

Resolution No. \_\_\_\_\_ of 2022

**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				

**CONFIRMING RESOLUTION ACKNOWLEDGING THE MEMBERSHIP OF  
FARMINGTON VOLUNTEER FIRE ASSOCIATION MEMBERS**

**WHEREAS**, the Farmington Volunteer Fire Association has notified the Town of two new active members, Stephen Thaine and Robbert Leddick, therefore be it

**RESOLVED**, the Farmington Town Board acknowledges and approves the membership of Stephen Thaine and Robbert Leddick and further be it

**RESOLVED**, that the Farmington Town Clerk forward a certified copy of this resolution to the Farmington Volunteer Fire Association.



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The following was presented

By \_\_\_\_\_

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

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

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

**RESOLUTION AUTHORIZING WAIVING THE MERTENSIA LODGE FEES FOR  
SOUTH FARMINGTON FRIENDS CEMETERY FOUNDATION**

**WHEREAS**, the South Farmington Friends Cemetery Foundation has requested use of the Mertensia Lodge to hold their Pancake Breakfast Fundraiser on Saturday, April 23<sup>rd</sup>, 2022, and have asked to have the fees waived, now therefore be it

**RESOLVED**, the Farmington Town Board authorizes the waiving of the fees for the use of the Mertensia Lodge on Saturday, April 23<sup>rd</sup>, 2022 for the South Farmington Friends Cemetery Foundation Pancake Breakfast Fundraiser, and be it

**FURTHER RESOLVED**, that a copy of this resolution be sent to Dave Plante at [plante29@gmail.com](mailto:plante29@gmail.com).

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

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

**RESOLUTION AUTHORIZING ACCEPTANCE OF A STORMWATER CONTROL FACILITY MAINTENANCE AGREEMENT FOR THE SWETMAN PROPERTIES**

**WHEREAS**, the Town of Farmington, by its officers or representatives, has engaged in discussions with Swetman Properties regarding the Town's obtaining a Stormwater Control Facility Maintenance Agreement; and

**WHEREAS** Town of Farmington officials have recommended to the Town Board that said Swetman Properties grant to the Town the agreement over said lands of said Swetman Properties; and

**WHEREAS**, said agreement have been offered by Swetman Properties to the Town of Farmington; and

**WHEREAS** the Town Board of the Town of Farmington is desirous of accepting said offered 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 agreement to be fair and reasonable.

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

**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.

**MAY IT BE FURTHER RESOLVE**, that copies of this resolution be submitted by the Town Clerk to the Jeff Graff 26 East Main Street Clifton Springs for filing with the County, Code Officer Dan Delpriore and Confidential Secretary

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The following was presented

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

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

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

**RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE 2017 VLT AND 2018 VLT CAPITAL RESERVE ACCOUNTS ONCE THE PUBLIC REFERENDUM PERIOD IS COMPLETE.**

**Whereas**, the following funding transfer utilizing the 2017 VLT reserve fund was allocated in the 2022 budget:

\$471,284.66 plus interest earned to the Parks Building Renovation Capital Project

**Whereas**, the following funding transfers utilizing the 2018 VLT reserve fund were allocated in the 2022 budget:

\$275,000 to the General Fund for the Victor Farmington Ambulance

\$400,000 to the Townline Road Capital Project

\$600,000 to the Beaver Creek Park Capital Project

\$500,000 to the HW Equipment Reserve

\$50,000 to the Town Signs Capital Project

\$13,529.16 plus interest earned to the Highway Fund for equipment purchases

**Now therefore be it resolved**, that the Town Clerk publish the public notice for the withdrawal from the VLT reserves,

**Further resolved**, that the Principal Account Clerk, of the Town of Farmington, is hereby authorized and directed to transfer the funding from the VLT reserve funds once the permissive referendum period is complete,

**Further resolved**, that a new capital project for the Town of Farmington Sign Improvement be established with the following budget amendments:

A962 Budgetary Provisions \$50,000

A9950.9VLT Transfer to Cap Project		\$50,000
A962 Budgetary Provisions	\$500,000	
A9901.96VLT Transfer to Other Funds		\$500,000

**Further resolved,** that the Principal Account Clerk completes the following budget transfers within the capital projects:

HR5031 Interfund Transfer	\$471,284.66 plus interest	
HR1620.2 Building Capital Outlay		\$471,284.66 plus interest
HZ5031 Interfund Transfer	\$400,000	
HZ5197.21 Engineering		\$5,000
HZ5197.22 Construction		\$395,000
HB5031 Interfund Transfer	\$600,000	
HB7110.26 Lodge		\$600,000
HD5031 Interfund Transfer	\$50,000	
HD1989.4 Town Signs		\$50,000

**Be it finally resolved,** that the Town Clerk, of the Town of Farmington, is to forward a copy of this resolution as well as the public notice to the Principal Account Clerk.

