

Resolution No. _____ of 2020

**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 Peter Ingalsbe				
Councilman Steven Holtz				
Councilman Michael Casale				
Councilman Nathan Bowerman				
Councilman Ronald Herendeen				

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT WITHIN THE
BEAVER CREEK PARK CAPITAL PROJECT**

WHEREAS, Resolution 263-2020 authorized three notice of awards for the project,

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington hereby authorizes the following budget amendment within the capital project to track contractor expenses

Debit: HB7110.2 Park Construction	\$2,084,638	
Credit: HB1440.2 Engineering		\$80,000
Credit: HB7110.21 Site Work		\$1,560,400
Credit: HB7110.23 Electrical		\$137,600
Credit: HB7110.24 Maint Bldg/Restroom		\$306,638

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

Resolution No. _____ of 2020

**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 WITHIN THE
MERTENSIA ROAD WATERLINE CAPITAL PROJECT**

WHEREAS, the 2020 budget has \$107,500 remaining to be transferred to Capital Projects,

NOW, THEREFORE BE IT RESOLVED, that the funds be transferred to the Mertensia Road Waterline Capital Project

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Town Board of Farmington hereby authorizes the following budget amendment within the capital project,

Debit: HG5031	Interfund Transfer	\$107,500	
Credit: HG1440.2	Engineering		\$26,500
Credit: HG8340.2	Waterline		\$81,000

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

Resolution No. _____ of 2020

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption: October 27, 2020

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

A Resolution to recall and amend portions of Town Board Resolutions Nos. 178 of 2004, 228 of 2007, 252 of 2007, 262 of 2010, 297 of 2010, 308 of 2010, and 273 of 2018 by adopting a new resolution providing regulations for Accessory Structures to be placed upon “Patio Lots” located within the Auburn Meadows Incentive Zoning District.

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) by Resolution No. 178 of 2004 approved the rezoning of lands comprising the Auburn Meadows Incentive Zoning District and directed by Local Law the Town Clerk to cause amendment to be made to the Town’s Official Zoning Map; and

WHEREAS, Resolution No. 178 of 2004 contains restriction #d., in part, that “for all patio lots the minimum... side yard setback shall be 8 feet and the minimum rear yard setback shall be 25 feet;” and

WHEREAS, Resolution No. 178 of 2004 contains restriction #e., in part, that “for all other lots the minimum... Side yard setback shall be 10 feet on one side and 25 feet total for both sides and the minimum rear yard setback shall be 25 feet;” and

WHEREAS, Resolution No. 178 of 2004 contains restriction #f., in part, that “no accessory structures shall be permitted with the patio home portion of the site;” and

WHEREAS, Resolution No. 178 of 2004 contains restriction #e., in part, that “no accessory structures shall be permitted within the patio home portion of the site and accessory shall be permitted on the other lots within the development, but only within the rear yard portion of the site provided that such rear yards are screened from adjacent public rights-of-ways;” and

WHEREAS, Resolution No. 262 of 2010 contains restriction # 4 that reads as follows, “for all patio lots the minimum front setback shall be 40 feet, the minimum side yard setback shall be 8 feet and the minimum rear yard setback shall be 25 feet;” and

WHEREAS, Resolution No. 262 of 2010 contains restriction # 5 that reads as follows, “for all conventional lots the minimum front setback shall be 40 feet, the minimum side yard setback shall be 10 feet on one side and 25 feet total for both sides, and the minimum rear yard setback shall be 25 feet;” and

WHEREAS, Resolution No. 283 of 2010 contains restriction # 6 that reads as follows, “no accessory structures shall be permitted within the patio home portion of the site and accessory structures shall be permitted on the other lots within the development, but only within the rear yard portion of the site provided that such rear yards are screened from adjacent public rights-of-ways;” and

WHEREAS, Resolution No. 297 of 2010 contains the following restriction, that reads as follows, “NOW, THEREFORE, BE IT RESOLVED that the Town of Farmington Zoning Board of Appeals shall hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative officer of body in the enforcement of Restrictions numbered 4, 5 and 6 of Town Board Resolution #178-2004, as amended by Town Board Resolution #262-2010, which reads as follows:

4. for all patio lots the minimum front setback shall be 40 feet, the minimum side yard setback shall be 8 feet and the minimum rear yard setback shall be 25 feet; and

5. for all conventional lots the minimum front setback shall be 40 feet, the minimum side yard setback shall be 10 feet on one side and 25 feet total for both sides, and the minimum rear yard setback shall be 25 feet; and

6. no accessory structures shall be permitted within the patio home portion of the site and accessory structures shall be permitted on the other lots within the development, but only within the rear yard portion of the site provided that such rear yards are screened from adjacent public rights-of-ways.”

