

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 <b>Peter Ingalsbe</b>				
Councilman <b>Steven Holtz</b>				
Councilman <b>Michael Casale</b>				
Councilman <b>Ronald Herendeen</b>				
Councilman <b>Nathan Bowerman</b>				

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE MONTHLY REPORT OF THE SUPERVISOR FOR SEPTEMBER 2021**

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

WHEREAS, the Principal Account Clerk submitted the Monthly Report of the Supervisor for September 2021 to the Town Supervisor on October 4, 2021, and

WHEREAS, the Town Supervisor approved and executed the Monthly Report of the Supervisor for September 2021 on October 4, 2021,

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

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby accepts the Monthly Report of the Supervisor for September 2021, and be it further

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

**RESOLUTION INTRODUCING LOCAL LAW AND CALLING A PUBLIC HEARING**

**WHEREAS**, the Town Board of the Town of Farmington, after due deliberation, finds it in the best interests of the Town to schedule a public hearing to solicit public comment upon a proposed Local Law to opt out of allowing cannabis retail dispensaries and on-site cannabis consumption sites in the Town of Farmington that would otherwise be allowed under Article 4 of the Cannabis Law; and

**WHEREAS**, the Town Board of the Town of Farmington has reviewed the draft of the aforementioned proposed Local Law attached hereto as Exhibit "1" and deems it in the best interests of the Town of Farmington to proceed in accordance with the Code of the Town of Farmington and the Laws of the State of New York in adopting said Local Law,

**WHEREAS**, this action by the Town Board is a "Type II" action under the regulations promulgated by authority contained in the State Environmental Quality Review Act (SEQRA), which appear in 6 NYCRR Part 617.5, thereby requiring no further action by the Town Board, in that Part 617.5 (c) states that actions that are not subject to review under SEQRA include, "(33) adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list" and subsection (26) on this list includes "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment". This action involves routine or continuing agency administration and management in that it will enact a law specifically permitted by the New York State Cannabis Law that does not include any new programs or a major reordering of priorities that may affect the environment.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Clerk be, and she hereby is, directed to schedule a public hearing to be held on October 26, 2021, at 7:00 p.m. at the Farmington Town Hall, 1000 County Road 8, Farmington, New York; and be it further

**RESOLVED**, that the Town Clerk, be and hereby is, authorized to forward to the official newspapers of the Town a Notice of Public Hearing in the form substantially the same as that attached hereto as Exhibit "2"; and be it further

**RESOLVED**, that the Town Clerk be, and she hereby is, directed to post a copy of the proposed Local Law on the Town sign board and take any and all other necessary actions to properly bring the aforementioned Local Law before the Town Board of the Town of Farmington for its consideration; and be it further

**RESOLVED**, that the Town Clerk be, and hereby is, authorized to provide all other notices as required by law for the adoption of this local law.

I, Michelle Finley, Town Clerk of the Town of Farmington do hereby certify that the Town Board of the Town of Farmington adopted the aforementioned resolution on \_\_\_\_\_, 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**

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 <b>Peter Ingalsbe</b>				
Councilman <b>Steven Holtz</b>				
Councilman <b>Michael Casale</b>				
Councilman <b>Nathan Bowerman</b>				
Councilman <b>Ronald Herendeen</b>				

**RESOLUTION AUTHORIZING THE PERMANENT HIRING AS A RESULT OF SCORING IN THE TOP 3 IN A COMPETITIVE EXAMINATION FOR CODE ENFORCEMENT OFFICER AND TRANSITIONING FROM PROVISIONAL TO PERMANENT APPOINTMENT**

**WHEREAS**, James Morse resigned effective February 2, 2019 leaving a vacant Code Enforcement Officer position; and

**WHEREAS**, by Resolution 200 of 2019 dated May 13, 2019, August Gordner was appointed provisionally to fill said vacancy until completion of the Code Enforcement Officer Civil Service Exam, and

**WHEREAS**, the Town Code Enforcement Officer is classified as a competitive position, and

**WHEREAS**, by notification email dated October 5, 2021, the Ontario County Department of Human Resources has informed us that August Gordner, Code Enforcement Officer, has successfully passed the Code Enforcement Officer Civil Service Exam and scored with a rank of #1 on the Certification of Eligibles, and

**WHEREAS**, August Gordner has completed extensive training since hired on May 13, 2019.

**WHEREAS**, on November 30, 2021, August Gordner will have also successfully completed the 8-week probationary period and will be recommended satisfactory by the Building Department Head, and

**NOW THEREFORE BE IT RESOLVED**, that the Farmington Town Board authorizes the transitioning from provisional (potentially qualified) to permanent (qualified) appointment, and

**FURTHER RESOLVED**, that copies of this resolution be submitted by the Town Clerk to the Supervisor's Secretary and the Building Department.

