

RESOLUTION AUTHORIZING ACCEPTANCE OF AN EASEMENT

WHEREAS, the Town of Farmington, by its officers or representatives, has engaged in discussions with Emporium Leasing, LLC ("Owner") regarding the Town's obtaining a Water and Utility Easement over portions of its property on 1780 State Route 332, as shown on a map prepared by MRB Group dated February, 2017; and

WHEREAS, Town of Farmington officials have recommended to the Town Board that said Owner grant to the Town the easement over said land of said Owner; and

WHEREAS, said easement has been offered by Owner to the Town of Farmington; and

WHEREAS, the Town Board of the Town of Farmington is desirous of accepting said offered easement on behalf of said Town; and

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

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Farmington does hereby accept the Easement attached hereto as Exhibit 1 from Owner in accordance with the terms and conditions contained in said instrument 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 the Town, and be it further

RESOLVED, that the Town Supervisor shall be and hereby is authorized to take any and all further action necessary to carry forth the intent of this resolution, including but not limited to the execution of all documents necessary to complete the conveyance of the premises referenced herein.

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

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

Dated: _____, 2021

Michelle Finley, Town Clerk

SEAL

Resolution No. _____ of 2021

**THE TOWN OF FARMINGTON
TOWN BOARD**

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

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

RESOLUTION AUTHORIZING THE TOWN OF FARMINGTON CODE ENFORCEMENT OFFICERS, DAN DELPRIORE AND LELAND CODY TO ATTEND NYS DEC ENDORSED 4-HOUR EROSION AND SEDIMENT CONTROL VIRTUAL TRAINING PRESENTED BY ONTARIO COUNTY SOIL & WATER CONSERVATION DISTRICT

WHEREAS, The Town Code Enforcement Officers are required to receive said training every 3 years as inspectors for the town; and

WHEREAS Ontario County Soil & Water Conservation District is hosting a virtual NYS DEC 4-Hour Erosion and Sediment control training on March 4, 2021

WHEREAS, The Code Enforcement Officer Dan Delpriore and Leland Cody, are requesting approval to attend at a cost not to exceed \$100.00 each for the 4-hour virtual NYS DEC Endorsed 4 Hour Erosion and Sediment Control Training

NOW LET IT BE RESOLVED that the Town Board does herein approve the attendance of Dan Delpriore, and Leland Cody to attend the 4-hour virtual NYS DEC Endorsed 4 Hour Erosion and Sediment Control Training at a cost not to exceed \$200.00

BE IT FURTHER RESOLVED that copies of this resolution be submitted by the Town Clerk to 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

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 APPROVING CHANGE ORDER GC-04 FOR BLM
CONSTRUCTION FOR THE BEAVER CREEK PARK RESTROOM
BUILDING**

WHEREAS, change order GC-04 was submitted by MRB for a time extension with a substantial completion date of 4/27/21 and no change in the contract price,

RESOLVED, that the Town Supervisor signs GC-04,

FULLY RESOLVED, that the Town Clerk returns the signed change order to MRB group and forwards a copy of the resolution and change order to the Building Department and the Principal Account Clerk.

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

February 23, 2021

**RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE
PARKLAND RESERVE ACCOUNT ONCE THE PUBLIC REFERENDUM PERIOD
IS COMPLETE.**

Whereas, \$450,000 was identified in the 2021 budget to be drawn from the Parkland Reserve (A231PL) and transferred to the Beaver Creek Park Capital Project,

Now therefore be it resolved, that the Town Clerk publish the public notice for the withdrawal from the Parkland reserve,

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

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

HB5031	Interfund Transfer	\$450,000	
HB7110.22	Water & Sewer Infra	\$7,853.53	
HB7110.2	Construction	\$66,329	
HB7110.21	Site Work		\$399,376
HB7110.23	Electrical		\$34,400
HB7110.24	Maintenance Bldg		\$87,407
HB1440.2	Engineering		\$2999.53

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.

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

February 23, 2021

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE 2017 VLT CAPITAL RESERVE ACCOUNT ONCE THE PUBLIC REFERENDUM PERIOD IS COMPLETE.

Whereas, the following funding transfers utilizing the 2017 VLT reserve fund were allocated in the 2021 budget:

From the A232V17 VLT reserve:

- \$250,000 to the Parks Building Renovation Capital Project
- \$200,000 to the Townline Road Capital Project
- \$125,000 to the Town Facility/Land Acq Reserve once the CD matures
- \$ 75,000 to the Town Park Equipment Reserve once the CD matures
- \$111,000 to the General Fund for Town Hall Upgrades
- \$500,000 to establish a Tax stabilization reserve
- \$100,000 to the Highway Fund

Now therefore be it resolved, that the Town Clerk publish the public notice for the withdrawal from the VLT reserve and to establish a tax stabilization reserve to finance unanticipated revenue losses or expenditures as per General Municipal Law,

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 fund once the permissive referendum period is complete,

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

HR5031	Interfund Transfer	\$250,000	
HR1440.2	Engineering		\$50,000
HR1620.2	Building Capital Outlay		\$200,000
HZ5031	Interfund Transfer	\$200,000	
HZ5197.22	Construction		\$200,000

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.

