

At a regular meeting of the Town Board of the Town of Farmington held at the Farmington Town Hall of said Town on the 8th day of May, at 7:00 PM, there were:

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

Also present were: **Don Giroux** – Highway/Parks Superintendent, **Dave Degear** – Water & Sewer Superintendent, **Jim Morse** – Code Enforcement Officer, **Ron Brand** – Director of Planning and Development, **Ed Hemminger** – Planning Board Chairman, **Adrian Bellis** – Planning Board Member, **Mr. Walton** – resident, **Bill Davis** – MRB Group, and **Mark Stevens** – SB Ashley Group.

PUBLIC HEARINGS:

APPROVAL OF MINUTES:

A motion was made by **Councilman Bowerman** and seconded by **Councilman Casale**, that the minutes of the April 24, 2018, and given to members for review, be approved. All Voting “Aye” (Ingalsbe, Holtz, Bowerman, Herendeen, and Casale), Motion Carried.

PRIVILEGE OF THE FLOOR:

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Herendeen reported:

Water & Sewer:

1. Discussed WWTP Disinfection UV Project & Outfall and Bank Stabilization Project.
2. Discussed UV Building #17, SCADA System.
3. Discussed Building #5, Low Lift Pump #1.
4. Discussed Building #7A, Belt Press.
5. Discussed Building #17, All weather Composite Effluent Sampler.
6. Discussed UV Building #17, Spectrophotometer.
7. Discussed Pre-Treatment at Old Dutch Road.
8. Discussed ICS Survey and FROSI Submission.
9. Discussed Pumpstations.
10. Discussed Sanitary Sewer Manhole along NYS Rt. 332, South of Mt. Ash Drive.
11. Discussed Sunny Acres Subdivision – repairs completed on three sanitary sewer manholes located on Gannett Road.
12. Water Breaks – One at 5607 Martz Road.
13. Discussed Beaver Creek 12” Waterline Replacement, Section 1 and 2.
14. Discussed emergency repair at NYS Rt. 332 and Canandaigua-Farmington Town Line Road.
15. Discussed Northeast Water District – public informational meeting will be May 15 at 6:45 p.m.
16. Discussed Brickyard Water Tank #1 replacement and 16” Transmission Line Project.
17. Discussed 5750 Wishing Well Lane-water reading dispute – meter was checked and overall accuracy is 99.83%.
18. Discussed resolutions on agenda.

Highway & Parks:

1. Current projects- Highway –pipe placed along Mertensia Park roadway to accommodate road drainage, Cleanup grading work, Street sweeping, dig out and replace DI’s and cross pipe at Wheatstone and Wishing Well Lane, removed hardware from some trucks, pot hole patching, and hauling and stock piling stone for box culvert.
2. Parks – Starting to replace picnic tables and benches in parks, garbage cans placed, Town Cleanup, added infield mix to all town hall fields, and mowing has begun.
3. Discussed preparations to place electronic speed limit sign.
4. Discussed resolutions on agenda.

Town Operations Committee: Councilman Bowerman reported:

1. Reports on file and on the website.
2. Discussed DeFelice Industrial Park.
3. Discussed DiMartino DDS Office.
4. Discussed Indus project.
5. Discussed National Fuel Gas Project.
6. Discussed major project off NYS Rt. 332 on lands formerly owned by Carmen Laviano.
7. Discussed restroom improvements at Pumpkin Hook Park.
8. Discussed Redfield Grove Incentive Zoning Project.
9. Discussed Cerone Incentive Project – NYS Rt. 332 opposite Farmbrook Drive.
10. Discussed resolutions on agenda.

Town Personnel Committee: None.

Town Finance Committee: None.

Town Public Safety Committee: None.

REPORTS OF TOWN OFFICIALS:

Supervisor Ingalsbe reported:

1. May 15th will be a public informational meeting on the Northeast Water District.
2. May 15th at 10 am –bridges bids for the Beaver Creek Pedestrian Bridges Project.
3. Palmyra Auction – Saturday – town has equipment there.
4. Ontario County Municipal Electric & Gas Alliance (MEGA) – reduce electric and gas rates – town board will look into this further.

Highway& Parks Superintendent Giroux reported: None.

Town Clerk Michelle Finley reported:

1. Discussed Electronic Death Registration System.

Water & Sewer Superintendent Dave Degear reported: None.

Code Enforcement Officer Jim Morse reported:

1. Spoke with a private company regarding the transfer of ownership of the Family Dollar to a Dollar Tree.

Director of Planning and Development Ron Brand reported:

1. Discussed resolution on agenda regarding the Site Design and Development Criteria Manual.
2. Discussed draft of new chapter of the Town Code-pulling the stormwater management and erosion section and giving it its own chapter.

Assessor Donna LaPlant reported:

Town Engineer reported: Bill Davis reported:

1. Gave an update on the UV project – gave an extension to the contractor – UV system is up and running.
2. They will be looking at sewer capacity along RT. 332 and sewer transmission lanes a little bit more.
3. Discussed a request to the town for additional information in regards to flooding by FEMA and some of the HECRA's studies that were done for some of the recent developments will be forwarded on behalf of the town.

Fire Chief reported: None.

Planning Board Chairman – Ed Hemminger reported:

1. Next meeting – Natural Fuel Gas and Amish Store.

Zoning Board of Appeals Tim Delucia reported: None.

Recreation Advisory Committee Brian Meck reported: None.

Ontario County Planning Board Member reported: None.

Conservation Board Chairman Hilton reported: None.

Town Historian Donna Herendeen reported: None.

Agricultural Advisory Committee Chairman Hal Adams: None.

COMMUNICATIONS:

1. Letter to the Town Supervisor from Raymond F. Wager. Re: Financial Statements Letter of Communication and of the Communicating Internal Control Related Matters Identified in and Audit.
2. Annual Law Enforcement Awards Ceremony and Luncheon announcement.
3. Ontario County Board of Supervisors Appreciation Dinner announcement.
4. Email to the Town Supervisor from the W&S Superintendent. Re: Royal Car Wash – sanitary lateral – Victor Sewer District.
5. Letter to residents from the Highway Superintendent. Re: Mertensia Road, Phase III.
6. NYS DOT Highway Work Permit Application for Non-Utility Work.
7. Letter to residents from the Town Supervisor. Re: North East Farmington Water District Extension – Public Information.
8. Email to resident Casey Janke from CFWD Billing. Re: 5747 Running Brook water payment.
9. Intermunicipal Agreement between Ontario County and the Town of Farmington. Re: Local Solid Waste Management Plan.
10. Certificate of Final Special Franchise Full Value for city and town assessment roll to be filed in 2018.

