

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 13th day of October, 2020, at 7:00 PM, there were:

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

Also present in person: **Don Giroux** – Highway and Parks Superintendent, **Adrian Bellis** – Planning Board Member, **Dan Delpriore** – Code Enforcement Officer, **Robin MacDonald** – Acting Water & Sewer Superintendent, **Ron Brand** – Director of Planning and Development, **Bill Davis** – MRB Group, Jim Falanga-resident, and seven residents from Auburn Meadows.

Also present by telephone/video conferencing were:

PUBLIC HEARINGS-

APPROVAL OF MINUTES:

A motion was made by **Councilman Casale** and seconded by **Councilman Holtz**, that the minutes of the September 22, 2020, 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: Jim Falanga-Ellsworth Road

Mr. Falanga stated that he is speaking on behalf of the group -Concerned Citizens and Opposition to the Solar Commercial/Industrial Solar Power Plant Proposed for Yellow Mills Road. He stated that they would like to resubmit the petition containing over 110 signatures for the boards consideration to enact a Solar Moratorium that would include DRS. He added that the group meets regularly, and he was asked to pass on comments regarding the September 8th Town Board Meeting regarding the Moratorium. He stated that they felt blindsided in that because they have been constantly referred to the Planning Board for all decisions on the solar project. He stated that they attend Planning Board meetings regularly and that meeting with the Town Board slipped by them. Some members were disappointed that out of courtesy they were not notified. The group had the following three questions:

1. When the Board decided to adopt the moratorium on September 8, 2020, did the Board consider the previously filed petition requesting a moratorium which would have included DRS?

Supervisor Ingalsbe replied that the Board had not.

2. As every law requires a rational basis, we as citizens have a right to know the Boards rational for excluding DRS. Regardless if we are litigants or not. Does this mean that all other citizens of Farmington are also excluded from knowing the basis upon which the Board as elected officials take legislative action?

Supervisor Ingalsbe replied that as he has explained to them before as well as the Planning Board that based on the Town Attorney’s information to the Board, it was to not include an existing application as part of this moratorium. Mr. Falanga asked even if there were no special use permits granted and no site plans submitted? Supervisor Ingalsbe replied that the application was submitted to the Planning Board for over two years now. Mr. Falanga asked when would they find out why DRS was not considered? Supervisor Ingalsbe replied because they did not have too based on the Town Attorney’s opinion.

3. Does the Town have a plan for taxing this Commercial/Industrial Solar Power plant? If so, please share the plan. If not, why would you agree to a multi-million-dollar project without gaining significant revenue? Why would DRS commercial enterprise be subsidized by other Town of Farmington taxpayers. That does not seem fair.

Supervisor Ingalsbe replied that every parcel in the Town of Farmington has some sort of tax status. Mr. Falanga asked if there was plan for taxing DRS? Supervisor Ingalsbe repeated that every parcel in the Town of Farmington has some sort of tax status whether it is residential, commercial, industrial, or agricultural. Mr. Falanga stated that statements made by board members and the Director of Development said that the town will not gain one penny from this project and asked if that is no longer true. He added that it is on record that members of this board have said that. Supervisor Ingalsbe replied that the Town is not getting anything from the developer as part of the town project, DRS is not giving the town money upfront, but it will get taxed. Mr. Falanga asked what category it will be taxed under. Supervisor Ingalsbe replied that will be up to the Assessor and it is totally out of the Town Board’s hands and it won’t happen until the project is finished. Mr. Falanga asked if there was a PILOT (payment in lieu of taxes) at the County. Supervisor Ingalsbe replied absolutely not. Mr. Falanga asked if the Board is aware that the Town of Macedon would require 1,000 sq. ft. setbacks. Supervisor Ingalsbe stated that he brought that up at another meeting. Mr. Falanga added that there is a big discrepancy between the two neighboring towns. He added that Macedon first put them in locations they went and visited to make sure it was receptive to the neighborhoods and if it didn’t, they didn’t go any further. He asked if this Board is aware that Macedon

taxed Delaware River Solar at full assessment. He urged the Board Members to reach out to the Town of Macedon if they wanted more information on that.

Mr. Falanga thanked the Board and exited the meeting.

Supervisor Ingalsbe stated that the Solar project has been at the Planning Board for two years. They took us to court early on and lost. The Planning Board approved at their last meeting one portion of the application, but they still have the site plan to review with the Developer and approve that. He added that so far taxpayers dollars are \$200,000 + for legal services. He added that even though Mr. Falanga has signatures of 25 and 100, but only 3 people to his knowledge are funding the opposition. He added that the town has spent over \$200,000 in legal fees and there is still more to come so they will never get back the tax revenue from that site in 25 years to pay back the legal fees.

PUBLIC CONCERNS: None.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Herendeen reported:

1. Discussed Vaughn Chopper Pump Repair.
2. Discussed Sand Filter Bid Controller.
3. Discussed Odor Control Tank Washing.
4. Discussed Bio Tower #1 Fan Motor.
5. Discussed Bio Tower #3-LFP bearing replacement.
6. Discussed Manhole Rehab – approximately 3 left.
7. Discussed resolutions on agenda.

