

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 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, 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 opt out of allowing cannabis retail dispensaries and on-site cannabis consumption sites in the Town of Farmington that would otherwise be allowed under Cannabis Law Article 4", a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that this local law is subject to a permissive referendum, that the Town Clerk is directed to give notice thereof to the public by publication and posting and that this local law shall not become effective until either forty-five days after its adoption or until approved by the affirmative vote of a majority of the qualified electors of the Town of Farmington voting on a proposition for its approval if within forty-five days after its adoption there be filed with the Town Clerk a petition protesting against this local law, signed and authenticated as required by New York State law by qualified electors of the Town of Farmington, registered to vote therein at the last preceding general election, in number equal to at least ten per centum of the total number of votes cast for governor at the last gubernatorial election in the Town of Farmington; and be it further

RESOLVED, that, should this law become effective, the Town Clerk be and she hereby is directed to enter said Local Law 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 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 2020

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

Names	Ayes	Nays	Abstain	Absent
The following was presented Supervisor Peter Ingalsbe				
By _____ Councilman Michael Casale				
Sec'd by _____ Councilman Steven Holtz				
Date of Adoption _____ Councilman Ronald Herendeen				
Councilman Nathan Bowerman				

RESOLUTION ADOPTING THE 2022 TOWN BUDGET

WHEREAS, a Public Hearing was held October 12, 2021, for the 2021 Town Budget, and

WHEREAS, the Town's tax rate will decrease by 7.1% to 1.0248 per thousand dollars of assessed property value and the total tax levy of all funds is over the New York State Property Tax Cap by \$118,806.00 and,

WHEREAS, the Town Board nevertheless voted at its annual Organizational Meeting, held in January 2020, 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 2022 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.

**THE TOWN OF FARMINGTON
TOWN BOARD**

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: October 26, 2021

RE: Approval of a request for the partial release of funds (Release #3) from the Letter of Credit for Earthwork, Phase 1 of the Hathaway's Corners Incentive Zoning Project - in the total amount of \$ 242,125.22.

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 20, 2021, recommending the Town Board take action to accept the request for the third 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 Forms (G-1.1) and (G-2.0); and

WHEREAS, the total amount of this letter of credit is \$ 1,397,830.23; and

WHEREAS, this partial release of funds is in the total amount of \$ 242,125.22; and

WHEREAS, there will be a balance of \$217,323.95 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 \$ 242,125.22.

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. and Tom Danks, 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.

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

	Names	Ayes	Nays	Abstain	Absent
The following was presented	Supervisor Peter Ingalsbe				
By _____	Councilman Steven Holtz				
Sec'd by _____	Councilman Mike Casale				
Date of Adoption:	Councilman Ron Herendeen				
	Councilman Nate Bowerman				

RESOLUTION ACKNOWLEDGING THE ADDITION OF A NEW MEMBER TO THE FARMINGTON VOLUNTEER FIRE ASSOCIATION

WHEREAS, Jeremy Parker recently became an Active Member of the Farmington Volunteer Fire Association, therefore be it

RESOLVED, the Farmington Town Board acknowledges and approves the new membership of Jeremy Parker to the Farmington Volunteer Fire Association, and further be it

RESOLVED, that the membership list be updated to reflect those changes for insurance purposes, and further be it

RESOLVED, that a certified copy of this resolution be sent to the Farmington Volunteer Fire Association, PO Box 25117, Farmington, NY 14425, for their records.

Resolution No. _____ of 2021

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

October 26, 2021

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

Cameron Knorr

Resolution for Successful Completion of Probationary Period, Plus Pay Increase

WHEREAS, Cameron Knorr has successfully completed the required six-month time line of the Probationary Period in the position of Water Wastewater Maintenance Assistant at the Town of Farmington Water and Sewer Department since his hire date on 04/19/21, 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 in keeping within the 2021 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 \$1.00 increase (from \$20.00 to \$21.00 per hour) for Cameron Knorr effective October 31, 2021 which is the start of a the Town’s Pay Period 24 for 2021, and

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

**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 Casals				
Councilman Ronald Herendeen				
Councilman Nathan Bowerman				

10/21/21

**RESOLUTION TO HIRE EMPIRE TREE, LLC FOR REMOVAL OF (2) TWO
TREES AT HOOK/CURRAN ROAD AND CROWLEY/BROWNSVILLE**

WHEREAS, there are two (2) dead ash trees in Farmington Road Right of Ways; one at Hook and Curran Road and the second at Crowley and Brownsville Road, and

WHEREAS, 3 quotes were requested from Empire Tree, LLC (\$1,200.00), Holtz Forest Shade Tree, LLC (\$1,925.00) and M&S Tree Service (no response), and

