

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 9<sup>th</sup> day of November, 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, **Robin MacDonald** – Water & Sewer Superintendent, and **Bill Davis** – MRB Group, and **Adrian Bellis**-Planning Board Member, and **Ron Brand** – Director of Planning and Development, **Ed Hemminger** – Planning Board Chairman, **Adrian Bellis** – Planning Board Member, **Cory** – MRB Group. The following residents: **Patty Horning, Joseph Loiacono, Michael Edelman, Jennifer Kofka, Leo Medler, Gail Keyser, John Scialdone, Michelle Scialdone, David Jablonski, Kathy Cooper, Tonia Ettinger, Joseph Thompson, Julie Werner, Robert Werner, Theresa Adams, and Shawn Adams.**

Also present by telephone/video conferencing were: **John Piper**-HR Consultant and the following residents: **Mary Rodriguez, Tom Allen, John Komara, Christopher Smith, and Verna Crowley.**

## **PUBLIC HEARINGS: PROPOSED IMPROVEMENTS OF FACILITIES TO THE TOWN OF FARMINGTON SEWER DISTRICT**

Supervisor Ingalsbe opened the public hearing at 7 p.m. The Clerk read the legal notice. Bill Davis, Town Engineer, gave a brief overview of the project stating that there have been sewer overflow issues. He stated that two projects were identified and although there are no current issues but there are bottlenecks in the collection system that they can foresee in the future as development occurs, one is along Route 96 where Sewer Pumpstation 4 Force main located in front of the Racetrack which will be redirected to an interceptor sewer that was put in years ago for the purpose of this. He added they are hoping to get some grant money.

Supervisor Ingalsbe asked if anyone wanted to speak for or against this, hearing none he closed the public hearing at 7:07 p.m.

### **2022 FIRE CONTRACTS**

Supervisor Ingalsbe opened the public hearing at 7:07 p.m. The Clerk read the legal notice. Supervisor Ingalsbe stated that normally the budgets for the fire departments increase by 2% unless there is a need then they will give more. The overall budget reduced the tax rate, and they gave the departments a 4% increase for all three. Supervisor Ingalsbe asked if anyone wanted to speak for or against, hearing none, he closed the public hearing at 7:10 p.m.

### **APPROVAL OF MINUTES:**

A motion was made by **Councilman Casale** and seconded by **Councilman Herendeen**, that the minutes of the October 26, 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: Patty Horning – Creekpointe flooding**

Ms. Horning, 1421 Creekpointe, stated that she has lived in her home for 25 years and she is seeing an increase in the difficulty with drainage behind her house. She added that she has seen flooding enter the home of her neighbor. She stated that she has attempted to contact the highway department to come take a look, but she has not gotten a response back. She is concerned that the Hathaway’s Corner Development has pushed more water through that drainage process into that creek and is causing additional flooding and she feels strongly that the town needs to do some type of study done to take an analysis to see if there is a better solution to prevent flooding as well as handling large amounts of water in a short period of time. Ms. Horning stated that she has had over \$1,000 in property damage due to flooding as well as her neighbor’s property because of this flooding in what appears to be a lack of concern from Farmington regarding this drainage.

Ms. Keyser, 1612 Flaxen Drive, stated that 1612, 1614, and 1616 Flaxen Drive have drainage backup in their yards. She shared pictures with the Board. She added that in approximately 2015 the town went behind her house and dug up the trench and put new gravel in it and new tubing but told them it was not going to help.

Ms. Kafka, 6148 Buckskin Drive, stated that this is the second year that she has lived in the home and last July when they had that huge rain event, they had a sewage backup in utility sick in their basement, luckily no damage, the fire department came out to pump everybody’s basement. She called the water department to see if this had ever happened and to get more information and she was told it was a freak thing, that it would never happen again, and that it was an act of God. She asked what the difference was between an act of god versus poor civic engineering to lead to this backup and got no clear answer from them. Ms. Kafka stated that in October they experienced another sewer back up and this time the sewer guys came out while it was happening and checked manholes and said there were no blockages on their street and that the sewage system is basically old and there are cracks and getting infiltrated with a lot of ground water and overwhelmed and the employee told her that is what is leading to the flooding. She asked the board what they are going to do about it and how does she follow up with any progress on repairs that the town does. She wants to make sure as a homeowner she is doing what she can to help but also to hold the town accountable to do what they can do to help with this issue. Supervisor Ingalsbe stated that depending on the age of the home

there might not have been a back check preventing valve, she replied that she had asked the person about it when she called and was told that even if she had that back flow prevention valve it would still be coming out of the drain and the manhole outside her home, there wasn't much clarification on that. She stated that they had a plumber come out to their home said they would have to dig into their basement floor, she wasn't sure if that is the towns responsibility to pay for that or her as the homeowner. Mr. MacDonald, Acting Water & Sewer Superintendent. Stated that most homes do not have the back flow prevention valve as they did away with it on sewer lines, if the check valve is in the basement, then they can get to it but if its sewage then the flapper on the check valve gets plugged and needs to be opened every once in a while and take the plug out. He added it is better to have it overflow outside even though they don't want it to overflow anywhere, usually if it is theirs, they run the flusher truck through it and the guys check the manholes to see if it is flowing through and most of the time it is flowing fine. Supervisor Ingalsbe stated that Doe Haven is an older subdivision, and they may have to get in there and camera some of that area to double check, one time there were roots in the sewer line that they had to take out.

Ms. Horning stated that it doesn't make her feel good as a homeowner to hear excuses that our property of being old and that it is their problem, it would be much more beneficial for this meeting to be productive by telling them the process and who needs to be contacted for the problem they are having. She stated that there needs to be accountability and a clear process to follow.

Mr. Loiacono, 1446 Emma Lane, stated that he moved to Farmington in November 2019 and on Christmas eve he had to have an emergency sump pump replacement. He stated that Phillips Landing takes on excessive water all over the yards. He added that there was no mention of flooding on the disclosure form when he purchased the home and found out it has flooded many times, many of the houses have to be bailed out, property values are at stake here, and there is a problem. Mr. Loiacono stated that his family of five uses 25,000 gallons of water over four months, and in three months his house has pumped 103,000 gallons of water. He has had to do several emergency sump pump replacements and he knows some of his neighbors had to do the same thing. He stated that he now has a sump pump and battery backup sump pump and a municipal water backup sump pump and a brand new sump pump sitting aside pumped up waiting to use it if needed. He added that he and his neighbors cannot mow their back yards. Mr. Loiacono stated that he has talked with neighbors and they told him that they called the town before and were told to extend their gutters, and he has extended all of his 20 feet, he's dug dry creek beds to try to handle this. He added that he has had two emergency sump pumps since 2019 and he is hoping for some action by the town for himself as well as his neighbors.