WHEREAS, Resolution No. 308 of 2010 contains the following restriction... ‘BE IT FURTHER RESOLVED that the Town of Farmington Town Board does hereby refuse to consider allowing accessory structures to be placed upon the patio home portion of any site defines as a patio home located within the mapped Auburn Meadows IZ Incentive Zoning District;” and

WHEREAS, Resolution No. 234 of 2011 contains the following restriction # 4, which reads, “The fence must be wholly removed from 1685 Lillybrook Court within 25 days of either Cole Austin ceasing to use 1685 Lillybrook Court as his residence or the filing of a deed in the Ontario County Clerk’s Office evidencing a chane in ownership to 1685 Lillybrook Cour;” and

WHEREAS, Resolution No. 234 of 2011 contains the following restriction # 5, which reads, “The fence must be removed at the expense of the Austin’s or of the new owners of 1685 Lillybrook Court;” and

WHEREAS, Resolution No. 234 of 2011 contains the following restriction # 6, which reads, “Should the fence not be removed from 1685 Lillybrook Court within the time period specified in # 4 above, then the Town shall be able to bring legal action to enforce the removal of the fence and whoever is the owner of 1685 Lillybrook Court at that time shall be liable for all of the Town’s expenses in bringing such legal action, including, but not limited to, costs and reasonable attorney’s fees;” and

WHEREAS, Resolution No. 196 of 2012 contains the following restriction #4, which reads, “The installation of the above-ground swimming pool must meet all setback, location and other area requirements of the Zoning Law of the Town of Farmington...;” and

WHEREAS, Resolution No. 196 of 2012 contains the following restriction #7, which reads, “The fence and the above-ground swimming pool must both be wholly removed from 1685 Lillybrook Court within 21 days of the earliest of the following to happen:

- A. Cole Austin ceasing to use 1685 Lillybrook Court as his primary residence, or
- B. The current owners of 1685 Lillybrook Court ceasing to be the owners of 1685 Lillybrook Court, whether by conveyance, death of any other reason, or
- C. Any additional person, trust or entity of any kind being added as an owner of 1685 Lillybrook Court;” and

WHEREAS, Resolution No. 196 of 2012 contains the following restriction #8, which reads, “The fence and the above-ground swimming pool must both be removed at the expense of the Austin’s or of the new owners of 1685 Lillybrook Court;” and

WHEREAS, Resolution No. 196 of 2012 contains the following restriction #9, which reads, “Should the fence and/or the above-ground swimming pool not be removed from 1685 Lillybrook Court within the time period specified in #7 above, then the Town shall be able to bring legal action to enforce the removal of the fence and the above-ground swimming pool and whoever is the owner of 1685 Lillybrook Court at that time shall be liable for all of the Town’s expenses in bringing such legal action, including, but not limited to, costs and reasonable attorney’s fees;” and

WHEREAS, the Town Board has previously determined that it is no longer necessary to prohibit the placement upon patio lots of Accessory Structures, for those defined patio lots located within the Auburn Meadows Incentive Zoning District, as the term is further defined in Chapter 165, Article II, of the Farmington Town Code; and

WHEREAS, there have been a number of Town Board Resolutions adopted over the years that have included restrictions upon the placement of Accessory Structures on patio lots, as referenced above herein, and as defined for the Auburn Meadows Incentive Zoning District.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby further amend the following portions of the above referenced Town Board Resolutions:

Resolution No. 178 of 2004 contains restriction #d.(referenced above herein), which is hereby amended in part to read... “for principal buildings located on all patio lots the minimum side yard setback shall be 8 feet and the minimum rear yard setback shall be 25 feet.”

Resolution No. 178 of 2004 contains restriction #e. (referenced above herein), which is hereby amended in part to read... “for principal buildings located on all other lots the minimum... side yard setback shall be 10 feet on one side and 25 feet total for both sides and the minimum rear yard setback shall be 25 feet.”