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

**February 15, 2022**

**RESOLUTION TO RECALL AND AMEND RESOLUTION 427 OF 2021 FOR THE PURCHASE OF FLOW METERS AND MOUNTING BANDS**

**WHEREAS**, The Water and Sewer Superintendent has identified the need to purchase said Sewer Flow Meters and Mounting Bands to expand our testing to be able to test in larger areas, and this purchase was approved by resolution 427 of 2021,

WHEREAS, an updated quote was received by the Water and Sewer Department prior to the order placement (quote 407808),

**NOW, THEREFORE BE IT RESOLVED**, that the Farmington Town Board authorizes the Water and Sewer Superintendent to purchase said flow meters and mounting bands for a cost not to exceed \$11,172.34 from account codes SS-8120.2 and SS8120.2V and SS8120.4 and SS8120.4V

**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.







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**THE TOWN OF FARMINGTON  
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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: February 22, 2022

**RE: Letter of Credit for approved site improvements for the Route 332, MIII Enterprises, LLC, Phase 3A Project - in the total amount of \$97,304.74.**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) has received a request dated February 15, 2022 from the Town Director of Planning and Development, recommending both the Town Planning Board and Town Board take actions to respectively accept and approve the establishment of a letter of credit for site improvements to be located upon the Phase 3A portion of the above referenced site located along the west side of New York State Route 332 and south of Carmens Way; and

**WHEREAS**, the Town Board has also received the Town Planning Board's resolution, dated February 16, 2022, recommending approval for establishing the letter of credit; and

**WHEREAS**, the quantities and unit prices identified in the Applicant's Engineer's Estimates of Values were found, in a letter dated February 15, 2022, from the Town's Engineers, MRB Group, D.P.C. to the Town Director of Planning and Development, to be consistent with the approved site plan improvements and the private contractor pricing respectively, and that said letter also cites the Town's Construction Inspector's agreement with the estimate of value.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board hereby accepts the Director of Planning and Development's recommendation, the recommendations of the Town Engineers and the Town Construction Inspector, and the Planning Board's acceptance of the Engineer's Estimate of Value for this project, and hereby approves the establishment of the above referenced Letter of Credit for this project, in the total amount of \$97,304.74.

**BE IT FURTHER RESOLVED** that Mr. Michael Cerrone, Applicant, is directed to file a letter of credit, in the total amount specified above herein, with the Town Clerk's Office before the Town Code Enforcement Officer shall schedule a pre-construction meeting for this project.

**BE IT FURTHER RESOLVED** that the Town Clerk, is to provide copies of this resolution to: Matt Heilmann, Town Construction Inspector; Tim Ford, Town Highway & Parks Superintendent; Robin MacDonald, Acting Town Water & Sewer Superintendent; Lance S. Brabant, CPESC, Director of Planning Services, MRB Group, D.P.C.; Dan Delpriore, Town Code Enforcement Officer; and Ronald L. Brand, Town Director of Planning and Development.

**FINALLY, BE IT RESOLVED** that a certified copy of this resolution is to be issued to Michael Cerrone, MIII Enterprises, LLC, 6061 Carmens Way, Farmington, New York 14425; Ryan Destro, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, New York 14450; and John LeFrois, LeFois Builders & Developers, 1020 Lehigh Station Road, Henrietta, New York 14467.

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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: February 22, 2022

**RE: Approval of a request for the final release of funds from the Letter of Credit, American Equipment Project, 6112 Collett Road, in the total amount of \$ 72,811.55.**

**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 February 16, 2022, recommending the Town Board take action to approve the request for the final release of funds in the above referenced 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-2.0) and (G-1.1); and

**WHEREAS**, the total amount of this letter of credit is \$ 75,811.55; and

**WHEREAS**, with this final release of funds there will be a zero balance remaining in the Letter of Credit; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board hereby accepts the Planning Board's recommendation and approves the final release of funds from the Letter of Credit for the above referenced project, in the total amount of \$ 72,811.55.

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

**BE IT FURTHER RESOLVED** that the Town Clerk is hereby directed to notify tomorrow, by U.S. Mailing, certified copies of this resolution to: Timothy O. Lawless, American Equipment, 6112 Collett Road, Farmington, New York 14425; Linc Swedrock, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, New York 14450; and Tom Danks, BME Associates, 10 Lift Bridge Lane East, Fairport, New York 14450.

