

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				

**CONFIRMING RESOLUTION FOR SUCCESSFUL COMPLETION OF
PROBATIONARY PERIOD FOR WATER AND SEWER DEPARTMENT PLUS PAY
INCREASE-WWTP PLANT TRAINEE**

September 14, 2021

WHEREAS, by Resolution #78 of 2021 dated January 30, 2021, the Farmington Town Board authorized the filling of a vacant position of a full time Waste Operator Trainee Position for the Water and Sewer Department, and

WHEREAS, Water and Sewer employee Kenneth Parrott has successfully completed the required time line for the Probationary Period in the position of WWTP Plant Trainee for the Farmington Water and Sewer Department since the start date on March 1, 2021, with his probation period ending on September 1, 2021, and

WHEREAS, the Town Personnel Policy allows an increase at this point with recommendation of the Department Head, and

WHEREAS, this increase was budgeted as part of the position review during the probationary period and is in keeping within the 2021 budget limits, and

NOW, THEREFORE BE IT RESOLVED, that the Farmington Town Board acting on behalf of the Water and Sewer Districts hereby authorizes a \$0.75 increase (from \$19.50 to \$20.25 per hour) for Kenneth Parrott effective September 5, 2021, which is the start of the Town's Pay Period #20 for 2021, and

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

Resolution No. _____ of 2021

**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: September 14, 2021

RE: Establishment and Directing the Filing a Letter of Credit – RG&E Station 168 Project, in the total amount of \$ 30,733.04.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from the Town Planning Board (hereinafter referred to as Planning Board) a resolution dated September 1, 2021 recommending the establishing of a letter of credit for the above referenced project in the total amount of \$ 30,733.04; and

WHEREAS, the Town Board has also been provided a copy of the Town Engineer’s letter dated August 31, 2021, which includes the Town Construction Inspector’s recommendation for establishing said letter of credit in the amount specified above herein and the Applicant’s Engineer’s (LaBella Associates) Estimate of Value for site improvements to be dedicated to the Town.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby accept the above specified Planning Board 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 on the project.

BE IT FURTHER RESOLVED that the Town Clerk, is to be provided copies of this resolution to: Matt Heilmann, Town Construction Inspector; Don Giroux, 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 copy of this resolution is to be issued to the Applicant, Megan Yoshida, MS, Environmental & Permitting Manager, Substation Projects, 3 City Center, 2nd floor, 180 S. Clinton Avenue, Rochester, New York 14604; and the Applicant’s Engineer, Mary Steblein, P.E., LaBella Associates, P.C., 300 State Street, Suite 201, Rochester, New York 14614.

Resolution No. _____ of 2021

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption: September 14, 2021

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

A Resolution accepting a proposed maintenance bond to be established for Hathaway's Corners Phase 1 A – Dedication Set #2, in the total amount of \$ 90,997.90; and directing the filing thereof with the Town Clerk's Office.

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has received from the Town Engineers, MRB Group, D.P.C., a letter dated August 5, 2021 requesting a two-year maintenance bond be established for dedicated roadways and utilities that have been constructed and installed within Phase 1A (2nd Phase of Dedication) of the Hathaway's Corners Incentive Zoning Project; and

WHEREAS, both the Town Construction Inspector and the Town Engineer have determined the appropriate maintenance bond amount to be provided based upon their coordinated review of the Project Engineer's Estimate of Value; and

WHEREAS, the Town Board has received from the Town Engineers, MRB Group, D.P.C., a letter dated August 5, 2021 along with completed Form G-3.0, Dedication Checklist; Forms G-3.1 and G-3.2, Dedication Forms; and Form G-11.0 Final Inspection Form; and

WHEREAS, prior to releasing the balance remaining in the Letter of Credit established for these dedicated improvements, a two-year maintenance bond is required to be provided to the Town.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby accept the recommendations of the Town Engineer and the Town Construction Inspector to establish a two-year maintenance bond for dedicated improvements within Phase 1A – Dedication Set #2, in the total amount of \$ 90,997.90.

BE IT FURTHER RESOLVED that the Applicant is hereby directed to file a two-year maintenance bond with the Town Clerk's Office, in the amount specified above herein and not later than thirty (30) days from today's date.

BE IT FURTHER RESOLVED that a certified copy of the resolution is to be provided to the Applicant, Mark Stevens, President & CEO, The Ashley Group, 1600 West Main Street, Suite 700, Rochester, New York 14614; the Applicant's Engineer, Ryan Destro, P.E., BME Associates Civil Engineers & Land Surveyors, 10 Liftbridge Lane East, Fairport, New York 14450.