WHEREAS, the tree removals will be awarded to Empire Tree, LLC at a cost **not to exceed** \$1,200.00, now

THEREFORE BE IT RESOLVED, that the Town Board authorizes the Town Highway Superintendent to sign the estimate with Empire Tree, LLC at a cost not to exceed \$1,200.00 to be funded from **Misc. Brush and Weeds (DA-5140.4)**, and be it further

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

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

The following was presented _____
 By _____
 Sec'd by _____
 Date of Adoption _____
 October 28, 2021

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

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN A LEASE EXTENSION
WITH COUNTRY BIBLE BAPTIST CHURCH**

WHEREAS, the Town of Farmington is the sole owner of 130 Hook Road in the Town of Farmington, Ontario County, New York State (the "Premises"), which consists of approximately 0.273 acre of land with a building located thereon, and

WHEREAS, the Town Board, by Resolution #337-2020 approved a lease extension with Country Bible Baptist Church for the property located at 130 Hook Road which will terminate on October 31, 2021, and

WHEREAS, Country Bible Baptist Church has asked for another extension of the lease,

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Farmington has determined that the Town has no present municipal need for the Premises and that the Premises is still available for leasing,

BE IT FURTHER RESOLVED, that the Town Board finds the rent, terms and consideration set forth in the Lease extension represent fair and adequate consideration for the rental of the Premises,

BE IT FURTHER RESOLVED, that the Town Board approves the Lease extension,

BE IT FINALLY RESOLVED, that the Supervisor is hereby authorized and directed to execute the Lease extension on behalf of the Town of Farmington and the Town Board and that a copy of the Resolution and Lease extension be sent to Pastor Drake, County Bible Baptist Church, 130 Hook Road, and the Principal Account Clerk.

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

	Names	Ayes	Nays	Abstain	Absent
The following was presented	Supervisor Peter Ingalsbe				
By _____	Councilman Steven Holtz				
Sec'd by _____	Councilman Michael Casale				
Date of Adoption _____	Councilman Nathan Bowerman				
	Councilman Ronald Herendeen				

**RESOLUTION AUTHORIZING THE SUPERVISOR TO TAKE APPROPRIATE
ACTION TO APPLY EMERGENCY TARP SERVICES AT 5957 TERRACE LANE
TO THE TAX ROLL**

WHEREAS, Paul Davis Restoration performed an emergency call out to tarp the roof of the apartment complex at 5957 Terrace Lane at the request of the Town of Farmington Code enforcement after the building manager denied services,

WHEARAS, the Town of Farmington has paid Paul Davis for the services in the amount of \$350,

BE IT RESOLVED that the Farmington Town Board authorizes the Supervisor to apply the charges to the property at 5957 Terrace Lane to the tax roll,

FURTHER RESOLVED, that the Town Clerk submits one copy of the resolution to the Confidential Secretary, the Principal Account Clerk and the Building Department.

Resolution No. _____ of 2021

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

	Names	Ayes	Nays	Abstain	Absent
The following was presented	Supervisor Peter Ingalsbe				
By _____	Councilman Steven Holtz				
Sec'd by _____	Councilman Michael Casale				
Date of Adoption _____	Councilman Nathan Bowerman				
	Councilman Ronald Herendeen				

**RESOLUTION AUTHORIZING WAIVING THE MERTENSIA LODGE FEES FOR
COBBLESTONE ARTS CENTER**

WHEREAS, the Cobblestone Arts Center has requested use of the Mertensia Lodge to hold their Dayhab Program for adults with disabilities on various dates, and have asked to have the fees waived, and

WHEREAS, the Town Board requires a head count be turned into the Building Department at least three days before the event, therefore be it

RESOLVED, the Farmington Town Board authorizes the waiving of the fees for the use of the Mertensia Lodge on various dates for the Cobblestone Arts Center for their Dayhab Program for adults with disabilities, and be it

FURTHER RESOLVED, that a copy of this resolution be sent to Vanessa Goodwin at vanessa@cobblestoneartscenter.com.