Resolution No. 178 of 2004 contains restriction #f. (referenced above herein), which is hereby amended in part, to delete.... “no accessory structures shall be permitted with the patio home portion of the site.”

Resolution No. 178 of 2004 contains restriction #e. (referenced above herein), which is hereby amended in part, to read... “accessory structures shall be permitted within the patio home portion of the site and accessory shall be permitted on the other lots within the development, but only within the rear yard portion of those sites.”

Resolution No. 262 of 2010 contains restriction # 4 (referenced above herein), which is hereby amended in part to read... “for principal structures on all patio lots the minimum front setback shall be 40 feet, the minimum side yard setback shall be 8 feet and the minimum rear yard setback shall be 25 feet.”

Resolution No. 262 of 2010 contains restriction # 5 (referenced above herein), which is hereby amended in part to read... “for principal structures on all conventional lots the minimum front setback shall be 40 feet, the minimum side yard setback shall be 10 feet on one side and 25 feet total for both sides, and the minimum rear yard setback shall be 25 feet.”

Resolution No. 283 of 2010 contains restriction # 6 (referenced above herein), which is hereby amended in part to read... “accessory structures shall be permitted within the patio home portion of the site and accessory structures shall be permitted on the other lots within the development, but only within the rear yard portions of those sites.” and

Resolution No. 297 of 2010 contains the following restrictions (referenced above herein), which are hereby amended in part to read... “NOW, THEREFORE, BE IT RESOLVED that the Town of Farmington Zoning Board of Appeals shall hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative officer of body in the enforcement of Restrictions numbered 4, 5 and 6 of Town Board Resolution #178-2004, as amended by Town Board Resolution #262-2010, which reads as follows:

4. for all patio lots the minimum front setback shall be 40 feet, the minimum side yard setback shall be 8 feet and the minimum rear yard setback shall be 25 feet; and
5. for all conventional lots the minimum front setback shall be 40 feet, the minimum side yard setback shall be 10 feet on one side and 25 feet total for both sides, and the minimum rear yard setback shall be 25 feet; and

6. accessory structures shall be permitted within the patio home portion of the site and accessory structures shall be permitted on the other lots within the development, but only within the rear yard portion of those sites.”

Resolution No. 308 of 2010 contains the following restriction... “BE IT FURTHER RESOLVED that the Town of Farmington Town Board does hereby refuse to consider allowing accessory structures to be placed upon the patio home portion of any site defines as a patio home located within the mapped Auburn Meadows IZ Incentive Zoning District;” which is hereby amended in its entirety to read... “BE IT FURTHER RESOLVED that the Town of Farmington Town Board does hereby allow accessory structures to be placed within the rear yard portion of a patio home lot defined as a patio home located within the mapped Auburn Meadows IZ Incentive Zoning District.”

Resolution No. 234 of 2011 contains the following restriction # 4 (referenced above herein), which is hereby amended in its’ entirety to reads... “The fence located on property at 1685 Lillybrook Court is no longer subject to being removed within 25 days of either Cole Austin ceasing to use 1685 Lillybrook Court as his residence or the filing of a deed in the Ontario County Clerk’s Office evidencing a change in ownership to 1685 Lillybrook Court.”

Resolution No. 234 of 2011 contains the following restriction # 5 (referenced above herein), which is hereby amended in its’ entirety to read... “The fence must only be removed at the expense of the Austin’s or of the new owners of 1685 Lillybrook Court when it has been determined unsafe to remain by the Town Code Enforcement Officer.”

Resolution No. 234 of 2011 contains the following restriction # 6 (referenced above herein), which is hereby amended in its’ entirety to read... “The fence located at 1685 Lillybrook Court shall be permitted to remain unless it has been determined unsafe to remain by the Town Code Enforcement Officer.”

Resolution No. 196 of 2012 contains the following restriction #4 (referenced above herein), which is hereby amended in its’ entirety to read... “The above-ground swimming pool must meet all setback, location and other area requirements of the Zoning Law of the Town of Farmington...”

Resolution No. 196 of 2012 contains the following restriction #7 (referenced above herein), which is hereby amended in its’ entirety to read... “The fence and the above-ground swimming pool may remain on the property located at 1685 Lillybrook Court as long as it has not been determined unsafe to remain by the Town Code Enforcement Officer.”

