

RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF FARMINGTON OF LOCAL LAW NO. ____ OF 2021

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Farmington for a public hearing to be held by said Town Board on _____, 2021, at 7:00 p.m. at Farmington Town Hall, 1000 County Road 8, Farmington, New York, to hear all interested parties on a proposed Local Law to override the tax levy limit established in General Municipal Law §3-c; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Farmington, on _____, 2021 and all other notices required by law to be given were properly served, posted or given; and

WHEREAS, said public hearing was duly held on _____, 2021, at 7:00 p.m. at the Farmington Town Hall, 1000 County Road 8, Farmington, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

WHEREAS, the Town Board of the Town of Farmington, after due deliberation, finds it in the best interest of the Town of Farmington to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Farmington hereby adopts said Local Law No. ____ of 2021, entitled, "A local law to override the tax levy limit established in General Municipal Law §3-c", a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Farmington, and to give due notice of the adoption of said local law to the Secretary of State of New York.

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

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

Dated: _____, 2021

Michelle Finley, Town Clerk

SEAL

RESOLUTION

WHEREAS, the Town Board of the Town of Farmington is the governing body of the special districts and/or fire protection districts set forth in the Schedule attached hereto and made a part hereof; and

WHEREAS, it is the intent of this resolution to override the limit on the amount of real property taxes that may be levied by the Town of Farmington, on behalf of the aforesaid special districts and/or fire protection districts, pursuant to General Municipal Law §3-c, and to allow the Town of Farmington, on behalf of the aforesaid special districts and/or fire protection districts, to adopt a budget for the fiscal year 2022 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c; and

WHEREAS, this resolution is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the tax levy limit for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Farmington, County of Ontario, is hereby authorized to adopt a budget for the fiscal year 2022 on behalf of the special districts and/or fire protection districts set forth in the Schedule attached hereto and made a part hereof that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

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

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

Dated: _____, 2021

Michelle Finley, Town Clerk

SEAL

**RESOLUTION FOR
CONSENT OF ABANDONMENT
PART OF COMMERCIAL DRIVE
NYS HIGHWAY LAW ARTICLE 8, SECTION 171(2)**

WHEREAS, Commercial Drive in the Town of Farmington, Ontario County, New York, was accepted for dedication by the Town of Farmington in 1989 by order of the Town of Farmington Highway Superintendent and with the consent of the Farmington Town Board, as reflected in a deed of dedication from Primo DiFelice to the Town of Farmington, dated August 14, 1989 and recorded in the Ontario County Clerk's office on September 27, 1989 in liber 889 of Deeds, page 1044 (hereinafter, the "1989 Dedicated Commercial Drive"); and

WHEREAS, Redfield Townhomes LLC and DiFelice Lands, LLC (hereinafter, the "Applicants"), all of the owners of Redfield Grove Subdivision, Phase 2, the real estate affected by the requested alteration, have submitted an application dated December 29, 2020, for the alteration of a portion of Commercial Drive as described in said application; and

WHEREAS, there is attached to said application a written release from all damages executed by the Applicants, the owners of all of the lands affected thereby; and

WHEREAS, the requested alteration consists of the elimination of a 90 degree left turn at the northerly end of the 1989 Dedicated Commercial Drive and of the realignment of Commercial Drive, in accordance with the warranty deeds of dedication submitted to the Town of Farmington for the dedication of Commercial Drive by the Applicants.

WHEREAS, it appears that the 1989 Dedicated Commercial Drive is an improved highway and has heretofore been constructed in the Town of Farmington and includes a portion thereof located wholly within the Redfield Grove Subdivision, Phase 2, in the Town of Farmington, Ontario County, New York; and

WHEREAS, it further appears that the Applicants are the only persons owning any land that will be affected by the alteration of Commercial Drive, as described in the application, and that no claim for damages is made; and

WHEREAS, Commercial Drive needs to be altered as described in the Application to eliminate and discontinue a 90 degree left turn at the northerly end of the 1989 Dedicated Commercial Drive and to accept for dedication and to open new portions of Commercial Drive that will connect with the remaining part of the 1989 Dedicated Commercial Drive, in accordance with deeds of dedication previously submitted to the Town by the Applicants;

NOW, THEREFORE, We, Councilpersons of the Town Board of the Town of Farmington, Ontario County, New York, do hereby resolve to consent, pursuant to Section 171 of the Highway Law of the State of New York, to the alteration of the 1989 Dedicated Commercial Drive, as described in the Application, to include the elimination and discontinuance of a 90 degree left turn at the northerly end of the 1989 Dedicated Commercial Drive.