Mr. Adams, 1440 Fraser Way, stated that they have been at their home since 2006 and he contacted the original contractor, Pooler Enterprises, and there are a series of ponds on the property, and they all pour into each other then into a check valve system which the town can lower or raise to take the excess water off of the ponds. He added that supposedly the whole property was swamp land originally. He stated that they have had the same problems as Mr. Loiacono over the years. He stated that there are three problems why this is happening: 1- calls are not being returned- he has called three times just to have the manholes that go under the streets cleaned out but never got a call back, 2 – debris in all sorts of areas, trees, cattails, and shrubs and the problem is when the water level rises, which the town has complete control of, and when he said something about 4 years ago, the town went out and drop the levels in the very back and in all the ponds the levels dropped about 4 feet, and he did not have any water problems after that and now after these few storms they (the town) do not want that water running somewhere else and taxing the systems somewhere else, the water line is now 2 feet above the high water mark that is was 4 years prior. He stated that this is poor management of what is happening, it is not an act of god. He added that Phillips Landing has some of the highest home values in Farmington and they are tired of paying taxes and not getting anything done not even a phone call back and it's time for the town to make something happen, call back or show up on the street when there is an issue. He stated that the Board should be doing what they pay them to do, what they voted them in to do. He is tired of people not calling them back and the Supervisor needs to be responsible for it cause it's on his watch. Supervisor Ingalsbe stated he understands and hears what Mr. Adams is saying and he doesn't understand why in the past phone calls were not returned and this is the first time he is hearing about a gate or flow modification valve in those series of ponds. Mr. Giroux stated that he would like to know where that gate is, and Mr. Adams replied that it is located at the end of the ponds, they cross over Canandaigua Road there is a lever that the town can crank on when they want to. Mr. Giroux asked if Mr. Adams knew where the lever was located. Mr. Adams replied that what he spoke to someone on the phone that they would take care of it and the water level dropped. Mr. Giroux stated that he is unaware of any lever and offered to go with Mr. Adams to look for it. He added that the only valve he is aware of and it is open fully all the time is located on in the outlet of Calm Lake. Mr. Giroux stated that if there is a valve there and if there is something they can do there then they will look into it and he will also talk with the town engineers plus there are neighbors down stream from them that they would have to assess what their going to do every step of the way. Mr. Adams stated that the problem is that the town put two commercial properties that taxed the water system, the water runs underneath County Road 41 in their pond, and the town is pigeon toeing everything and tying everything into those ponds and there are more development and more houses being built as they speak. Mr. Giroux stated that the water from Hathaways Corners doesn't run to their ponds, it runs to the west and crosses the road just to the east of Wood Drive then goes west. Mr. Adams stated that he would gladly take a picture and send it to Mr. Giroux showing the northeastern side of the street there is a manhole that comes in from the street that actually pours water in and a manhole that runs underneath Fraser Way to the next set of ponds. He added that it is definitely coming in off of County Road 41. Mr. Giroux stated that any water that they see running in from pipes are in fact connected to the storm water system gutters under Emma and Fraser Way and they all work and that's where all those ponds work, any of that water he can reassure them that it goes west first. Mr. Adams stated that town is adding more things to that street and changing the way that the natural water flows and their area is forced to take on more water, pond levels are not dropping. Mr. Adams stated that no one wants to clean out the manhole areas that they need to move it to the next pond, its just water level, if the town has the ability to take the water off but he thinks the town just doesn't want to move it to the next guy down the road because they will probably have problems like they do. Mr. Giroux stated that it sounds like that is what Mr. Adams is proposing is for the town to go in there and get that water off. Mr. Adams stated that is not what he is proposing, he is saying the town needs a better plan. He is not looking to dump anything onto anyone else. He is looking to Mr. Giroux to manage his position a little bit better as that is what he pays taxes for.

Mr. Edelman, 1444 Emma Lane, stated that his backyard is unmowable due to standing water. He stated that the gutter systems sits on top of the yard and doesn't drain the water to the pond.

Mr. Thompson, 1443 Emma Lane, stated that he dug his yard and it is clay, clay doesn't go anywhere. He put in a drainage system and still has water, water isn't going anywhere. He stated that the board needs to manage the system. Mr. Giroux stated that they are talking with the engineers and that they have to regulate how quickly they make water moves and if they can fix it they will.

Ms. Keyser stated that the town tried to fix her problem, but it didn't work. Mr. Giroux stated that he did talk with her neighbor and believes he had the sewer flush truck out there the next day, they flushed the line from the main barrel, across the road and all the way to the backyard and they found a plug in the 12inch pipe underneath the road. Supervisor Ingalsbe asked if there could

be a restriction somewhere since it has been a while since he walked the property. Mr. Adams stated that he is asking them to go out and remove debris and allow the water to actually flow. He added that he spoke to Pooler and Pooler blames the town because the town refuses to clean those lines. He stated the system has failed because there is no maintenance of it. Mr. Delpriore stated that he can send inspectors out there along with Mr. Giroux to inspect the ponds and develop a plan of action, if necessary. Ms. Horning stated that they are not looking for reactionary they are look for a long-term plan, a plan to maintain them not just when there is an emergency.

Mrs. Werner, 571 Crowley Road, stated that they have had drainage issues between their home and their neighbor's home. She stated that the driveway floods so much that last week she had to walk knee deep in water to get to her husband's truck and the goes over the road and when it is dark outside you cannot see it and cars slide all over the place and she is afraid there will be an accident. She stated that about 5 years ago the town came out and dug a secondary drainage at the end of their driveway but water still backs up and floods their entire driveway. Supervisor Ingalsbe stated that they will add their address to the list. Mr. Werner stated that the drainage in their neighbor's yard still overflows. Mr. Giroux stated that the Werner's are talking about the last property before you get to Brownsville Road, and he put a 12" drop inlet there at the corner of the driveway, ran a new pipe kitty corner over to the pipe that sat there in the fields, then they cleaned the field out and have not had an issue with the road flooding since. He stated he will take a look at the pipe under the road to see if it needs to be flushed again.

Mr. Medler, 6184 Buckskin Drive, asked what are the protocols for communicating issues with the residents, and suggested robo calls to tell residents to check their basements. He stated that the only thing he is aware of for communication is the Facebook page and that he doesn't have Facebook. Supervisor Ingalsbe replied that if it is a watermain break then they post it on Facebook, the Town Website, and through the website you can sign up to receive emails. He added that if it's about basements backing up he hasn't received calls until a couple weeks ago and in most cases its not a quick fix and if they flooding then to call the fire department. He added that mostly these issues are in the older subdivisions. Mr. MacDonald stated that the phones are not manned 24/7 and the recording states that if it is an emergency to call 911 and 911 has his direct number.

Mr. Jablonski, 1714 Marion Way, stated that he moved into his home three years ago and there has been massive flooding and drainage issues. He stated that even when it rains even just a little his crock is filled and if rains hard it runs continuously for days and if the power were to go out, he would be screwed, he does have a back up and sometimes that goes on. He has a alarms on it and a camera on the pump so he can check it when he is not at home. He added that the plumbers told him that the system gets overwhelmed, and a lot of them believe its due to the drainage in the yard, not sure if its how the land is graded. Supervisor Ingalsbe suggested that they need to have a conversation with first a plumber then with Ryan Homes. Mr. Jablonski asked if the town could help diagnose because he has already put a lot money into this because he knows the next step is going to put a snake and camera in there and he already knows what their going to tell him and then he is going to have to spend thousands for them to dig up his yard and do this or do that and he doesn't have that kind of money. Mr. Loiacono stated that he knows neighbors who have already don't that and it still didn't stop the flooding and drainage issues. Mr. Jablonski stated he will do his due diligence with the developer. Supervisor Ingalsbe stated that the town does have two construction inspectors and they are at the construction sites all the time, but they can't be standing over it all the time.