Highway & Parks:

1. Highway- equipment maintenance, Vac All sweeping gutters, pipe repair on Allen Padgham, working on rebuild of Townline Road, road sweeping on Collett Road and Payne Road
2. Parks- building and park maintenance, mowing parks, Fall prep of flower beds for winter, Spraying, and planting shade trees.
3. Discussed resolution on agenda.

Town Operations Committee: Councilman Bowerman reported:

1. Discussed various projects: Delaware River Solar, Beaver Creek Park Project, County Road 28/Shortsville Road Intersection Project, Lyons National Bank, Redfield Grove Incentive Zoning, and Hathaways Corners project.

Town Personnel Committee: None.

Town Finance Committee: Supervisor Ingalsbe reported: None.

Town Public Safety Committee: Councilman Holtz reported: None.

REPORTS OF TOWN OFFICIALS:

Supervisor Peter Ingalsbe reported:

1. Discussed Webinar with Ontario County regarding a Police Reform Initiative in the County based on Gov. Cuomo's guidance that every county will have to file a plan by next April, there will be three public hearings, and will be advertised shortly. The County hopes to wrap up all that information in November and have the plan completed well before the April deadline.
2. Held Annual Water meeting with the Towns of Hopewell and Canandaigua prior to this board meeting. The budget was passed and will be included in the Town's 2021 budget.
3. Discussed Auburn Meadows Patio Lots. Supervisor Ingalsbe stated that a few people came in to look at the map that the Planning Department put together so that the Town Board would have a better understanding of the square footage of the different lots. He added that the Town Board will allow fences, sheds and pools and that they would still have to be located within the setback area of their yard. Supervisor Ingalsbe stated that because this was under incentive zoning, the process can take up to two meetings more because the town has to refer it back to the County with the changes and then approve the incentive zoning. Mr. Brand, Director of Planning and Development, stated that the town will have to draft a local law, then send to the County Recycling process, and then file it with the Secretary of the State before the local law takes effect. He added that the local law will have the standards for setbacks and the types of accessory structures and heights of fences and things of that nature that correspond with the balance of the Auburn Meadows project. Mr. Brand stated that the Board has amended incentive zoning in the past. He added that he doubted the Town would have the County's referral back by the first meeting in November. The only deterrent Mr. Brand sees is not having the County's referral back before the first meeting in November due to when they meet and when the town board meets. He added that the earliest would

probably be the last meeting in November. Supervisor Ingalsbe stated that one area of the law they are going to change is in the patio area where setbacks were 8 feet w and the rest of Auburn Meadows and the rest of the town is 5 feet, this will be so that a shed can be within 5 feet of the side lot lines. Someone asked if that was also for the back line. Dan Delpriore, Code Enforcement Officer, replied yes all the way around. Someone asked if that was for any structure (pool or shed), Mr. Delpriore replied yes. He added that the fence can be right on the property line. Supervisor Ingalsbe added that alls they ask is that the good-looking side goes on the outside. Mr. Delpriore stated that they also ask that they leave room to maintenance the fence if needed. They recommend not putting up a maintenance free fence such as vinyl. Councilman Casale stated that nothing can be done until the local law is passed and sent to the State.

Mr. Chris Thomas asked if adjacent neighbors could share a section of fence. Mr. Delpriore replied that is fine until it involves pool enclosures, then the fence would have to be all yours and cannot be shared because if the neighbor decides to take the section down then you wouldn't have an enclosure for the pool. He added that there are different regulations for above ground pools. Mr. Delpriore added that once this passes, they can discuss the different regulations and processes for applying for a building permit for pools, fences, and sheds. Mr. Delpriore stated that they would start the process with their office.

Mrs. Dawn Clark thanked town staff for their good communication with working with them. Mr. Christopher Parks thanked the board for being flexible and understanding and appreciates them for listening. Mr. Parks asked if the County or the State are in a position to veto the town's decision. Supervisor Ingalsbe replied that the only thing with the State is the filing of the Local Law. Mr. Brand stated that under General Municipal Law a project affecting land within 500 feet of a county highway then it has to go to the county, County Planning can recommend whatever their board members come with but this town board can override the counties recommendations with a majority vote plus one. Councilman Holtz added that the town will have to hold a public hearing and then pass a Local Law. It is an advisory opinion from the County that the Board has to take into account before they pass a local law. Mr. Brand added that if for some reason the county comes back with something that would require an override the town board would have to pass a resolution stating the reasons why the town overrode the county's recommendations. He added that the town has done this on a number of occasions in the past. The group wanted to know when they could start the process. Mr. Delpriore replied that they can call the office and get things ready to go so when the date gets here all the information is there. He suggested calling his office to see what is needed whether its for a pool, shed or fence. He added that building permits are good for 12 months but can be renewed.

Mr. Parks asked if the property on Lillybrook that was previously granted a pool and fence with the condition that it would be torn down when the property owner moves, would that condition be placed on their property as well and if not could that property be included in with their properties and remove that condition. Supervisor Ingalsbe replied that is another expensive lawsuit and they will reach out to the town counsel regarding that property.