Resolution No. 196 of 2012 contains the following restriction #8 (referenced above herein), which is hereby amended in its’ entirety to read... “The fence and the above-ground swimming pool may remain upon property located at 1685 Lillybrook Court as long as it has not been determined unsafe to remain by the Town Code Enforcement Officer.”

Resolution No. 196 of 2012 contains the following restriction #9 (referenced above herein), which is amended in its’ entirety to read... “Should the fence and/or the above-ground

swimming pool located upon property at 1685 Lillybrook Court be determined to be unsafe by the Town Code Enforcement Officer, the Town shall be able to bring legal action to enforce the removal of the fence and/or the above-ground swimming pool by the owner of 1685 Lillybrook Court.”

BE IT FURTHER RESOLVED that the Town Board does hereby allow the placement of Accessory Structures on all lots contained within the Auburn Meadows Incentive Zoning Subdivision Tract, Sections 1 through 8N subject to the following restrictions:

1. No Accessory Structure, other than a Fence, shall be placed on a property line located within the Front Yard portion of a lot. All Fences are to be further regulated as set forth in Chapter 165, Article V, Section 61, of the Farmington Town Code.
2. No Accessory Structure shall be placed, within the Rear Yard portion of any lot, closer than five (5) feet from the property line.
3. No Accessory Structure shall be allowed to be placed within an easement area.
4. Accessory Structures, excluding private garages, shall have a maximum building area of two hundred (200) square feet and shall not exceed a maximum height of fifteen (15) feet above existing grade to the peak of the roofline.
5. Private garages shall have a maximum building area of eight hundred (800) square feet and shall not exceed a maximum height of fifteen (15) feet above existing grade to the peak of the roofline.
6. All Accessory Structures shall have exterior siding to match, to the extent practical, the siding material and color of the Principal Structure on the lot.
7. No Accessory Structure, excluding private garages, shall be permitted to store an automobile.
8. No Accessory Structure shall be permitted to provide a habitat for animals.
9. No Accessory Structure shall be permitted lighting that creates light trespass (e.g. lighting, or glare) onto adjacent property, or on adjacent public rights-of-way.

BE IT FURTHER RESOLVED that Accessory Structures shall not be permitted on any lot which is not in compliance with any of the provisions regulating such structures as may be contained elsewhere in Farmington Town Code.

BE IT FURTHER RESOLVED that the Town Director of Planning and Development has prepared a draft local law for amending Chapter 165, Article V, Section 58 of the Farmington Town Code by adding appropriate language identifying setback criteria which affect any mapped T.L. Section 278 – Cluster Development District and any IZ Incentive Zoning District delineated upon the Town’s Official Zoning Map.

BE IT FURTHER RESOLVED that the Town Director of Planning and Development is hereby instructed to submit said draft local law to the Ontario County Planning Board for its’ review and recommendation at their November 12th meeting.

BE IT FURTHER RESOLVED that the Town Board does hereby schedule a public hearing to be held on Tuesday, November 24, 2020 on the proposed local law referenced above herein; and that the Town Clerk is to publish a legal notice of said public hearing, post said notice on the Town Hall Bulletin Board and cause said notice to be posted upon the town's website.

BE IT FURTHER RESOLVED that certified copies of this resolution are to be provided to the Town Director of Planning & Development, the Town Code Enforcement Officers, the Town Zoning Officer, the Administrator in the Town Development Office and the Town Engineer, MRB Group, D.P.C.

BE IT FINALLY RESOLVED that the Town Clerk is hereby directed to add notation to the Town's Official Zoning Map that reads... "Dimensional criteria and other restrictions may be in effect within each of the mapped IZ Incentive Zoning Districts. Before any Building Permit is issued for any structure located within a mapped IZ District, the Code Enforcement Officer shall review the Town Board Regulations established for said IZ District."

Resolution No. _____ of 2020

**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 THE TOWN SUPERVISOR TO SIGN
THE NEW YORK POWER AUTHORITY (NYPA) LED INITIAL
CUSTOMER PROJECT COMMITMENT (ICPC) FORM**

WHEREAS, the Town of Farmington has been in discussion with the NYPA for the past two years to convert non LED street lights in the Town to LED; and

WHEREAS, the Town recently purchase the non LED fixtures from RG&S; and

WHEREAS, the next step is to sign the online Initial Customer Project Commitment (ICPC) Form; now therefore

BE IT RESOLVED, that the Town Board of Farmington hereby authorizes the Town Supervisor to sign the online NYPA ICPC Form; and be it

FURTHER RESOLVED, that the Town Clerk provide copies of this resolution to the Principal Account Clerk, the Highway Superintendent and Joseph Szabo of NYPA at Joseph.Szabo@nypa.gov.