RESOLUTION AUTHORIZING ACCEPTANCE OF AN EASEMENT

WHEREAS, the Town of Farmington, by its officers or representatives, has engaged in discussions with Indus Mertensia Road Associates, LLC ("Owner") regarding the Town’s obtaining a Water and Utility Easement and a Sidewalk Easement over portions of its property on 1220 Mertensia Road, as shown on a map prepared by MRB Group dated July, 2020; and

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

WHEREAS, said easements have been offered by Owner to the Town of Farmington; and

WHEREAS, the Town Board of the Town of Farmington is desirous of accepting said offered easements on behalf of said Town; and

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

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Farmington does hereby accept the Easements attached hereto as Exhibit 1 from Owner 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 the Town, and be it further

RESOLVED, that the Town Supervisor shall be and hereby is authorized to take any and all further action necessary to carry forth the intent of this resolution, including but not limited to the execution of all documents necessary to complete the conveyance of the premises referenced herein.

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

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

Dated: _____, 2021

Michelle Finley, Town Clerk

SEAL

Resolution No. _____ of 2021

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption: February 23, 2021

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

A Resolution to Amend the Town's Official Zoning Map last updated on December 6, 2018.

Whereas, the Farmington Town Board (hereinafter referred to as Town Board) in adopting Local Law No. 5 of 2020, Resolution No. 406 of 2020, directed a note be added to the legend of the Town's Official Zoning Map that clarifies the procedure to be followed before any building permit is issued for a structure located within a mapped IZ Incentive Zone District; and

Whereas, the Town Board, as authorized in §165-12. D. of the Farmington Town Code, may by resolution adopt a new Zoning Map to supersede the prior map and gives the dates of adoption of both the prior map and the new Zoning Map; and

Whereas, a proposed new Zoning Map has been prepared by the Town's Engineers, MRB Group, D.P.C., and dated February 2021, which has been reviewed by Town Staff including the Town Clerk, the Town Director of Planning and Development and the Town Code Enforcement Officer.

Now, therefore, be it resolved that the Town Board does hereby approve of the above referenced new Zoning Map with the following conditions:

1. There is to be a note added to the Official Zoning Map Legend that reads...

“This Official Zoning Map is approved by Town Board Resolution No. __ of 2021, dated February 23, 2021 and supersedes the last authorized Official Zoning Map dated 12/6/18.”

2. There is to be a note added to the Official Zoning Map Legend 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.”

3. The new Official Zoning Map is to be signed by the Town Clerk and dated February 23, 2021.

Be it further resolved that the Town Clerk is hereby authorized to request the Town Engineers, MRB Group, D.P.C., to provide her Office with sufficient copies of the new Official Zoning Map, for public distribution, in a timely manner.

Be it further resolved that the Town Engineers are hereby authorized to provide an electronic copy of the new Official Zoning Map to the Town Code Enforcement Officer, for making copies for Town Departments and Officials and one (1) copy for the Ontario County Planning Department.

Be it finally resolved that the new Official Zoning Map is to be posted on the Town's Official Website in a timely manner.

Resolution No. _____ of 2019

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

Names Ayes Nays Abstain Absent

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

The following was presented

By _____

Sec'd by _____

Date of Adoption: February 23, 2021

Re: Resolution accepting a draft local law, entitled “Main Street Overlay District (MSOD) Regulations and other amendments to Chapter 165 of the Farmington Town Code,” for public review and comment; directing the submission of said draft local law proposal to the Ontario County Planning Board; and scheduling a public hearing thereon for Tuesday, March 23, 2021.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a draft local law, dated February 9, 2021 entitled “Main Street Overlay District (MSOD) Regulations and the amendments to Chapter 165 of the Farmington Town Code,” from the Town Director of Planning and Development; and

WHEREAS, the Town Board has reviewed the Criteria contained in Parts 617.4 and 671.5 of the the State Environmental Quality Review (SEQR) Regulations for classifying the above referenced Action; and

WHEREAS, the draft local law has been prepared by the Town’s Director of Planning and Development, the Town Code Enforcement Officer and the Town Engineer; reviewed by staff at the Region 4 Office of the New York State Department of Transportation and the Ontario County Department of Public Works, the Town Planning Board and Zoning Board of Appeals; and the members of the Town Operations Committee and Public Works Committee; and

WHEREAS, the Town Board has for the past four months posted the document entitled “Main Street Overlay District (MSOD) Guidelines Route 96 Corridor” which serves as a basis for the proposed amendments to Chapter 165 of the Farmington Town Code; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby accept the above referenced draft local law which is hereby attached to and made part of this resolution; and agrees to give formal consideration to the above referenced Action.