Mr. Brand stated that the earliest a draft local law could be prepared for the boards consideration would be October 27th, then it would be sent to the County Planning Board for their review (and they meet the day after the boards first meeting in November (12th)). He added that normally they would schedule a public hearing on any local law amendment to coincide with receiving the county's recommendations so they would know if they need to override or not, so they are looking at possibly having the public hearing on November 24th and the board could adopt the local law that night, then the Town Clerk certifies it and forwards to the Town Attorney who then forwards it to the State for filing. He added that once the Town Clerk receives notice from the State that is has been filed, she will notify the Code Enforcement Officer that the local law is in effect and then he can issue building permits. Mr. Brand stated around December 3rd or 4th at the earliest for issuance of permits. Mr. Delpriore stated that after the November 24th meeting, residents can come to his office and start applying for a building permit.

Mrs. Katy Copeland thanked the board.

Highway & Parks Superintendent Giroux reported:

1. Main hardware was placed on the big trucks.

Town Clerk Michelle Finley reported:

1. Busy collecting water and sewer bills and dog renewals.
2. 2021 Preliminary Budget were given to Board Members. Supervisor Ingalsbe stated the next step is to set a public hearing, which there is a resolution on tonight's meeting setting that. He added that they completed the budget with some major adjustments to the General Fund Revenues, VLT revenues, Water & Sewer revenues and adjustments made after Town Board Budget Workshops to balance the budget. General Fund Appropriations are up \$62,323 and Highway Appropriations are down \$131,091 from the 2020 budget. They still maintain a tax rate of \$1.10 per thousand of assessed value, this rate has remained the same since 2017. The drainage district tax rate is down 16.86% and fire district tax rate is down slightly (.46%) as are most of the street lighting districts. Water expenses continue to rise, and the water tax rate will be up 7.30% for 2021. Four sidewalk districts are down with one up slightly and one new sidewalk district. He added that the Town Board and staff are working very hard on the 2021 budget and he is happy to report

that we are under the NYS Tax Cap by approximately \$33,271.00. Budget will be on website in a day or two.

Water & Sewer Superintendent reported: None.

Code Enforcement Officer Dan Delpriore reported:

1. 120 permits issued in September, last year was 50.
2. Total permits issued through September 30th – 673.
3. Total permits issued through September -1418.

Director of Planning and Development Ron Brand reported:

1. Report available on website and filed with the Town Clerk.
2. Discussed developer who wants to develop a portion of the waterpark site (flex building).
3. He stated that the timing for the moratorium on solar farms was very optimistic because they now know four potential sites in the town where people are thinking about putting solar farms.

Assessor Michelle Nicodemus reported: None.

Town Engineer Bill Davis reported:

1. Reported on Manholes at Eastview Mall, Brickyard Road Tank, and bids on Mertensia Road Watermain (reviewing the qualifications of bidders).

Fire Chief reported: None.

Planning Board Chairman Ed Hemminger reported: None.

Planning Board Member Adrian Bellis reported:

1. Last meeting – DRS and LOC's.
2. Next Meeting -GLN, Meyers, and Laviano project.

Zoning Board of Appeals Jeremy Marshall reported: None.

Recreation Advisory Committee Bryan Meck reported: None.

Supervisor Ingalsbe stated that there will be a meeting Wednesday night with Victor Little League to discuss park improvements to the ball fields.

Recreation Director Mark Cain reported: None.

Ontario County Planning Board Member reported: None.

Conservation Board Chairman Hilton reported: None.

Town Historian Donna Herendeen reported: None.

Swap Shop Update: Councilman Holtz: None.

Agricultural Advisory Committee Chairman Hal Adams: None.

COMMUNICATIONS:

1. Letter to the Town from James R. Young of Young Explosives: Deposit for 2021 July 3rd Celebration.
2. Letter to the Town Board from Jim Foley. Re: Solar projects moratorium.
3. Email to the Town Board from Bridget O'Toole. Re: Delaware River Solar Project.
4. Letter to the Town Board from concerned citizens opposed to DRS Industrial/Commercial Solar Power Plant in Ag & Residential Zones. Re: Delaware River Solar Project.
5. Letter to Jeff Graff from the Confidential Secretary. Re: Easements for filing with the Ontario County Clerk.
6. Letter to the Town Supervisor from Sheryl Robbins of the NYS DOH. Re: Public Water Supply, CFWD Partial Approval – Completed Works, Townline Road Watermain & Transmission Main.
7. Letter to the Town Supervisor from Sheryl Robbins of the NYS DOH. Re: Public Water Supply, CFWD Approval – Completed Works, Beaver Creek Park Watermain.
8. Letter to Anthony DiPrima of A&D Real Estate Development from the Director of Development. Re: Auburn Meadows Subdivision, Section 7S, RG&E Work Order #801000301657, Marion Way Service Charge.
9. Construction Progress Reporting Survey – State and Local Governments.