Resolution No. \_\_\_\_\_ of 2021

## THE TOWN OF FARMINGTON TOWN BOARD

### Roll Call Vote

The following was presented

By \_\_\_\_\_

Sec'd by \_\_\_\_\_

Date of Adoption \_\_\_\_\_

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

### **RESOLUTION AUTHORIZING THE PROBATIONARY HIRING AS A RESULT OF SCORING IN THE TOP 3 IN A COMPETITIVE EXAMINATION FOR CODE ENFORCEMENT OFFICER AND TRANSITIONING FROM PROVISIONAL TO PROBATIONARY APPOINTMENT**

**WHEREAS**, by Resolution 357 of 2020, the Town of Farmington created a third Code Enforcement Officer position; and

**WHEREAS**, by Resolution 74 of 2021 dated January 26, 2021, Leland Cody was appointed provisionally to fill the third Code Enforcement Officer position until completion of the Code Enforcement Officer Civil Service Exam, and

**WHEREAS**, the Town Code Enforcement Officer is classified as a competitive position, and

**WHEREAS**, by notification email dated October 5, 2021, the Ontario County Department of Human Resources has informed us that Leland Cody, Code Enforcement Officer, has successfully passed the Code Enforcement Officer Civil Service Exam and scored with a rank of #3 on the Certification of Eligibles, and

**WHEREAS**, Leland Cody has completed a great deal of training since hired on February 1, 2021.

**NOW THEREFORE BE IT RESOLVED**, that the Farmington Town Board authorizes the transitioning from provisional (potentially qualified) to probationary (qualified) appointment, and

**FURTHER RESOLVED**, that copies of this resolution be submitted by the Town Clerk to the Supervisor's Secretary and the Building Department.

Resolution No. \_\_\_\_\_ of 2021

## THE TOWN OF FARMINGTON TOWN BOARD

### Roll Call Vote

Names	Ayes	Nays	Abstain	Absent
Supervisor <b>Mr. Ingalsbe</b>				
Councilman <b>Mr. Holtz</b>				
Councilman <b>Dr. Casale</b>				
Councilman <b>Mr. Herendeen</b>				
Councilman <b>Mr. Bowerman</b>				
Total				

The following was presented

By \_\_\_\_\_

Sec'd by \_\_\_\_\_

Date of Adoption: October 12, 2021

**RE: Approval of a request for the partial release of funds (Release #5) from the Letter of Credit for Utility Site Improvements Phase 1 of the Hathaway's Corners Incentive Zoning Project - in the total amount of \$ 984,820.58.**

**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), dated October 6, 2021, recommending the Town Board take action to accept the request for the fifth partial release of funds in the letter of credit for this action; and

**WHEREAS**, the Planning Board's recommendation is based upon their review and acceptance of the recommendations received from the Town Construction Inspector, Town Department Heads and the Town's Engineers, and the signed Town Surety Release Form (G-2.0); and

**WHEREAS**, the total amount of this letter of credit is \$ 4,860,086.66; and

**WHEREAS**, this release of funds is in the total amount of \$ 984,820.58; and

**WHEREAS**, there will be a balance of \$1,679,937.24 remaining in this letter of credit; and

**WHEREAS**, the Town Clerk has reviewed this requested partial 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 release of funds from the letter of credit for the above referenced project, in the total amount of \$ 984,820.58.

**BE IT FURTHER RESOLVED** that the Town Board authorizes the Town Supervisor to sign and date Form G-2.0, Town Letter of Credit Partial Release Form.

**BE IT FURTHER RESOLVED** that the Town Clerk is hereby directed not to release the partial 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; Mark Stevens, Hathaway's Corners, LLC, 16 W. 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.

Resolution No. \_\_\_\_\_ of 2021

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Roll Call Vote

The following was presented

By \_\_\_\_\_

Sec'd by \_\_\_\_\_

Date of Adoption \_\_\_\_\_

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

**RESOLUTION APPOINTING JODY BINNIX TO THE ZONING BOARD OF APPEALS**

**WHEREAS**, Aaron Sweeney resigned his seat on the Zoning Board of Appeals leaving a vacancy, and

**WHEREAS**, Jody Binnix is interested in filling this vacancy and is supported by the Zoning Board of Appeals Chairman, Jeremy Marshall, now therefore

**BE IT RESOLVED**, that the Farmington Town Board hereby authorizes the appointment of Jody Binnix to the Zoning Board of Appeals to fulfill the rest of Aaron Sweeney's term which expires on December 31, 2022, and

**BE IT FURTHER RESOLVED** that copies of this resolution be submitted by the Town Clerk to the Supervisor's Secretary, the Principal Account Clerk, Jeremy Marshall, Chairman of the Zoning Board of Appeals and Jody Binnix at 1728 Beechwood Drive, Farmington, NY 14425.