Mr. Adams stated that they have a reoccurring theme that keeps happening that everyone keeps talking about and that it seems they have a builder that keeps building like this, Ryan Homes is his builder as well, and if the town is going to allow these developers to build, what are the engineers doing to say hey were going to take Phillips Landing, one of the oldest subdivisions, and use that as a witness when it comes to building the next one and the next one. He added that if the town really has people putting in poor drainage, no matter who the contractor is, then that needs to be noted and the town should put a little more pressure on them. Supervisor Ingalsbe replied that there are construction standard manuals that are updated every year and have to be followed and back then they were different then they are now. He added that they did discuss changing the type of drainage pipe going in to a different standard.

Mr. Davis, Town Engineer, stated that they do recognize there are a lot of drainage issues throughout the town and what everyone needs to understand is that Farmington is very flat. He stated that even before development there were drainage issues. He said there are going to water issues no matter what to some extent. Mr. David stated that the State has Stormwater regulations that they have to abide by, they review every development, they reference the State regulations, and years past those regulations were much different. Some of the older subdivisions were not designed for today's standards and that is why they are seeing some problems, and many of the newer developments the standards are much stricter today than they have ever been, and they have seen much more improvement in those areas. He stated that there are issues that can be resolved but many of them who have sump pumps is ground water that you just can't get out of an area that is totally flat, and some of the stormwater features they do need maintenance and the town can look at them and address if necessary. Mr. Davis stated that they have certain control over the design based on the town's regulations, and based on state regulations, and they are pretty stringent but back in the 20's and 30s they were not. Mr. Davis stated that foundation drains are the homeowner's responsibility. He stated that the town has a drainage district and there are certain features they are responsible for, and it is not always clear, there are a lot of stormwater features out there that are dedicated to the town and they do not have easements to get to these facilities, they are either owned by the homeowner's association or homeowner's in general, and that is why the town has to look at each case one by one and first thing they check is to see if town has an easement. Mr. Loiacono stated that the town is admitting that ground water is an issue and that they are going to have wet basements and this information was never disclosed to a home buyer, and the town is basically telling them that they bought a lemon and nobody told them about it. Mr. Davis replied to a certain extent but it is not the town's responsibility to understand that but unfortunately is it the home owners responsibility.

Supervisor Ingalsbe asked the Code Enforcement Officer and the Planning Board Chairman to explain the process on a subdivision water run-off. Mr. Delpriore stated that with any of their developments, you see all of these ponds be part of these subdivisions, those ponds are supposed to regulate how quickly that water leaves the area before it goes into cricks and streams, to not impact them downstream and these are watched very closely and part of this is the maintenance of it. The town talked earlier about if the town has a plan, and the answer is yes, the town does have a plan, it is called the Stormwater Prevention Plan that was adopted, and it is updated yearly. The plan gives the town procedures on how often the ponds are to be inspected, and how often they do inspections of construction sites, and making sure there isn't run off going into the stream, causing other issues down stream. He added with that being said, the town added more stormwater inspector's and they pair up with engineering and they go out to keep a better eye on things. Mr. Delpriore stated that he is not disagreeing with any of the comments made tonight and that they all are taking notes on where they need to go and look, or even if they can go and look depending on if there are easements in place.

Mr. Hemminger, Planning Board Chairman, stated that all the developments run through his board and he has been doing this for 23 years and the Stormwater requirements and review are much better today than years ago. He stated that they don't have engineering backgrounds and they reply on staff and town engineer as well as state regulations and the town regulations. He

added that typically today's subdivisions have better stormwater management than they did before and that they look at those types of things. They work with staff to come up with the best solution as possible for new developments. Supervisor Ingalsbe asked Mr. Delproire to explain what happen after the July and October rain events. Mr. Delproire stated that he was out there checking on the Stormwater facilities, ponds, and inlets. The highway superintendent is out there as well checking roads to make sure the stormwater is going where it's supposed to go. Mr. Delproire stated that DEC regulations stated that they have to maintain it after 24 hours, it has to go back to what it was before a storm event so the ponds will influx and hold that water and slowly release it over 24 hours. He stated that he also responds with the fire department and he will check the basements and check sump pumps. Mr. Delproire stated that there are some resources available, and his office is available Monday through Friday to assist them and he would be happy to come out and look.

Ms. Kafka asked if a back prevention valve would help with her problem. Mr. MacDonald replied that it would help if the valve was there, but it is not a requirement on newer homes. He added it is a maintenance that they need to keep up on. Mr. Delproire stated in this case it would be beneficial but if you don't maintain it then it would do any good. Pros and Cons to them. Mr. MacDonald stated that the town is responsible for the mains and if you take the lateral to the property where the clean out is located from that point in is the homeowner's responsibility. He added that he can send men out to camera the lines and flush the lines.

Ms. Ettinger, 1507 Emma Lane, stated that the water in the backyard is not moving and she can't except that your basement is just wet comment and there seems to be a lot of finger pointing instead of how to fix the problems going forward. They shouldn't have to be panicking when it rains about what is going on in their basements if they don't hear the sump pump.

Supervisor Ingalsbe stated that they will look into everyone's concerns, not sure if there is a fix for all of them but staff will look. Councilman Bowerman added that first they will need to see if there are drainage easements on file then see what they can do if anything. Mr. Giroux stated that the town cannot be responsible for foundation drains and around the house, the town has no control of the water that is underground, the water table, where it's going to infiltrate your house. He stated that what the town can control are the ponds, the pipes, the inlets, the outlets to keep the surface water flowing in the appropriate direction at the appropriate rate as to not flood the next person down. He added that many of them are pointing to staff and the board as not caring, and rest assured that every one of them have the same concerns as they do and he will be glad to go out but he can't tell them that he is going to fix the problem but if he has some ideas they will work with them. They sympathize with them, but they are not miracle workers but will do the best they can to fix everybody's issues. Councilman Bowerman stated that what they can fix is not answering calls and not getting a response from town officials is unacceptable and if they are not getting a response from the Water & Sewer Department or the Highway Superintendent then reach out to the Supervisor's Office or email any one of the Board Members. He added that will be addressed and worked on. He stated that there are a lot more of them than there are officials so if they see anything out there as in flooding or drainage issues then to contact them, emails are on the website and they are in the process of updating it because it is not the most user friendly especially from a cellphone.