11. Certificate of Liability Insurance from: Erie Construction Mid-West, Inc.; FSI Acoustical Systems, LLC; Amering & Johnson, Inc.; John P. Close; Rochester Construction Group, LLC; Joe Burke Contracting.
12. Certificate of Workers' Compensation Insurance from: Besroi Roofing & Siding, Co., Inc.; John P. Close; Fireplace Fashions; Holbrook Heating, Inc.; Joe Burke Contracting; Erie Construction Mid-West, Inc.

REPORTS & MINUTES:

1. Monthly Report – Judge Gligora – April 2018.
2. Monthly Report – Judge Lew – April 2018.
3. Building Department – Permit Report by Type – April 2018.
4. Planning Board Meeting Minutes – April 18, 2018.

RESOLUTION #199-2018:

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN AND EXECUTE THE CONTRACT DOCUMENT AND TECHNICAL SPECIFICATIONS FOR THE AUBURN TRAIL CONNECTOR PROJECT, PIN 4755.96, DO34903, DATED JANUARY, 2018; AND TO PROVIDE ONE ORIGINAL DOCUMENT TO RYAN DELRE, CREATEASCAPE, LLC, THE PROJECT CONTRACTOR; TO JAY REISINGER, P.E., REGIONAL LOCAL PROJECTS LIAISON, REGION 4 OFFICE, NEW YORK STATE DEPARTMENT OF TRANSPORTATION; AND THE FARMINGTON TOWN CLERK

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board), the Federal Highway Administration (FHWA) and the New York State Department of Transportation (NYSDOT) have executed a Master Federal Aid Agreement known as the Auburn Trail Connector Project, identified as P.I.N. 4755.96 in the total amount of \$1,969,592.00 for the design and construction of said Project; and

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has Accepted the bid proposal received from CreateAScape, LLC, to perform the work specified in the Contract Documents and technical Specifications for the Auburn Trail Connector (hereinafter referred to as Project); and

WHEREAS, the Town Board has, on February 27, 2018 awarded the contract to provide the labor, materials and improvements identified in said Project to CreateAScape, LLC; and

WHEREAS, the above referenced Contract Documents and Technical Specifications for the Project has been prepared by Emily Smith, P.E., Fisher Associates, review by the Town Board and the Town Project Manager, Ronald L. Brand, and found to be complete.

NOW, THEREFORE BE IT RESOLVED, that the Town Board does hereby authorize the Town Supervisor to sign said Contract Document.

BE IT FURTHER RESOLVED, that a certified copy of this resolution and one (1) signed copy of the Contract Document is to be provided: to Ryan DelRe, CreateAScape, LLC, 6162 State Route 96, Farmington, New York 14425; to Jay Reisinger, P.E., Region Local Projects Liaison, Region 4 Office, New York State Department of Transportation, 1530 Jefferson Road, Rochester, New York 14623; and to the Farmington Town Clerk.

BE IT FINALLY RESOLVED that a certified copy of this resolution is to be provided to: Don Giroux, Town Highway Superintendent; Jeannine Marciano, Town Principal Account Clerk; James Morse, Town Code Enforcement Officer; and Ronald Brand, Town Project Manager.

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

RESOLUTION #200-2018:

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

RESOLUTION AUTHORIZING THE TOWN OF FARMINGTON TOWN BOARD TO REFUND THE ZONING BOARD FEES IN REGARDS TO THE VARIANCES REQUESTED FOR 4440 MT. PAYNE ROAD OF \$400.00 TO MATTHEW BOUNDS

WHEREAS, The Town received the \$400.00 Zoning Board fees from Matthew Bounds of 4440 Mt. Payne Rd. for variances in regards to housing of miniature donkeys; and

WHEREAS, the applicant does not wish to pursue the approval of variances from the Zoning Board of Appeals and the Town Development Office did not process or post any legal notice in regards to this application;

NOW THEREFORE, BE IT RESOLVED, that the Town Board of Farmington does herein approve the refund of \$400.00 to Matthew Bounds of 4440 Mt. Payne Rd; and

BE IF FURTHER RESOLVED, that the Town Clerk provide copies of this resolution to Matthew Bounds at 4440 Mt. Payne Road, Shortsville, NY 14548, the Principal Account Clerk and the Building Department.

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

RESOLUTION #201-2018:

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

RESOLUTION AUTHORIZING ACCEPTANCE OF EASEMENTS AND A STORMWATER CONTROL FACILITY MAINTENANCE AGREEMENT AFFECTING THE MERCIER SUBDIVISION

WHEREAS, the Town of Farmington, by its officers or representatives, has engaged in discussions with Farmington Gardens II Housing Development Fund Corp. and Farmington Gardens II Associates LLC ("Owner # 1") regarding the Town's obtaining Sanitary Sewer and Utility, Stormwater Management Facility and Water and Utility Easements and a Stormwater Control Facility Maintenance Agreement and has also engaged in discussions with Beaver Creek I LLC ("Owner # 2") regarding the Town's obtaining a Sanitary Sewer and Utility over portions of their respective properties in the Mercier Subdivision, as shown on maps prepared by McMahon LaRue Associates, P.C. dated February 1, 2018 and February 2, 2018; and

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

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

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

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

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

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

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

RESOLVED, that the Town Board of the Town of Farmington does hereby accept the Easement attached hereto as Exhibit 2 from Owner # 2 in accordance with the terms and conditions contained in said instrument and directs that the same be recorded in the Office of the Clerk of the County of Ontario, the fees for said recording to be borne by Owner # 2; 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"(Bowerman, Casale, Holtz, Herendeen, and Ingalsbe), the Resolution was **CARRIED**.

RESOLUTION #202-2018:

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN AN AGREEMENT WITH TROY & BANKS TO CONDUCT AN AUDIT OF GAS, ELECTRIC, TELECOMMUNICATIONS AND UTILITY SERVICE ACCOUNTS

WHEREAS, Troy & Banks has conducted an audit of gas, electric, telecommunications and utility service accounts for the Town of Farmington in 2013, and

WHEREAS, the Town had significant savings as a result of the audit in 2013 and Troy & Banks has submitted an agreement to be signed by the Town Supervisor to conduct an updated audit for the Town, now therefore

BE IT RESOLVED, that the town board authorizes the Supervisor to sign the Agreement with Troy & Banks to conduct an audit of the Town's gas, electric, telecommunications and utility service accounts; and be it further

RESOLVED, that the Town Clerk provide copies of this resolution to the Principal Account Clerk and Kevin P. Garry, Director of Client Services, Troy & Banks, Inc. 2216 Kensington Ave. Buffalo, NY 14226.

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

RESOLUTION #203-2018:

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

RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE MONTHLY REPORT OF THE SUPERVISOR FOR APRIL 2018

WHEREAS, Town Law states the Town Board must approve/reject the Supervisor's Monthly Report, and

WHEREAS, the Bookkeeper submitted the Monthly Report of the Supervisor for April 2018 to the Town Supervisor on May 2, 2018, and

WHEREAS, the Town Supervisor approved and executed the Monthly Report of the Supervisor for April 2018 on May 2, 2018,

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 2018, 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"(Bowerman, Holtz, Casale, Herendeen, and Ingalsbe), the Resolution was **CARRIED**.