Resolution No. \_\_\_\_\_ of 2021

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Roll Call Vote

Names	Ayes	Nays	Abstain	Absent
Supervisor Mr. Ingalsbe				
Councilman Mr. Holtz				
Councilman Dr. Casale				
Councilman Mr. Herendeen				
Councilman Mr. Bowerman				
Total				

The following was presented

By \_\_\_\_\_

Sec'd by \_\_\_\_\_

Date of Adoption: May 26, 2020

**RESOLUTION AUTHORIZING THE HIRING OF HOLTZ FOREST AND SHADE TREE, LLC FOR  
REMOVAL OF 12 ADDITIONAL TREES FROM POWER CEMETERY**

**WHEREAS**, the Historic Preservation Commission is requesting approval to spend money for removing an additional 12 trees from the Power Cemetery and grinding of the remaining stumps. Removing the trees will lessen further damage to the burial remains and headstones; and

**WHEREAS**, an invoice was received from Holtz for \$3,725.00 for the removal of 11 trees and grinding 8 stumps; and

**WHEREAS**, a quote was received in the amount of \$4,500.00 from Holtz Forest and Shade Tree; and

**THEREFORE, BE IT RESOLVED** that the Town Board hereby authorizes the hiring of Holtz Forest and Shade Tree, LLC for removal of 12 additional trees from Power Cemetery and stump grinding at a cost not to exceed \$4,500.00 with a budget transfer from Historian (A7510.4) to Historical Property (A7520.4) in the amount of \$600.00; and

**BE IT FURTHER RESOLVED** that funding for these two invoices be paid from the Historical Property line; and

**BE IT FINALLY RESOLVED** that the Town Clerk provide copies of this resolution to the Town Historian and the Principal Account Clerk.

Resolution No. \_\_\_\_\_ of 2021

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Roll Call Vote

Names	Ayes	Nays	Abstain	Absent
Supervisor Mr. Ingalsbe				
Councilman Mr. Holtz				
Councilman Dr. Casale				
Councilman Mr. Herendeen				
Councilman Mr. Bowerman				
Total				

The following was presented

By \_\_\_\_\_

Sec'd by \_\_\_\_\_

Date of Adoption: May 26, 2020

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN AGREEMENT WITH GREEN RENEWABLE, INC. FOR GRINDING OF BRUSH PILE AT 420 HOOK ROAD**

**WHEREAS**, Green Renewable, Inc. has provided the Town of Farmington with an Agreement for grinding of brush pile located at 420 Hook Road; and

**WHEREAS**, said Agreement has two (2) Contract Options;

**THEREFORE, BE IT RESOLVED** that the Town Board hereby authorizes the Town Supervisor to sign a One-Year Contract Agreement with Green Renewable, Inc. for grinding of brush pile located at 420 Hook Road at a cost not to exceed \$7,300.00; and

**BE IT FURTHER RESOLVED** that funding for this Agreement come from Brush & Weeds (DA5140.4); and

**BE IT FINALLY RESOLVED** that the Town Clerk provide copies of this resolution to the Town Historian and the Principal Account Clerk.



Resolution No. \_\_\_\_ of 2021

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Names	Ayes	Nays	Abstain	Absent
Supervisor <b>Mr. Ingalsbe</b>				
Councilman <b>Mr. Holtz</b>				
Councilman <b>Dr. Casale</b>				
Councilman <b>Mr. Herendeen</b>				
Councilman <b>Mr. Bowerman</b>				
Total				

The following was presented

By \_\_\_\_\_

Sec'd by \_\_\_\_\_

Date of Adoption: October 12, 2021

**RE: Resolution of Appreciation to New York State Senator Pamela Helming for her leadership in obtaining State Grant Funding Assistance to enable improvements at two Town Park Restroom Facilities.**

**WHEREAS**, the Town of Farmington Town Board (hereinafter referred to as Town Board) has received a State of New York Municipal Facilities Program (SAM) Grant (hereinafter referred to as Grant) which was made available to the Town and which has resulted in long term benefits to all Town residents; and