Resolution No. _____ of 2021

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

	Names	Ayes	Nays	Abstain	Absent
The following was presented	Supervisor Peter Ingalsbe				
By _____	Councilman Steven Holtz				
Sec'd by _____	Councilman Michael Casale				
Date of Adoption _____	Councilman Nathan Bowerman				
	Councilman Ronald Herendeen				

CONFIRMING RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN A 24 MONTH CONTRACT FOR NATURAL GAS WITH SPRAGUE OPERATING RESOURCES, LLC

WHEREAS, the Town's Natural Gas Contract with Sprague is up for renewal, and

WHEREAS, the new 24-month Contract will lock the Town in at a fixed rate of \$5.53/dth; now therefore be it

RESOLVED, the Farmington Town Board authorizes the Town Supervisor to sign the 24-month Natural Gas Contract with Sprague at a fixed rate of \$5.53/dth; and be it

FURTHER RESOLVED, that a copy of this resolution be sent to the Principal Account Clerk, the Acting Water & Sewer Superintendent, and Justin Raybeck of Troy and Banks at jraybeck@troybanks.com.

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

	Names	Ayes	Nays	Abstain	Absent
The following was presented	Supervisor Peter Ingalsbe				
By _____	Councilman Steven Holtz				
Sec'd by _____	Councilman Michael Casale				
Date of Adoption _____	Councilman Nathan Bowerman				
	Councilman Ronald Herendeen				

RESOLUTION OF SUPPORT OF THE YOU(TH) DECIDE PROJECT

Whereas, recent research indicates that among New York State youth between the ages of 12 and 17, 39.5% have gambled in the past year. Nearly 30% of those youth stated that they began at age 10 or younger. NYS Youth who gamble reported higher past 30-day rates of alcohol use, marijuana use, consumption of energy drinks and incidents of being drunk than non-gamblers (OASAS, 2018).

Whereas, it is known that the younger an adolescent begins gambling, the more likely he/she is to develop a gambling addiction;

Whereas, underage gambling brings with it a number of negative consequences, many of which are serious, and can be devastating to the youth as well as his/her family and friends, including:

- Increased risk of delinquency and crime,
- Damaged relationships,
- Poor academic performance (Wayne, 1996),
- Increased likelihood of developing mental health issues including depression and alcohol/substance abuse disorders (Hardoon, 2002),
- Attempted suicide (Gupta, 1998), and
- Overall poor general health (Potenza, 2002);

Whereas, decreasing youth access to gambling activities is shown to decrease the prevalence of underage gambling, and in turn, to decrease the rates of problem gambling in a community (Messerlian, 2005);

Therefore, the Town of Farmington Town Board supports the YOU(th) Decide project and its mission to empower youth age 12-17 to make educated decisions regarding their gambling behaviors and to increase awareness of underage gambling among parents and leaders in our community.

Resolution No. _____ of 2021

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

	Names	Ayes	Nays	Abstain	Absent
The following was presented	Supervisor Peter Ingalsbe				
By _____	Councilman Steven Holtz				
Sec'd by _____	Councilman Michael Casale				
Date of Adoption _____	Councilman Nathan Bowerman				
	Councilman Ronald Herendeen				

CONFIRMING RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN A 24 MONTH CONTRACT FOR NATURAL GAS WITH SPRAGUE OPERATING RESOURCES, LLC

WHEREAS, the Town's Natural Gas Contract with Sprague is up for renewal, and

WHEREAS, the new 24-month Contract will lock the Town in at a fixed rate of \$5.53/dth; now therefore be it

RESOLVED, the Farmington Town Board authorizes the Town Supervisor to sign the 24-month Natural Gas Contract with Sprague at a fixed rate of \$5.53/dth; and be it

FURTHER RESOLVED, that a copy of this resolution be sent to the Principal Account Clerk, the Acting Water & Sewer Superintendent, and Justin Raybeck of Troy and Banks at jraybeck@troybanks.com.

Resolution No. _____ of 2021

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

	Names	Ayes	Nays	Abstain	Absent
The following was presented	Supervisor Peter Ingalsbe				
By _____	Councilman Steven Holtz				
Sec'd by _____	Councilman Michael Casale				
Date of Adoption _____	Councilman Nathan Bowerman				
	Councilman Ronald Herendeen				

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

WHEREAS, additional funding is needed in Sanitary Sewer Overtime to cover Payroll 22 and future payrolls where overtime is worked in Collections,

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

From: SS8120.1	Sanitary Sewers – PS	\$15,000.00
To: SS8120.12	Sanitary Sewers – PS - OT	\$15,000.00

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.

Resolution No. _____ of 2021

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

	Names	Ayes	Nays	Abstain	Absent
The following was presented	Supervisor Peter Ingalsbe				
By _____	Councilman Steven Holtz				
Sec'd by _____	Councilman Michael Casale				
Date of Adoption _____	Councilman Nathan Bowerman				
	Councilman Ronald Herendeen				

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

WHEREAS, additional funding is needed in the personnel contractual line

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

Debit: A2725 VLT State Funding \$6,000
Credit: A1430.4 Personnel \$6,000

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

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