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 Steven Holtz				
Sec'd by _____	Councilman Michael Casale				
Date of Adoption _____	Councilman Ronald Herendeen				
	Councilman Nathan Bowerman				

October 27, 2020

AUTHORIZATION TO PURCHASE NEW BADGER WATER METERS, ITRON METER READER ENCODERS WITH INLINE CONNECTORS FOR VARIOUS LOCATIONS WITHIN THE CANANDAUGUA-FARMINGTON WATER DISTRICT

WHEREAS, in 1998 the Farmington Water and Sewer Department was authorized by Board Resolution #153-98 and #154-98 to make improvements to its billing and meter-reading capabilities, and

WHEREAS, the Water and Sewer Department has purchased and installed New Billing Software including the Itron Automated Meter Reading System for usage of the CFWD, and

WHEREAS, in 1998 the Water and Sewer Superintendent was authorized by Resolution #201-98 to begin a CFWD Meter Replacement Program with standardization of the purchase of the Badger and Itron AMR System, and

WHEREAS written quote #Q141769 dated October 19, 2020 has been received from Schmidt’s Wholesale, Inc. who is now the Area Representative for Badger and Itron for the following water meters and readers as follows:

48 each Badger 25, 5/8x3/4” bare meters less encoder at a cost of \$59.5833 each for a total cost of \$2,860.00

80 each Badger 55, 1” bare meters less encoder with CI bottom plate at a cost of \$146.2083 each for a total cost of \$11,696.66

48 each Badger RCDL25 HR-E Encoder, 6 dial, gallons, Itron in-line connector, W/ 5 FT wire at a cost of \$89,8333 each for a total cost of \$4,312.00

96 each Badger RCDL55 HR-E Encoder 6 dial, gallons, Itron in-line connector, W/ 5 FT wire at a cost of \$89.8333 each for a total cost of \$8,624.00

NOW, THEREFORE BE IT RESOLVED, that the Farmington Town Board acting on behalf of the Canandaigua–Farmington Water District (CFWD) hereby authorizes the Water and Sewer Superintendent to purchase various Badger/Itron water meters from Schmidt’s Wholesale, Inc. Post Office Box 5100, Monticello, New York for at a total cost not to exceed \$28,000.67, and

BE IT FURTHER RESOLVED, that funding for the purchase of water meters is appropriated in the approved 2020 Budget under expense line SW1-8340.41 (Contractual Meters), and

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

Resolution No. _____ Of 2020

**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				

WAIVER OF THE RULE: 10/27/20

**RECALL AND AMEND RESOLUTION #361 OF 2020
RESOLUTION AUTHORIZING HIGHWAY SUPERINTENDENT TO
HIRE EMPIRE TREE SURGEONS
TO REMOVE TWO TREES ON MERTENSIA ROAD**

WHEREAS, the Highway/Parks Superintendent received a lower quote for the removal of two (2) dead trees located on Mertensia Road by the park, and

WHEREAS, we reached out to 4 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 Empire Tree Surgeons (\$975), and

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the Highway Superintendent to hire Empire Tree Surgeons to remove two trees on Mertensia Road at a cost **not to exceed \$1,000**, 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.

Resolution No. _____ of 2020

**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 Peter Ingalsbe				
Councilman Steven Holtz				
Councilman Michael Casale				
Councilman Ronald Herendeen				
Councilman Nathan Bowerman				

WAIVER OF THE RULE

**RESOLUTION AWARDING LANDRY THE HVAC MAINTENANCE
AGREEMENT FOR VARIOUS TOWN BUILDINGS AND THE
AUTHORIZATION FOR THE TOWN SUPERVISOR TO SIGN THE
AGREEMENT**

WHEREAS, quotes were requested from local vendors for a one (1) year service contract for HVAC Maintenance/Service of Town Hall, Court House, Highway Building, Parks Building, Mertensia Lodge and Farmbrook Park Building, and

WHEREAS, after review, a quote from Landry for \$4,444 is lower than a quote Crosby-Brownlie, Inc. for \$6,400 and

WHEREAS, the Highway/Parks Superintendent is asking that the Town Supervisor sign a contract with **Landry Mechanical Services**, and

RESOLVED, that the Town Board authorizes the Supervisor to sign the contract with Landry Mechanical Services at a cost **not to exceed \$4,444.00** for one (1) year contract **with the option to extend coverage to 36 months**, and

BE IT FURTHER RESOLVED that the Town Clerk is to provide the Principal Account Clerk and the Highway/Parks Superintendent with a copy of this Resolution and the **ORIGINAL SIGNED AGREEMENT** to be returned to Landry Mechanical Services by the Highway Department.