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

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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: February, 2022

**RE: Classifying, under the provisions of article 8 of the New York State Environmental Conservation Law, Part 617.5 State Environmental Quality Review (SEQR) Regulations, the Action involving the adoption of a local law amending Chapter 165, Zoning Law Article II, Terminology & Definitions, Article IV, District Regulations and Article VI, Special Permit Uses by establishing criteria for issuing a special use permit to allow for Agricultural/Construction Equipment Repairs and Painting Operations, as being a Type II Action; directing the submission of the draft of said local law dated March 22, 2022 to the Ontario County Planning Board for review and recommendation under the provisions of the New York State General Municipal Law; publishing a legal notice for a public hearing to be held upon said draft local law on Tuesday, March 22, 2022; and directing the posting of said draft local law on the Town's website.**

**WHEREAS,** the Farmington Town Board (hereinafter referred to as Town Board) has received from the Town Director of Planning and Development a draft local law to amend portions of Chapter 165 of the Town Code; and

**WHEREAS,** said draft local law has been reviewed by the Town Code Enforcement Officer, the Town Zoning Enforcement Officer, the Town Fire Marshal, the Town Planning Board (hereinafter referred to as PB) and the Town Zoning Board of Appeals (hereinafter referred to as ZBA), all of whom have deemed the draft local law acceptable for public review and comment, and ultimately adoption by the Town Board; and

**WHEREAS,** the need for taking action upon said local law is the result of the past seven (7) year period during which an agricultural/construction equipment repairs and

painting operation has been successfully conducted, in compliance with conditions of approval for two Temporary Use Permits granted by the ZBA and an approved final site plan granted by the PB; and

**WHEREAS**, the Town Board finds the proposed special permitted use criteria contained in the draft local law is applicable to sites zoned GI General Industrial, LI Limited Industrial, A-80 Agricultural and RR-80 Rural Residential where agricultural/construction equipment repairs and painting would be acceptable with the issuing of a special use permit and site plan approval by the PB; and

**WHEREAS**, the Town Board has tonight completed its review of said draft local law; and

**WHEREAS**, the Action involves a local legislative decision, involving the adoption of a local law, to determine compliance with the technical requirements for regulating agricultural/construction equipment repairs and painting as contained in the proposed criteria for issuing a Special Use Permit; and

**WHEREAS**, a decision by the Town Board upon this Action does not entitle or permit an applicant to commence an action involving the development of land for agricultural/construction equipment repairs and painting that is otherwise first subject to all requirements contained within New York State Town Law, article 8 of the New York State Environmental Conservation Law, and the Laws of the Town of Farmington until all requirements have been fulfilled and approvals have been granted.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board does hereby designate itself as the Lead Agency for making the Determination of Significance, under the State's SEQR Regulations, upon the above referenced Action.

**BE IT FURTHER RESOLVED** that the Town Board does classify the proposed Action as a Type II Action as further set forth within Section 617.5 ( c ) (24), (26), (27), (33) and (34) of the State's SEQR Regulations.

**BE IT FURTHER RESOLVED** that Type II Actions have been determined not to have a significant impact upon the environment or are otherwise precluded from environmental review under article 8 of the New York State Environmental Conservation Law.

**BE IT FURTHER RESOLVED** that the Town Board does hereby direct the submission of the final draft of the above referenced local law, dated March 22, 2022, to the Ontario County Planning Board for its review and recommendation, under the provisions of Sections 239-l and -m of the New York State General Municipal Law, at their March 9, 2022, meeting.

**BE IT FURTHER RESOLVED** that the Town Board does hereby schedule a public hearing to be held on Tuesday, March 22, 2022, starting at 7:00 p.m., in the Main Meeting Room, at the Farmington Town Hall, upon the above referenced Action.

**BE IT FURTHER RESOLVED** that the Town Clerk is hereby directed to cause to be published in the Town's Official Newspaper a legal notice of this scheduled public hearing, to post a copy of said legal notice on the Town Hall Bulletin Board and to post a copy of said notice along with a copy of the draft local law on the Town's Official Website.

**BE IT FURTHER RESOLVED** that copies of this resolution are to be provided to the Town Director of Planning and Development, the Town Code Enforcement Officer, the Town Zoning Enforcement Officer, and the Town Fire Marshal.

**BE IT FINALLY RESOLVED** that the Town Board directs a copy of this resolution is to be filed as provided for under the State's SEQR Regulations.





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By \_\_\_\_\_  
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Date of Adoption \_\_\_\_\_  
  
February 22, 2022

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 PURCHASE AND INSTALLATION OF 1 NEW  
NOMINAL 200 MBH NATURAL GAS UNIT HEATER FOR THE BELT PRESS  
BUILDING AT SEWER TREATMENT PLANT**

**WHEREAS**, the existing heater quit working and cannot be repaired., and

**WHEREAS**, in accordance with the Town of Farmington Purchasing Policy, the Water and Sewer Supt. has requested written quotes for the removal of the existing heater and replace with a new nominal 200 MBH natural gas unit heater at the Farmington Sewer Department 1216 McMahan Rd Victor NY Victor NY., and

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Farmington acting on behalf of the Farmington/Victor Sewer Districts hereby authorizes the quote from Isaac HVACR not to exceed \$4,000.00 and

**BE IT FURTHER RESOLVED** that funding for this project will be from Budget Code SS-8120.4, and

**LASTLY 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.