#### **PUBLIC CONCERNS:**

#### **REPORTS OF STANDING COMMITTEES:**

##### **Public Works Committee: Councilman Holtz reported:**

1. Discussed Wangum Road force main.
2. Discussed Flow Meter Data Logger repairs.
3. Discussed removal of old pump system and installed new style pump in the scum box.
4. Winterized building and grounds.
5. Clean and organized lab.
6. Wet well cleaning has started and will continue as time permits.
7. Performed winterizing of the bioxide systems.
8. Watermain Breaks – None.
9. MRB is working on design to replace some of the old main on Rt. 332.
10. Discussed sewer main along a section of Collett Road.
11. Discussed resolutions for meeting.

##### **Highway & Parks:**

1. Highway- working on troublesome drainage areas, replaced end section of pipe and installed DI in preparation of slip line project o Herendeen Road, placed marker stakes for plow guides, Mowing State Route 332.
2. Parks- repairing stone dust erosion on trails, put sander on plow truck, adding marker stakes to sidewalks, winterizing park buildings, field preparation of weekend games, striping of playing fields, and mowing and trimming at parks.
3. Discussed resolutions on agenda.

##### **Town Operations Committee: Councilman Casale reported:**

1. Discussed various projects: Comprehensive Plan Update, Auburn Meadows Sections 7N & 7S, Farmington Market Center, and Delaware River Solar project update.
2. Discussed resolutions on agenda.
3. Report filed with Town Clerk and posted on website.

##### **Town Personnel Committee: None.**

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

1. Mortgage tax not posted yet.

##### **Town Public Safety Committee: Councilman Holtz reported: None.**

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

1. Discussed meeting on Sewer Work Plan.
2. Calls for the Assessor's Office are being handled by himself and his Secretary. County will assist them with the Reval.
3. Ontario County – Phil Povero was sworn in as Interim Sheriff.

**Highway & Parks Superintendent Don Giroux reported:**

1. Mowing drainage ditches.
2. Sidewalk markers are being placed.
3. Equipment is ready to go.
4. Striping of fields are done for the year.
5. Still mowing town parks.
6. Stone dust trail at Pumpkin Hook Park continues.

**Town Clerk Michelle Finley reported: None.****Water & Sewer Superintendent Robin MacDonald reported:**

1. Update of Collett Road.

**Code Enforcement Officer Dan Delproire reported:**

1. Permits issued for October – 45, total to October 31<sup>st</sup> – 837, permit inspections for October – 270, permit inspections to October 31<sup>st</sup> – 2623, fire inspections for October – 3, total fire inspections to October 31<sup>st</sup> – 21, and 42 zoning inspections in October.
2. ISO Audit – November 16, 2021.

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

1. Report available on website and filed with the Town Clerk.
2. Discussed Solar Committee – draft posted on website, meet next Thursday.
3. Discussed Comprehensive Plan.

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

1. Update on Brickyard Road Water Tank project- out for bid.
2. Update on Manhole Rehab Project – completed.
3. Update on Mertensia Road Water – completed.
4. Digester #1 Cleaning – out for bid after next meeting in December.
5. Cory and Ryan (MRB Group) were out in the Auburn Trail/Jasper Drive area – received some recommendations. Mr. Davis stated the drainage issue on Jasper Drive has been resolved.

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

1. Thanked Town Board for their support during the Solar litigation. He also thanked Staff including John Robortella for all their assistance.

**Zoning Board of Appeals reported: None.****Recreation Advisory Committee Bryan Meck reported: None.****Recreation Director Mark Cain reported: None.****Ontario County Planning Board Member reported: None.****Conservation Board Chairman Hilton reported: None.****Town Historian Donna Herendeen reported: None.****Swap Shop Update: Councilman Holtz reported: None.****Agricultural Advisory Committee Chairman Hal Adams: None.**

**COMMUNICATIONS:**

1. United States Courts Bankruptcy Noticing Center – Registration/Change of Service.
2. Letter to the Town Supervisor from Kathy Ammari and Pradeep Jangbari of the NYS DEC. Re: Approval of Plans – Sanitary Sewer Extension – GLN Farmington Realty Property, Finals Phase 1A, PW#2351.
3. NYS Education Department Grant Award Recipient Notification – Local Gov’t Records Management.
4. NYS Education Department Proposed Budget for a Federal or State Project – Local Gov’t Records Management.
5. Letter to A&D Real Estate Development from Sheryl Robbins of NYS DOH. Re: Realty Subdivision – Monarch Manor – Approval – Section 2.
6. Letter to the Town Supervisor from Kimberly Doherty of NYS EFC. Re: NYS Resolving Fund – Project No. C8-6433-02-00.
7. Letter to the Town Supervisor from Jim Talpey, Resident. Re: Election.
8. Email to the Town Clerk from Ontario County. Re: Planning/zoning activity review for property located in Canandaigua, NY.
9. Letter to Judge Gligora from Nancy Sunukjian of the NYS Unified Court System. Re: Continuing Judicial Education Certification of Completion – 2021.
10. Letter to the Honorable Kristine Karle, County Court Justice from the Code Enforcement Officer. Re: Index No. 21-SCIP-118/CVC.
11. Memo to the Planning Board, Town, County and State Staff, Applicants and Engineers from the Code Enforcement Officer. Re: Project Review Committee (PRC) Meeting Notice.
12. Certificates of Liability Insurance from: North Eastern Pools, Inc.; MRI Contractors of NY, Inc.; R-J Taylor General Contractors, Inc.; Tesla Energy Operations, Inc.; RJ Lawn and Landscape; McKenna Builders, Inc.; Walworth Hardware Services, LLC.

**REPORTS & MINUTES:**

1. NYS Education Department Federal and State Grant Quarterly Status Report.
2. ZBA Meeting Minutes – September 27, 2021.
3. Monthly Report – Judge Gligora – October 2021.
4. Building Department – Permit Report by Type – October 2021.
5. Building Department – Inspection Schedule – October 2021.
6. Building Department – Inspections Report – John Weidenborner – October 2021.
7. Building Department – Inspections Report – August Gordner – October 2021.
8. Planning Board Meeting Minutes – October 20, 2021.
9. Comprehensive Plan Committee Meeting Minutes – October 28, 2021.
10. Monthly Report – Judge Lew – October 2021.
11. Manchester Fire Department Incident Run Log – October 2021.

