

At a regular meeting of the Town Board of the Town of Farmington held at the Farmington Town Hall of said Town on the 13<sup>th</sup> day of November, 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, **Dan Delpriore** – Code Enforcement Officer, **Ron Brand** – Director of Planning and Development, **Dave Degear** – Water & Sewer Superintendent, **Adrian Bellis** – Planning Board Member, and **Ed Hemminger** – Planning Board Chairman, **Lance Brabant** – Town Engineer, and **Bryan Meck** – Recreation Advisory Committee Member.

Gary Widenborner, Caroline Heberle, Annalise Parker, Jim Shannon, Herbert Hartman, Linda Heberle, Nancy Hood, Bill Hood, Graham Consul, Noah Giunt, Robert and Linda Bailey, Chad Redmond, Dan Compitello, Jackson, John Pembroke, Sharyn and Joe Pate, Stacey Vandeburgh, Eric Chapman, Edith Chapman, Dan Bierk, Arnold Vandeburgh, Jon and Marilyn Fair, Peter Vanderwall, Sue Strickland, Tanner Strickland, Tammy Johnson, Owen Woodhouse, Brent Woodhouse, James Foley, Ann Foley, James Olmstead, Rachael Richenberg, Melissa Kuntz, Heath Strickland, Edward Johnson, Edward Lawrenz, Calvin Woodhouse, James Redmond, Charles Broersma, Max Olmstead, Nancy and Jim Falanga, Gary Wright, James Dennie, Julie and Randy Waite.

**PUBLIC HEARINGS: 2019 Fire Contracts (Farmington, Manchester, and Shortsville)**

Supervisor Ingalsbe opened the public hearing at 7:01 p.m. The Town Clerk read the legal notice. Supervisor Ingalsbe asked if anyone wanted to speak for or against the fire contracts. Hearing none, the public hearing was closed at 7:04 p.m.

**APPROVAL OF MINUTES:**

A motion was made by **Councilman Casale** and seconded by **Councilman Herendeen**, that the minutes of the October 23, 2018, and given to members for review, be approved. Four Voting “Aye” (Herendeen, Casale, Bowerman, and Ingalsbe), One Abstention (Holtz). Motion Carried.

**PRIVILEGE OF THE FLOOR: Tanner Strickland – Boy Scout Presentation – Troup 50**

Mr. Strickland gave a presentation to the Board regarding an Eagle Scout project he would like to do at the Mertensia Park. He is seeking approval for this project. The project is to construct a gaga ball pit at the park. He explained that a gaga pit is an octagon shaped pit built out of wood. It is a game where players try to knock each other out to win using soft dodgeballs. The dimension of the pit is 8 feet side and a diameter of 16 feet. He stated that he would like to provide a fun recreational option for people to play. He went over the materials needed to construct the pit. He went over the building process for the pit. Mr. Strickland stated that the budget for this project is approximately \$1,000, but if he can get proper donations he can do it for \$600. He has posted a can/bottle drive at TOMRA, which he has already raised \$400. He stated that the drawbacks to the pit: obstruct mowing, weeds may grow, dirt left over will donate to the park. Supervisor Ingalsbe referred Mr. Strickland to Don Giroux (Highway/Parks Superintendent) to work on this project. Mrs. Parker (Scout Master) asked if the Supervisor could give provisional approval for the project as it stands today so Mr. Strickland can move forward with the project. Supervisor Ingalsbe replied that he could do that.

**SOLAR SYSTEM – 466 YELLOW MILLS ROAD**

Supervisor Ingalsbe stated that there was a synopsis of all the public hearing dates on the Solar Law on the table if anyone wanted it. It also shows who was on the committee. This information was also posted on the website. Supervisor Ingalsbe stated that the draft meeting minutes from the last Planning Board meeting are being reviewed by the Chairman and that normally they don't get posted until they are approved but since there is a large interest in this they will post them before the next Planning Board Meeting. They are also working on compiling the 22 questions from that meeting to give to the developer for them to answer so they have time to answer them before the December 5<sup>th</sup> meeting. He added that they will also put those questions on the website (special tab marked solar project).

Caroline Heberle stated that she is against the Delaware Solar project. She stated that she owns 100 acres on the eastside of Yellow Mills Road, directly across from the proposed huge solar power plant. She stated that they have owned and kept the farm in the ag district for about 56 years and never would have seen this coming in an ag district. Mrs. Heberle stated that she is strongly opposed to the size of the power plant, the effects will have on her property such as trucks, noise, lights, and the loss of value of her property to her family. She added that she is not opposed to renewable energy but a solar power plant should not be built in an agricultural district.

Linda Heberle, 531 Yellow Mills Road, stated that she had just found out that the Board had put a moratorium on solar development and tried to make a solar regulation law and she appreciated that, but she also just found out that the man who sent her a letter today from Delaware Solar Company was part of the planning/procedures that were taken place during the solar development plan, his name was Dan Compitello, project manager. She felt something was wrong with the process that the people that are going to be effected the most are the last to be involved, and that developers of this proposed plant are part of the towns planning in making solar regulations. She added that she read the solar regulations online and it states that the applicant would need to look into other alternatives, she wants to know what alternatives did they look at and wants them to be documented with dates. She stated that they're against this project, this is an agricultural district and prime farmland. She stated that the developer will be leasing the land for 40 years and that 40 years is a long time and a lot of people in the room won't be alive in 40 years, and the board is putting them out of commission for their lifetimes. She asked that if the Board is going to approve the project to least make it smaller, one could be manageable, not wanted but manageable, but not three power plants. She urged the Board to just say no to the project.

Supervisor Ingalsbe stated that the approval process is not through the Town Board, it's through the Planning Board and Zoning Board and that they do not have anything to do with it but they will be glad to hear their comments and made part of the record. Ms. Heberle replied that the people didn't have anything to do with it either and that is one of the objections. A gentleman from the audience stated that the board is elected and that they appoint people. Supervisor Ingalsbe replied that is the process. The gentleman stated that they are there to say that they are not happy with the decisions the elected officials made in appointing people. Supervisor Ingalsbe stated that there is a process for approval from the Planning Board and a process of approval from the Zoning Board for the variances the applicant is asking. He added that any applicant for any type of project (such as a shoe store or a taco bell) they fill out an application in the building department and then the Code Enforcement Officer, the Director of Planning and Development, the Town Engineers and the Fire Marshal look at it to see if it meets code and zoning then because you can't turn anyone down if they give the town a complete packet of information, it will go to the Planning Board. He stated that is where they are at this point. A gentleman from the audience stated that the code was approved by the Town Board which is elected. Supervisor Ingalsbe said that the town had nothing in the code regarding solar before now.

