

At the Farmington Town Board Meeting, held in the Town Hall/Video Conferencing on the 12th day of May 2020, at 7:00 PM, there were:

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

Also present by telephone/video conferencing were: **Don Giroux** – Highway/Parks Superintendent, **Ron Brand** – Director of Planning and Development, **Dan Delpriore** – **Code Enforcement Officer**, **Bill Davis** – MRB Group, **Adrian Bellis** – Planning Board Member, and **Ed Hemminger** – Planning Board Chairman.

PUBLIC HEARINGS- None.

APPROVAL OF MINUTES:

A motion was made by **Councilman Casale** and seconded by **Councilman Holtz**, that the minutes of the April 28, 2020, Town Board Meeting, and given to members for review, be approved. All Voting “Aye” (Holtz, Casale, Herendeen, and Ingalsbe). Motion Carried.

PRIVILEGE OF THE FLOOR: None.

PUBLIC CONCERNS: None.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Herendeen reported:

1. Discussed Vaughn Chopper Pump Repair.
2. Discussed Bio Tower #1 Flush.
3. Discussed Tricking Filter #1 Flush.
4. Discussed Bio Tower Fans.
5. Discussed Van-Hook Service Contract.
6. Discussed Beaver Creek Park.
7. Discussed PS 25.
8. Discussed replacement of water main on North Road.
9. Discussed PS-2.
10. Discussed Victor Manholes.

Highway & Parks:

1. Highway- roadside pickup, roadside mowing, Hunt’s Mobile Home headwall repair, and construction of Plexiglas barriers.
2. Parks- building and park maintenance, mowing parks and town buildings, ongoing painting of ADA, and daily inspections of caution tape in all parks to insure playgrounds off limits.
3. Discussed resolution on agenda.

Town Operations Committee: Councilman Casale reported:

1. Discussed resolutions on agenda.
2. Planning Board and Zoning Board of Appeals will not hold meetings this month.
3. Update on amendments to the Town Code.
4. Update on Comprehensive Plan revisions.
5. Discussed National Fuel Gas Project.

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. Discussed teleconference with representative from Empire Corp. regarding the leasing town vehicles versus purchasing them. Will save on Capital funds over the long run. Maintenance packages can also be included.
2. Discussed safety items for employees. Committee is currently discussing opening procedures for the Town Hall. Next week will be by appointment only.

Highway & Parks Superintendent Giroux reported:

1. Discussed 1161 Hook Road – grading concerns were fixed.
2. Discussed opening the Tennis Courts since it is deemed low risk. Nets will be put up for this weekend.
3. Discussed website – Highway Tab – Auburn Trails and bridge connection and photos.

Town Clerk Michelle Finley reported: None.**Water & Sewer Superintendent reported: None.****Code Enforcement Officer Dan Delpriore reported:**

1. Discussed Building Department stats – 34 permits for the month of April, 156 through April 30th.
2. New codes go into effect on May 12, 2020.
3. Working on procedures for reopening.

Director of Planning and Development Ron Brand reported:

1. Report available on website and filed with the Town Clerk.
2. Update on the Auburn Trail project. Stone dust trail is complete.
3. Discussed Comprehensive Plan revisions.
4. Discussed Street Scape – on website.
5. Working on various sections of the Town Code.

Assessor Michelle Nicodemus reported: None.

Supervisor Ingalsbe reported that the reval will be put off for a year.

Town Engineer Bill Davis reported:

1. Update on various projects: Manhole Rehab project and North Road Water project.

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

1. No meeting this month – no items on agenda. Still waiting for guidance on how to handle public hearings.

Zoning Board of Appeals Jeremy Marshall reported: None.**Recreation Advisory Committee Bryan Meck reported: None.**

Supervisor Ingalsbe reported that the summer recreation has not be cancelled yet but it is not looking good at this point. They are still hoping to have the July 3rd Fireworks Celebration. Councilman Holtz added that they are planning just in case but it is a wait and see kind of thing.

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 Liquor Authority Standardized Notice Form for providing 30-day advance notice to a local municipality or community board – Diablo Loco Mexican Grill.
2. Bill of Sale for 2008 Ferris IS2000Z lawnmower.
3. United States Bankruptcy Court Southern District of New York. Re: Frontier Communications Chapter 11.
4. Email from the Town Supervisor. Re: Auburn Trail Connector Project Change Order.
5. Letter to Kathy Ammari of the NYS DEC. Re: Town of Farmington and Victor Sanitary Sewer Overflow NOV-February 13, 2020 SPDES NY #0023531.
6. Letter to the Town Supervisor from T. Barry Carrigan of Nixon Peabody. Re: Ontario County Industrial Development Agency (Corporate Drive 6B LLC 2020 Facility).
7. Letter to the Town Supervisor from T. Barry Carrigan of Nixon Peabody. Re: Ontario County Industrial Development Agency (Swetman Properties, LLC 2020 Facility).
8. Certificates of Liability from: Smiths Lawn and Landscape, LLC; Isaac Heating & Air Conditioning, Inc.; Besroi Roofing & Siding Co., Inc.