**ORDER OF BUSINESS:****RESOLUTION 387-2021:**

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

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF FARMINGTON APPROVING THE PROPOSED IMPROVEMENTS OF FACILITIES TO THE TOWN OF FARMINGTON SEWER DISTRICT**

**WHEREAS**, the Town of Farmington, on behalf of the Farmington Sewer District, owns and operates sewer facilities and has become aware that improvements, consisting of the redirection of a sewer force main (Pump Station 1 force main) from its current discharge location in the sewer collection system (along route 96), down along the east side of Beaver Creek Road to a large transmission sewer that will free up capacity in the sewer collection system and also alleviate sewer overflows in the Town., which are improvements beyond the original scope of the project, are now necessary, and that the estimated cost for these additional improvements is \$600,000, such estimated costs to be the responsibility of the Farmington Sewer District; and

**WHEREAS**, the Engineer to the Town, MRB Group, has prepared a Preliminary Engineering Report for the Town of Farmington Sanitary Sewer Capacity Improvements dated November 2021, which describes these improvements; and

**WHEREAS**, the Town Board of the Town of Farmington duly adopted a resolution on October 26, 2021, calling a public hearing to consider said proposed improvements and the costs associated therewith, to be held at the Farmington Town Hall, 1000 County Road 8, Farmington, New York, on the 9<sup>th</sup> day of November, 2021, at 7:00 p.m.; and

**WHEREAS**, notice of said public hearing was duly published and posted in the manner provided by law and proof thereof has been submitted to the Town Board; and

**WHEREAS**, said public hearing was duly held at the time and place aforesaid, at which all persons interested were duly heard; and

**WHEREAS**, said Town Board has duly considered all of the evidence given at such public hearing.

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Board of the Town of Farmington, Ontario County, New York, that, based upon the evidence given at the aforesaid public hearing, it is hereby found and determined to be in the public interest to provide for the aforesaid improvements of the facilities of the Town of Farmington Sewer District in the Town of Farmington, Ontario County, New York, as described in the aforesaid Preliminary Engineering Report for the Town of Farmington Sanitary Sewer Capacity Improvements dated November 2021 and as described herein, at an estimated cost of \$600,000, and the same is hereby authorized.

I, Michelle Finley, Town Clerk of the Town of Farmington do hereby certify that the Town Board of the Town of Farmington adopted the aforementioned resolution on November 9, 2021, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Peter Ingalsbe	X	
Michael Casale	X	
Steven Holtz	X	
Ronald Herendeen	X	
Nathan Bowerman	X	

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

**RESOLUTION #388-2021:**

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

**BOND RESOLUTION DATED NOVEMBER 9, 2021 OF THE TOWN BOARD OF THE TOWN OF FARMINGTON, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE SEWER SYSTEM CAPITAL IMPROVEMENTS WITHIN THE TOWN, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH**

**WHEREAS**, the Farmington Sewer District is a sewer district of the Town of Farmington, New York, duly established by the Town Board pursuant to the Town Law and, pursuant to a resolution adopted on November 9, 2021, the Town has duly authorized additional facilities therein pursuant to §202-b of the Town Law; and

**WHEREAS**, the Town, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"), has completed its environmental review and, on August 25, 2020, has duly adopted a negative declaration and has determined that the implementation of the type I action as proposed will not result in any significant adverse environmental impacts; now therefore, be it

**RESOLVED**, BY THE TOWN BOARD OF THE TOWN OF FARMINGTON, NEW YORK (hereinafter referred to as the "Town"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Town of Farmington shall undertake certain capital improvements consisting of the acquisition and construction of sewer improvements for the Farmington consisting of the redirection of a sewer force main (Pump Station 1 force main) from its current discharge location in the sewer collection system (along route 96), down along the east side of Beaver Creek Road to a large transmission sewer, and the acquisition of land or rights in land necessary therefor, if any, and the acquisition of original furnishings, equipment, machinery or apparatus, or the replacement of such equipment, machinery or apparatus, and other incidental improvements that may be required in connection therewith for such construction and district use (hereinafter referred to as "purpose"), and general obligation serial bonds in an aggregate principal amount not to exceed \$600,000 of the Town are hereby authorized to be issued to finance said purpose, and bond anticipation notes in anticipation thereof (and renewals thereof) of the Town are hereby authorized to be issued to finance said purpose.

Section 2. The estimated maximum aggregate cost to the Town of Farmington of said purpose, which may include preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$600,000, and said amount is hereby appropriated therefor. The plan for financing of said purpose is to provide all of such maximum cost by issuance of bonds or bond anticipation notes as herein authorized, to be offset and reduced dollar for dollar by the amount of grants received, if any.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 4 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty (30) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Town and all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes.

Section 5. It is hereby determined and declared that the Town reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, including without limitation, the authority to determine whether to accept bids electronically to the extent allowed by the Local Finance Law, and the power to contract and issue indebtedness pursuant to §169.00 of the Local Finance Law, if applicable, is hereby delegated to the Town Supervisor, the Town's chief fiscal officer. The Town Supervisor and the Town Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Town of Farmington.

Section 7. The faith and credit of the Town of Farmington, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. Such bonds and notes shall be payable from a levy on real property in such district benefitted or user charges therefor, in the manner provided by law, but if not paid from such source, all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and

interest on said bonds and notes. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. This resolution, or a summary hereof, shall be published in full by the Town Clerk of the Town of Farmington together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law. The validity of said bonds or of any bond anticipation notes issued in anticipation of the sale of said bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall take effect immediately upon its adoption.

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

#### **RESOLUTION #389-2021:**

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

#### **Town of Farmington New York State Water Infrastructure Improvement Act Resolution of Support & Authorization for Clean Water Grant Application**

**WHEREAS**, the Town of Farmington (Town) supports the submission of a New York State Water Infrastructure Improvement Act (WIIA) application, on behalf of the Town, for upgrades to the Sanitary Sewer Capacity Improvements project, hereinafter referred to as the "Project"; and

**WHEREAS**, the New York State Environmental Facilities Corporation (EFC) administers grants to assist municipalities in funding water quality infrastructure projects that protect public health and improve water quality; and

**WHEREAS**, an Engineering Report, entitled "*Town of Farmington Sanitary Sewer Capacity Improvements*", dated August 2020 (updated November 2021), recommends implementing the Project to help increase the capacities of the sanitary sewer, improve water quality and protect public health; and

**WHEREAS**, the Farmington Town Board passed a bond resolution (the "Bond Resolution") on November 9, 2021, authorizing the borrowing of up to \$600,000 for implementation of the Project.

**NOW, THEREFORE BE IT RESOLVED**, that the Farmington Town Board identifies the Town Supervisor as the authorized representative of the Town to submit the WIIA application on behalf of the Town and execute all associated documents relative to and as required for the WIIA application, including the funding agreement and *financial application, as applicable*; and

**BE IT FURTHER RESOLVED**, that the Town Board authorizes the undertaking of this WWTP Improvement project with a maximum total project cost of up to \$600,000 including expenditures necessary to meet any required local match, including any cash and/or in-kind services; and

**BE IT FURTHER RESOLVED**, that the Town shall provide local matching funds totaling at least 75% of the Project Costs in the form of in-kind services or cash contributions appropriated and obligated through State Revolving Fund (SRF) or other approved financing or funds, in accordance with the Bond Resolution; and

**BE IT FURTHER RESOLVED**, that the Farmington Town Board supports the Project and submission of the 2021 WIIA grant application on behalf of the Town to improve water quality and protect public health.

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

#### **RESOLUTION #390-2021:**

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

#### **RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN FARMINGTON FIRE CONTRACT FOR 2022**

**WHEREAS**, the Farmington Town Board held a public hearing on November 9, 2021, for its proposed contract for 2022 with the Farmington Volunteer Fire Association, and

**WHEREAS**, the public hearing was advertised in the Town's legal newspaper on November 2, 2021, now therefore be it

**RESOLVED**, the Farmington Town Board authorizes the Supervisor to sign the attached contract, and be it further

**RESOLVED**, that the Town Clerk forward two copies of the signed agreement to the attention of the President at the fire department and provide copies to the Principal Account Clerk and the Supervisor's Office.