RESOLUTION #204-2018:

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

RESOLUTION AUTHORIZING ADDITIONAL ORGANIZATIONAL CONSULTING SERVICES

WHEREAS, John Piper provides organizational consulting services at a rate not to exceed \$125.00 per hour, and

WHEREAS, he has extensive experience in coaching staff and leadership as well as assisting private and public entities as a strategic planning facilitator and assisting organizations in setting goals, objective and achieving measurable results, therefore be it

RESOLVED, that the Town Board of the Town of Farmington authorizes additional organizational consulting services from John Piper at an amount not to exceed \$1,000.00 per month for 6 months, and be it further

RESOLVED, that a budget amendment in the amount of \$6,000.00 be approved transferring money from Contingency (A1990.4) to Supervisor Contractual Fund Expense (A1220.4), and be it finally

RESOLVED, that the Town Clerk provide copies of this resolution to the Confidential Secretary and the Principal Account Clerk.

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

RESOLUTION #205-2018:

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

APPROVAL FOR THE PURCHASE OF TWO NEW GRUNFOS MODEL A30.125 VORTEX SEWER PUMPS, NON CLOG STYLE, FOR PS-22 LOCATED AT #617 FISHERS RUN IN THE VICTOR SEWER DISTRICT

WHEREAS, the Farmington Water and Sewer Supt. has recommended the replacement of the two original Gorman Rupp model JSV360-X4 sewer pump that were installed 24 years ago at PS-22, located at #617 Fishers Run le at Hut Serial Number 94-148-ASVP, and

WHEREAS, the replacement parts for these pumps are longer available as the J-Series sewer pumps were taken out of production shortly after they were originally installed in 1994, surpassing their expected life replacement cycle, and,

WHEREAS, the Farmington Water and Sewer Supt. has received Quote No. WR-18-0041-F Rev 0 dated April 13, 2018 from Siewert Equipment for authorized Gorman Rupp ASVP station retrofits that include new Grunfos Model SFV.30.A30.125,non-clog vortex style pumps at a cost of \$6,476.00 each, and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington acting on behalf of the Victor Sewer District hereby approves the Farmington Water and Sewer Supt. to purchase two (2) new Grunfos Model SLV.30.A30.125 pumps with a 12.5 HP, 230 volt/3 phase explosion proof motor with vortex style non-clog impeller sewer pump required for maintenance replacement at lift station PS-22,at a cost not to exceed \$6,476.00 each , for a combined total cost of \$12,952.00 including freight and shipping costs, from Siewert Equipment of Rochester New York, and

BE IT FURTHER RESOLVED, that this purchase is to be funded from budget line SS-8120.20V, Equipment-Victor, which will be a split cost per the IMA between the Town of Farmington and the Town of Victor with Farmington's cost being \$10,000.00, and the balance of \$2,952.00 being reimbursed by the Town of Victor Consolidated Sewer Distract 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, the Principal Account Clerk and the Finance Clerk.

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

RESOLUTION #206-2018:

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

RESOLUTION AUTHORIZING THE PURCHASE OF MODEL DR 6000 UV VIS SPECTROPHOTOMETER WITH RFID FOR UV DISINFECTION AND ULTA LOW CHLORINE RESIDUAL TESTING AT THE FARMINGTON WASTE WATER TREATMENT PLANT UV BUILDING #17

WHEREAS, during the preparation and adoption of the 2018 Budget the Chief Waste Water Plant Operator had identified a need for a device to measure the ultra-low chloride residual needed to verify our Total Residual Chlorine Limit of 20 ppb to meet our NYSDEC Permit for the new UV system with the ability to analyze for ULR chlorine at the Waste Water Treatment UV Building #17, and

WHEREAS, in accordance with the Town Purchasing Policy, three (3) quotes were received and reviewed by the Chief WWTP Operator; the Plant Mechanic, and the W&S Superintendent whereby only two quotes were able to meet our requirements, and

WHEREAS, based on the expected performance of the HACH Unit, the final recommendation is for the purchase of one (1) HACH Model DR 6000 UV Spectrophotometer with RFID technology at a cost of \$7,492.44 and one (1) SIP 10 Sipper Set for the HACH DR 6000, 1-inch at a cost of \$694.26, for a total cost being \$8,186.70, and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Farmington acting on behalf of the Farmington and Victor Sewer Districts hereby authorizes the Water and Sewer Superintendent to purchase the HACH DR 6000 unit per quote #100327391 Rev. 1 dated March 15, 2018, and

BE IT FURTHER RESOLVED, that funding for said equipment will be from Budget Code SS-8130.4 (CE). and

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

RESOLUTION #207-2018:

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN PROPOSAL FOR ENGINEERING SERVICES AMENDMENT #1 – WASTEWATER TREATMENT PLANT DISINFECTION IMPROVEMENTS

WHEREAS, MRB Group has submitted a Proposal for Engineering Services Amendment #1 for the Wastewater Treatment Plant Disinfection Improvements at a cost not to exceed 63,500.00, now therefore be it

RESOLVED, that the Town Board authorizes the Supervisor to sign the Proposal for Engineering Services Amendment #1- Wastewater Treatment Plant Disinfection Improvements from MRB Group at a cost not to exceed \$63,500.00, and be it further

RESOLVED, that the Town Clerk forward two (2) signed copies to MRB Group and a copy to the Water & Sewer Superintendent and Principal Account Clerk, along with this resolution.

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

RESOLUTION #208-2018:

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

RESOLUTION DECLARING THE 2004 FORD TAURUS AS SURPLUS PROPERTY AND AUTHORIZING TO SELL THE VEHICLE THROUGH THE BIDDING PROCESS

WHEREAS, the Town of Farmington declares the 2004 Ford Taurus as surplus and wishes to sell the vehicle to the highest offer and will be sold as is therefore be it

RESOLVED, the Town of Farmington sets a bid opening date of June 11, 2018, at 10 a.m. to open all sealed bids received and further be it

RESOLVED, the person with the responsible high offer must provide a certified bank check within five days of the award, and further be it

RESOLVED, the Farmington Town Board authorizes the Town Clerk to place an advertisement to bid in the official newspaper of the town, the Penny Saver, on the Town Clerk's Bulletin Board, and on the town website.

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

RESOLUTION #209-2018:

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

RESOLUTION AUTHORIZING ACCEPTANCE OF DRAINAGE AND UTILITY EASEMENT – 1794 ESTATE DRIVE

WHEREAS, the Town of Farmington, by its officers or representatives, has engaged in discussions with Thomas Colucci ("Owner") regarding the Town's obtaining a drainage and utility easement over a portion of premises owned by the Owner located on 1794 Estate Drive in the Town of Farmington; and

WHEREAS, Town of Farmington officials have recommended to the Town Board that Owners 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 instrument and finds the consideration described herein to be fair and reasonable; and

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 Owners 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 fee 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 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"(Bowerman, Holtz, Casale, Herendeen, and Ingalsbe), the Resolution was **CARRIED**.