Jim Foley, 373 Ellsworth Road, stated that back when he had the privilege of being the Town Supervisor, the Town Board consisted of Ted Fafinski, Bonnie Lew, Larry Potter, and Gus Wehrin, and it was pretty obvious to all of them that they were behind a giant wave of housing developers who were everywhere in the town wanting to pop in developments and they knew they were under prepared and they knew the town code had not been updated in 25 years and they decided as a board that there were a couple of things that were really important. The first being that they were going to direct the development and not the developers because their interests and the towns interests did not meet because the developers are in it for only one thing, to make money. He added that the first thing they did was to establish a moratorium on any new subdivision plans until the code was straightened out cause they knew they could affect the course of developments and that's when the board talked about setting aside green space as part of the development. He added that if people wanted to develop then they were going to do good things for the town like build parks. He stated that the other thing the board did was the development of the Master Plan and from the beginning the people who lived in this district knew what they wanted which was agricultural land and open space and they wanted to preserve that and he is happy to see that over the years the town has done kept that and designated protected farmland areas (district 1 being the prime area) and now they are entering a season where they will face pressure from developers who want to enrich themselves on the opportunities that are available in renewable sources of energy. Mr. Foley stated that he took time to look over the local law and it does make passing reference to the fact that there should be projects that only work towards the welfare and safety of the people who live in the particular area and it also talks about the need to comply with the idea that there is protected farmland but the rest of the code looks like here are the steps one would need to take to build a power plant in an agricultural district. He would have been a lot happier if the first thing that was said was that power plants are a nonconforming use in an ag district but now we are saying the developer can get a special use permit (a special use permit basically says that this is a use that they want to enhance but all you have to do it meet these conditions). He stated that they are behind the eight ball now and he would hope that before they get much further down the road to reenact another moratorium because the thing what he did see that was missing the people who live in the district their thoughts, their ideas, their concerns were not considered under the law and the law basically says that if you meet all of these conditions (which seems to sound like it written by the developers) the Planning Board must approve it so it seems like they are in the position where the developers are directing the town on what to do. Supervisor Ingalsbe stated that there is no developer directing this town law. Mr. Foley replied that is what his impression in reading the law. Supervisor Ingalsbe added that this is the way with any of set of codes even if it were a barber shop in a certain district you would still need to meet the criteria and it might be a special use or not. Mr. Foley pointed out that at the last Planning Board meeting there were a 150 people there and if they would have been polled there would have been 150 nos. He added that the CEO of Delaware Solar stated that they only go where they are wanted, and he didn't hear anyone saying they wanted it at that meeting. Mr. Foley stated that because of his professional he is skeptical when he reads things because he looks at words and words mean things, and he sees in the letters from Delaware Solar that they say they are local, that they are community based, and that this is a farm and there are benefits. He said that no one in their community wants it, it's not a farm it's a power plant and there is no benefit what so ever. Mr. Foley stated that Delaware Solar is writing letters stating they are local and give an address on Winton Road but the location is a rented post office box. He added that if someone misrepresents a material fact such as where we live or who we are, you can disregard everything else they say. If they lie about one important thing, they will lie about everything else. He stated that they are there because the board are the elected officials and they have nowhere else to turn and the board does have the power to start a moratorium now, pull everything back and restudy it and really get public input, and maybe the citizens should have something that there sorry about, maybe they didn't pay much attention, maybe they didn't come to the public hearings but they are there now.

Randy Waite, 226 Yellow Mills Road, stated that it was his understanding that when two property owners were asked to put cell towers on their property the town said that they could not because if it was going to benefit anybody it would be the town. He asked if that was true. Supervisor Ingalsbe replied that he didn't know anything about that. Supervisor Ingalsbe stated that there is a tower on Kyte Road and it's not town property. Mr. Waite asked if property owners could have cell towers, Supervisor Ingalsbe replied yes. Mr. Waite asked how it come about that a tower is located on the town hall property, was the town approached by Verizon. Supervisor Ingalsbe stated that the cell phone companies usually look for optimum locations and most of the time it is along the thruway. Mr. Waite asked the Supervisor if he would want a solar panel farm next to his property. Supervisor Ingalsbe replied that he doesn't have that much property around him as he lives in a subdivision. Mr. Waite stated that if anyone is to benefit from this project it will be the property owner, correct? Supervisor Ingalsbe replied that the property owner should. Mr. Waite stated to put the solar farm on town property so the whole community can benefit from it. Supervisor Ingalsbe stated that the town doesn't own that much property and nobody has approached them to have it on town property. Mr. Waite then asked why the town doesn't approach them. Councilman Herendeen then asked if they want to the town to buy property to do this project. Mr. Waite stated that the Zoning Board was the one who told him that the town doesn't want cell towers on private properties because the town wants to benefit from them by having them on their property. Supervisor Ingalsbe stated that the Planning Board and from comments made tonight is to make it smaller. Supervisor Ingalsbe replied that obviously everybody might not like it, but they try to put the regulations on them, and that they cannot not have them in the town. The audience asked why. Supervisor Ingalsbe directed the question to the Director of Planning and Development.

Ron Brand, Director of Planning and Development, stated that the Governor of the State of New York adopted regulations that said by 2030 New York State would have a certain percentage of renewal energy resources in the community and they directed the New York State Environmental NYSERTA Research and Development Agency to prepare regulations for solar power. He stated that as a community they put a moratorium in place for a period of six months so they could study what NYSERTA was saying and what the state was saying and looked at what other communities did around the county as well as elsewhere in the state. He also went to Ag & Markets because the town had just adopted a farmland protection plan and that plan identifies strategic areas to preserve, and it was Ag & Markets that provided the town with information on how to go about regulating solar farms in the community. The Town followed Ag & Markets lead in providing the regulations that they came up with.

Mr. Brand cleared up a comment made earlier about Mr. Compitello being a member of the committee by saying Mr. Compitello was a citizen and not a member and that Mr. Compitello didn't even live in the community at the time, and that he said that the town was working on this in the newspaper and attended the meetings to listen as to what was going on. Mr. Brand added that Mr. Compitello did not work for Delaware River Solar at that time, he's only started working for them the past few months. Mr. Brand stated that the town was following the direction of the State and prepared a draft law, extended the moratorium for another six months while they did more research, sent the draft law to the County Planning Board, which they are required to do, and provided copies to the Department of Ag & Markets for their review. He stated that the Town received a positive recommendation from the County Planning Board. A gentleman from the audience stated that the town didn't get positive recommendations from them. Mr. Brand continued by stating that the public hearing was held, the public record was created and there was no objections by anyone to establishing the regulations, which were intended to protect the agricultural character of the community. Mr. Brand stated that the town has had a number of solar applications, some of them are for solar panels on roofs, some of them are for solar panels on side of buildings, and an application for a solar farm on Payne Road and Route 96 that failed to satisfy the criteria in the code and they have gone away. He added then came along this application which initially the developer challenged the Code Enforcement Officers interpretation of setbacks and now are applying for variances to those setbacks. Mr. Brand stated that the process the town has used throughout the history of this is to try come up with the best information that is out there and he has talked with the state representative from the American Farmland Trust, who has complemented the town on their rules and regulations for solar, and while they may be viewed by some as being a roadmap of how to get it, it's a roadmap on how to protect what we have in the face of the fact that they have to deal with state mandates that come down from the Governor's Office. Someone from the audience asked if the mandate says to build it there, Mr. Brand replied that he did not say that. Sharyn Pate, 224 Yellow Mills Road, stated that it sounds like they are going through all the regulations and the steps one would need to take get things done but none of the people who live in that area do not want it done, it's an agricultural district and open farmland, and the solar plant will be almost the biggest one in New York State. Supervisor Ingalsbe stated that wasn't true, it is not one of the biggest. Ms. Pate added that their home values are going to go down. Supervisor Ingalsbe stated that the Town Assessor will be going back and look at histories of properties that have solar and get information for the Planning Board and Zoning Board as to whether assessments are affected by solar farms or not.