- 10. Letter to Thomas Kime, President of Lyons Nation Bank, from the Director of Development. Re: RG&E Request for payment.
- 11. Letter to the Planning Board from Bridget O’Toole of Zoghlin Group. Re: Delaware River Solar Project.
- 12. Letter to the Town Supervisor from Mary Kay Bashaw of Canandaigua National Bank. Re: CNB Positive Pay.
- 13. Letter to the Planning Board from Ken Walton of the Farmington Volunteer Fire Association. Re: Future fire station #3.
- 14. Letter to the Town Supervisor from Tammy Luzzi of Ontario County Real Property Tax Services. Re: Cable Television Revenue Report.
- 15. Ontario County Department of Public Works Road Closing Notification.
- 16. Email to the Town Clerk from the Town Supervisor. Re: Follow up on 2021 Budget.
- 17. Town of Farmington Water and Sewer & Victor Sewer District Significant Industrial User Wastewater Discharge Permit.
- 18. Certificates of Liability Insurance from: Pooler Enterprises, Inc.; Matzan Construction, LLC; Walworth Hardware Services, LLC; Irondequoit Garden Center, Inc.; Heberle Plumbing, Inc.
- 19. Certificates of Workers’ Compensation Insurance from: Heberle Plumbing, Inc.
- 20. Reinstatement of Insurance from: Skanex Pipe Services, Inc.
- 21. Cancellation of Insurance from: J Bittel Enterprises, Inc.; Serenity Pool and Spa, LLC.

REPORTS & MINUTES:

- 1. Judge Lew – Monthly Report – September, 2020.
- 2. Judge Gligora – Monthly Report – September, 2020.
- 3. Building Department – Permit Report by Type – September 2020.
- 4. Building Department – Inspection Schedule – September 2020.
- 5. Report to Public Works and Town Operations Committees for Town Board Meeting – September 22, 2020.
- 6. Manchester Fire Department Incident Run Log – September 2020.
- 7. Conservation Board Meeting Minutes – August 24, 2020.
- 8. Recreation Board Meeting Minutes – September 1, 2020.
- 9. ZBA Meeting Minutes – August 24, 2020.
- 10. Ontario County Sheriff Report – September 2020.
- 11. Planning Board Meeting Minutes – September 16, 2020.
- 12. Project Review Committee Meeting Minutes – October 2, 2020.

ORDER OF BUSINESS:

RESOLUTION #345-2020:

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

CONFIRMING RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN THE GROUP CUSTOMER QUOTES WITH MVP HEALTH PLAN, INC.

WHEREAS, Brown and Brown has asked that the Town Supervisor sign a Group Customer Quotes with MVP Health Plan, Inc. for Preferred Gold HMO-POS for 2021 as per attached rates, and therefore

BE IT RESOLVED, that the Town Board authorizes the Supervisor to sign the Group Customer Quotes with MVP Health Plan, Inc., and

BE IT FURTHER RESOLVED, that the Town Clerk is to provide copies of this Resolution and the original summary of benefits to the Confidential Secretary and a copy of the resolution to the Principal Account Clerk.

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

RESOLUTION #346-2020:

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

CONFIRMING RESOLUTION AUTHORIZING THE TOWN JUSTICES TO APPLY FOR A JUSTICE COURT ACTION PLAN GRANT

WHEREAS, the Town of Farmington Court has asked for the Town Board’s support in obtaining a Justice Court Action Plan grant to help maintain its level of efficiency and

WHEREAS, the Justices as looking to add and or update office equipment as follows:

Storage room Dehumidifier and warranty	\$394.89
IP Conference Center Phone	\$379.95
Lobby floor repairs/renovations	\$1635.62

The total we are seeking from the state grant is \$ 2410.46

WHEREAS, the total being sought is \$ 2410.46

Now therefore be it RESOLVED, that the Town Board hereby supports the Town Justices in their application for a grant for \$ 2410.46 and authorizes Town Supervisor Peter Ingalsbe to sign the attached application, and be it

Further RESOLVED, that the Town Clerk provide a copy of this resolution to the Town Court and the Principal Account Clerk.

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

RESOLUTION #347-2020:

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

CONFIRMING RESOLUTION ALLOWING CONTRACTORS TO WORK ON OCTOBER 12th, COLUMBUS DAY AND NOVEMBER 11th, VETERANS DAY

WHEREAS, the Town Board established Town of Farmington Code for Hours of Operations by Resolution #265-2008 stating that “there shall be no construction work on Sundays and national holidays, and

WHEREAS, due to weather conditions and other obstacles, construction has fallen behind schedule on several projects, therefore be it

RESOLVED, the Farmington Town Board hereby allows contractors to work on Monday, October 12th, Columbus Day and Wednesday, November 11th, 2020, which is Veterans Day, and further be it

RESOLVED, that the Town Clerk provide copies of this resolution to the Supervisor, Building Department, Construction Inspector, Acting Water & Sewer Superintendent, Highway Superintendent, Bill Davis of MRB Group and Lance Brabant of MRB Group.