RESOLUTION #210-2018:

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

AUTHORIZE HIGHWAY SUPERINTENDENT TO INSTALL SIDEWALKS AND 4 ADA RAMPS IN PHASE III OF THE MERTENSIA ROAD PROJECT

WHEREAS, at the time of this resolution, Hynes quote per SY of concrete installed is \$49.50 and W. P Mahoney is at \$65.00 per SY in the Ontario County bid book, and

THEREFORE, BE IT RESOLVED, that Hynes Contractor be awarded the contract for installation of +/- 600 SY of sidewalk at \$49.50 plus 4 ADA ramps at a cost of \$250.00/each for a grand total \$30,700 for the above mentioned concrete products to be expended from DA-5112.2 (Capital Improvement – CHIPS) **at a cost not to exceed \$33,000**, 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, Bowerman, Holtz, Herendeen, and Casale), the Resolution was **CARRIED**.

RESOLUTION #211-2018:

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

AUTHORIZE HIGHWAY SUPERINTENDENT TO PURCHASE MOUNTABLE CONCRETE CURB FOR PHASE III OF THE MERTENSIA ROAD PROJECT

WHEREAS, Hynes Contractor's quote for mountable curbing is at \$20.00 LF and at the time of this resolution the Ontario County next lowest bid comes in at \$30.00 LF, and

WHEREAS, +/- 1,600 LF is required for Phase III of Mertensia Road mountable curbing and at \$20.00 a LF the total is approximately \$32,000 and 5 Drop Inlet Aprons at a cost of \$250.00 each is \$1,000 for a total of \$33,250, and

NOW THEREFORE BE IT RESOLVED, that the Town Board authorize the Highway/Parks Superintendent to accept the quote for mountable curbing to be expended from DA-5112.2 (Capital Improvement – CHIPS) **at a cost not to exceed \$35,000**, 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, Bowerman, Holtz, Herendeen, and Casale), the Resolution was **CARRIED**.

RESOLUTION #212-2018:

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

RESOLUTION AUTHORIZING DON GIROUX TO ATTEND 2018 ANNUAL HIGHWAY SCHOOL

WHEREAS, the Highway/Parks Superintendent, Don Giroux, will be attending the 2018 Annual Highway School held at Ithaca College in Ithaca, NY from June 4 thru June 6, 2018, and

WHEREAS, the charges will be expended from code A-5010.4 (Highway Admin - Contractual) **at a cost not to exceed \$1,000**, and

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes his attendance at Highway School, and be it further

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

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

RESOLUTION #213-2018:

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

SOL-GPS AND DIAGNOSTICS FOR THE FLEET

WHEREAS, the Highway Superintendent has been researching a GPS system for the Highway Fleet of eleven (11) dump trucks and the Water & Sewer Fleet of seven (7) sewer collection vehicles, and

WHEREAS, Verizon was awarded the contract thru NYS OGS #PT66910 for SOL-GPS and Diagnostics for eleven (11) units and harness (\$2,501.40) for the Highway Department and seven (7) units and harness (\$1,825.00) for the Water & Sewer fleet, now therefore be it

RESOLVED, that the Town Board hereby authorizes the Highway/Parks Superintendent to enter into a one (1) year contract at a rate of \$208.45 per month to be expended from DA-5130.4 – Mechanic – Contractual **at a cost not to exceed \$3,000.00**, and be it further

RESOLVED, that the Town Board hereby authorizes the Water & Sewer Superintendent to enter into a one (1) year contract at a rate of \$132.65 per month to be expended from SS8120.4 and SS8120.4V **at a cost not to exceed \$2,000.00**, and be it finally

RESOLVED, that the Town Clerk provide a copy of this Resolution to the Confidential Secretary, Principal Account Clerk, Water & Sewer Superintendent and the Highway/Parks Department.

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

RESOLUTION #214-2018:

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN RIGHT-OF-WAY MOWING CONTRACT FOR STATE RT 332

WHEREAS, the Highway Department mows State Route 332 in the right-of-way, and

WHEREAS, State Department of Transportation has delivered the contract for the Town of Farmington for approval, and

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Town Supervisor to sign the contract for the 2018 Season, and be it further

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

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

RESOLUTION #215-2018:

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

APPROVE HIRING OF VILLAGER CONSTRUCTION FOR THE 2018 MILL AND FILL PROJECTS

WHEREAS, the 2018 milling and paving overlay has been quoted based on the 2017 Ontario County Material Bid Book, and

WHEREAS, at the time of this resolution, Villager's bid pricing came in lowest as referenced in Ontario County materials bid book, and

WHEREAS, Villager's rate at (\$4,000 per day) for the milling portion, Donegal's pricing was at (\$4,100 per day) and Magic Seal prices were at (\$4,300 per day), and

WHEREAS, Villager's pricing for paver came in at (\$3,300 per day), both Donegal and Magic provided **no bid for paver**, and

WHEREAS, Mertensia Road/ Collett north of 96, Creek Point, Hanover and Olde Park Square will be milled for completion of these projects per the 284 Agreement, and

THEREFORE, BE IT RESOLVED, that the Town Board authorizes the Highway/Parks Superintendent to accept the bid from Village Construction, Inc., in the amount **not to exceed \$220,000** expended to code DA-5112.2 (CHIPS), and therefore be it,

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

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

RESOLUTION #216-2018:

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

RESOLUTION AUTHORIZING THE HIGHWAY/PARKS SUPERINTENDENT TO FILL ONE (1) MEO POSITION IN THE HIGHWAY DEPARTMENT

WHEREAS, the Highway/Parks Superintendent has asked that he be allowed to fill one (1) position in the Highway Department at a rate of \$18.00 per hour, and

WHEREAS, the MEO – Position was one of two (2) position vacant included in the 2018 Budget to the Highway Department and,

WHEREAS, the County Human Resources Department has verified that the Town of Farmington has an MEO –Position listed, therefore be it

RESOLVED, that the Town Board authorizes the Highway/Parks Superintendent to fill one (1) of the available MEO - positions for the Highway Department, and be it further

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

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

RESOLUTION #217-2018:

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

RESOLUTION ADOPTING AMENDMENTS TO THE TOWN OF FARMINGTON SITE DESIGN AND DEVELOPMENT CRITERIA MANUAL TO BE DATED MAY 8, 2018.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has completed its review of the proposed amendments to the November 14, 2017 Edition of the Town of Farmington Site Design and Development Criteria Manual (hereinafter referred to as Manual and/or Action); and

WHEREAS, the Town Board has been informed by the Town Director of Planning and Development that Town Staff have completed their review of the proposed amendments finding all to be necessary and in accordance with their requested changes; and

WHEREAS, the adoption of said Manual establishes the most recent criteria for governing land development activities consistent with other federal and state regulations, and sound engineering practices; and

WHEREAS, the Action is identified as routine or continuing agency administration and management, provided for in Section 617.5 (c) (20) of article 8 of the New York State Environmental Conservation Law, the State Environmental Quality Review Regulations, as being classified as a Type II Action; and

WHEREAS, Type II Actions are not subject to review under Environmental Conservation Law, article 8, as they have been determined not to have a significant impact upon the environment or are otherwise precluded from environmental review.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby adopts in its entirety the May 8, 2018 Edition of the Town of Farmington Site Design and Development Criteria Manual which replaces the November 14, 2017 Edition of said Manual.