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

#### **RESOLUTION #391-2021:**

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

#### **RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN MANCHESTER FIRE CONTRACT FOR 2022**

**WHEREAS**, the Farmington Town Board held a public hearing on November 9, for its proposed contract for 2022 with the Manchester Fire Department, and

**WHEREAS**, the public hearing was advertised in the Town's legal newspaper on November 2, 2021, now therefore be it

**RESOLVED**, the Farmington Town Board authorizes the Supervisor to sign the attached contract, and be it further



**RESOLVED**, that the Town Clerk forward two copies of the signed agreement to the attention of the Chief at the fire department and provide copies to the Principal Account Clerk and the Supervisor's Office.

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

**RESOLUTION #392-2021:**

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

**RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN SHORTSVILLE FIRE CONTRACT FOR 2022-2024**

**WHEREAS**, the Farmington Town Board held a public hearing on November 9, 2021, for its proposed contract for 2022-2024 with the Shortsville Fire Department, and

**WHEREAS**, the public hearing was advertised in the Town's legal newspaper on November 2, 2021, now therefore be it

**RESOLVED**, the Farmington Town Board authorizes the Supervisor to sign the attached contract, and be it further

**RESOLVED**, that the Town Clerk forward two copies of the signed agreement to the attention of the Chief at the fire department and provide copies to the Principal Account Clerk and the Supervisor's Office.

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

**RESOLUTION #393-2021:**

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

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE MONTHLY REPORT OF THE SUPERVISOR FOR OCTOBER 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 October 2021 to the Town Supervisor on November 3, 2021, and

**WHEREAS**, the Town Supervisor approved and executed the Monthly Report of the Supervisor for October 2021 on November 3, 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 October 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, Holtz, and Bowerman), the Resolution was **CARRIED**.

**RESOLUTION #394-2021:**

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

**RESOLUTION AUTHORIZING DAN DELPRIORE TO ATTEND THE MANAGEMENT ACADEMY CLASS "MAKING TOUGH CONVERSATIONS EASIER" ONLINE ON DECEMBER 2<sup>ND</sup> & 9<sup>TH</sup>, 2021**

**WHEREAS**, Dan Delpriore has been offered to take more management training; and

**WHEREAS**, HRWorks is hosting an online management academy on December 2nd and 9th 2021; and

**WHEREAS**, the cost of this training is \$250.00; now

**THEREFORE BE IT RESOLVED**, that the Town Board of Farmington authorizes Dan Delpriore to attend the online HRWorks Management Academy on December 2<sup>nd</sup> & 9<sup>th</sup> at a cost not to exceed \$250.00; and

**BE IT FURTHER RESOLVED**, that copies of this resolution be submitted by the Town Clerk to the Principal Account Clerk, the Confidential Secretary, Zoning Officer John Weidenborner and Code Officer Dan Delpriore.

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

**RESOLUTION #395-2021:**

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

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF FARMINGTON AUTHORIZING SCHEDULING OF PUBLIC HEARING- HICKORY RISE LIGHTING DISTRICT**

**WHEREAS**, by written Petition dated October 28, 2021, submitted in due form by Petitioner, containing the required signatures, which has been presented and filed with the Town Board of the Town of Farmington, Ontario County, New York, for the Hathaway's Corners Lighting District ("District") to serve the several parcels of land within the proposed District; and

**WHEREAS**, the Town Board deems it to be in the best interests of the residents of the Town of Farmington to pursue the District, pursuant to a Map and Plan prepared by BME Associates, and filed with the Town Clerk on November 2, 2021,

(See Exhibit 1 attached hereto and made a part hereof.).

**NOW, THEREFORE, BE IT RESOLVED,**

That the Order Calling for Public Hearing, attached hereto, shall be signed by the members of the Town Board of the Town of Farmington and published, posted and entered into the Minutes in accordance with Section 193 of the Town Law and the Town Clerk and/or Counsel to the Town are hereby authorized to take any and all further measures necessary to comply with the Town Law in preparation for the final adoption of the aforementioned extension.

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

**RESOLUTION #396-2021:**

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

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF FARMINGTON AUTHORIZING SCHEDULING OF PUBLIC HEARING- HATHAWAYS CORNERS SIDEWALK DISTRICT**

**WHEREAS**, by written Petition dated October 28, 2021, submitted in due form by Petitioner, containing the required signatures, which has been presented and filed with the Town Board of the Town of Farmington, Ontario County, New York, for the Hathaway's Corners Sidewalk District ("District") to serve the several parcels of land within the proposed District; and

**WHEREAS**, the Town Board deems it to be in the best interests of the residents of the Town of Farmington to pursue the District, pursuant to a Map and Plan prepared by BME Associates, and filed with the Town Clerk on November 2, 2021, (See Exhibit 1 attached hereto and made a part hereof.).

**NOW, THEREFORE, BE IT RESOLVED,**

That the Order Calling for Public Hearing, attached hereto, shall be signed by the members of the Town Board of the Town of Farmington and published, posted and entered into the Minutes in accordance with Section 193 of the Town Law and the Town Clerk and/or Counsel to the Town are hereby authorized to take any and all further measures necessary to comply with the Town Law in preparation for the final adoption of the aforementioned extension.

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

**RESOLUTION #397-2021:**

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

**CONFIRMING RESOLUTION FOR PARK DEPARTMENT TO PURCHASE BOBCAT 5600 W/68" HEAVY DUTY BUCKET PER 2022 BUDGET**

**WHEREAS**, 2022 budget has been passed, and

**WHEREAS**, the Highway/Parks Department has in their budget to purchase a Bobcat 5600 with 68" Heavy Duty Bucket, and

**WHEREAS**, the Letter of Intent has been sent to Bobcat of the Finger Lakes with the signed quote #35528D035870 per NY CONTRACT #PC67141 Award #PGB22792, and

**NOW THEREFORE BE IT RESOLVED**, that the price is not to exceed \$58,660.64, to be funded from A-7110.2 Parks - Equipment (\$30,000), A-5410.2 Sidewalks – Equipment (\$9,000) and DA-5130.2 Machinery – Equipment (\$19,660.64), and

**BE IT FURTHER RESOLVED**, that the Town Clerk provide copies of this Resolution to the Highway/Parks Department and the Principal Account Clerk

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

**RESOLUTION #398-2021:**

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

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

**RESOLUTION #398-2021:**

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

**RESOLUTION AUTHORIZING ACCEPTANCE OF AN EASEMENTS- MANDRINO**

**WHEREAS**, the Town of Farmington, by its officers or representatives, has engaged in discussions with:

Michael A. and Janice L. Mandrino,  
Joan M. and John R. Morrissey, and  
Suzanne F. Mandrino, Carol A. Mandrino and Michael Mandrino ("Owners")

regarding the Town's obtaining Sidewalk and Water Easements over portions of their properties located on New Michigan Road, as shown and described in said easements; and

**WHEREAS**, Town of Farmington officials have recommended to the Town Board that said Owners grant to the Town the easements over said lands of said Owners; and

WHEREAS, said easements have been offered by Owners to the Town of Farmington; and

WHEREAS, the Town Board of the Town of Farmington is desirous of accepting said offered easements 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 to be fair and reasonable.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Farmington does hereby accept the sixteen (16) Easements attached hereto as Exhibit 1 from Owners 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 the Owners, 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.