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

RESOLUTION #348-2020:

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN THE DOCUMENTS INCLUDED WITH THE UNDERWRITING PACKAGE WITH EXCELLUS

WHEREAS, Brown and Brown has asked that the Town Supervisor sign documents included in the underwriting package with Excellus for Platinum 2, Gold 17, and Bronze HSA Plans for 2021 as per attached rates, and therefore

BE IT RESOLVED, that the Town Board authorizes the Supervisor to sign the documents included in the underwriting package from Excellus, and

BE IT FURTHER RESOLVED, that the Town Clerk is to provide copies of this Resolution and the original Summaries of benefits to the Confidential Secretary and a copy of the resolution to the Principal Account Clerk.

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

RESOLUTION #349-2020:

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

RESOLUTION AUTHORIZING THE ACTING WATER & SEWER SUPERINTENDENT TO PAY INVOICE #9990000460950 FROM THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO RENEW SPDES PERMIT ID #0023531

WHEREAS, the Sewer Department has received an invoice from the NYS Department of Environmental Conservation in the amount of \$8,000.00, now therefore

BE IT RESOLVED, that the Town Board authorizes the Acting Water & Sewer Superintendent to pay said invoice in the amount of \$8,000.00 from account SS8130.43, and

BE IT FURTHER RESOLVED, that the Town Clerk is to provide copies of this Resolution to the Acting Water & Sewer Superintendent and the Principal Account Clerk.

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

RESOLUTION #350-2020:

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

APPROVAL OF A REQUEST FOR THE FINAL RELEASE OF FUNDS (RELEASE #2) FROM THE LETTER OF CREDIT FOR OFF-SITE IMPROVEMENTS A PART OF PHASE 1 OF THE HATHAWAY’S CORNERS PROJECT – IN THE TOTAL AMOUNT OF \$ 30,598.26

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a resolution from the Town Planning Board (hereinafter referred to as Planning Board), recommending the Town Board take action to accept the requested final release of funds remaining in the letter of credit for this action with a condition that said release not be authorized until a two-year maintenance bond has been received, accepted by the Town Board and a copy thereof placed on file with the Town Clerk; and

WHEREAS, the Planning Board’s recommendation is based upon their review and acceptance of the recommendations received from the Town Construction Inspector and the Town’s Engineers, and the signed Town Final Release Form (G-1.1) and the partially completed Town Surety Release Form (G-2.); and

WHEREAS, the total amount of this letter of credit is \$ 174,383.17; and

WHEREAS, there is a balance of \$30,598.26 remaining in the letter of credit; and

WHEREAS, the Town Clerk has reviewed this requested final release of funds finding the amounts contained herein to be accurate.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby accepts the Planning Board’s recommendation and approves the final release of funds from the letter of credit for the above referenced project, in the total amount of \$ 30,598.26 with the following conditions. The Town Board receives a two-year maintenance bond from the Applicant, for Town Board acceptance at a future meeting and which has been previously reviewed and recommended by the Town Construction Inspector and the Town Engineer.

BE IT FURTHER RESOLVED, that the Town Board authorizes the Town Supervisor to sign and date Form G-2.0, Town Letter of Credit Final Release Form, upon being notified by the Town Clerk that a two-year maintenance bond, in an amount accepted by the Town Board, has been filed in the Office of the Town Clerk.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed not to release the final amount in the subject letter of credit until the Town Supervisor’s signature has been affixed to Town Form G-2.0.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to notify tomorrow, by U.S. Mailing, certified copies of this resolution to: Ryan Destro, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, New York 14450; and Mark Stevens, S.B. Ashley Group and Shawn Skivington, S.B. Ashley Group, 16 West Main Street, Suite 700, Rochester, New York 14614.

BE IT FINALLY RESOLVED, that certified copies of this resolution are also to be provided to the Town Highway Superintendent, Acting Town Water & Sewer Superintendent, Town Code Enforcement Officer, the Town Director of Planning and Development, the Town Construction Inspector and the Town Engineer.

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

RESOLUTION 351-2020:

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

RESOLUTION SETTING A PUBLIC HEARING FOR THE 2021 TOWN BUDGET

WHEREAS, the Farmington Town Board has completed the budget workshops and has filed the 2021 Preliminary Budget with the Town Clerk, therefore be it

RESOLVED, the Farmington Town Board sets the Public Hearing for the 2021 Town Budget for October 27, 2020, at 7:00 p.m. at the Farmington Town Hall, 1000 County Road 8, Farmington, NY 14425, and further be it

RESOLVED, that the Town Clerk submit legal notice to the Daily Messenger.

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

RESOLUTION #352-2020:

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN A CONTRACT WITH UNIFIRST FOR UNIFORMS FOR THE WATER & SEWER DEPARTMENT

WHEREAS, Cintas has ceased deliveries of uniforms to the Water & Sewer Department, and

WHEREAS, the Town of Farmington has utilized Unifirst for the uniforms for the Highway Department and the rugs at the Town Hall since 2017 and

WHEREAS, Unifirst pricing per garment and/or rug is equal to or less then Cintas,

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorize the Town Supervisor to sign the Customer Service Agreement with Unifirst, and be it further

RESOLVED, that the Town Clerk provide a copy of this Resolution to the Principal Account Clerk and the Water & Sewer Department.