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

RESOLUTION #218-2018:

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

RESOLUTION TO RECALL AND AMEND RESOLUTION 100-2018

WHEREAS, resolution 100-2018 authorized Comet Flasher to perform all traffic maintenance and protection requirements for the emergency repairs and waterline installation along NYS Rt 332 and Townline Road in an amount not to exceed \$2750,

WHEREAS, additional rental and delivery charges were incurred due to boring delays on the project,

Be it RESOLVED, that the authorized payment to Comet Flasher, Inc be amended to a total not to exceed \$3700,

Be it finally RESOLVED, that the Town Clerk, of the Town of Farmington, is to forward a copy of this resolution to the Principal Account Clerk and the Water and Sewer Superintendent.

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

RESOLUTION #219-2018:

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

RESOLUTION AUTHORIZING ADDITIONAL FUNDING FOR THE BEAVER CREEK PARK CAPITAL PROJECT.

WHEREAS, the 2018 budget has allocated a transfer of \$600,000 from the General Fund savings into the Beaver Creek Park Capital Project,

Now, therefore, be it RESOLVED that \$600,000 will be transferred from the General Fund (A9950.9 Transfer to Capital Projects)

Be it further RESOLVED, that the Principal Account Clerk, of the Town of Farmington, is hereby authorized and directed to transfer the funding and make the following budget amendment within the capital project:

		Debit	Credit
HB5031	Interfund Transfer:	\$600,000	
HB1440.2	Engineering		\$45,000
HB7110.2	Park Construction		\$555,000

Be it finally RESOLVED, that the Town Clerk, of the Town of Farmington, is to forward a copy of this resolution to the Principal Account Clerk.

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

RESOLUTION #220-2018:

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

RESOLUTION ADOPTING LOCAL LAW # 4 OF 2018 APPROVING OF AND DIRECTING THE AMENDMENT OF THE TOWN OFFICIAL ZONING MAP, AFFECTING TAX ACCOUNTS # 41.00-1-47.111 and #41.00-1-53.100 CONTAINING APPROXIMATELY 130.8 ACRES OF LAND, FROM R-1-15 RESIDENTIAL SINGLE FAMILY, LI LIMITED INDUSTRIAL and GB GENERAL BUSINESS, TO IZ INCENTIVE ZONING FOR THE HATHAWAY'S CORNERS INCENTIVE ZONING ACTION

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has completed its review of a draft local law (hereinafter referred to as Local Law # 4 of 2018), dated April 24, 2018 approving with conditions the rezoning of the above referenced lands located at the southwest corner of New York State Route 332 and Ontario County Road 41, from the above referenced zoning districts to IZ Incentive Zoning; and

WHEREAS, the Town Board has given consideration to the application by the Ashley Companies (“the Applicant”) for the rezoning of two parcels bearing tax account numbers 41.00-1-4.7.111 and 41.00-1-53.100 (“the Rezoning Area” or the “IZ Area”) encompassing approximately 130.8 acres from R-1-15 Residential Single Family, LI Limited Industrial, GB General Business to IZ Incentive for the (Hathaway’s Corners Incentive Zoning Action hereinafter the “Rezoning”); and

WHEREAS, the Town Board has given consideration of the Town Planning Board’s Report and Recommendation dated August 2, 2017 concerning the Rezoning; and

WHEREAS, the Town Board has given consideration to the recommendations received from the Town Department Head and Town Consulting Staff, dated July 28, 2017; September 29, 2017; and April 6, 2018; and

WHEREAS, the Town Board has given consideration to the public hearing record that has been established upon said Local Law; and

WHEREAS, the Town Board has given consideration to the Ontario County Planning Board’s Referral #201-2017, dated October 10, 2017; and

WHEREAS, the Town Board has also give consideration to the Traffic Impact Study completed by SRF Associates including any comments thereto including by staff in the Region 4 Office of the New York State Department of Transportation and the Ontario County Department of Public Works concerning the Rezoning, including relating to the amenities proposed by the Applicant; and

WHEREAS, the Town has complied with the provisions of the State Environmental Quality Review Act (SEQR) Regulations for the Rezoning and, under separate resolution previously enacted has set forth its’ determination in accordance with Part 617 of the State Environmental Quality Review Act Regulations making a determination of non-significance for the action herein.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby adopts Local Law # 4 of 2018 in its entirety and directs the filing thereof with the New York State Secretary of State and that each of the above Whereas clauses are incorporated by reference into this portion of the resolution and therefore each such clause shall be treated in the same manner as the other items which are “so resolved.”

BE IT FURTHER RESOLVED, that the granting of the Rezoning shall be based upon the Application for same referenced herein, as well as the drawing entitled “Hathaway’s Corners Incentive Zoning Concept Plan,” dated 4/12/18, Drawing Number 2540 Dwg. #02, prepared by BME Associates, Engineers, Surveyors, Landscape Architects and the criteria for zoning incentives which are hereby granted elsewhere in this resolution for the Rezoning Action.

BE IT FURTHER RESOLVED, that the Rezoning of the IZ Area shall be conditioned upon the Town’s receipt of the following zoning amenities:

- (1) Intersection improvements, at the intersection of State Route 332 and County Road 41, are to be commenced at a time when warrants have been determined by the staff located within the Region 4 Office of the New York State Department of Transportation based upon their review of more detailed preliminary subdivision plat, site plan drawings and amended Traffic Impact Studies provided by the applicant. Said intersection improvements, estimated at this time by the Applicant’s engineers to be a total of \$1,034,860.00 of which the Town does hereby commit a maximum of \$250,000.00 to be used for right turning lane improvements for south bound traffic on State Route 332 and east bound traffic on County Road 41, along with left turn arrows being installed in both directions for traffic on County Road 41.
- (2) The installation of a 12-inch diameter water main connecting to the 12-inch diameter water main with fire hydrants that is to be placed under State Route 332 and located at the south east corner of the site and then continuing along and within the right-of-way of proposed “Road A” to the future intersection with County Road 41. The Applicant’s engineers estimate the value of this amenity to be \$124,400.00. The Town hereby commits to the costs of boring underneath State Route 332, at the approved location, with the Applicant providing the materials thereby enabling connection of 12-inch water service from the east side of said highway to the west side and through the project site.
- (3) The installation of a 12-inch diameter sanitary sewer line commencing at the approved location at the south east corner of the site and continuing north within the right-of-way of proposed Road B, which is parallel to and west of the right-of-way of State Route 332, then crossing underneath County Road 41 and continuing north within the right-of-way of Hathaway Drive to the right-of-way with Perez Drive and then connecting to the Town’s major transmission main. The Applicant’s engineers estimate the value of this amenity to be \$51,200.00. The Town hereby commits to the costs of boring underneath the right-of-way of County Road 41, at the approved location, enabling connection from the site to the Town’s major transmission main which is located north of said crossing.
- (4) The installation of a 12-inch diameter water main, with fire hydrants, to be located within an approved and dedicated easement to the Town, commencing at the end of the 12-inch water main at proposed “Road A,” thence westerly and located outside the right-of-way of said County highway to the west boundary line of Tax Map #41.00-1-47.111. Said water main is to be bored under the Beaver Creek crossing. The Applicant’s engineers estimate the value of this amenity to be \$176,400.00. The Town hereby commits to the costs of boring underneath Beaver Creek for said water main extension.
- (5) The installation of a five foot wide concrete sidewalk commencing at the intersection of proposed “Road A” and County Road 41, then continuing westerly outside the County highway right-of-way to a point to be approved by the Town and shown on the future preliminary subdivision plat map terminating east of Beaver Creek, where there shall be a permanent barrier installed to keep the public safely away from said water course. The Applicant’s engineers estimate the value of this amenity to be \$40,000.00.
- (6) The donation of approximately eight acres of dedicated parkland to be located along both sides of Beaver Creek, between the Auburn Trail property to the west and the southern right-of-way of County Road 41, and in the

location to be shown on future approved overall preliminary subdivision plat and site plan drawings. This general location is also located between proposed "Roads N and J," as will be shown upon the above referenced drawings. The applicant estimates the value of this parkland donation to be \$80,000.00.

- (7) The donation of land which is 70 feet in width and extending from an approved location located along proposed "Road A," to be shown on both preliminary subdivision plat drawings and preliminary site plans, which continues southerly to the property boundary line with the adjacent Tax Map Account # 41.00-1-6.24. This strip of land, identified on the above referenced concept drawing as the future town highway right-of-way of the northern segment of Carmens Way. The Applicant estimates the value of this land donation to be \$ 50,000.00.
- (8) There shall be a Town Road (Road B) installed in the first phase of proposed development, from County Road 41 to the existing Town-owned Hathaway's Corners Cemetery (Tax Map Account \$41.00-1-44.000), along with the installation of paved parking spaces and landscaping around the existing Hathaway's Corners Cemetery. The Applicant estimates the value of the parking and landscaping improvements to be \$ 15,000.00. The balance of the open space area around the cemetery, shown on the Concept Plan, is to be maintained by the owner of the rental property.
- (9) The total value of the above listed agreed-to amenities provided by the Applicant to the Town, as a condition of this rezoning approval, shall be \$ 1,571,860.00.

BE IT FURTHER RESOLVED, that the Rezoning shall be conditioned upon the following zoning incentives which are hereby established with the adoption of this resolution:

- (1) The maximum total number of single-family lots for any development shall not exceed a total of 152 single-family lots that are to be created upon approximately 55 acres of the total project acreage.
 - [a] Of this total, not more than ninety-one (91) single-family lots are to have a minimum lot area of 12,000 square feet; a minimum lot width of 80 feet to be measured at the front building setback line; a minimum front setback of 30 feet; a minimum side setback of 10 feet; a minimum rear setback of 15 feet; a minimum side and/or rear setback for accessory structure(s) on each lot of 10 feet; and a maximum building height of 2-1/2 stories or 35 feet. The maximum size for each accessory structure (e.g. storage shed or other out-building) is 200 square feet, and the maximum lot coverage for each lot is to be 30%.
 - [b] Of this total, approximately 61 single-family ('Villas') lots are to have a minimum lot area of 7,200 square feet; a minimum lot width of 58 feet; a minimum front setback of 40 feet from the private road center line; a minimum front setback of 25 feet from a Town dedicated road right-of-way; a minimum side setback of 10 feet; a minimum rear setback of 15 feet; a minimum side and/or rear setback for accessory structure(s) of 10 feet; and a maximum building height of 2-1/2 stories or 35 feet. There shall be only one accessory structure allowed upon each of these single-family ('Villas') lot which shall have a maximum size of 120 square feet and the maximum lot coverage is 40%.
- (2) The maximum total number of single-family dwellings shall not exceed a total number of 154 townhomes, which shall consist of a mix of not more than 80 ranch style townhomes and 74 two-story style townhomes to be located upon approximately 32 acres of lands to be owned and maintained by the project sponsor. A minimum front setback of 25 feet from the private road edge of pavement except for those townhouse dwelling units where there is a public sidewalk across the frontage then there shall be a minimum front setback of 25 feet from the outside edge of the sidewalk; a minimum front setback of 35 feet from a dedicated road right-of-way; a minimum separation of 20 feet between buildings; and a maximum building height of 2-1/2 stores or 35 feet.
- (3) The maximum total number of apartment units shall not exceed 88 apartments upon approximately 10 acres on lands to be owned and maintained by the project sponsor. Of this total number of units not more than 22 shall be one bedroom and 66 shall be two bedroom. A minimum front setback of 10 feet from a sidewalk; a minimum front building setback of 40 feet from a dedicated road right-of-way; a minimum building separation of 20 feet; and a maximum building height of 2-1/2 stores or 35 feet. Each apartment unit shall have dedicated storage space of 3% of the unit size to be located either within the footprint of the unit, or in a separate storage building. In the event of a separate storage building the maximum walking distance on a hard surface between the dwelling unit and the dwelling unit's storage building shall not exceed 300 feet measured between the two. The maximum number of dwelling units per building shall not exceed 8.
- (4) A sign plan for any overall development of the site associated with the Hathaway's Corners Incentive Zoning Action, including noncommercial speech community identification monument signs to be placed within landscaped areas at all access points to County Road 41 (total of two locations) and NYS Route 332 (total of two locations). The size of these monument signs shall not exceed 24 square feet in copy area per sign side with a maximum height not to exceed six feet above existing ground. Said monument signs shall be located a minimum of ten (10) feet from the rights-of-way of all Town highways and fifteen (15) from the rights-of-way of the adjacent State and County Highways. In addition to these monument signs, internal neighborhood /market sector residential identification signage may be allowed at each intersection along the proposed town dedicated access connector roads and other town dedicated road intersections with private roads; and individual signage for the office and commercial areas including building mounted and allowable ground mounted signage per the Town of Farmington General Requirements for Erecting and Maintaining Commercial Speech Signs, Chapter 165-43. All bulk standards for commercial speech signage, for the commercial and office components of the site, will conform to the requirements within Chapter 165 of the Town Code. The Planning Board of the Town of Farmington will be responsible for review and approval of the number of and placement of all signs proposed within any such development.

