

Resolution No. _____ of 2023

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

RESOLUTION WAIVING THE MERTENSIA LODGE RESERVATION FEE FOR THE 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, March 25, 2023, and requested that the reservation fee be waived, now therefore be it

RESOLVED, the Farmington Town Board authorizes the waiving of the reservation fee for the use of the Mertensia Lodge on Saturday, March 25, 2023, for the South Farmington Friends Cemetery Foundation Pancake Breakfast Fundraiser, and further be it

RESOLVED, that a copy of this resolution be given to the foundation for their records.

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

CONFIRMING RESOLUTION APPOINTING PAULA RUTHVEN AS ACTING ASSESSOR

WHEREAS, New York State Real Property Tax Law §310 required that the Town appoint an Assessor to assess real property for the purpose of taxation; and

WHEREAS, The Town’s Assessor submitted his resignation effective February 21, 2023 therefore making it necessary to appoint an Acting Assessor to fulfill the job responsibilities of the Assessor; and

WHEREAS, in accordance with New York State Real Property Tax Law §314 an Acting Assessor may be appointed until such time that an Assessor is able to resume the position; and

WHEREAS, the Town would like to appoint Paula Ruthven, who has worked in the Assessor’s Office since December 20, 2021, as Acting Assessor effective February 27, 2023, and pay a stipend of \$400 per week for the additional work and responsibilities of the position; now therefore

BE IT RESOLVED that the Town Board approves the appointment of Paula Ruthven as Acting Assessor effective February 27, 2023 with a stipend of \$400 per week; and be it

FURTHER RESOLVED that the Town Clerk forward a copy of this resolution to the Assessor’s Office, the Accountant I, and the Supervisor’s Secretary.

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THE TOWN OF FARMINGTON TOWN BOARD

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

RESOLUTION AUTHORIZING TRAINING OVER \$100.00 FOR KENNETH PARROTT FOR BASIC OPERATIONS COURSE, MATTHEW THOMPSON GRADE 4 MANAGEMENT COURSE, CAMERON KNORR AND CHRISTOPHER VANORDEN FOR GRADE D WATER COURSE

WHEREAS, Kenneth Parrott currently is a Plant Operator Trainee, Matthew Thompson is a Grade 2 Plant Operator in the Sewer Department, and Cameron Knorr and Christopher Van Orden are in the Water Department

WHEREAS, training is needed so that they can advance in their departments, and

NOW, THEREFORE BE IT RESOLVED, that the Town Board, authorizes the Farmington Water and Sewer Superintendent to pay for this training in the amounts of \$1,275.00 for lodging at the Brae Loch Inn, \$79.50 for a study book, and \$450.00 for the Grade 4 Management Course and \$650.00 for the Grade D Water course at SUNY Morrisville plus 22 day of meals at \$45.00 per day \$990.00 total, at a Total amount not to exceed \$3444.50:

Break Downs

- Kenneth Parrott: July 10-21, 10 days lodging \$750.00, Basic Operations Course was paid for 03/09/22, Meal allowance 12 days at \$45.00 per day: \$540.00, Total: \$1290
- Matthew Thompson: July 26-28, 3 days lodging \$225.00, Grade 4 Management Course \$450.00, Meal allowance 4 days at \$45.00 per day: \$180.00, book \$79.50, Total: \$934.5
- Cameron Knorr: April 6-7, 2 days lodging \$150.00 Grade D Water Course \$325.00, Meal allowance 3 days at \$45.00 per day: \$135.00, Total: \$610
- Christopher VanOrden: April 6-7 2 days lodging \$150.00 Grade D Water Course \$325.00, Meal allowance 3 days at \$45.00 per day: \$135.00, Total: \$610

BE IT FURTHER RESOLVED that funding for the training for Parrot and Thompson be expensed in budget code SS8130.4, ant the training for Knorr and Vanorden under code SW1-8340.4

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 Accountant I.

