Solar Farms”; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Farmington, on February 24, 2021 and other notices required to be given by law were properly served, posted or given; and

WHEREAS, said public hearing was duly held on March 9, 2021, at 7:00 p.m. at the Farmington Town Hall, 1000 County Road 8, Farmington, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof: and

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Farmington hereby adopts said Local Law No. 5 of 2021, entitled “EXTENDING LOCAL LAW NO. 4 OF THE YEAR 2020, ESTABLISHING A MORATORIUM ON SOLAR COLLECTION SYSTEMS AND SOLAR FARMS.” a copy of which is attached hereto and made a part of this resolution, and be it further

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

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

RESOLUTION #124-2021:

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

Ryan Wilkes -Successful Completion of Probationary Period Complete, Plus Increase

WHEREAS, Ryan Wilkes has successfully completed the required six-month time line of the Probationary Period in the position of Water Wastewater Maintenance Assistant at the Town of Farmington Water and Sewer Department since his hire date on 09/08/20, 2020, and

WHEREAS, the Town Personnel Policy allows an increase at this point with recommendation of the Department Head, and

WHEREAS, this increase was budgeted as part of the position review during the probationary period and is in keeping within the 2021 budget limits, and

NOW, THEREFORE BE IT RESOLVED, that the Farmington Town Board acting on behalf of the Water and Sewer Districts hereby authorizes a \$1.00 increase (from \$20.00 to \$21.00 per hour) for Ryan Wilkes effective March 8, 2021 which is the start of the Town’s Pay Period #7 for 2021, and

BE IT FURTHER RESOLVED, that a copy of this resolution will be supplied from the Town Clerk to the 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 #125-2021:

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

Abstract 5-2021

TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS

TO: MARCY DANIELS

FROM: J. MARCIANO

ABSTRACT NUMBER	5
DATE OF BOARD MEETING	3/9/2021

FUND CODE	FUND NAME	TOTAL FOR EACH FUND	VOUCHER NUMBERS
A	GENERAL FUND	34,345.42	305,308-332,379,380,382
HG	MERTENSIA WATERLINE	1,274.02	382
DA	HIGHWAY FUND	66,625.91	323,327.329,333-348
HA	AUBURN TRAIL PROJ	0	
HB	BEAVER CREEK PARK	1,363.14	382
SF	FIRE PROTECTION DISTRICT	0	
HM	FUEL STATION CAP PROJ	15,985.03	381
HN	NORTH RD CAP PROJ	0	
HP	TOWN PARK IMPROVEMENTS	0	
HQ	LED STREET LIGHTING	1,214.50	307
HW	WATER TANK REPAIR	16,083.50	306,382
HZ	TOWNLINE CAP PROJ	10,342.37	349
SD	STORM DRAINAGE	2,975.52	367,382
SL1	LIGHTING DISTRICT	2,501.72	379
SM	SIDEWALKS	0	
SS	SEWER DISTRICT	47,491.35	323,329,350-370,378,382
SW1	WATER DISTRICT	7,393.45	323,329,350,351,357-359,362,363,367-377,382
TA93	LETTER OF CREDIT (CASH)	0	
TA200	PAYROLL DEDUCTIONS(TA85UNI,TA20,TA20D,TA86)	39.28	330,369,370
	TOTAL ABSTRACT	\$ 207,635.21	

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

TRAINING UNDER \$100: None.

DISCUSSION:

1. NY Power Authority-LED lighting.

EXECUTIVE SESSION: None.

WAIVER OF THE RULE: No Objections

RESOLUTION #126-2021:

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

RESOLUTION APPROVING THE PURCHASE OF CAMERAS FOR PARKS THROUGHOUT THE TOWN AS WELL AS THE HIGHWAY SALT BARN

WHEREAS, Alternative Technology, LLC has provided a quote for cameras which are interchangeable with the Town's current installs, include a 5-year warranty, central monitoring at the Town Hall for most locations, and can be moved to any future location,

RESOLVED, that the cameras be ordered to be placed at Beaver Creek Park, the Highway Salt Barn, the Town Park, Mertensia Park, and Farmbrook Park at a cost not to exceed \$10,500 not including installation.

FURTHER RESOLVED, funding will be provided from the Beaver Creek Park Capital Project and from the General Fund budgeted expense lines.

FULLY RESOLVED, that the Town Clerk forwards a copy of the resolution to the Principal Account Clerk and the Highway Department and Dennis Lewis at Alternative Technology, LLC 8229 South Shore Road, Sodus Point, NY 14555.

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

RESOLUTION #127-2021:

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN EMPLOYEE ASSISTANCE PROGRAM AGREEMENT WITH ESI

WHEREAS, ESI provided the Town with an agreement for Employee Assistance Program (EAP), and

WHEREAS, ESI provided a competitive quote \$16.48 per employee using the Ontario County Shared Services pricing, now therefore

BE IT RESOLVED, that the Farmington Town Board authorizes the Town Supervisor to sign the Employee Assistance Program (EAP) Agreement, and

BE IT FURTHER RESOLVED, that copies of this resolution and original signed agreement be submitted by the Town Clerk to Confidential Secretary.

DISCUSSION: Councilman Holtz disclosed that he graduated with Bonnie Maute’s son and has not seen them in years and that he has no conflict with discussing this resolution.

Councilman Holtz stated the ESI is only 6 sessions while EAP is 8 sessions. He stated that the contracts are not apples to apples. Supervisor Ingalsbe stated that the utilization rate increased due to the town asking employees to go and because it is done confidentially the town has no way of knowing whether the services were good or not. Town Clerk Finley stated that many years ago she used EAP and that Mrs. Maute was professional. Councilman Herendeen stated that Covid has affected all of us and they had to make cuts this year and look at ways to save dollars.

Councilman Casale recommended laying this resolution over until next meeting to look over contracts and compare benefits, the Board agreed.

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

RESOLUTION #128-2021:

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

RESOLUTION AKNOWLEDGING THE ACTIVE MEMBERSHIP LIST OF THE FARMINGTON VOLUNTEER FIRE ASSOCIATION

WHEREAS, Carol Trapasso, President of the Farmington Volunteer Fire Association and Town Supervisor Peter Ingalsbe met on March 8, 2021, to discuss NYS Law that requires Town Board Members to approve or deny memberships to the Farmington Volunteer Fire Association, and

WHEREAS, the Farmington Volunteer Fire Association will notify the Town Board in writing of any applicants for membership for Town Board approval by resolution, therefore be it

RESOLVED, the Farmington Town Board approves the attached list of Active Members of the Farmington Volunteer Fire Association, and further be it

RESOLVED, that the Town Clerk send a certified copy of this resolution along with the attached list.

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 8:15 p.m., seconded by **Councilman Casale**. Motion **CARRIED**.

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