I, Michelle Finley, Town Clerk of the Town of Farmington do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Farmington on November 9, 2021, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Peter Ingalsbe	X	
Michael Casale	X	
Steven Holtz	X	
Ronald Herendeen	X	
Nathan Bowerman	X	

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

**RESOLUTION #399-2021:**

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

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE GENERAL FUND**

WHEREAS, additional funding is needed in the town comprehensive contractual line

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

Debit: A8020.48 Ag Zoning amendments	\$3000	
Credit: A8020.49 Town Comprehensive Plan		\$3000

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

FURTHER RESOLVED, that copies of this resolution be submitted by the Town Clerk to the Principal Account Clerk.

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

**RESOLUTION #400-2021:**

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

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN THE WATER FUND**

WHEREAS, a budget amendment is needed in the water fund for fuel expenses

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

From: SW1-8340.4 Contractual	\$5,000	
To: SW1-8340.44 Fuels		\$5,000

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 and the Water and Sewer Department.

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

**RESOLUTION #401-2021:**

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

**ESTABLISHMENT OF A LETTER OF CREDIT AUBURN MEADOWS SUBDIVISION INCENTIVE ZONING PROJECT, SECTION 8S – IN THE TOTAL AMOUNT OF \$886,779.37**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) has received a request dated November 3, 2021 from the Town Planning Board, recommending the Town Board take action to approve the establishment of a letter of credit for site improvements to be located within Section 8S of the above referenced Incentive Zoning Project; and

**WHEREAS**, the Planning Board's recommendation is based upon their review and acceptance of the recommendations from the Town Construction Inspector and the Town's Engineers on establishing said Letter of Credit; and

**WHEREAS**, the quantities and unit prices identified in the Applicant's Engineer's Estimates of Values were found to be consistent with the approved site plan improvements and the private contractor pricing respectively.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby accepts the Planning Board's recommendation and approves the establishment of the above referenced letter of credit for this project, in the total amount of \$886,779.37.

**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; Robin MacDonald, Acting Superintendent, Town Water & Sewer; 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 certified copy of this resolution is to be issued to each of the following: Anthony DiPrima, A&D Real Estate Development Corporation, 7 Beauclaire Lane, Fairport, New York 14450; the applicant's engineers, Walt Baker, D.S.B. Engineers & Architects, 2394 Ridgeway Avenue, Rochester, New York 14626; and Frank Affronti, President, 104 Contractors, P.O. Box 205, Union Hill, New York 14563.

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

**RESOLUTION #402-2021:**

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

**RESOLUTION ACCEPTING THE OCTOBER 8, 2021 DRAFT DOCUMENT ENTITLED "2021 EDITION OF THE TOWN OF FARMINGTON COMPREHENSIVE PLAN;" ACKNOWLEDGING THE ROLE OF THE COMPREHENSIVE PLAN UPDATE COMMITTEE IN PREPARING THE DRAFT "2021 EDITION OF THE TOWN OF FARMINGTON COMPREHENSIVE PLAN;" DISCHARGING THE COMPREHENSIVE PLAN UPDATE COMMITTEE; AND SCHEDULING THE SECOND OF THREE PUBLIC HEARINGS TO BE CONDUCTED UPON THE DRAFT DOCUMENT**

**WHEREAS**, the Town of Farmington Town Board (hereinafter referred to as Town Board) has by adopting Resolution No. 450 of 2019 established the Update Committee for the 2020 Edition of the Town of Farmington Comprehensive Plan (hereinafter referred to as Committee) and has charged said Committee the task of preparing the draft document referenced above herein; and

**WHEREAS**, as the result of the covid 19 pandemic there have been delays in completing the draft document in 2020 which the Town Board now acknowledges as being the draft document for the 2021 Edition of the Town of Farmington Comprehensive Plan; and

**WHEREAS**, the various chapters of the draft plan document were first posted on the Town's website on March 30, 2021 for public review; and

**WHEREAS**, on October 13, 2021 the entire draft document was posted on the Town's website for public review; and

**WHEREAS**, in accordance with the provisions of Section 272-a of the New York State Town Law, a public hearing upon the October 8<sup>th</sup> draft plan document was properly advertised on October 16, 2021 in the Town's Official Newspaper, a notice thereof posted on the Town Hall Bulletin Board and also posted on the Town's website; and

**WHEREAS**, the public hearing notice was posted on the Town of Farmington Facebook social media page; and

**WHEREAS**, on October 28, 2021 the Update Committee did conduct a public hearing both in-person and virtually upon said draft document; and

**WHEREAS**, the minutes of this public hearing were posted on October 29, 2021 on the Town's website for public review and were filed in the Office of the Town Clerk on November 2, 2021; and

**WHEREAS**, the 2021 Edition of the Town of Farmington Comprehensive Plan Update Chronology, as of November 5, 2021 contains a total of eighteen (18) entries identifying key dates and events documenting the public notification process to date.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby accept the October 8, 2021 draft document entitled “2021 Edition Town of Farmington Comprehensive Plan;” and

**BE IT FURTHER RESOLVED**, that the Town Board publicly acknowledges the service that the citizen members of the Town of Farmington Comprehensive Plan Update Committee, the Committee’s Advisory Staff and Town Support Staff have provided in preparing this draft Plan document and expresses its appreciation for their accomplishment; and

**BE IT FURTHER RESOLVED**, that with the Town Board’s acceptance of this draft Plan document the charge given to the Update Committee has been fulfilled and the Committee is hereby disbanded; and

**BE IT FURTHER RESOLVED**, that the Town Board does hereby schedule the first of two public hearings to be held upon the draft Plan document for Tuesday evening December 14, 2021 at 7:00 p.m., Eastern Daylight Savings Time, in the Main Meeting Room, at the Farmington Town Hall, 1000 County Road 8, Farmington, New York 14425; and

**BE IT FURTHER RESOLVED**, that the October 8, 2021 draft Plan document is to remain posted on the Town’s website for continued public review; and

**BE IT FURTHER RESOLVED**, that the following members of the Town of Farmington Town Board do hereby give evidence of their appreciation to the members of the Town of Farmington Comprehensive Plan Update Committee, their Advisory Staff and the Town Staff who all contributed to the draft Plan document accepted here tonight; and

**BE IT FINALLY RESOLVED**, that the Town Clerk is hereby directed to provide certified copies of this resolution to the members of the Town of Farmington Comprehensive Plan Update Committee, their Advisory Staff and the Town Staff listed in the draft Plan document.