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

RESOLUTION #353-2020:

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

RESOLUTION AUTHORIZING THE CLOSING OF THE PUMP STATION 2 CAPITAL PROJECT

WHEREAS, Resolution 216-2020 authorized the signature for the certificate of substantial completion for the Pump Station 2 (HS) capital project,

NOW, THEREFORE BE IT **RESOLVED**, that the Town Board of Farmington hereby authorizes the remaining funds of \$1665.24 plus any interest earned to be transferred back to the Sewer Savings account,

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

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

RESOLUTION #354-2020:

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

RESOLUTION APPROVING THE CANANDAIGUA-FARMINGTON WATER DISTRICT FUND BALANCE POLICY

WHEREAS, Resolution 45 of 2020 approved the Town of Farmington Fund Balance Policy which requires the Town to maintain target levels of fund balance within the General and Highway Funds,

WHEREAS, the Town has created a fund balance policy specific to the water fund since the year-end financial statements for Canandaigua-Farmington Water District are filed separately with the state

NOW, THEREFORE BE IT **RESOLVED**, that the Town Board of Farmington hereby approves the CFWD fund balance policy.

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

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

RESOLUTION #355-2020:

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

RESOLUTION AUTHORIZING ACCEPTANCE OF QUOTES FOR CARPET CLEANING IN VARIOUS TOWN BUILDINGS

WHEREAS, the Supervisor has received quotes for carpet cleaning from three (3) vendors, and

WHEREAS, the lowest price for the Town Hall and Town Court carpets was received by ACS, and

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the acceptance of the quote from ACS for the Town Hall and Town Court carpets, Option 2, which is a three year bi-annual agreement at a cost not to exceed \$1,657.00, and be it further

RESOLVED, that the Town Clerk provide copies of this Resolution to ACS Carpet & Upholstery at PO Box 732, Fairport, NY 14450 and the Principal Account Clerk.

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

RESOLUTION #356-2020:

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

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

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

WHEREAS, the Principal Account Clerk submitted the Monthly Report of the Supervisor for September 2020 to the Town Supervisor on October 2, 2020, and

WHEREAS, the Town Supervisor approved and executed the Monthly Report of the Supervisor for September 2020 on October 2, 2020,

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

NOW, THEREFORE, BE IT **RESOLVED**, that the Town Board hereby accepts the Monthly Report of the Supervisor for September 2020, and be it further

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

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

RESOLUTION #357-2020:

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

RESOLUTION CREATING A THIRD CODE ENFORCEMENT OFFICER POSITION

WHEREAS, The Town has identified that an additional Code Enforcement Officer position is needed, and

WHEREAS, a new position duties statement was sent to Ontario County Human Resources for their review and approval, and

WHEREAS, Ontario County Human Resources sent the Town Supervisor a letter dated September 22, 2020 enclosing a copy of Classification Certification No. 112-2041-2020 which classifies one position of Code Enforcement Officer for the Town of Farmington and has directed the Town to create the position,

NOW THEREFORE BE IT **RESOLVED**, that the Town Board hereby authorizes the creation of a third Code Enforcement Officer position, and be it further

RESOLVED, that the Town Clerk forward a copy of this resolution to Michele Smith, Director of Ontario County Human Resources, the Building Department, the Principal Account Clerk and the Supervisor's Secretary.

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

RESOLUTION #358-2020:

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

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN THE CHANGE ORDER GC-01 FOR BEAVER CREEK PARK RESTROOM BUILDING

WHEREAS, MRB has submitted to the Town of Farmington, change order GC-01 from BLM Construction Company Incorporated for a contract price increase in the amount of \$22,897.65 for floor mount flush valve, smoke/CO detector, foundation drains and storm tie-ins, drinking fountain, and electrical modifications,

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington hereby authorizes the Supervisor to sign GC-01 and which will revise the contract price to \$383,297.65, and be it

FURTHER RESOLVED, that the funds for this change order be supplied from the Beaver Creek Park Capital Project, and be it

FINALLY RESOLVED, that the Town Clerk returns the signed change order to MRB Group and a copy of this resolution and the change orders be forwarded to the Highway Department, the Building Department and the Principal Account Clerk.

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

RESOLUTION #359-2020:

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

RESOLUTION AUTHORIZING ACCEPTANCE OF A SIDEWALK EASEMENT FROM SYDNEY BALTRUSAITIS

WHEREAS, the Town of Farmington, by its officers or representatives, has engaged in discussions with Sydney Baltrusaitis ("Owner") regarding the Town's obtaining a Sidewalk Easement over portions of its property known as 1165 Mertensia Road bearing tax account parcel number 29.00-1-66.100, as shown on Map No. M-4 prepared by MRB Group dated January 2020 and to be filed in the Ontario County Clerk's Office; and

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

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

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

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

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

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

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

RESOLUTION #360-2020:

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

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

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

WHEREAS, the MEO –Position was the second of two (2) position vacant included in the 2020 Budget to the Highway Department and,