_____, 2021

Peter Ingalsbe, Supervisor

Michael Casale, Councilman

Steven Holtz, Councilman

Ronald Herendeen, Councilman

Nathan Bowerman, Councilman

CERTIFICATE OF TOWN CLERK

STATE OF NEW YORK)
COUNTY OF ONTARIO) ss.:

I, Michelle Finley, Clerk of the Town of Farmington in the County of Ontario, New York, DO HEREBY CERTIFY that I have compared the preceding Resolution with the original thereof filed in my office on _____, 2020, and that the same is a true and correct copy of said original and of the whole thereof so far as the same relate to the subject matters referred to therein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this _____ day of _____, 2021.

Michelle Finley, Town Clerk

Seal of the
Town of Farmington

**RESOLUTION REGARDING THE CONSENT OF THE TOWN BOARD
TO DEDICATE
REDFIELD DRIVE AND COMMERCIAL DRIVE IN
REDFIELD GROVE SUBDIVISION, PHASE 2**

TOWN BOARD CONSENT

WHEREAS, Upon reading the dedication of Commercial Drive in Redfield Grove Subdivision, Phase 2, dated the 28th day of September, 2020 and the Release related thereto dated the 27th day of October, 2020 as well as the dedication of Redfield Drive and Commercial Drive in Redfield Grove Subdivision, Phase 2, dated the 1st day of October, 2020 and the Release related thereto dated the 27th day of October, 2020, all in the above entitled matter, wherein the owners of lands described therein have released the same to the Town of Farmington and its Highway Superintendent for highway purposes; now, therefore, be it

RESOLVED, that consent be and the same hereby is given to the Town Superintendent of Highways of the Town of Farmington to make an order laying out the lands described in said dedications, dated the 28th day of September, 2020 and the 1st day of October, 2020 respectively, for highway purposes, in accordance with the provisions of the Highway Law and other statutes applicable thereto.

Town Board of the Town of Farmington,

Ontario County, New York

I, Michelle Finley, Town Clerk of the Town of Farmington do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Farmington on _____, 2020, by the following vote:

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

Dated: _____, 2020

Michelle Finley, Town Clerk

SEAL

**RESOLUTION AUTHORIZING ACCEPTANCE OF EASEMENTS AND A
STORMWATER MAINTENANCE AGREEMENT
AFFECTING COLLETT WOODS III SUBDIVISION**

WHEREAS, the Town of Farmington, by its officers or representatives, has engaged in discussions with Collett Woods, LLC (“Owner”) regarding the Town’s obtaining two (2) Water and Utility Easements, a Stormwater Management Facility Easement and a Stormwater Maintenance Agreement over portions of its property in the Collett Woods III Subdivision, as shown on maps prepared by Passero Associates dated December 28, 2018 and February 2016; and

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

WHEREAS, said easements and agreement have 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 easements and agreement on behalf of said Town; and

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

RESOLVED, that the Town Board of the Town of Farmington does hereby accept the Easements and agreement attached hereto as Exhibit 1 from Owner in accordance with the terms and conditions contained in said instruments and directs that the easements 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.

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

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

Dated: _____, 2021

Michelle Finley, Town Clerk

SEAL
Resolution No. _____ of 2021

**THE TOWN OF FARMINGTON
TOWN BOARD**

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

Names	Ayes	Nays	Abstain	Absent
Supervisor Peter Ingalsbe				
Councilman Ron Herendeen				
Councilman Nathan Bowerman				
Councilman Steven Holtz				
Councilman Michael J. Casale				
Total				

RESOLUTION AUTHORIZING THE TOWN OF FARMINGTON TOWN BOARD TO REFUND PRELIMINARY SUBDIVISION AND PARTIAL SITE PLAN APPLICATION FEES IN REGARD TO THE PROJECT AT BLACKWOOD INDUSTRIAL PARK FOR A TOTAL AMOUNT OF \$7,010.00.