9. Certificates of Workers' Compensation Insurance from: Irondequoit Garden Center, Inc. dba Fireplace Fashions; Isaac Heating & Air Conditioning; Robert D. Johnston, Inc. dba B&B Builders; Smiths Lawn & Landscape, LLC.

REPORTS & MINUTES:

1. OSHA Recordable Injury and Illnesses – April 2020.
2. Building Department – Permit Report by Type – April 2020.
3. Building Department – Inspection Schedule – April 2020.
4. ZBA Meeting Minutes – February 24, 2020.
5. Planning Board Meeting Minutes – April 15, 2020.
6. Project Review Committee Meeting Minutes – May 1, 2020.

ORDER OF BUSINESS:

RESOLUTION #174-2020:

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

LETTER OF CREDIT RELEASE (PARTIAL RELEASE #2) – REDFIELD GROVE SUBDIVISION, PHASE 2, IN THE TOTAL AMOUNT OF \$54,852.56

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 May 6, 2020, recommending the above referenced Letter of Credit Partial Release #2 be approved, in the total amount of \$54,852.56 for work completed in the Redfield Grove Subdivision, Phase 2; and

WHEREAS, the Planning Board has reviewed the documentation submitted for the partial release of the Letter of Credit, including the Town Letter of Credit Release Form (Form G-1.1 and Form G-2.0/Appendix B) Release No. 2, for Phase 2 improvements located within the Redfield Grove Subdivision, which have been signed by all of the town department heads; and

WHEREAS, the total amount of this Letter of Credit is \$1,021,054.44; and

WHEREAS, there will be a balance of \$710,612.77 remaining in the Letter of Credit after Release #2; and

WHEREAS, the Town Clerk has reviewed this requested release finding the amounts contained therein to be accurate.

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

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

FINALLY BE IT RESOLVED, that a copy of this resolution is to be issued to the Letter of Credit holder, Frank DiFelice, DiFelice Construction, 91 victor Heights Parkway, Victor, New York 14564; and Edward Parrone, P.E., Parrone Engineers, 349 W. Commercial Street, East Rochester, New York 14445.

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

RESOLUTION #175-2020:

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

RESOLUTION OF APPROVAL FOR THE TOWN HISTORIAN TO APPLY FOR A MARKER GRANT WITH THE WILLIAM POMEROY FOUNDATION

WHEREAS, the Town Historian has requested approval from the Town Board to apply for a road side marker grant for the Pinard home located at 4998 Shortsville Road in the Town of Farmington, and

WHEREAS, the sign will establish the original Herendeen homestead settled by pioneer Nathan Herendeen in 1790, therefore

BE IT RESOLVED, that the Town Board approves the Town Historian's request to apply for a marker grant, and

BE IT FURTHER RESOLVED, that the Town Board approves the Town Historian's request to place said marker near the Pinard home located at 4998 Shortsville Road in the Town of Farmington, and

BE IT FINALLY RESOLVED, that the Town Clerk provide a copy of this Resolution to the Town Historian.

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

RESOLUTION #176-2020:

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

BEAVER CREEK PARK ROAD BASE MATERIAL

WHEREAS, the Town Highway/Parks Superintendent and the Acting Water & Sewer Superintendent are planning to build road base between Clover Trail and the Pavilion in Beaver Creek Park, and

WHEREAS, the Town Highway/Parks Superintendent is requesting that the Town Board approve a run of bank gravel for base material for the proposed road, and

WHEREAS, the approximate tonnage needed is 2,000 tons at a cost of \$6.25 per ton, and

THEREFORE BE IT, that the Town Board authorizes the above material to be acquired, and be it

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

Three Voting “Aye” (Ingalsbe, Casale, and Holtz), One Abstention (Herendeen), the Resolution was **CARRIED**.

RESOLUTION #177-2020:

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

DECLARE EQUIPMENT SURPLUS TO BE DISPOSED OF APPROPRIATELY

WHEREAS, the Town Highway/Parks Superintendent is asking that the Town Board declare the following items as surplus so that he can have them disposed appropriately.

2009 – JOHN DEERE	L06330H575543	HIGHWAY - H-18
2002 – NEW HOLLAND TRACTOR	189022B	HIGHWAY – H-40
2011 – CHEVY - SILVERADO –	1GCNCPEA2BZ395188	HIGHWAY - H-29
1994 – INT’L – LOWBOY TRUCK -	1HSGGC6T5RH564827	HIGHWAY - H-20
2002 – EAGER BEAVER – LOWBOY TRL	112SFZ4502L060236	HIGHWAY - H-20A

WHEREAS, Monroe County has a live Fall Auction for municipal vehicles and equipment, and

THEREFORE BE IT, that the Town Board authorizes the above listed equipment to be declared surplus and to be disposed of appropriately, and be it

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

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

RESOLUTION #178-2020:

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

RESOLUTION AUTHORIZING CHANGE ORDER 1 TO THE TAKEOVER AGREEMENT WITH UNITED CASUALTY AND SURETY INSURANCE COMPANY, FOR COMPLETING AUTHORIZED WORK AS PART OF THE AUBURN TRAIL EXTENSION PROJECT (PIN 4755.96)

WHEREAS, Resolution 449-2019 accepted the terms and conditions of the takeover agreement with United Casualty, for completing work authorized under the terms of an existing Contract Agreement, in the total amount of \$1,207,112.76, between the Town and the New York State Department of Transportation.