BE IT FURTHER RESOLVED, that the Town approves of the Rezoning in accordance with the Concept Plan, dated 4/12/18, with the conditions that the following zoning incentives are hereby agreed by the Town to be provided to the Applicants follows:

1. There shall be a maximum 240,000 square feet of single story commercial/general business/retail/office/ restaurant and other similar types of commercial land use located within buildings to be constructed upon the approximately 20 acres of land for any development on the site. Additional square feet of commercial land use and/or a mix of commercial on first floor and residential on second or third floors may be approved by the Planning Board provided the first floor foot print is not increased. The minimum lot size shall be 20,000 square feet; minimum lot

- width shall be 100 feet; minimum lot depth will be 150 feet; minimum front building setback of 75 feet from NYS Route 332 and from County Road 41; minimum front building setbacks of 40 feet from a Town dedicated road right-of-way; minimum rear setback of 30 feet; minimum side setback of 30 feet; minimum building separation of 20 feet; maximum building coverage of 40%; and unless noted otherwise, all other bulk standards will be as required according to the Town of Farmington zoning requirements for the GB District except for a lot to be developed with drive-up window service, then the minimum lot area shall be 40,000 square feet; minimum lot width shall be 150 feet; minimum front building setback shall be 75 feet from NYS Route 332 and from County Road 41; minimum front setback of 40 feet from a Town dedicated right-of-way; minimum rear setback of 30 feet; maximum lot coverage of 40%; and a minimum setback of all drives (including drive-up window service) shall be 15 feet from an adjacent property line. All access to the commercial lots shall be from the Town dedicated roads, with no direct access to either State Route 332, or County Road 41. Cross access easements shall be provided between adjacent lots developed within this portion of the project.
2. Any proposed development within the commercial portion of the site shall be further subject to either Subdivision Plat and/or Site Plan approvals by the Town Planning Board.
 3. The following permitted land uses may be allowed on the ±20 acre commercial portion of the site for any development:
 - a. Banks and lending institutions, including those with drive-up window services and/or automated banking services.
 - b. Barbershops, beauty shops, nail salons, licensed massage therapy, chiropractic therapy and licensed acupuncture.
 - c. Restaurants, including fast food, and those with drive-up window service, and those serving liquor, as well as those providing outdoor seating and outdoor live music for restaurant patrons.
 - d. Specialty wine, beer and spirit tasting establishments, including brewing and distillery uses.
 - e. Retail sales, including but not limited to department and discount stores, drugstores and pharmacies, liquor stores (package sales), clothing and shoe stores, hardware stores, lawn and garden stores (with no outside displays unless located within an enclosed storage area; and without outside storage of bulk lawn and garden materials), furniture and home appliance stores, and photographic sales; and specifically excluding new or used automobile dealerships.
 - f. Boutiques and specialty retail shops, including but not limited to bookstores, florists, card or gift shops, stationary stores, and arts and craft stores.
 - g. Neighborhood scale grocery or convenience store and specialty food stores with or without self-service petroleum dispensing units, such as pizza, deli, bakery and coffee shops.
 - h. Laundromat and/or drop-off/pick-up dry cleaning establishments.
 - i. Car washes, including vacuum stations and doll-up and cleaning of vehicles inside a principal structure.
 - j. Uses for the treatment and care of human beings, including but not limited to urgent care facilities, medical and dental offices, clinics for physicians, osteopaths, dentists, podiatrists, yoga studios, physical fitness facilities, physical rehabilitation offices, opticians, optometrists and ophthalmologists.
 - k. Private nursery schools or day-care center or similar uses.
 - l. Business, professional and executive offices, including but not limited to offices for attorneys, architects, engineers, surveyors and accountants, real estate and insurance agents.
 - m. Hotels and motels.
 - n. Public buildings and grounds.
 - o. Commercial greenhouse or plant nursery, or similar commercial agricultural uses, including a farmers market.
 - p. Outdoor display and storage of materials and product, on the same parcel of land as a principal use and located within a secure fenced-in area connected to the principal structure.
 - q. All other proposed uses shall first be subject to Town Board approval and amendment of these conditions of approval.
 - (4) Any site improvements are to be constructed in accordance with the Town of Farmington Site Design and Development Criteria, as may be amended from time to time by the Town Board.
 - (5) Any commercial sites developed are to have separate pedestrian access, concrete sidewalks installed between the sidewalks along state, county, or town highways and the main entrance to each of the principal structures.
 - (6) A copy of this resolution is to be amended and attached to the above referenced Concept Plan after having been reviewed and signed by the Town Code Enforcement Officer and the Town Clerk as being accurate and in accordance with these conditions of approval for the Incentive Rezoning of the “Hathaway’s Corners Incentive Zoning Action.”

BE IT FURTHER RESOLVED, that the following additional amenities are to be provided as conditions of this incentive rezoning action:

- (1) Road A is to have a right-of-way of 70 feet in order to permit the construction of a “complete street” including sidewalk, bike lane, street lights and street trees. The front setback for structures along Road A from County Road 41 to the intersection with Road B shall be twenty-five (25) feet.
- (2) There is to be at least two public transit shelters/stops located within the project.

(Order of Business continued)

- (3) Easements for sidewalks and water lines are to be provided to the Town across the frontage along County Road 41, between the western boundary of the site and the right-of-way of State Route 332.
- (4) There shall be not more than two (2) access point(s) to County Road 41 for the six single-family lots located in the northwest corner of the site. This access is to be a private road with the green space area across the frontage to be maintained by private landowners.
- (5) There shall be no direct access from any single-family lot to the proposed Road A.
- (6) There shall be traffic calming devices installed for Road A and Road B through the project. Such devices may include 4-way stops at Roads A, C and M.
- (7) Other than the private road for the six single-family lots that are to be located in the northwest corner of the site, there shall be no direct access from the project to either County Road 41, or State Route 332. All other access to these highways is to be from Town dedicated highways.
- (8) There shall be pedestrian easements and/or Town dedicated lands and stone dust trail connections to the Auburn Trail from at least one area located within both the single-family and the "villa" areas of the project.
- (9) The minimum distance between the intersection of State Route 332 and County Road 41 and the proposed Road E shall be 550 feet as specified in the Town's Major Thoroughfare Overlay District (MTOD) Regulations.
- (10) Sidewalks are to be installed along one side of all Town roads in the project except for the cul-de-sac portion of Road L.
- (11) The Town agrees to maintain a three (3)-year time frame for sewer and water connection fees that will commence with the issuance of the first Building Permit.
- (12) The Town agrees to maintain a three (3)-year time frame for the parks and recreation fee that will commence with the issuance of the first Building Permit.