Jim Falanga, 395 Ellsworth Road, thanked the Town Board for the opportunity to speak and commends Mr. Hemminger, Planning Board Chairman, for last week what he able to do during the Planning Board meeting. He stated that they had about 140 people attending that meeting regarding the solar project. He stated that it is his opinion that this is strictly a solar strip mining operation and that the people are only in for the money. He stated that the group started with 6 people and now are up to 118 on his list. Mr. Falanga stated that the Town of Farmington Master Plan designates the northeast quadrant as open space, agricultural, and noncommercial and not industrial. He stated that this is a power plant and has no business in an agricultural district. Mr. Falanga states that he understands that the Board has dotted their I's and crossed their T's on the process however he does take exception to the comment that Mr. Compitello was not working for Delaware River at the time, he stated that Mr. Compitello worked for Cypress Creek Renewables, he is a hired gun. They have googled him and he has attended many town board meetings across the state, volunteering to help towns establish their solar regulations. He stated that this is the fox guarding the hen house. Mr. Falanga stated that after the towns approve the regulations, Mr. Compitello then goes in to sell the product. He added that Delaware River are not nice people, they sent letters claiming to be nice neighbors and also lied about their address. Mr. Falanga stated that the SEQR process the Board established did give people the opportunity to comment and over 30 letters came in opposing the large scale power plant. Mr. Falanga stated that Delaware River lied about the scope of the project, when it was first proposed it was an 8 acre, 2.3 megawatt community solar tucked behind the marsh where no one will ever see it and now has grown to a 40+ acre solar plant, which is the largest in Upstate New York, there is one in Malone, NY bigger than this but if they are comparing Malone to Farmington he takes exception to that because he has relatives there, they have the highest unemployment rate in the state, less than 20% with Bachelor's Degrees, and less than 8 % with advanced degrees, and their average house sale is \$41,000 so don't compare Malone to Farmington. He stated that Delaware River showed misleading pictures of what it would look like and that everybody would be able to buy into, which is BS because anyone of them can buy into solar now. He stated the their research shows that any type of program should have 35-40% green space and he asked that at the Planning Board meeting but did not get a response. It is his understanding that Delaware River should be providing green space for each of the parcels. He asked for that to be looked into because if that is the case then it would increase the size of the project to 60+ acres. Mr. Falanga stated that this project should be taxed like everybody else not be exempt from taxes. He added that the Town of Farmington does not gain a penny from this project other than the application fees. He asked the board to look at the list of 312 agencies that have opted out from the Real Property Tax Exemption for Certain Energy Systems the from Department of Taxation and Finance website. He felt that if Delaware River had to pay taxes they would run away. Supervisor Ingalsbe stated that the Town did opt out eight/nine months ago so Delaware River will have to pay the taxes. Mr. Falanga stated the he spoke with Sandy Pagano, the Supervisor for the Town of Macedon, and they were approached and told them no because there was no benefit to the town.

Mr. Falanga stated that the Cuomo thing is a recommendation not a regulation, it is a recommended date for a goal. Lastly, he added that the Board is there is present them not the developers.

Councilman Bowerman states that people keep saying nobody want this but the property owner wants this and it is going through the hearing process, and as the law is written would this be allowed, no, that is why the applicant is asking for several variances. He added that the developer was not on the committee, at the very end when the finished the law they did talk with solar developers and they brought up 8-10 points that they didn't like about the law and the only one that was changed was the wording on whether it was a bond or a financial surety. Councilman Bowerman stated that the town was told that they had one of the most comprehensive solar codes that were put before them. They are following the process just like they would if it were someone wanting a variance for a shed. He added that they did not eliminate the opportunity to be heard, they're at the Planning Board Meetings, Zoning Board Meetings, and the Town Board meeting now. It was asked what was being done with their comments. Supervisor Ingalsbe replied that Ron Brand and Ed Hemminger are compiling a list of questions that they want answers to for the developer to answer. Mrs. Pate asked how they can stop this. Supervisor Ingalsbe replied that they can't stop the process. She asked what do they need to do, Supervisor Ingalsbe replied that they are already doing it by voicing their concerns to the Planning and Zoning Boards. Councilman Bowerman stated that just because the developer answers all the questions doesn't mean it goes through. He added that the Planning Board and Zoning Board take public comments into consideration when making their decisions, they are not required to grant the variances just because the person coming forward with an application answers the questions. Councilman Bowerman stated that any applicant has the right to bring a project forward. A gentleman stated that the town board has the right to say no, Supervisor Ingalsbe stated that they do not have the right, it is up to the Planning and Zoning Boards.

Eddie Chapman, 230 Ellsworth Road, asked that if a moratorium is setup is there any way of that being changed by the Town Board to say that any solar project cannot go into an agricultural district but can only be placed in a zoned commercial district within the Town of Farmington. She added that there is a lot of commercial area in Farmington. She stated that district one is an

ag district and they want to keep it that way. Supervisor Ingalsbe stated that for the current application they town cannot do a moratorium that is already before the town. Mr. Foley stated that it his gut feeling that the town can do a moratorium as long as they are not discriminating against one, if it's all he thinks the town would be safe. Mr. Foley stated that Councilman Bowerman was giving guidance. He thanked the Board for listening to them. He also stated that the board told them the things that can allow the various boards reviewing to say no, the developers is asking for an exception from the code so they will continue to go to Planning Board meetings and Zoning Board Meetings and let their concerns be known. He stated that the process within it has its breaks. Mr. Foley asked that if the board could put the brakes on this again and rethink it and to check with town council.

A gentleman stated if anyone wanted to see how ugly one of the solar plants is just go down County Road 10 and 46 in Canandaigua. Supervisor Ingalsbe stated that it is in a great location because it is more commercial in that area.

Marilyn Fair, 984 Stafford Road, told the Board that the people there care deeply about the future of their community, people years from now won't remember this particular meeting but they will remember the consequences by the decisions that were made by the people who have the power to make the decisions. People will have to live with the choices that are made. She said that if Farmington turns into a commercial operation just for the all mighty dollar there will be nothing left to pass on.

John Fair, 984 Stafford Road, stated that they lied about their address. He stated that the town will be sending them a list of questions so who is to say they won't lie about answering them. Supervisor Ingalsbe replied that the Code Enforcement Officer, Ron Brand, and the Planning and Zoning Boards will have to do their due diligence to get the answers.

Nancy Hood, 5023 Maxwell Road, stated that her concern is that once the town allows these variances to go through in one area where it is not supposed to be, it will turn in approving variances for all areas.

Councilman Bowerman referenced a comment made about banning solar all together across agricultural districts. He said it was not a good idea because one of the bigger projects that was held up by the moratorium was Sheldon putting up a couple of solar panels to run their corn dryers to offset the cost of agriculture in this state. He added that they also wanted to give farm owners the opportunity, if the project was appropriate, to supplement their income in order to continue farming because most farms are being swallowed up by large corporations. He stated that there is one dairy farmer left in Farmington, they all fell one by one because they couldn't make it. He added that if they blanket say a farmer can't put a reasonable project on their farmland to supplement their income it's a detriment to the land owners and the farmers. He stated that the code the Board put in place this project wouldn't be allowed that is why they are asking for variances. He added that he heard to only allow them on commercial property and whether this should be a benefit to the town, he said that there are not many Farmington residents that own commercial property in the town, but there are farmers that own a lot of farmland that could benefit from a reasonable appropriate solar farm, that is why they did not ban solar across agricultural districts, that would be totally biased and unfair, and the actual land owners that live in town should be able to bring a project forward and let the boards that are in place and the people speak their mind and let the board make a decision. He stated that is what is happening here. Mr. Foley stated that they are okay with personal solar, they just don't want a solar plant.