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

**RESOLUTION #403-2021:**

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

**CONFIRMING RESOLUTION FOR HIGHWAY DEPARTMENT TO PURCHASE 2022 FORD F-550 XL REG CAB 4X4 PER 2022 BUDGET**

**WHEREAS**, 2022 budget has been passed, and

**WHEREAS**, the Highway Department has in their budget to purchase a 2022 Ford F-550 XL Reg Cab 4x4 in Race Red, and

**WHEREAS**, the Letter of Intent has been sent to Van Bortel’s Fleet Department with the signed quote #32858 per Onondaga Bid ONGOV-106-19 2022, and

**NOW THEREFORE BE IT RESOLVED**, that the price is not to exceed \$89,895.31, to be funded from DA-5130.2 Machinery - Equipment, and

**BE IT FURTHER RESOLVED**, that the Town Clerk provide copies of this Resolution to the Highway/Parks Department and the Principal Account Clerk.

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

**RESOLUTION #404-2021:**

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

**CONFIRMING RESOLUTION FOR HIGHWAY DEPARTMENT TO PURCHASE 2022 F-350 XL CREW CAB 4X2 PER 2022 BUDGET**

**WHEREAS**, 2022 budget has been passed, and

**WHEREAS**, the Highway Department has in their budget to purchase a 2022 Ford F-350 XL Crew Cab 4x2 in Race Red, and

**WHEREAS**, the Letter of Intent has been sent to Van Bortel’s Fleet Department with the signed quote #32558 per DCMO BOCES BID 2022FLOT 5A, and

**NOW THEREFORE BE IT RESOLVED**, that the price is not to exceed \$44,820.20, to be funded from DA-5130.2 Machinery - Equipment, and

**BE IT FURTHER RESOLVED**, that the Town Clerk provide copies of this Resolution to the Highway/Parks Department and the Principal Account Clerk

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

**RESOLUTION #405-2021:**

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

**CONFIRMING RESOLUTION FOR PARK DEPARTMENT TO PURCHASE 2022 FORD F-350 XL REG CAB PER 2022 BUDGET**

**WHEREAS**, 2022 budget has been passed, and

**WHEREAS**, the Park Department has in their budget to purchase a 2022 Ford F-350 XL Reg Cab in Carbonized Gray, and

**WHEREAS**, the Letter of Intent has been sent to Van Bortel's Fleet Department with the signed quote #32602 per DCMO BOCES BID 2022 FLOT 5A, and

**NOW THEREFORE BE IT RESOLVED**, that the price is not to exceed \$45,967.40, to be funded from A-7110.2 Parks - Equipment, and

**BE IT FURTHER RESOLVED**, that the Town Clerk provide copies of this Resolution to the Highway/Parks Department and the Principal Account Clerk

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

**RESOLUTION #406-2021:**

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

Abstract 21-2021

**TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS**

**TO: MARCY DANIELS**

**FROM: J. MARCIANO**

ABSTRACT NUMBER	21
DATE OF BOARD MEETING	11/9/2021

FUND CODE	FUND NAME	TOTAL FOR EACH FUND	VOUCHER NUMBERS
A	GENERAL FUND	30,666.00	2001-2003,2005-2032
HG	MERTENSIA WATERLINE	0	
DA	HIGHWAY FUND	5,244.06	2021,2028,2033-2041
HA	AUBURN TRAIL PROJECT	6,839.52	2043
HB	BEAVER CREEK PARK	390.00	2042
SF	FIRE PROTECTION DISTRICT	0	
HW	WATER TANK REPAIR	767.25	2004
HZ	TOWNLINE CAP PROJ	0	
SD	STORM DRAINAGE	305.50	1987,2028,2044
SL1	LIGHTING DISTRICT	0	
SS	SEWER DISTRICT	68,310.24	1961-1992,2004,2010,2028,2030-2031,2044
SW1	WATER DISTRICT	9,500.63	1968,1969,1971,1974-1976,1980-1982,1987-1990,1993-2000,2004,2010,2028,2030-2031-2040
TA93	LETTER OF CREDIT (CASH)	0	
TA200	<b>PAYROLL DEDUCTIONS(TA85UNI,TA20,TA20D,TA86)</b>	25.40	1989-1990
	<b>TOTAL ABSTRACT</b>	<b>\$ 122,048.60</b>	

Councilman Holtz abstained from Voucher 1974.

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

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

**DISCUSSION: None.**

**EXECUTIVE SESSION:**

**WAIVER OF THE RULE: No Objections**

**RESOLUTION #407-2021:**

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

**AUTHORIZATION TO PURCHASE 1 NEW AND UNUSED 8'6" FISHER EXTREME VEE SNOWPLOW (XV2 SERIES) FOR WATER&SEWER TRUCK 11**

**WHEREAS**, The Acting Water and Sewer Superintendent has identified the need to purchase said snowplow to replace an old plow that was sold at auction, and

**WHEREAS**, The Sewer Department has received 3 quotes from three suppliers with the lowest from Thru-Way Spring in the amount of \$6,085.00 for purchase of said snowplow, and

**NOW, THEREFORE BE IT RESOLVED**, that the Farmington Town Board authorizes the Acting Water and Sewer Superintendent to purchase said snowplow for a cost not to exceed \$6,085.00 from account codes SS8120.20 and SS8120.20V 50/50 split, and

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

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

**RESOLUTION #408-2021:**

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

**RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF A SECOND SLIDING GATE WITH OPERATOR UNIT FOR THE WATER & SEWER DEPT SOUTH ENTRANCE ACCESS TO WASTEWATER TREATMENT PLANT**

**WHEREAS**, the Acting Water and Sewer Superintendent has identified the need for a second security gate at the Waste Water Treatment Plant located at #1216 McMahon Road, and

**WHEREAS** a second security gate is required to stop delivery drivers and visitors from entering the treatment plant without first checking in at the office, and

**WHEREAS**, in accordance with the Town of Farmington Purchasing Policy, the Water and Sewer Supt. has requested three (3) written quotes to furnish & install a 24' wide by 7' high dual track aluminum cantilever slide gate with a Liftmaster 1 hp, 208 single phase electric gate operator with the electric and conduit work being provided by the Farmington Water and Sewer Department, and

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Farmington acting on behalf of the Canandaigua-Farmington Water District and the Farmington/Victor Sewer Districts hereby authorizes the payment of the invoices for this work to New York State Fence, Inc. Hilton New York at a cost not to exceed \$20,305.00, and

**BE IT FURTHER RESOLVED**, that funding for the north security gate will be from Budget Code SS-8130.463 (Security Fencing Upgrades), and

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

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

**DISCUSSION: None.**

**EXECUTIVE SESSION:**

A motion was made by **Councilman Casale** to enter executive session at 9:18 p.m. to discuss collective negotiations pursuant to Article 14 of the Civil Service Law, **Councilman Holtz** seconded the motion. Motion **CARRIED**.

A motion was made by **Councilman Casale** to exit executive session at 9:47 p.m., **Councilman Bowerman** seconded the motion. Motion **CARRIED**.

With no further business before the Board, **Councilman Bowerman** offered a motion to adjourn the meeting at 9:48 p.m., seconded by **Councilman Casale**. Motion **CARRIED**.

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Michelle A. Finley, MMC, RMC -Town Clerk