**WHEREAS**, these Grant funds have enabled the Town to complete much needed improvements within two of the public restroom buildings located in two of the more heavily used Farmington Town Park and the Pumpkin Hook Town Park; and

**WHEREAS**, improvements included the renovation of two public restroom facilities which updated the interior conditions, including: new fixtures, partitions, lighting, flooring, paint, drains and ventilation; and

**WHEREAS**, improvements also included new toilets, sinks, grab bars, doors and hardware all of which are compliant with the provisions of the Americans with Disabilities Act (ADA); and

**WHEREAS**, these improvements have also provided low maintenance and tamper-resistant, energy efficient fixtures.

**WHEREAS**, said improvements had been identified in the Town's Parks and Recreation Master Plan, a part of the Town's Comprehensive Plan; and

**WHEREAS**, said improvements greatly enhanced accessibility for all our Town residents and their guests, including those individuals with physical limitations.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board does hereby publicly document its' appreciation to State Senator Pamela Helming for her leadership in securing the above cited Grant funding assistance which has in turn allowed for these improvements to occur.

**BE IT FINALLY RESOLVED** that the following members of the Town of Farmington Town Board do hereby give evidence of their appreciation.

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Peter Ingalsbe  
Town Supervisor

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Steve Holtz, Town Councilman  
Deputy Town Supervisor

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Dr. Michael Casale  
Town Councilman

---

Ronald Herendeen  
Town Councilman

---

Nathan Bowerman  
Town Councilman

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

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

**WHEREAS**, additional funding is needed in the engineering contractual line

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

From: A1990.4 Contingent \$47,980  
To: A1440.4 Engineering \$47,980

**BE IT RESOLVED** that the Principal Account Clerk transfers the amount above

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

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Councilman <b>Steven Holtz</b>				
Councilman <b>Michael Casale</b>				
Councilman <b>Nathan Bowerman</b>				
Councilman <b>Ronald Herendeen</b>				

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT WITHIN THE  
TOWN LINE ROAD CAPITAL PROJECT**

**WHEREAS**, 50% of the Townline Road expenses are reimbursed by the Town of Canandaigua,

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of Farmington hereby authorizes the following budget amendment within the capital project transferring the revenue to the expense line:

Debit: HZ2397	Capital Projects, Other Governments	\$100,000	
Credit: HZ5197.22	Construction		\$100,000

**FULLY RESOLVED**, that the Town Clerk forward a copy of this resolution to the Principal Account Clerk and the Highway Superintendent.

Resolution No. \_\_\_\_\_ of 2021

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Roll Call Vote

Names Ayes Nays Abstain Absent

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

The following was presented

By \_\_\_\_\_

Sec'd by \_\_\_\_\_

Date of Adoption \_\_\_\_\_

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

**WHEREAS,** a budget amendment is needed in the water fund for engineering expenses due to the design of the Emergency waterline repair on Rt 332,

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

From: SW1-8340.4 Contractual	\$15,000	
To: SW1-8340.47 Engineering		\$15,000

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

**FURTHER RESOLVED,** that the Town Clerk submits one copy of the resolution to the Principal Account Clerk and the Water and Sewer Department.

Resolution No. \_\_\_\_\_ of 2021

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Supervisor <b>Peter Ingalsbe</b>				
Councilman <b>Steven Holtz</b>				
Councilman <b>Michael Casale</b>				
Councilman <b>Nathan Bowerman</b>				
Councilman <b>Ronald Herendeen</b>				

**RESOLUTION TO AWARD EMERGENCY WORK ON THE COLLETT  
ROAD SEWER LINE REPLACEMENT**

**WHEREAS**, the Town of Farmington passed Resolution #276-2021 dated July 27, 2021 declaring an emergency condition of a sewer line; and

**WHEREAS**, Resolution #276-2021 also identified this sewer line repair as a Type II Action under New York State Environmental Conservation Law; and

**WHEREAS**, NYSDOT and DOH has approved work as described by our Town Engineers, MRB Group, to replace approximately 950 feet of collapsed sewer line; and

**WHEREAS**, MRB Group, on behalf of the Town and W&S Department received three quotes to replace the damaged sewer line; and

**WHEREAS**, Villager Construction, Inc. has submitted the lowest quote at \$215,000.00; now therefore

**BE IT RESOLVED**, that the Town Board of Farmington hereby awards the contract to Villager Construction in the amount of \$215,000.00; and be it

**FURTHER RESOLVED**, that the Town Clerk send copies of this resolution to the Principal Account Clerk, Dave Herman of MRB Group, and the Acting Water and Sewer Superintendent.