Mr. Falanga stated that the Agricultural Advisory Board along with the Conservation Board oppose this project and gave it a big thumbs down. Supervisor Ingalsbe replied to read their minutes because he wouldn't say it's a big thumbs down, and that there was a general discussion that they were not happy with the way the project is coming to the Planning Board. Councilman Casale stated that at that same meeting they also support the right of the landowner to do what they wanted.

Mr. Compitello, project manager for Delaware River, stated that the reason they are seeking the variances is to reduce the area on the parcel that they would need to develop on, according to the town law as it stands now, the 160 foot setbacks between the systems and if they can get the variances they can actually put the systems closer together and take up less land. He added that they are also creating visual renderings to show at the Planning Board meeting.

Todd Richenberg, 5007 Maxwell Road, stated that a solar farm is not a farm it is a solar plant and a 10% reduction in their utility bill would be \$5.00 and to him it is not worth it. He added that it will be interesting to see where these other proposed areas that were looked at by Delaware River Solar. He made reference to the housing developments that live near Fed Ex or near Rt.332, those people are okay with living in industry, maybe pitch it over there. He asked why more notice was not sent out about these types of things, he doesn't want to be ill informed. He asked if there was a plan in place for when the company goes under to remove them. He stated that the board as an issue that they clearly need to address.

Gary Weidenborner, 5799 Mountain Ash Drive, stated that he isn't happy with what is happening on Route 332 and he also moved out here to be in the country.

Mark Clement, 330 Ellsworth Road, stated to make the developers purchase the land first, let them put their money where their mouth is then come to the boards. Let them buy the Bowerman farm and put it over there. He added that the board is taking the Farm out of Farmington. Supervisor Ingalsbe stated that the Comprehensive Plan for 15+ years has always directed that the commercial and housing growth be in the southwest corner of the town because that is where water and sewer are located.

Councilman Holtz stated that the reason they enacted a law was because people wanted it and the town had nothing on the books. Anybody could have done anything and that is why the moratorium was put in place and it was almost a whole year to enact the law. He added that there were people on the ag board who they said didn't want it but they were on the committee for this law.

Supervisor Ingalsbe stated that someone commented about putting a solar project over near FedEx, and he replied that there is one at the storage buildings, the owner waited for the solar law to be completed.

Charles Broersma, 5076 Maxwell Road, asked everyone there to say "AYE" if they wanted the solar farm, nothing was heard, he then asked everyone to say "NAY" if they were opposed to it...the majority in the room said "NAY".

Supervisor Ingalsbe stated that the Planning Board has the power. Their next meeting is December 5<sup>th</sup> at the Highway garage and the Zoning Board will meet on November 26<sup>th</sup> in the Town Board Room. Mr. Brand stated that the Zoning Board of Appeals at their last meeting continued their public hearing on this project to allow for the 30 day coordinated review period to occur under SEQR. The Zoning Board of Appeals will reopen the public hearing at their next meeting on the 26<sup>th</sup>.

Jim – Village of Shortville, stated that about 5 weeks ago he was traveling on Herendeen Road and County Road 28 and found about 30 nails in the intersection. There was a collection of the nails he has picked up since that time. He said it is a daily thing

that he finds them. He has found them on Kyte Road as well. The nails are now being painted black. Supervisor Ingalsbe stated that he emailed Ontario County Sheriff's Office and they will be looking into this.

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

1. Discussed Secondary Clarifier #1.
2. Discussed Control Building #1, Digester #1.
3. Discussed Influent Building #10.
4. Discussed various pumpstations.
5. Discussed Sewer Flow Meters.
6. Water Breaks – one major break located at the south side of the NYS 332 on Yerkes Road in the Town of Canandaigua.
7. Discussed Beaver Creek 12" Waterline Replacement, Section 1.
8. Discussed Beaver Creek 12" Waterline Replacement, Section 2.
9. Discussed non-working residential water meters.
10. Discussed CFWD PRV-3 at 1810 County Road 8.
11. Discussed EPA SDWARA UCMR-4.
12. Discussed pass to tax.
13. Discussed resolutions on agenda.

**Highway & Parks:**

1. Current projects- Highway –magic minus zero mixed with salt, hauled stone, poured catch basins in Farmbrook, started digging for weep pipe, placing guide stakes, prepping equipment for winter.
2. Parks – planted trees in parks, sidewalk to flagpole completed at town court, removed two trees at the Grove Park, removed old playground equipment at the Grove Park, preparing trucks for the winter and guide stakes placed.
3. Pumpkin Hook parking lot striped.
4. Discussed resolutions on agenda.

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

1. Report from Director of Planning and Development on file and on the website.
2. Discussed resolutions on agenda.
3. Discussed Delaware River Solar Project.
4. Discussed Farmington Gardens Phase II Project.
5. Discussed Beaver Creek Pedestrian Bridges.
6. Discussed Auburn Trail Grant Project.
7. Discussed Town Line Road Capital Improvement Project Design.
8. Discussed County Road 41 Rezoning (Hathaway's Corners).
9. Discussed Empire Pipeline Project.
10. Discussed 1600 Rochester Road Project.
11. Discussed Maddie's Power Sports project.

**Town Personnel Committee: None.****Town Finance Committee: Supervisor Ingalsbe reported:****Town Public Safety Committee: Councilman Holtz reported:****REPORTS OF TOWN OFFICIALS:****Supervisor Peter Ingalsbe reported:**