WHEREAS, Change Order No. 1 has been submitted by United Casualty and Surety Insurance Company thereby increasing the total amount of the Takeover Agreement by \$103,807.20 for additional work creating a total amount in the Takeover Agreement of \$1,188,589.89, and

WHEREAS, Fisher Associates, the Project Engineers, has documented their acceptance of the quantities and amount for this change order via Change Order 6 to the original Project which lists the new item quantities and decreased underrun quantities for a project having a budget amount totaling \$1,207,112.76

BE IT RESOLVED, that the Project Manager (Ronald Brand) and Town Supervisor sign the Change Order 6 submitted by Fisher Associates,

FULLY RESOLVED, that a certified copy of this resolution be provided to the Town’s Principal Account Clerk and the Town’s Project Manager.

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

RESOLUTION #179-2020:

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

RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN THE GENERAL FUND

WHEREAS, a budget amendment is needed in the General Fund for attorney expenses,

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

Debit: A599	Appropriated Fund Balance	\$100,000	
Credit: A1420.4	Contractual Law		\$100,000

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

FURTHER RESOLVED, that the Town Clerk submits one copy of the resolution to the Principal Account Clerk

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

RESOLUTION 180-2020:

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

RESOLUTION AUTHORIZING ACCEPTANCE OF A SIDEWALK EASEMENT AFFECTING THE ROUTE 332 MIII ENTERPRISES PROJECT

WHEREAS, the Town of Farmington, by its officers or representatives, has engaged in discussions with MIII Enterprises, LLC ("Owner") regarding the Town's obtaining a Sidewalk Easement over portions of its property in the Route 332 MIII Enterprises Project, as shown on a map prepared by Costich Engineering dated October 2019; and

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

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

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

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

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

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

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

RESOLUTION #181-2020:

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

RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE MONTHLY REPORT OF THE SUPERVISOR FOR APRIL 2020

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 April 2020 to the Town Supervisor on May 4, 2020, and

WHEREAS, the Town Supervisor approved and executed the Monthly Report of the Supervisor for April 2020 on May 4, 2020,

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 April 2020, and be it further

RESOLVED, that the Town Clerk give a copy of this resolution to the Principal Account Clerk and the Supervisor's Office.

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

RESOLUTION #182-2020:

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

Abstract 9-2020

TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS

TO: MARCY DANIELS

FROM: J. MARCIANO

ABSTRACT NUMBER	9
DATE OF BOARD MEETING	5/12/2020

FUND CODE	FUND NAME	TOTAL FOR EACH FUND	VOUCHER NUMBERS
A	GENERAL FUND	59,454.03	811-844,854
HG	MERTENSIA WATERLINE		
DA	HIGHWAY FUND	5,127.34	834,839,845-851,854
HA	AUBURN TRAIL PROJ	771.42	826
HB	BEAVER CREEK PARK	17,557.80	794,833
HG	MERTENSIA WATERLINE	2,095.00	833
HM	FUEL STATION CAP PROJ		
HN	NORTH RD CAP PROJ	8,185.00	833
HP	TOWN PARK IMPROVEMENTS	1,138.00	833
HQ	LED STREET LIGHTING	1,214.50	780
HW	WATER TANK REPAIR	12,747.00	833
HZ	TOWNLINE CAP PROJ	90.00	833
SD	STORM DRAINAGE	2,414.01	801,833,852,853
SF	FIRE PROTECTION DISTRICT		
SL1	LIGHTING DISTRICT		
SM	SIDEWALKS		
SS	SEWER DISTRICT	58,885.68	781-802,813,828,833,841,843,852-854
SW1	WATER DISTRICT	40,041.59	781,784-790,793,798,800-810,813,828,833,841,843,852-854
TA93	LETTER OF CREDIT (CASH)		
TA200	PAYROLL DEDUCTIONS(TA85UNI,TA20,TA20D,TA86)	62.84	787,788,842
	TOTAL ABSTRACT	\$ 209,784.21	

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

TRAINING UNDER \$100: None.

WAIVER OF THE RULE: None.

DISCUSSION: Received a letter from John Masley, 639 Hook Road, regarding the speed limit on a portion of Hook Road. The town requested a speed reduction in 2017 but was denied. Mr. Masley is requesting we ask the State again. Supervisor Ingalsbe stated he will reach out to other residents in that area for letters of support in the reduction to send to the State to try again for a reduction in the speed limit.

EXECUTIVE SESSION: None.

With no further business before the Board, **Councilman Casale** offered a motion to adjourn the meeting at 7:28 p.m., seconded by **Councilman Herendeen**. Motion **CARRIED**.

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