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

**RESOLUTION AUTHORIZING ACCEPTANCE OF A PROPOSAL FROM MRB GROUP FOR NEW
PAVILION AT FARMINGTON TOWN PARK**

WHEREAS, the Town Park is in need of a new pavilion; and

WHEREAS, MRB Group has submitted a Proposal for Engineering Services to provide design, bidding, and construction phase services for the proposed pavilion at Farmington Town Park at an amount not to exceed \$19,600.00; and

WHEREAS, expenditures will be paid out of the Town Park Improvement Capital Project with the following budget amendment:

HP7110.2 Park Improvements	\$20,500.00	
HP1440.2 Engineering		\$20,500.00

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to sign the Proposal for Engineering Services from MRB Group for design, bidding, and construction phase services for the proposed pavilion at Farmington Town Park at a total amount not to exceed \$19,600.00; and

BE IT FURTHER RESOLVED that the Town Clerk provide copies of this resolution to the Highway/Parks Superintendent, the Accountant I, and provide the signed proposal along with a copy of the resolution to Bill Davis of MRB Group.

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By _____

Sec'd by _____

Date of Adoption _____

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

RE: Resolution to Adopt the various amendments to sections of the Town of Farmington Site Design and Development Criteria Manual as set forth herein; directing copies of said amended sections to be provided to Town Staff; and directing the posting of the above referenced Manual upon the Town’s Official Website.

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has reviewed the following proposed amendments to the Town of Farmington Site Design and Development Criteria Manual (hereinafter referred to as the Manual) which was last amended on April 12, 2022, by Town Board Resolution #167 of 2022:

1. Draft Redline Amendments Summary Pages; and
2. Appendix S-12.0 entitled “Inside Drop Sewer Manhole;” and
3. Appendix S-13.0 entitled “Dog-House Sewer Manhole;” and
4. Appendix ST-12.0 entitled “Storm Lateral Detail;” and
5. Appendix W-13.0 entitled “Trench Detail;” and
6. Appendix W-16.0 entitled “Pipe Casing;” and
7. Appendix H-17.0 entitled “Stabilized Construction Entrance;” and
8. Appendix G-9.0 entitled “Public Safety Sign Detail.”

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby accept said amendments referenced above herein, which are hereby made as attachments to this resolution, and further directs said amendments are to be made to the revised Town of Farmington Site Design and Development Criteria Manual.

BE IT FURTHER RESOLVED that the Cover Page of said Manual is to be changed by adding a new revision date of February 28, 2023; and also by adding the reference number of this Resolution.

BE IT FURTHER RESOLVED that the Town Board does hereby direct the Town’s Engineering

Firm, MRB Group, D.P.C., (hereinafter referred to as Town Engineer) to prepare copies only of these amendments to the Manual and to deliver them to all Town Departments and Agencies currently in possession of said Manual.

BE IT FURTHER RESOLVED that the Town Board hereby directs all Town Departments and Agencies currently in possession of said Manual to insert these amended pages into their copy.

BE IT FURTHER RESOLVED that the Town Board does hereby direct the Town Engineer to prepare a copy of these amendments and to deliver them to the Town Clerk's Office which are to be inserted in their office copy of the Manual along with a compact disc of said amended Manual, for public review and inspection.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be provided to all Town Officials in possession of said Manual which is to be inserted in the front pocket of said bound Manual.

BE IT FINALLY RESOLVED that the Board directs that the Town Website be updated to include a copy of the amended Manual, along with the Manual's Cover Sheet identifying the date of last revision, for the public's information and use.