1. Swap Shop contract has been signed and given to MRB Group.

**Highway& Parks Superintendent Giroux reported: None.****Town Clerk Michelle Finley reported:**

1. County Tax Collectors Meeting – November 14<sup>th</sup> at the Safety Training Facility.

**Water & Sewer Superintendent Dave Degear reported:**

1. County 41 and Beaver Creek – rental of equipment for pipe work.

**Code Enforcement Officer Dan Depriore reported:**

1. Will have extra staff at next ZBA and Planning Board Meetings.

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

1. Report filed and on website.

**Assessor Donna LaPlant reported:**

**Town Engineer reported: Bill Davis reported: None.  
Fire Chief reported: None.**

**Planning Board Chairman Ed Hemminger reported:**

1. Next Meeting – Solar project, Old Castle, Maddie’s Power Sports.

**Zoning Board of Appeals Tim Delucia reported: None.**

**Recreation Advisory Committee Brian Meck reported:**

1. Christmas at Lodge – December 7, 2018, 6-7:30 p.m.

**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. Farmbrook Homes Association Newsletter – October 2018.
2. Letter to the Town Supervisor from Carolyn Srabian of American Tower. Re: American Tower Site #307203 – Farmington NY 4.
3. Letter to the Town Supervisor from Mary Kay Bashaw of Canandaigua National Bank. Re: Municipal Choice Savings Account.
4. Annual Joint Municipal Water Operations and Budget Session Agenda for the Towns of Canandaigua, Farmington and Hopewell.
5. 2019-2020 UPWP Application Form. Re: State Rt. 332 and 96 Sub-Area Study.
6. Letter to the Director of Development from David Briggs. Re: Auburn Trail concern.
7. Letter to the Town Supervisor from Sara Penner and Bath Johnson of FLCC. Re: Fall musical presentation of Little Shop of Horrors.
8. Letter to the Director of Development from Katie Tylutki of NYS Agriculture and Markets. Re: Lead Agency Request for the siting and construction of a solar facility on land located within a county adopted, state certified agricultural district.
9. Letter to the Town Supervisor from Mark Roberts of Sprague. Re: Notice of termination of natural gas sale contract firm sale.
10. Email to the Town Supervisor from Guillermo Saar of NYS DEC. Re: Dendis Sand & Gravel, Inc.
11. Letter to the Director of Development from Mari McCutchan of Silver & Feldman Attorneys. Re: Notice Under Mechanic’s Lien Law for Account of Public Improvement.
12. Email to the Solid Waste Management Committee from the Town Supervisor. Re: Swap Shop and other status.
13. Letter to the Genesee Transportation Council from the Town Supervisor. Re: Support of application to the Transportation Improvement Program (TIP).
14. Letter to the Genesee Transportation Council from the Director of Development. Re: Support of application to the Transportation Improvement Program (TIP).
15. Notice of revised schedule for environmental review of the Empire North Project.
16. NYS DOT Highway Work Permit Application for Non-Utility Work.
17. Letter to the Town Supervisor from Gerald Geist of The Association of Towns. Re: 2019 Training School and Annual Meeting.
18. Email and letter to Mr. and Mrs. William Allen from Brian Young of the Ontario County Administrator’s Office. Re: Complaint regarding proposed project on the southwest corner of Route 332 and County Road 41.
19. Letters to the Director of Development, Planning Board, Zoning Board and Town Board from various residents. Re: Delaware River Solar proposed application for solar farm.
20. Letter to the Town Supervisor from Judge Lew. Re: Annual audit.
21. Notice of availability of the environmental assessment for the proposed Empire North Project.
22. Letter to the Town Supervisor from John Auricchio of the NYS Department of Public Service. Re: Winter outreach and education campaign.
23. Letter to the Town Supervisor from Mary Gates of the Ontario County Department of Finance. Re: 2018 3<sup>rd</sup> quarter billing for Ontario County Office of Sheriff enhanced law enforcement services patrol hours in the Town of Farmington.
24. Letter to Stan Steele Agency from the Town Supervisor. Re: Request for updated loss runs.
25. Letter to the Town Supervisor from Lauren Kelly of Charter Communications. Re: New point of contact.
26. Certificate of Liability Insurance from: R-J Taylor General Contractors, Inc.; Walworth Hardware Services, LLC; McKenna Builders, Inc.; Christa Construction, LLC.
27. Certificate of Workers Compensation Insurance from: Empire Fence Co., Inc.

## **REPORTS & MINUTES:**

1. Monthly Report – Judge Gligora – October 2018.
2. Highway/Parks Public Works Agenda – October 23, 2018.
3. Water & Sewer Public Works Agenda – October 23, 2018.
4. Report to Public Works and Town Operations for Town Board Meeting – October 23, 2018.
5. Conservation Board Meeting Minutes – October 22, 2018.
6. Building Department – Permit Report by Type – October 2018.
7. Monthly Report – Judge Lew – October 2018.
8. Planning Board Meeting Minutes – October 3, 2018.

**RESOLUTION #449-2018:**

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

**RESOLUTION ADOPTING THE 2019 TOWN BUDGET**

**WHEREAS**, a Public Hearing was held October 23, 2018, for the 2019 Town Budget, and

**WHEREAS**, the Town's tax rate will decrease by .20% to 1.102 per thousand dollars of assessed property value and the total tax levy of all funds is under the New York State Property Tax Cap by \$4,130.00 and,

**WHEREAS**, the Town Board nevertheless voted at its annual Organizational Meeting, held in January 2018, to override the state's 2 percent Property Tax Cap as a precautionary measure should any errors in calculation be found subsequent to the budget's adoption, or changes in interpretation of the state legislation occur after the Town Budget's adoption, now therefore be it

**RESOLVED**, the Farmington Town Board adopts the 2019 Town Budget as attached, and further be it

**RESOLVED**, that the Town Clerk is directed to furnish two copies to Ontario County along with a certified copy of this resolution adopting the budget.

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

**RESOLUTION #450-2018:**

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

**RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN FARMINGTON FIRE CONTRACT FOR 2019**

**WHEREAS**, the Farmington Town Board held a public hearing on November 13, 2018, for its proposed contract for 2019 with the Farmington Volunteer Fire Association, and

**WHEREAS**, the public hearing was advertised in the Town's legal newspaper on October 26, 2018, 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"(Bowerman, Herendeen, Holtz, Casale, and Ingalsbe), the Resolution was **CARRIED**.

**RESOLUTION #451-2018:**

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

**RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN MANCHESTER FIRE CONTRACT FOR 2019**

**WHEREAS**, the Farmington Town Board held a public hearing on November 13, 2018, for its proposed contract for 2019 with the Manchester Fire Department, and

**WHEREAS**, the public hearing was advertised in the Town's legal newspaper on October 26, 2018, 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"(Bowerman, Herendeen, Holtz, Casale, and Bowerman), the Resolution was **CARRIED**.

**RESOLUTION #452-2018:**

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

**RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN SHORTSVILLE FIRE CONTRACT FOR 2019-2021**

**WHEREAS**, the Farmington Town Board held a public hearing on November 13, 2018, for its proposed contract for 2019-2021 with the Shortsville Fire Department, and

**WHEREAS**, the public hearing was advertised in the Town's legal newspaper on October 26, 2018, 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"(Bowerman, Herendeen, Holtz, Casale and Ingalsbe), the Resolution was **CARRIED**.

**RESOLUTION #453-2018:**

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

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE MONTHLY REPORT OF THE SUPERVISOR FOR OCTOBER 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 October 2018 to the Town Supervisor on November 2, 2018, and

**WHEREAS**, the Town Supervisor approved and executed the Monthly Report of the Supervisor for October 2018 on November 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 October 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, Herendeen, Holtz, Casale, and Ingalsbe), the Resolution was **CARRIED**.

**RESOLUTION #454-2018:**

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

**RESOLUTION AUTHORIZING REIMBURSEMENT FOR LAWN REPAIR**

**WHEREAS**, Mr. Mike Clune called the Supervisor's Office on Friday, October 12<sup>th</sup> requesting a credit on his account for damage done to his lawn due to water shut off valve repair that the Water & Sewer Department performed, and

**WHEREAS**, Mr. Clune submitted a receipt for supplies purchased to repair said damage, now

**THEREFORE, BE IT RESOLVED**, that the Town Board hereby approves reimbursement for supplies purchased for lawn repair to Mr. Clune in the amount of \$92.44, and be it further

**RESOLVED**, that the Town Clerk give a copy of this resolution to the Principal Account Clerk, the Supervisor's Office and to Mr. Clune at 1471 Coral Drive, Farmington, NY 14425.

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

**RESOLUTION #455-2018:**

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

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN PROPOSAL FOR PROFESSIONAL SERVICES WITH MRB GROUP FOR HIGHWAY INTERSECTION IMPROVEMENTS BIDDING/CONSTRUCTION DOCUMENTS FOR HOOK/CURRAN ROADS IN THE TOWN OF FARMINGTON**

**WHEREAS**, MRB Group has submitted a Proposal for Professional Services for highway intersection improvements bidding/construction documents for Hook/Curran Roads in the Town of Farmington at a cost not to exceed \$34,500.00,

**NOW THEREFORE BE IT RESOLVED**, that the Town Board hereby authorizes the Town Supervisor to sign the Proposal for Professional Services for highway intersection improvements bidding/construction documents for Hook/Curran Roads in the Town of Farmington at a cost not to exceed \$34,500.00, and

**BE IT FURTHER RESOLVED**, that the Town Clerk forward copies of this Resolution to the Principal Account Clerk and Bill Davis from MRB Group.