BE IT FURTHER RESOLVED that the Town Board does hereby classify the proposed Action as being a Type II Action under the following sections of Part 617.5 of the SEQR Regulations:

(18) reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted use under the applicable zoning law or ordinance, including permitted by special use permit, and the action does not meet or exceeds any of the thresholds in section 617.4 of this Part; and

(25) official acts of a ministerial nature involving no exercise of discretion, including building permits and historic preservation permits where issuance is predicated solely on the applicant's compliance or noncompliance with the relevant local building or preservation code(s); and

(33) adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list; and

(34) engaging in review of any part of an application to determine compliance with technical requirements, provided that no such determination entitles or permits the project sponsor to commence the action unless and until all requirements of this Part have been fulfilled.

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

BE IT FURTHER RESOLVED that the Town Board instructs the Director of Planning & Development to submit the necessary documentation to the Ontario County Planning Board, under the provisions of the New York State General Municipal Law, for its review, report and recommendation at their March 10, 2021 meeting.

BE IT FURTHER RESOLVED that the Town Board does hereby schedule a public hearing upon said Action to be held on Tuesday, March 23, 2021 commencing at 7:00 p.m. Eastern Daylight Savings Time, or as soon thereafter as possible, to be held in the main meeting room of the Farmington Town Hall, 1000 County Road 8, Farmington, New York 14425.

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to publish a legal notice for said public hearing in the Town's Official Newspaper, to post notice thereof on the Town's Website and Town Hall Bulletin Board, and to provide notices of the proposed Action to the involved property owners as provided for in the Town Code.

Resolution No. _____ of 2021

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption: February 23, 2021

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

A REQUEST FOR THE LOWERING OF THE 55 MILES PER HOUR POSTED SPEED LIMIT ON THE WESTERN PORTION OF THE CANANDAIGUA/FARMINGTON TOWN LINE ROAD, BETWEEN THE INTERSECTIONS OF STATE ROUTE 332 AND NEW MICHIGAN ROAD, TO 40 MILES PER HOUR, IN CONJUNCTION WITH A SIMILAR REQUEST FROM THE TOWN OF CANANDAIGUA.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has been informed by the Town Highway Superintendent that, the Town of Farmington Highway Department in conjunction with the Town of Canandaigua Highway Department will be completing later this year, work involving the reconstruction of the Canandaigua/Farmington Town Line Road, between the intersections of State Route 332 and New Michigan Road; and

WHEREAS, said Town Line Road is being reconstructed in accordance with the federal highway administration's "Complete Streets Guidelines;" and

WHEREAS, there continues to be additional residential development occurring within this highway corridor; and

WHEREAS, the Town Board desires to have a uniform posted speed limit along the entire length of the above-described section of the Town Line Road, which currently is posted in two sections for 40 miles per hour and 55 miles per hour; and

WHEREAS, the Town Board understands that both Town Highway Superintendents are in agreement with lowering the speed limit along the entire length of this "Complete Streets Project."

NOW, THEREFORE, BE IT RESOLVED the Farmington Town Board supports the recommended speed reductions from the two Town Highway Superintendents and recommends there be one uniform speed limit of 40 miles per hour posted, upon the completion of said highway improvement project, along the entire section of this jointly owned municipal highway.

BE IT FURTHER RESOLVED that the Town Board does hereby formally request the Canandaigua Town Board also give its' consideration to and support of a similar request being established along this section of the jointly-owned municipal highway.

BE IT FURTHER RESOLVED that the Town Clerk forward certified copies of this Resolution to the Town Highway Superintendents in the towns of Canandaigua and Farmington, the Town of Farmington Principal Account Clerk, the Canandaigua Town Supervisor, the Canandaigua Town Manager, the Town Clerk of the Town of Canandaigua and the two attorneys to the towns of Canandaigua and Farmington.

BE IT FINALLY RESOLVED that the Town Clerk forward 2 copies of the attached Form TE-9, along with 2 certified copies of this resolution to William Wright, Commissioner, Ontario County Public Works, 2962 County Road 48, Canandaigua, New York 14424.

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 Ronald Herendeen				
	Councilman Nathan Bowerman				

APPROVAL TO PURCHASE ONE NEW GOULDS EJECTOR PUMP, HP3, DISCHARGE 3 INCH FLANGED, MODEL # WS3034D3 FOR SANDFILTER BACK WASH

February 23, 2021

WHEREAS, the Water and Sewer Superintendent has identified a need to replace the existing and aging and out of service Sand filter pump at the sewer treatment plant 1216 McMahan Road Victor NY, and

WHEREAS, as required under the Town’s Procurement Policy, three written quotes dated February 22nd have been received for one (1) Gould Water Technology Sewer Ejector Pump, HP 3, Discharge 3 inch Flanged model #WS3034D3 for the Sewer Plant located at 1216 McMahan Road Victor NY, and

WHEREAS, Grainger came in with the lowest quote at \$2,638.08;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington acting on behalf of the Farmington Sanitary Sewer District hereby authorizes the Water and Sewer Superintendent to purchase one new Gould replacement pump for the Sand Filter building.at a total cost not to exceed \$2,638.08, and

BE IT FURTHER RESOLVED, budgeted as part of the ongoing maintenance this expenditure is from the Sanitary Sewer Budget lines SS-8130.4, and

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