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Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption: February 28, 2023

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

Resolution classifying the Action known as the “Power’s Incentive Rezoning Project,” under the provisions of Part 617, NYCRR, a part of article 8 of the New York State Environmental Conservation Law (ECL), the State’s Environmental Quality Review (SEQR) Regulations, involving the rezoning of approximately 145 acres of land currently zoned RS-25 Residential Suburban and LI Limited Industrial to IZ Incentive Zoning; and establishing a coordinated review and public review and comment period, directing notification thereof be provided to the involved agencies and the general public of this review and comment period, and declaring Town Board intent to be designated lead agency at the Town Board meeting scheduled for Tuesday, March 28, 2023.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received an application for the above referenced rezoning of land that is to be classified as an Action under the provisions of the above referenced ECL; and

WHEREAS, the Town Board has closed, on February 14, 2023, a public hearing held on the above referenced rezoning Action; and

WHEREAS, the Town Board has given consideration to the classifications for the above referenced Action in accordance with the provisions contained within Part 617. 4 and 5, NYCRR, a part of the ECL.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby classify the above referenced rezoning Action to be a Type I Action based upon the following findings:

1. Part 617.4 (b) (2) [Type I Actions] establishes the adoption of changes in the allowable uses within any zoning district, affecting 25 or more acres of the district, if directly approved by the Town Board is classified as a Type I Action; and
2. Part 617.4 (b) (8) [Type I Actions] any Unlisted action that includes a nonagricultural use occurring wholly or partially within an agricultural district [in this instance the Ontario County Consolidated Agricultural District #1] (certified pursuant to Agriculture and Markets Law, article 25-AA, sections 303 and 304) and exceeds 25 percent of any threshold established in said Part 617.4.

BE IT FURTHER RESOLVED that the Town Board having now classified the proposed Action as a Type I Action must give notice of the proposed Action to other involved agencies, and give notice to and provide for a public review and comment period.

BE IT FURTHER RESOLVED that the Town Board does hereby declare that a coordinated review is to now occur with other identified involved agencies and that a public review and comment period is to be established for said Action.

BE IT FURTHER RESOLVED that the Town Board identifies that the involved agencies for this coordinated review shall include the New York State Department of Transportation, the New York State Department of Health, the New York State Department of Environmental Conservation, the Town of Farmington Water & Sewer Superintendent and the Town of Farmington Highway Superintendent.

BE IT FURTHER RESOLVED that there is hereby established a coordinated review period and a public review and comment period that is to commence on Wednesday, March 1, 2023, and end at noon on Friday, March 24, 2023.

BE IT FURTHER RESOLVED that the Town Board does hereby declare its intent to be designated the lead agency, in accordance with the provisions contained in Part 6 NYCRR, §617.6, of the ECL for the above referenced coordinated review period at its meeting on Tuesday, March 28, 2023.

BE IT FURTHER RESOLVED that the Director of Planning and Development is to provide copies of the Applicant's Incentive Rezoning documents and maps, including the completed Part 1 of the Full Environmental Assessment Form, the Ontario County Planning Board's Referral # 221-2022, the Town Board public hearing minutes dated January 10, 2023, and February 13, 2023, the Town's SEQR Project Notification Review Letter (PNRL), and the SEQR PNRL Response Form are to be provided to the above identified involved agencies and a copy of all documents filed with the Town Clerk's Office for public review and comment commencing on Wednesday, March 1, 2023.

BE IT FURTHER RESOLVED that the Town Clerk is to provide public notice of said public review and comment period in the Town's Official Newspaper, post notice thereof on the Town Hall's Bulletin Board and on the Town's Website, informing the public that a copy of this Action is on file in the Town Clerk's Office for public review during normal business hours.

BE IT FINALLY RESOLVED that certified copies of this resolution are to be provided to the Town Planning Board, the Town Director of Planning & Development, the Town Code Enforcement Officer, the Applicants: Robert J. Brenner and Brian W. Mahoney, Partners Canandaigua Development Company, LLC, 83 South Main Street, Canandaigua, New York 14424; the Applicants Engineer, Ryan Destro, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, New York 14450.