Resolution No. _____ of 2020

**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 Peter Ingalsbe				
Councilman Steven Holtz				
Councilman Michael Casale				
Councilman Ronald Herendeen				
Councilman Nathan Bowerman				

**RESOLUTION TO AWARD A CONTRACT FOR THE MERTENSIA
ROAD/NYS ROUTE 96 WATERMAIN REPLACEMENT**

WHEREAS, four bids were received on October 1st, 2020 for 8” and 10” PVC DR-14 watermain, four (4) directional drills, as well as valves, hydrants, services and appurtenances; and

WHEREAS, MRB Group, Robin MacDonald (Acting W&S Superintendent), and the Public Works Committee have reviewed the bids and qualifications; and

WHEREAS, MRB Group and staff have provided a recommendation to the Farmington Town Board; and

WHEREAS, the recommendation is to award the project to the lowest qualified bidder; now therefore

BE IT RESOLVED, that the award will be to Rochester Pipeline, Inc., 294 Elmgrove Road, Rochester, NY 14626, in the amount of \$421,210.00 and authorizes the Town Supervisor to sign three (3) copies of the Notice of Award and return to MRB Group for processing; and

BE IT FURTHER RESOLVED, that the Town Clerk provide copies of this resolution to the Principal Account Clerk, the Acting W&S Superintendent, Bill Davis of MRB Group and Mark Bailey of MRB Group.

Resolution No. _____ of 2020

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption: October 27, 2020

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

RE: Acceptance of a Check as Partial Letter of Credit Payment, Auburn Meadows Subdivision, Section 8S, in the total amount of \$64,635.00 for Section E. of the Approved Letter of Credit, Erosion/Sediment/Grading site work.

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has approved a Letter of Credit for Section 8S in the Auburn Meadows Subdivision, at the Town Board Meeting held on October 22, 2019 in the total amount of \$807,670.04; and

WHEREAS, the developer, Anthony DiPrima, President, A&D Real Estate Development Corporation, LLC is in the process of establishing the above referenced Letter of Credit, and has, in the interim, provided a check to the Town of Farmington (Check #1942, M&T Bank) dated October 27, 2020 in the total amount of \$64,635.00 for the site work listed in Section E. of the approved Letter of Credit; and

WHEREAS, the check is to enable site earth work to commence within Section 8S of the Auburn Meadows Project, including the digging of the approved site drainage pond over the winter months so as to minimize disruption to a portion of the Auburn Trail; and

WHEREAS, Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town's Engineering Firm, in a letter dated October 27, 2020 and attached hereto verified the amount specified in Section E of the Approved Letter of Credit is \$64,635.00 for the site work listed.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby move to to accept the above referenced check which is to remain on deposit with the Town of Farmington.

BE IT FURTHER RESOLVED, that the Town Board does hereby direct that once the above referenced Letter of Credit has been filed with the Town Clerk's Office, in the Total amount specified above herein, the Town's Principal Account Clerk is to determine whether this Section E Item has been provided for within the amount submitted; and if it is so determined that the funds in

the total amount of \$64,635.00 which has now been received by the Town as a partial payment in the above referenced Letter of Credit then the Principal Account Clerk is to prepare one invoice for reimbursement in the full amount specified above as the Partial Payment to the above referenced developer and, upon Town Board action, the funds may be released.

BE IT FINALLY RESOLVED, that certified copies of this resolution are to be provided to: the Principal Account Clerk; the Director of Development; the Town Code Enforcement Officer; the Acting Water and Sewer Superintendent; the Town Construction Inspector; the Town Highway and Parks Superintendent; the Town Engineer; and Mr. Anthony DiPrima, President, A&D Real Estate Development Corporation, 22 Whitestone Lane, Rochester, New York 14618.