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

**RESOLUTION #456-2018:**

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

**LETTER OF CREDIT PARTIAL RELEASE #9- REDFIELD GROVE SUBDIVISION - PHASE 1, IN THE TOTAL AMOUNT OF \$ 93,582.45**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) has received from the Town Planning Board (hereinafter referred to as Planning Board) a resolution dated November 7, 2018 recommending approval of the requested partial release of funds from the above referenced Letter of Credit. The total amount of \$93,582.45 is recommended for work completed in Phase 1 of the Redfield Grove Subdivision Tract, a part of the Redfield Grove Incentive Zoning Project; and

**WHEREAS**, the Planning Board has been provided the above referenced documents submitted for the partial release from the Letter of Credit, including the Town Letter of Credit Release Forms No. 9 for the Redfield Grove Subdivision, Phase 1 Project, signed by all of the town department heads; and

**WHEREAS**, the total amount of this Letter of Credit is \$870,840.15; and

**WHEREAS**, there will be a balance of \$ 78,957.68 remaining in the Letter of Credit after Release # 9; and

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

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

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

**FINALLY BE IT RESOLVED**, that a copy of this resolution is to be issued to the Letter of Credit holder, Frank DiFelice, DiFelice Development, Inc., 91 Victor Heights Parkway, Victor, New York 14564; and the applicant's engineers, Paul Parrone, Parrone Engineering, 349 W. Commercial Street, Suite 3200, East Rochester, New York 14445.

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

**RESOLUTION #457-2018:**

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

**RESOLUTION TO ACCEPT A LETTER OF CREDIT, IN THE TOTAL AMOUNT OF \$127,102.00 FOR THE CONSTRUCTION OF A 3,752 SQUARE FOOT OFFICE BUILDING AND RELATED SITE IMPROVEMENTS OF A 1.975 ACRE SITE LOCATED ALONG THE EAST SIDE OF HATHAWAY DRIVE, SOUTH OF THE "FARMINGTON ON THE CREEK APARTMENT PROJECT."**

**WHEREAS**, the Town of Farmington Town Board (hereinafter referred to as Town Board) has received from the Town of Farmington Planning Board (hereinafter referred to as Planning Board) a resolution dated November 7, 2018, recommending the acceptance of a letter of credit to enable the applicant, Dr. Mark DiMartino, DDS, to commence site improvements for the above referenced project; and

**WHEREAS**, Lance S. Brabant, Director of Planning Services for the Town's Engineering Firm, MRB Group, D.P.C., and Matthew Heilmann, Town Construction Inspector, have completed their reviews of the applicant's Engineer's Estimate of Value for the proposed site improvements; and

**WHEREAS**, the Town's Engineering Firm, in a letter dated October 29, 2018 has recommended the Town Board's acceptance of a Letter of Credit, in the total amount of \$127,102.00 for the site improvements.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby move to accept the proposed Letter of Credit for site improvements in the total amount of \$127,102.00.

**BE IT FURTHER RESOLVED**, that the Town Board does hereby direct the Applicant, Dr. Mark DiMartino, DDS, to submit a Letter of Credit in the total amount of \$127,102.00 to the Town Clerk.

**BE IT FURTHER RESOLVED**, that upon receipt by the Town Clerk of said Letter of Credit, the Town Clerk is to notify the Town Code Enforcement Officer, the Town Construction Inspector, the Town's Engineering Firm and the Town Director of Planning & Development of the filing of said Letter of Credit.

**BE IT FURTHER RESOLVED**, that the Town Code Enforcement Officer is to then schedule a Pre-Construction Meeting with all parties involved.

**BE IT FINALLY RESOLVED** that the Town Board directs copies of this resolution be provided to Dr. Mark DiMartino, DDS, 126 East Main Street, Victor, New York 14564; Peter Gorman, P.E., Marathon Engineering, 39 Cascade Drive, Rochester, New York 14614; Lauren Levings, Construction Specialist, Live Oak Bank, 1757 Tiburon Drive, Wilmington, North Carolina, 28403; Matthew Heilmann, Town Construction Inspector; Lance S. Brabant, MRB Group, D.P.C., 145 Culver Road, Suite 160, Rochester, New York 14620; and the Town Director of Planning and Development.

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

**RESOLUTION #458-2018:**

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

**LETTER OF CREDIT PARTIAL RELEASE, RELEASE #2, IN THE TOTAL AMOUNT OF \$207,513.45 FOR WORK COMPLETED WITHIN THE MIII ENTERPRISES, LLC, CERONE INCENTIVE ZONING PROJECT - PHASE 1**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) has received a request from the Town Planning Board, recommending the Town Board take action to approve a partial release of funds, Release #2, in the total amount of \$207,513.45 from the established letter of credit for site improvements; 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 the release of funds; 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; and

**WHEREAS**, the Town Clerk has reviewed the balance remaining in the Letter of Credit and the requested release #2, finding the dollar amount to be released and the dollar amount to remain are in agreement with her records.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby accept the Planning Board's recommendation and approves the partial release, Release #2, in the total amount of \$207,513.45 from the above referenced letter of credit for this project.

**BE IT FURTHER RESOLVED**, that the total amount in the above referenced Letter of Credit is \$749,146.68, with a balance remaining after Release #2, of \$200,491.38 to complete the project.

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to notify tomorrow, by U.S. Mailing of certified copies of this resolution to: Michael Cerone, MIII Enterprises LLC, P.O. Box 509, Webster, N.Y. 14580; Paul Colucci, Executive Vice President, DiMarco Group, 1950 Brighton–Henrietta Town Line Road, Rochester, N.Y. 14623; the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; the Town Code Enforcement Officer; the Town Construction Inspector; the Town Engineer; and the Director of Planning and Development.

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

**RESOLUTION #459-2018:**

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

**Pass to Tax - 2018**

**WHEREAS**, the Farmington Town Board has been notified by the Water and Sewer Department of the unpaid water and sewer charges, and

**WHEREAS**, an Annual Statement has been filed with the Town Clerk listing all unpaid charges, fees, and rents for the 2019 Tax Levy which are broken down in the following special districts:

**Water/Sewer District**

WA-241 Andrews & North Road Water	\$211.20
WA-246 Canandaigua-Emerson-Town Line Road (Canandaigua Only)	None
WD-241 Canandaigua-Farmington Water (Canandaigua Only)	\$7,528.97
WD-281 Canandaigua-Farmington Water (Farmington Only)	\$36,619.94
WD-285 Fox Road Water District	\$932.28
WD-286 North Farmington Water Extension #2 (Ellsworth Road)	\$584.34
WS-287 Sheldon Road Water District	\$29.16
WD-345 Canandaigua-Town Line-Hopewell (Hopewell Only)	None
Canandaigua Sanitary Sewer	\$1,470.00
Farmington Sanitary Sewer	\$83,455.08
Victor Sanitary Sewer	<u>\$73,787.50</u>
Total	\$204,618.47

**NOW, THEREFORE BE IT RESOLVED**, the Town Board acting through its’ Water and Sewer Superintendent, shall transmit such Statement to the Ontario County Board of Supervisors which shall levy such sums against the property liable.