WHEREAS, the Ontario County Human Resources Department has verified that the Town of Farmington has one (1) MEO – Position available, therefore be it

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

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

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

RESOLUTION #361-2020:

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

RESOLUTION AUTHORIZING HIGHWAY SUPERINTENDENT TO HIRE HOLTZ FOREST AND SHADE TREE, LLC TO REMOVE TWO TREES ON MERTENSIA ROAD

WHEREAS, the Highway/Parks Superintendent has discussed the need to remove two (2) dead trees located on Mertensia Road by the park, and

WHEREAS, we reached out to 3 vendors for quotes Holtz Forest and Shade Tree, LLC (**\$1,500**), R&M Tree Service (**unable to quote more business at this time**), and localtreeservicespros.com (**hasn't responded to emails or voicemails**), and

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the Highway Superintendent to hire Holtz Forest and Shade Tree, LLC. to remove the tree on the Auburn Trail at a cost **not to exceed \$1,600**, to be funded from DA-5140.4 (**Highway Misc. Brush and Weeds**), and

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

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

RESOLUTION #362-2020:

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

AUTHORIZE HIGHWAY SUPERINTENDENT TO MOVE FORWARD ON THE PROJECT TO INSTALL A SLIP LINE ON COLLETT ROAD

WHEREAS, the Highway has reached out to three (3) vendors with the intent to slip line on Collett Road, and

WHEREAS, the vendors The Precision Group (\$9,750.40), Porretta Excavating (unable to quote at this time) and Nu-Flow Update NY (didn't reply with a quote), and

WHEREAS, the Highway Department is working on drainage on Collett Road, and is asking for a quote for slip Lining Molded in Place 2 sections of 80’ in length each, 12” pipe, and

WHEREAS, the Highway Superintendent is requesting that the Town Board allow the Town Supervisor to sign the attached quote from **The Precision Group** allowing the Highway Superintendent to move forward with the slip lining project at a cost, **not to exceed \$ 10,500 to be paid for from DA-5110.4**, and be it

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

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

RESOLUTION #363-2020:

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

DECLARE EQUIPMENT SURPLUS TO BE DISPOSED OF APPROPRIATELY

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

- 1994 – INTERNATIONAL – TRACTOR –1HSGGC6T5RH564827- HWY DEPT -H-20**
- 2002 – EAGER BEAVER – TRAILER - 112SFZ4502L060236 – HWY DEPT – H-20A**
- 2009 – INTERNATIONAL -DUMP - 1HTWZHR49J109628 – HWY DEPT – H-11**
- 2011 – CHEVEROLET-SILVERADO - 1GCNCPEA2BZ395188 - HWY DEPT – H-29**
- 2009 – JOHN DEERE 6330 CAB TRACTOR -L06330H575543– HWY DEPT – H-18**
- 2002 – NEW HOLLAND – TS10 TRACTOR & BROOM – 189022B – HWY DEPT – H-40**

WHEREAS, the following pieces of equipment along with P-5 (2012 Ford F550 previously declared surplus on resolution #135 of 2020) were sent to the Roy Teitsworth, Inc, Fall Municipal Auction held on October 10, 2020, and

RESOLVED, that the Town Board authorizes the above listed equipment be declared surplus and to be disposed of appropriately, and

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

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

RESOLUTION #364-2020:

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

HUNTER RUTHVEN AND JAMES R. RICKEY IV - Successful Completion of Probationary Period, Plus Increase

WHEREAS, Hunter Ruthven and James R. Rickey IV has successfully completed the required six-month time line for the Probationary Period in the position of Laborer, and

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

WHEREAS, this increase was budgeted as part of the position review during the probationary period and is keeping within the 2020 budget limits, and

NOW THEREFORE, BE IT RESOLVED, that the Farmington Town Board acting on behalf of the Water and Sewer Districts hereby authorizes a \$.50 increase (from \$13.75 to \$14.25 per hour) for Hunter Ruthven and James R. Rickey IV effective October 18, 2020 which is the start of the Town’s Pay Period #23 of 2020, and

BE IT FURTHER RESOLVED, that the Town Clerk provides a copy of this resolution to the Water/Sewer Supervisor, the Principal Account Clerk, and the Supervisor’s Confidential Secretary.

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

RESOLUTION #365-2020:

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

Resolution Authorizing Provisionally Hiring an Assessor’s Aide

WHEREAS, Susan Koss resigned March 25, 2020 leaving the Assessor Aide position vacant, and

WHEREAS, the Assessor Aide is classified as a Competitive position, therefore, in order to qualify for appointment a candidate must meet the minimum qualifications and, not only pass the written examination, but also score within the top three highest scores, and

WHEREAS, this appointment will be provisional upon Paula Ruthven completing the Assessor Aide Civil Service Exam (TBA) and scoring within the top three highest scores, and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington hereby authorizes the provisional hiring of Paula Ruthven effective October 13, 2020 at a rate of \$15.00 per hour, and

FURTHER RESOLVED, that copies of this resolution be submitted by the Town Clerk to the Supervisor’s Secretary, Assessor, Principle Account Clerk and Paula Ruthven at 4005 North Avenue, Shortsville, NY 14548. All Voting “Aye” (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #366-2020:

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

RESOLUTION AUTHORIZING THE ACTING WATER AND SEWER SUPERINTENDENT TO PURCHASE ONE (1) NEW AND UNUSED WESTERN SNOW PLOW FOR THE TOWNS 2020 FORD F-350 XL CREW CAB 4X4

WHEREAS, the Acting Water and Sewer Superintendent has established a Five (5) and Ten (10) Year Vehicle and Equipment Replacement Program for the Farmington Water and Sewer Department, and

WHEREAS the Water and Sewer Department has budgeted for Vehicle and Equipment Replacement for the water and sewer department’s Snow Plow to be installed on the towns new 2020 Ford F-350 to be replaced within 2020 Budget under line SS 8130.2 (Equipment) and the SW1 8340.2 (Equipment), and

WHEREAS, in compliance with the current purchasing policy for the Town allowing Best Value Contracts, the Acting Water and Sewer Superintendent has asked to be authorized to purchase one (1) new and unused 2020 Western Snow Plow Model 9.5’ MVP-3 Under the quotation from Unicell Truck Equipment for the amount of \$6,135.30, and

Be it RESOLVED, the Farmington Town Board authorizes the Acting Water and Sewer Superintendent to purchase one (1) new and unused 2020 Western Snow Plow Model #9.5’ MVP-3 The purchase cost including lights/HH Control and installation at quoted price of \$6,135.30 and

Be it further RESOLVED, the funds are appropriated in the 2020 budget lines at a 50/50 shared cost for the Water Dept. SW1-8340.2 (equipment), the Sewer Dept. SS-8120.2 (equipment), and

Be it further RESOLVED that the Town Clerk provides a copy of this resolution to the Acting Water/Sewer Superintendent and the Principle Account Clerk.

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

RESOLUTION #367-2020:

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

Abstract 19-2020

TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS

TO: MARCY DANIELS FROM: J. MARCIANO

ABSTRACT NUMBER	19
DATE OF BOARD MEETING	10/13/2020

FUND CODE	FUND NAME	TOTAL FOR EACH FUND	VOUCHER NUMBERS
A	GENERAL FUND	68,504.94	1726,1728-1773,1842,1843
HG	MERTENSIA WATERLINE	4,370.00	1749
DA	HIGHWAY FUND	9,975.24	1745,1764,1766,1774-1786
HA	AUBURN TRAIL PROJ	0	
HB	BEAVER CREEK PARK	6,845.25	1727,1749,1841
HS	PUMPSTATION 2	0	
HM	FUEL STATION CAP PROJ	0	
HN	NORTH RD CAP PROJ	90.00	1749
HP	TOWN PARK IMPROVEMENTS	519.00	1749
HQ	LED STREET LIGHTING	0	
HW	WATER TANK REPAIR	18,253.25	1749,1791,1832
HZ	TOWNLINE CAP PROJ		
SD	STORM DRAINAGE	3,524.76	1749,1787,1816
SF	FIRE PROTECTION DISTRICT	0	
SL1	LIGHTING DISTRICT	0	
SM	SIDEWALKS	0	
SS	SEWER DISTRICT	149,014.10	1749,1757,1764,1766,1767, 1787-1818
SW1	WATER DISTRICT	445,712.28	1749,1757,1764,1766,1767, 1787,1789,1791,1796,1798-1804,1815-1840
TA93	LETTER OF CREDIT (CASH)		
TA200	PAYROLL DEDUCTIONS(TA85UNI,TA20,TA20D,TA86)	121.54	1732,1765
	TOTAL ABSTRACT	\$ 706,930.36	

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

TRAINING UNDER \$100: None.

WAIVER OF THE RULE: No Objection

RESOLUTION #368-2020:

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

RESOLUTION AUTHORIZING WAGE INCREASE FOR TWO WATER & SEWER EMPLOYEES

WHEREAS, due to an evaluation of duties and staffing, the Acting Water & Sewer Superintendent, in conjunction with the Town Board, have identified two employees that need an adjustment to their current wages, and

WHEREAS, Nathan Cooley was appointed as a Motor Equipment Operator effective July, 2019 and has completed the probationary period for this title and requires an incremental wage increase to \$20.00 per hour; and

WHEREAS, Matthew Thompson has been the only full-time employee in the WWTP since September and has taken on extra duties due to the staffing vacancies and therefore requires a wage increase to \$23.78 per hour, now therefore be it

Be it RESOLVED, the Farmington Town Board authorizes the wage increases for both Nathan Cooley and Matthew Thompson effective for Payroll 22; and

Be it further RESOLVED, that the Town Clerk provides a copy of this resolution to the Acting Water/Sewer Superintendent, the Confidential Secretary and the Principle Account Clerk.

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

DISCUSSION: None.

EXECUTIVE SESSION: None.

With no further business before the Board, **Councilman Casale** offered a motion to adjourn the meeting at 8:06 p.m., seconded by **Councilman Bowerman**. Motion **CARRIED**.

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