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**THE TOWN OF FARMINGTON
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Roll Call Vote

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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 RENEW THE 2023 TOWN OF FARMINGTON MUNICIPAL INSURANCE
POLICY WITH NEW YORK MUNICIPAL INSURANCE RECIPROCAL (NYMIR)**

WHEREAS, the 2023 renewal policy (coverage from 3/9/23-3/9/24) supplied by Eastern Shore was reviewed by the Town Board, and

WHEREAS, the NYMIR and liberty premiums are up by 5%, plus additional Cyber Coverage,

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington approves and authorizes the renewal of the Town insurance policy with NYMIR submitted by Eastern Shore Associates, and

BE IT FURTHER RESOLVED that a copy of the resolution be submitted to Jackie Shafter, Eastern Shore Servicing agent at JShaffer@ESAINSURANCE.com and a hard copy mailed to Eastern Shore Associates, PO Box 480, Fulton, NY 13069.

Resolution No. _____ of 2023

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: February 28, 2023

RE: Establishment and Directing the Filing a Letter of Credit – The Hathaway’s Corners Incentive Zoning Project, Phase 2-A, in the total amount of \$ 1,981,320.31.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has been informed by the Planning Board Chairperson, that the Planning Board has taken Action to recommend approval of accepting a Letter of Credit for the above referenced project in the total amount of \$ 1,981,320.31; and

WHEREAS, the Town Board has also been provided a copy of the Town Engineer’s letter dated January 30, 2023, which includes both the Town Engineer’s and Town Construction Inspector’s recommendations for establishing said letter of credit in the amount specified above herein, and the Applicant’s Engineer’s (BME Associates) Estimate of Value, dated January 26, 2023, for site improvements to be dedicated to the Town.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby acknowledge the above specified Planning Board’s recommendation for establishing a letter of credit for said project and further directs the Applicant to file a letter of credit, in the total amount specified above herein, with the Town Clerk’s Office prior to the Town Code Enforcement Officer scheduling a pre-construction meeting and issuing an order to proceed with the project.

BE IT FURTHER RESOLVED that the Town Clerk, is to be provided copies of this resolution to: David Orians, Town Construction Inspector; Tim Ford, Town Highway & Parks Superintendent; David Conti, 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 copy of this resolution is to be issued to the Applicant, The Marrano/Marc Equity Corporation, 2730 Transit Road, West Seneca, New York 14224; Mark Stevens, S.B. Ashley Management Corporation, The Powers Building, 16 W. Main Street, Suite 700, Rochester, New York 14614; the Applicant’s Engineer, Ryan Destro, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, New York 14450; and Tom Danks, Project Manager, BME Associates, 10 Lift Bridge Lane East, Fairport, New York 14450.

**RESOLUTION AUTHORIZING ACCEPTANCE OF EASEMENT AND A
STORMWATER CONTROL FACILITY MAINTENANCE AGREEMENT**

WHEREAS, the Town of Farmington, by its officers or representatives, has engaged in discussions with Hathaway Apartments, LLC (“Owner”) regarding the Town’s obtaining a Sanitary Sewer and Utility Easement and a Storm Sewer and Utility Easement over portions of Owner’s property located on Savalla Boulevard, as shown on a map prepared by BME Associates dated June 23, 2022; and

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

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 the 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 Owner, 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 _____, 2023, by the following vote:

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

Dated: _____, 2023

Michelle Finley, Town Clerk

SEAL

Resolution No. _____ Of 2023

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

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Sec'd by _____

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

2/28/23 - WAIVER OF THE RULE

**LIAM LANGER SUCCESSFUL COMPLETION OF
PROBATIONARY PERIOD**

WHEREAS Liam Langer was hired by the Highway/Parks Superintendent with a start date of August 25th, 2022, and on February 25th, 2023 has successfully completed the required six-month probationary period; and

WHEREAS, Liam has shown knowledge base and per employee policy, upon the successful completion of a probationary period, may be granted a wage adjustment; and

WHEREAS, the Highway/Parks Superintendent deems that Liam has displayed satisfactory job performance; now therefore be it

RESOLVED that the Town Board hereby grants a \$.50 per hour wage increase to Liam Langer effective beginning with Payroll # 6 (March 5th, 2023); and

BE IT FURTHER RESOLVED that the Town Clerk provides copies of this resolution to the Highway/Parks Department, the Supervisor's Confidential Secretary and the Accountant I.