WHEREAS, The Town received \$210.00 for preliminary subdivision application and \$93,350.00 for preliminary site plan application,

WHEREAS, the applicant submitted a letter showing a reduction of 34,000 sq feet to the preliminary site plan application which would equal a partial site plan refund of \$6,800.00 (34,000x.20=\$6,800.00)

WHEREAS, the applicant submitted a letter requesting a cancellation to have the property subdivided and requested a refund of the application fees for subdivision in a total amount of \$210.00

WHEREAS, the total requested amount of refund comes to \$7,010.00

NOW THEREFORE, BE IT RESOLVED That the Town Board of Farmington does herein approve the refund of \$7,010.00 to the Union Crossing Development, LLC

MAY IT BE FURTHER RESOLVE, that copies of this resolution and refund to be submitted by the Town Clerk to Union Crossing Development LLC at 2580 Baird Road, Penfield New York 14526,

MAY IT BE FURTHER RESOLVE, that copies of this resolution to be submitted by the Town Clerk to the attention of Michael Montalto of Costich Engineering at 217 Lake Avenue, Rochester New York 14608,

MAY IT BE FURTHER RESOLVE, that copies of this resolution be submitted by the Town Clerk to the Principal Account Clerk, the Confidential Secretary and to Building Department for the property file.

Resolution No. _____ of 2021

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

Names Ayes Nays Abstain Absent

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

Names	Ayes	Nays	Abstain	Absent
Supervisor Peter Ingalsbe				
Councilman Steven Holtz				
Councilman Michael Casale				
Councilman Nathan Bowerman				
Councilman Ronald Herendeen				

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

WHEREAS, resolution 220-2018 authorized a commitment from the Town of Farmington of \$250,000 for intersection improvements at Route 332 and County Road 41 as part of the Hathaway Corner incentive zoning project,

WHEREAS, funding for this was budgeted in the 2019 budget and approved by resolution 75-2019 utilizing VLT funds,

WHEREAS, the VLT money was moved to the Highway fund and rolled over to fund balance in 2019,

NOW, THEREFORE BE IT RESOLVED, the Town Board approve the voucher to pay Hathaway Corner LLC and authorizes the budget transfer

DA599 Appropriated Fund Balance	\$250,000	
DA5110.45VLT Route 332/41 Intersection		\$250,000

FURTHER RESOLVED, the Town Clerk provides a copy of this resolution to the Highway Superintendent, the Building Department, and the Principal Account Clerk.

Resolution No. _____ of 2021

**THE TOWN OF FARMINGTON
TOWN BOARD**

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

Names	Ayes	Nays	Abstain	Absent
Supervisor Peter Ingalsbe				
Councilman Ron Herendeen				
Councilman Nathan Bowerman				
Councilman Steven Holtz				
Councilman Michael J. Casale				
Total				

**AUTHORIZING PROVISIONALLY HIRING OF A CODE
ENFORCEMENT OFFICER**

WHEREAS, a third full time Code Enforcement Officer Position was Classified by Ontario County Department of Human Resources for the Town of Farmington on September 22, 2020 and

WHEREAS, the Code Enforcement Officer 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 Leland Cody completing the Code Enforcement Officer Civil Service Exam and scoring within the top three highest scores, and

WHEREAS this position shall complete and pass all state training for New York State Code Enforcement Officer within 18 months of appointment, and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington hereby authorizes the provisional hiring of Leland Cody effective February 1, 2021 at a rate of \$19.25 per hour, and

LET IT BE FURTHER RESOLVED that copies of this resolution be submitted by the Town Clerk to the Confidential Secretary, the Principal Account Clerk, Dan Delpriore, and Leland Cody at 7901 Parish Road, Victor, NY 14564