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

**RESOLUTION #460-2018:**

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

**APPROVAL TO PURCHASE A DIRECT REPACEMENT OF ONE DRAGER MODEL 8100 METHANE GAS DETECTION MONITOR FOR THE WASTE WATER TREATMENT PLANT INFLUENT BUILDNG #10**

**WHEREAS**, as part of the WWTP upgrades in 2008-2009 gas detection equipment was installed to monitor and to detect gas buildups within the Waste Water Treatment Plant, Control Building #1; Chemical Building #9 and Influent Building #10 with the Drager H25 Low Concentration Sensor; Drager O2 Sensors and Drager LEL Transmitter with IR Sensor, Model 5310 with remote sensor with a 0-100% Range, and

**WHEREAS**, the Chief Plant Operator, Plant Mechanic and the Water and Sewer Supt. have identified a need for a direct replacement of an existing Drager hydrogen sulfide sensor unit located in the Influent Building #10, and

**WHEREAS**, RL Stone is the sole source provider of said sensor and has provided a quotation dated October 29, 2018 for the replacement of one (1) Drager Polytron Model 8100 with aluminum enclosure with HART communication with relay, 24 VDC, 3 wire hydrogen sulfide sensor with 49 feet of cable for remote mounting at a cost of \$4,225.00, and

**NOW, THEREFORE BE IT RESOLVED**, that the Farmington Town Board authorizes the Water and Sewer Superintendent to accept the quotation and purchase the gas detection equipment from the Drager Regional Distributor and Sales Representative being RL Stone Company, Inc. of Penfield New. York at a cost not to exceed \$4,225.00, and

**BE IT RESOLVED**, that this purchase was budgeted as part of the ongoing maintenance this expenditure is from the Sanitary Sewer Budget lines SS-8130.20 (Plant-Minor Equipment), 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, Herendeen, Holtz, Casale, and Ingalsbe), the Resolution was **CARRIED**.

**RESOLUTION #461-2018:**

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

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT WITHIN THE LOCAL SOLID WASTE MANAGEMENT FUND**

**WHEREAS**, the initial budget established for this fund included allocations for public outreach and PAYT programs which did not materialize,

**WHEREAS**, the Organics Management Program has 38 compost bins delivered to residents this year, leaving some additional funding in this expense line,

**WHEREAS**, Resolution 448 of 2018 authorized the award of the swap shop construction to Secor Building Solutions for an amount not to exceed \$105,000, which will utilize Town Funds above and beyond the LSWM funds to complete this project,

**Now, therefore, be it RESOLVED**, that the Principal Account Clerk, of the Town of Farmington, is hereby authorized and directed to complete the following budget amendments to move the additional funds into the swap shop expense line:

From: CW8160.42 Outreach	\$4500	
From: CW8160.43 Organics Management	\$5000	
From: CW8160.44 PAYT Program	\$6000	
To: CW8160.4 Swap Shop		\$15,500

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

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

**RESOLUTION #462-2018:**

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

**RESOLUTION AUTHORIZING A TRANSFER FROM THE GENERAL FUND TO THE AUBURN TRAIL CAPITAL PROJECT**

**WHEREAS**, payment requests have been received from the contractors for the Auburn Trail Project,

**WHEREAS**, the savings account in the Capital Project will have a \$30,500 deficit once these disbursements are paid,

**WHEREAS**, the Town will be reimbursed from the grant funds for the project,

**Now, therefore, be it RESOLVED**, the Town Board authorizes a transfer from the General Savings account which will be recorded as a "due to" in the Capital Project and will be returned to the General account once the reimbursement for the project is received,

**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, Herendeen, Holtz, Casale, and Ingalsbe), the Resolution was **CARRIED**.

**RESOLUTION #463-2018:**

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

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR SIDEWALK EXPENSES**

**WHEREAS**, Resolution 382-2018 approved the quote from 104 Contractors for Sidewalk work in Auburn Meadows Section 5,

**WHEREAS**, the sidewalk work is complete and the Construction Inspector has verified that 202 LF of sidewalk has been installed,

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

From: A5410.4 Sidewalks Contractual	\$3,000
To: A5410.2 Sidewalks Capital Outlay	\$3,000
From: SM599 Appropriated Fund Balance	\$6,375
To: SM5410.21 Auburn Meadows Capital Outlay	\$6,375

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

**FURTHER RESOLVED**, that copies of this resolution be submitted by the Town Clerk to the Principal Account Clerk and the Highway Superintendent

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

**RESOLUTION #464-2018:**

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

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

**WHEREAS**, additional funding is needed in the water administration contractual line as expenses for Office Support staff have been funded from this line in 2018,

**WHEREAS**, funding is needed to expense line SW1-8340.24 "Auburn Meadows Waterline" to

**NOW, THEREFOR BE IT RESOLVED**, that the Town Board of Farmington acting on behalf of the Canandaigua Farmington Water District hereby authorizes the following budget amendment:

From: SW1-8310.1 Water Administration Personnel	\$10,000
From: SW1-8310.2 Administration Equipment	\$ 5,000
From: SW1-8340.1 Transmission & Distribution Personnel	\$10,000
From: SW1-8340.27 Route Collett/Rt. 332	\$11,000
From: SW1-599 Appropriated Fund Balance	\$ 35,995

To: SW1-8310.4 Administration Contractual \$26,000  
To: SW1-8340.24 Auburn Meadows Waterline \$45,995

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

**FURTHER RESOLVED**, that copies of this resolution be submitted by the Town Clerk to the Principal Account Clerk and the Water and Sewer Superintendent.

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

**RESOLUTION #465-2018:**

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

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

**WHEREAS**, additional funding is needed in the sewer administration contractual line as expenses for Office Support staff have been funded from this line in 2018,

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

From: SS8110.1 Sewer Administration Personnel \$10,000  
From: SS8120.2 Equipment \$ 5,000  
To: SS-8110.4 Administration Contractual \$15,000

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

**FURTHER RESOLVED**, that copies of this resolution be submitted by the Town Clerk to the Principal Account Clerk and the Water and Sewer Superintendent.

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

**RESOLUTION #466-2018:**

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

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

**WHEREAS**, bulbs in the Farmington Ponds Lighting District were replaced,

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of Farmington hereby authorizes the following budget amendment to track this expenditure

From: SL1-599 Appropriate Fund Bal \$396  
To: SL1-5182.562 Bulb Replacement – Farmington Ponds \$396

**BE IT RESOLVED** that the Principal Account Clerk performs the budget transfer,

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

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

**RESOLUTION #467-2018:**

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

**RESOLUTION AUTHORIZING BUDGET TRANSFER FROM BRIDGES – PS LINE DA-5120.1  
FROM SNOW REMOVAL – PS LINE DA-5142.1 TO THE GENERAL REPAIRS – PS LINE DA-5110.1**

**WHEREAS**, a budget transfer for the General Repairs - PS line is needed, and

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of Farmington acting on behalf of the Farmington Highway/Parks Department hereby authorizes the following budget amendment:

From: BRIDGES – PS DA-5120.1 \$27,417.00  
From: SNOW REMOVAL – PS DA-5142.1 \$40,000.00  
To: GENERAL REPAIRS – PS DA-5110.1 \$67,417.00

**BE IT FURTHER RESOLVED**, that the Principal Account Clerk transfers money from the above mentioned accounts, and

**BE IT FINALLY RESOLVED**, that copies of this resolution be submitted by the Town Clerk, to the Principal Account Clerk and the Highway/Parks Superintendent.