BE IT FURTHER RESOLVED, that in consideration of each of the foregoing, the Town Board finds that granting the application for the Hathaway's Corner's Incentive Zoning Action complies with each of the applicable requirements and criteria under Section 165-34.1 of the Farmington Town Code ("the Code") for such rezoning, including based on the incentives to be conferred in exchange for the amenities proposed, the Town Board specifically determines that in accordance with Section 165-34.1 part M of the Code, the various amenities proposed as referenced herein provide more than sufficient benefit in light of the incentives to be conferred as also referenced herein.

BE IT FURTHER RESOLVED, that certified copies of this Local Law and this adopting Town Board Resolution are to be provided to the Town Highway & Parks Superintendent, the Town Water & Sewer Superintendent, the Town Code Enforcement Officer, the Town Director of Planning & Development, the Town Engineer, the Applicants Mark Stevens, S.B. Ashley & Associates Venture Company, LLC and Robert Cantwell, BME Associates.

BE IT FINALLY RESOLVED, that the Town Clerk is to certify that this resolution is hereby made an attachment to the subject Local Law #4 of 2018, forwarding said certified copy to the Attorney for the Town, for his certification and filing with the Secretary of State, in accordance with established procedures.

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

Town of Farmington, Ontario County, New York

Local Law no. 4 of the year 2018

A local law amending: Chapter 165, Article III, Establishment and Designation of Districts, Section 165-12 Zoning Map.

Be it enacted by the Town Board of the

Town of Farmington as follows:

Section 1: Chapter 165, Article III, Establishment and Designation of Districts, Section 165-12. C., Zoning Map of the Code of the Town of Farmington, New York, which was last updated June 10, 2016 is hereby further amended as follows:

<p>Tax Map Account 41.00-1-47.111, containing a total of zoned R-1-15 Residential Single Family District, GB 1-53.100, containing a total of 4.7 acres of land, owned by 332/41 LLC, currently zoned LI Limited Industrial, are hereby rezoned to IZ Incentive Zoning, State Route 332," subject to the conditions 2018, adopted on Tuesday, May 8, 2018; and</p>	<p>126.1 acres of land, owned by 332/41 LLC, currently General Business District; and Tax Map Account 41.00-332/41 LLC, currently zoned LI Limited for the project known as "Hathaway's Corners Incentive set forth in Town Board Resolution # 220 of</p>
---	---

(1)

Section 2: The Town Clerk, in accordance with the provisions contained in Chapter 165, Section 34.1. O. and upon Overall Preliminary Site Plan approval by the Planning Board shall affix a note to the Town's Official Zoning Map that the development of this site was approved under the Town's incentive zoning provisions, include a reference date to such action taken by the Planning Board; and cause said map amendment to be made upon the Town's Official Zoning Map.

Section 3: If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgement shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgement shall have been ordered.

Section 4: This local law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION #221-2018:

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

Abstract 9-2018

TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS

TO: MARCY DANIELS

FROM: J. MARCIANO

ABSTRACT NUMBER	9
DATE OF BOARD MEETING	5/82018

FUND CODE	FUND NAME	TOTAL FOR EACH FUND	VOUCHER NUMBERS
A	GENERAL FUND	52,426.59	851-892
HT	TOWN FACILITY CAP PROJECT	42.30	854
DA	HIGHWAY FUND	31,199.92	857,868,893-900
HB	BEAVER CREEK PARK	7,984.00	875
HL	LILIBROOK PED BRIDE PROJ	340.00	875
HA	AUBURN TRAIL PROJECT	92,017.14	890,963
HZ	TOWNLIN CAP PROJ	500.00	875
HU	WWTP DIS IMP CAP PROJ	28,440.67	875
HW	WATER TANK REPAIR	240.00	875
SF	FIRE PROTECTION DISTRICT	172,192.00	860
SD	STORM DRAINAGE	334.97	875,901,936
SL1	LIGHTING DISTRICTS	0	0
SS	SEWER DISTRICT	36,909.21	865,875,876,879,888,901-939,955,961
SW1	WATER DISTRICT	95,643.44	865,876,879,888,901,903,907,908,914,918,919,925,927-931,933,935,936,940-961
TA30	BUILDER GUARANTEE	0.00	
85C	CODE COMPLIANCE REVIEW	0.00	
TA93	LETTER OF CREDIT (CASH)	0.00	
TA200	PAYROLL DEDUCTIONS(TA85UNI,TA20,TA20D,TA86)	113.64	885,907,908
	TOTAL ABSTRACT	\$ 518,383.88	

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

TRAINING UNDER \$100:

1. Robin MacDonald to attend NY Alert training on May 10th at the NYS Fairgrounds in Syracuse at no cost.
2. Mike Abraham, Jr. and Matt Thompson to attend NY Alert training on June 5th in Buffalo at no cost.

DISCUSSION: None.

WAIVER OF THE RULE: No Objections

RESOLUTION #222-2018:

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

RESOLUTION WAIVING THE PARK RESERVATION FEE FOR CUB SCOUTS PACK 61

WHEREAS, Cub Scout Pack 61 is requesting use of the Town Park on Thursday, May 17, 2018, and request that the reservation fee be waived, therefore be it

RESOLVED, The Farmington Town Board waives the park reservation for May 17, 2018, for Cub Scout Pack 61 and further be it

RESOLVED, that the Town Clerk forward a copy of this resolution to Cub Scout 61.

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

DISCUSSION:

Supervisor Ingalsbe discussed raising the insurance deductibles on three categories which could save the town \$5,517 per year if the town does not have any accidents. He stated adding the law enforcement liability to the court would cost an additional \$965.00 per year. He recommends that they do both but would like some guidance from the Town Board. Councilman Holtz stated he thought a lot of the deductibles were going up significantly and it's a risk for only \$5500 in savings per year, so it's like gambling on four claims per year that they have to avoid (example: if it is a \$10,000 claim, now the deductible is \$1000 if they go with the higher deductible it will be \$2500 out of pocket. Supervisor Ingalsbe stated that the town had two vehicle claims in 2016. Councilman Holtz stated that they would only be locked into a year. Supervisor Ingalsbe stated that it is actually more like 9 months now. Supervisor Ingalsbe stated he will contact the insurance company to increase the deductible and add the law enforcement liability coverage.

EXECUTIVE SESSION: None.

Jim Morse added that Mr. Brand was working on a grant for the town and had asked for information on new houses, townhomes, apartments, and single family homes, and since 2004 the town has done almost 1200 new residences.

A motion made by **Councilman Casale** to adjourn the meeting at 7:42 p.m., **Councilman Herendeen** seconded the motion. All in favor. Motion **CARRIED**.

Minutes were taken by and transcribed by:

Michelle Finley, MMC, RMC -Town Clerk