Resolution No. _____ Of 2021

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

Names Ayes Nays Abstain Absent

Names	Ayes	Nays	Abstain	Absent
Supervisor Peter Ingalsbe				
Councilman Steven Holtz				
Councilman Michael Casale				
Councilman Ronald Herendeen				
Councilman Nathan Bowerman				

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

1/22/21

**RESOLUTION AUTHORIZING THE HIGHWAY/PARKS
SUPERINTENDENT TO PURCHASE A 3/4 TILT TRAILER**

WHEREAS, the Highway/Parks Superintendent budgeted for an additional trailer for the Park's Department for 2021, and

WHEREAS, 3 quotes are as follows **Roy Teitsworth, Inc.** price is (\$6,415.65), **Jim's Trailer World, Inc.**, is (\$6,816) and **Davis Trailer World, LLC** (\$7,495), and

WHEREAS, in compliance with the current purchasing policy for the Town **at a cost not to exceed \$6,500** per equipment allocated **from (A-7110.2)**, *now therefore be it*

RESOLVED, that the Town Board authorizes the Highway Superintendent to purchase, and be it further

RESOLVED, that the Town Clerk forward the copies to the Highway/Parks Department and the Principal Account Clerk

Resolution No. _____ Of 2021

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

Names Ayes Nays Abstain Absent

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

Names	Ayes	Nays	Abstain	Absent
Supervisor Peter Ingalsbe				
Councilman Steven Holtz				
Councilman Michael Casale				
Councilman Ronald Herendeen				
Councilman Nathan Bowerman				

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN A
MEMORANDUM OF UNDERSTANDING (MOU) AND AGREEMENT WITH THE
INTERNATIONAL BROTHERHOOD OF TEAMSTERS LOCAL 118**

WHEREAS, the Town of Farmington has interviewed individuals to fill an MEO and WWTP Trainee position; and

WHEREAS, these positions are funded in the 2021 Water and Sewer Budget; and

WHEREAS, both individuals meet and exceed the entry requirements for these positions; and

WHEREAS, this MOU will offer a Step 1 starting hourly wage per the Union Contract; now therefore be it

RESOLVED, that the Town Board of the Town of Farmington hereby authorizes the Town Supervisor to sign each MOU; and be it further

RESOLVED, that the Town Clerk provide copies of this resolution and the signed MOU to Mr. David Weilert of Teamsters Local 118 at dweilert@teamesterslocal118.org, the Principal Account Clerk and the Acting W&S Superintendent.

Resolution No. _____ Of 2021

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

Names Ayes Nays Abstain Absent

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

Names	Ayes	Nays	Abstain	Absent
Supervisor Peter Ingalsbe				
Councilman Steven Holtz				
Councilman Michael Casale				
Councilman Ronald Herendeen				
Councilman Nathan Bowerman				

**RESOLUTION TO APPROVE A TWO-YEAR NYPA LED STREET LIGHT
MAINTENANCE SERVICE AGREEMENT**

WHEREAS, the Farmington Town Board has signed an agreement with RG&E to purchase street light fixtures; and

WHEREAS, the Town Board has also signed an agreement with the New York Power Authority (NYPA) to replace street light fixtures with LED fixtures; and

WHEREAS, this work will be completed in 2021 requiring a Street Light Maintenance Service Agreement; and

WHEREAS, the Town has reviewed two different cost structures for routine and non-routine maintenance; and

WHEREAS, the NYPA Authorization to Proceed (ATP) for routine maintenance is \$8,097.70 for one year and the second year of maintenance is not to exceed \$8,340.63; and

WHEREAS, the first year cost is already included in the Customer Project Agreement and the September 21, 2020 ES-ESN-0693 Project Cost Estimate and Finance Sheet; now therefore be it

RESOLVED, that the Town Board of the Town of Farmington hereby authorizes the Town Supervisor to sign the ATP; and be it further

RESOLVED, that the Town Clerk provide copies of this resolution and the signed ATP to Mr. Joseph Szabo of NYPA at joseph.szabo@nypa.gov; the Principal Account Clerk, the Highway Superintendent and the Supervisor's Office.