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

**RESOLUTION #468-2018:**

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

**CORE TESTING FOR HOOK AND CURRAN ROAD INTERSECTION**

**WHEREAS**, MRB Group has suggested Core Testing before the reconstruction of the Hook Road and Curran Road, and

**WHEREAS**, Terracon has been selected to provide the Geotechnical Exploration services, and

**WHEREAS**, the proposed price for the core testing is \$3,500, and now

**THEREFORE BE IT RESOLVED**, that the Town Board authorizes the Town Supervisor to sign the attached agreement to be paid from account DA-5110.4 (General Repairs – Contractual), and therefore be it,

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

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

**RESOLUTION #469-2018:**

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

**RESOLUTION AUTHORIZING HIGHWAY/PARKS DEPARTMENT TO PURCHASE PLAYSAFER RUBBER MULCH WITH NYSC PC 67834**

**WHEREAS**, mulch is needed for safety under new playground equipment at the Grove Park, and

**WHEREAS**, NYS Contract for PC:67834 for 100% color 6” depth mulch with an area is 3,100 square feet, and

**THEREFORE**, the Highway/Parks Superintendent requests that the Town Board authorize the Town Supervisor to sign the quote from RubbeRecycle at a cost not to exceed \$12,934.00 to be expended from the A-7110.4 Parks – Contractual line, and therefore

**BE IT FURTHER RESOLVED**, that the Town Clerk provides the Highway/Parks Department with the original signed contract and a certified copy of the resolution, with copies to the Supervisor’s Confidential Secretary and the Principal Account Clerk.

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

**RESOLUTION #470-2018:**

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

**RESOLUTION AUTHORIZING HIGHWAY/PARKS DEPARTMENT TO PURCHASE GAMETIME ADA PRIMETIME SWING WITH FRAME FROM NYSC PC 67834**

**WHEREAS**, the Grove Park is scheduled for a new ADA swing set, and

**WHEREAS**, NYS Contract for PC:67834 GameTime is the exclusive representative under MRC, Inc., and

**THEREFORE**, the Highway/Parks Superintendent requests that the Town Board authorize the Town Supervisor to sign the quote from GameTime Playground Equipment at a cost not to exceed \$3,879.79 to be expended from the A-7110.4 Parks – Contractual line, and therefore

**BE IT FURTHER RESOLVED**, that the Town Clerk provides the Highway/Parks Department with the original signed contract and a certified copy of the resolution, with copies to the Supervisor’s Confidential Secretary and the Principal Account Clerk.

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

**RESOLUTION #471-2018:**

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

**RESOLUTION TO ACCEPT THE COST DIFFERENCE BETWEEN THE INSTALLATION OF AN 8-INCH DIAMETER WATERMAIN THROUGH SECTION 6N AUBURN MEADOWS SUBDIVISION TRACT AND THE INSTALLATION OF A 12-INCH DIAMETER WATERMAIN THROUGH SECTION 6N AUBURN MEADOWS SUBDIVISION TRACT AND AUTHORIZING PAYMENT FOR THE COST DIFFERENCE IN THE TOTAL AMOUNT OF \$45,994.00 TO A&D DEVELOPMENT, LLC**

**WHEREAS**, the Town of Farmington Town Board (hereinafter referred to as Town Board) has previously been informed by the Town Planning Board (hereinafter referred to as Planning Board) of the need for the continuation of a 12-inch diameter water line from the current terminus, at the intersection of Onyx Drive and Marion Way, through Section 6N of the Auburn Meadows Subdivision Tract to the property line between Section 6N and the adjacent town owned land known as the Auburn Trail Extension; and

**WHEREAS**, the Planning Board has on August 29, 2015 as a condition of Final Plat Approval for Section 6N of the Auburn Meadows Subdivision Tract, required the installation of a 12-inch diameter watermain and ancillary facilities extending north from the intersection of Onyx Drive and Marion Way and along Marion Way to the intersection of Marion Way and Ivory Drive and then easterly along Ivory Drive to the property line with the adjacent town owned Auburn Trail Extension; and

**WHEREAS**, the Town Board has received and reviewed the Engineer’s Estimate of Value for the cost difference between the installation of 8-inch and 12-inch watermain and ancillary facilities within Section 6N of the Auburn Meadows Subdivision Tract, prepared by D.S.B Engineers and Architects, P.C., dated 10/19/2018 and identified as Project No. 03-11020, a copy of which is hereby attached to this resolution, and now

**THEREFORE BE IT RESOLVED**, that the Town Board does hereby move to accept the total amount of \$45,994.00 for said site improvements which were previously approved by the Planning Board, and

**THEREFORE BE IT FURTHER RESOLVED**, that adequate funds exist within the budget line item entitled Auburn Meadows Waterline, Account Number SW1-8340.24 to enable this payment to be made, and

**THEREFORE BE IT FURTHER RESOLVED**, that the Town Board does hereby authorize the Town Supervisor to approve of the abstract for said watermain improvements in the total amount of \$45,994.00, and

**BE IT FINALLY RESOLVED**, that certified copies of this resolutions are to be provided to: Anthony DiPrima, A&D Real Estate Development, LLC, 22 Whitestone Lane, Rochester, NY 14618 and Walter Baker, D.S.B. Engineers and Architects, P.C., 2394 Ridgeway Avenue, Rochester, NY 14626, David Degear, Town Water & Sewer Superintendent, Lane Brabant, CPESC, MRB Group, D.P.C., 145 Culver Road, Suite 160, Rochester, NY 14620 and the Town Director of Planning & Development.

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

**RESOLUTION #472-2018:**

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

**Abstract 21-2018**

**TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS**

**TO: MARCY DANIELS** **FROM: J. MARCIANO**

**ABSTRACT NUMBER** **21**

**DATE OF BOARD MEETING** **11/13/2018**

<b>FUND CODE</b>	<b>FUND NAME</b>	<b>TOTAL FOR EACH FUND</b>	<b>VOUCHER NUMBERS</b>
A	GENERAL FUND	64,693.24	2312-2365,2457
HT	TOWN FACILITY CAP PROJECT	12,002.91	2314-2454
DA	HIGHWAY FUND	84,490.98	2312,2325,2333,2341,2343,2357,2366-2388
SM	SIDEWALKS	6,375.00	2345
HL	LILIBROOK PED BRIDE PROJ	914.54	2316
HA	AUBURN TRAIL PROJECT	264,992.14	2319,2329
HZ	TOWNLINE CAP PROJ	110.00	2344
HU	WWTP DIS IMP CAP PROJ	0	
HW	WATER TANK REPAIR	0	
SF	FIRE PROTECTION DISTRICT	0	
SD	STORM DRAINAGE	2,701.89	2389,2390,2436
HB	BEAVER CREEK PARK	0	
SL1	LIGHTING DISTRICTS	395.26	2350
SS	SEWER DISTRICT	100,465.20	2341,2358,2360,2389,2391-2437
SW1	WATER DISTRICT	89,832.12	2341,2358,2360,2389,2391,2393,2401,2407,2411-2420,2422,2425,2428-2431,2433,2436-2453,2456
TA30	BUILDER GUARANTEE	0.00	
CW	LSWMP (LOCAL SOLID WASTE MANAGEMENT)	7,500.00	2455
85C	CODE COMPLIANCE REVIEW	0.00	
TA93	LETTER OF CREDIT (CASH)	0.00	
TA200	<b>PAYROLL DEDUCTIONS(TA85UNI,TA20,TA20D,TA86)</b>	2,373.64	2322,2359,2402-2404
	<b>TOTAL ABSTRACT</b>	<b>\$ 636,846.92</b>	

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

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

**DISCUSSION:**

1. Union Contracts are completed, resolution next meeting or the first meeting in December.

**WAIVER OF THE RULE:**

**EXECUTIVE SESSION: None.**

A motion was made by **Councilman Bowerman** to adjourn the meeting at 9:04 p.m., **Councilman Casale** seconded the motion. All in favor. Motion **CARRIED**.

Minutes were taken by and transcribed by:

Michelle Finley, MMC, RMC -Town Clerk