BE IT FINALLY RESOLVED that copies of this resolution are to be filed with the Town Highway & Parks Superintendent; the Acting Town Water & Sewer Superintendent; the Town Construction Inspector; the Town Code Enforcement Officer; the Town Director of Planning and Development; and the Town's Engineers, MRB Group, D.P.C.

Resolution No. _____ of 2021

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

Names Ayes Nays Abstain Absent

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

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

09/3/21

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN
THE AGREEMENT WITH THE PRECISION GROUP TO SLIP LINE
TWO (2) SEGMENTS: ONE (1) ON HOOK ROAD AND ONE (1) ON
SHELDON ROAD**

WHEREAS, The Precision Group has an Onondaga County Contract Number 0000004284, and

WHEREAS, the Highway Superintendent has reached out to The Precision Group with the intent to slip line on Hook Road & Sheldon Road, and

WHEREAS, the Highway Superintendent is requesting that the Town Board authorize the Town Supervisor to sign the attached quote from **The Precision Group** allowing the Highway Superintendent to move forward with the slip lining project at a cost, **not to exceed \$ 30,000 to be paid for from DA-5110.4**, and be it

RESOLVED, that the Town Clerk forward original back to Highway Department to distribute and copies of this Resolution 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 Nathan Bowerman				
Councilman Ronald Herendeen				

**RESOLUTION APPROVING THE FINAL PAYMENT APPLICATION TO
BLM FOR THE BEAVER CREEK PARK MAINTENANCE BUILDING**

WHEREAS, payment application #12 was submitted for payment of \$19,537.59 to BLM,

WHEREAS, all closeout information including a CD, O & M manuals, As Built drawings, AIA documents, and a warranty letter has been received to be retained for the project,

RESOLVED, that the Town Board approve the final payment,

FULLY RESOLVED, that the Town Clerk forwards a copy of the resolution to the Principal Account Clerk, Building Department and Highway Department, and retains all of the closeout information for the project.

Resolution No. _____ of 2021

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

Names Ayes Nays Abstain Absent

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

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

September 3, 2021

**RESOLUTION AUTHORIZING BUDGET AMENDMENTS FOR
PARK – PS – OT LINE - A-7110.12 - \$8,400.00**

WHEREAS, funding is needed in the A-7110.12 Parks – PS – OT to cover the end of the fiscal year, and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington acting on behalf of the Farmington Highway/Parks Department hereby authorizes the following budget amendment:

From: A-7110.11	Parks – PS – Seasonal	\$ 8,400.00
To: A-7110.12	Parks – PS - OT	\$ 8,400.00

BE IT FURTHER RESOLVED that the Principal Account Clerk transfers money from the above-mentioned accounts, and

BE IT FINALLY RESOLVED, that copies of this resolution be submitted by the Town Clerk, to the Principal Account Clerk and the Highway/Parks Superintendent.

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 AUTHORIZING A BUDGET AMENDMENT IN THE
WATER FUND**

WHEREAS, budget amendments are needed in the water fund for overtime expenses,

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

From: SW1-8340.1 Personnel \$12,000
To: SW1-8340.12 Personnel OT \$12,000

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

FURTHER RESOLVED, that the Town Clerk submits one copy of the resolution to the Principal Account Clerk and the Water and Sewer Department.

**RESOLUTION AUTHORIZING ACCEPTANCE OF EASEMENTS
FROM A & D REAL ESTATE DEVELOPMENT, LLC**

WHEREAS, the Town of Farmington, by its officers or representatives, has engaged in discussions with A & D Real Estate Development, LLC f/k/a A & D DEVELOPMENT COMPANY ("Owner") regarding the Town's obtaining Sanitary Sewer, Storm Sewer and Drainage Easements over portions of its properties in the Auburn Meadows Subdivision (Section 7N and 8N), as shown on a re-subdivision final plat map for Lots # R-737, # R-738 and R-739 Section 7N (Lots 727 – 749)" and "Section 8N (Lots 832 – 863)" prepared by D.S.B. Engineers & Architects, P.C. dated May 2021; and

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

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 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, and be it further

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

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: September 14, 2021

RE: Establishment and Directing the Filing a Letter of Credit – Auto Wash Project, 6214 State Route 96, in the total amount of \$ 46,258.78.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has been informed tonight by the Planning Board Chairperson, that the Town Planning Board (hereinafter referred to as Planning Board) has a draft resolution to be dated September 15, 2021 recommending the establishing of a letter of credit for the above referenced project in the total amount of \$ 46,258.78; and

WHEREAS, the Town Board has also been provided a copy of the Town Engineer’s letter dated September 8, 2021, which includes the Town Construction Inspector’s recommendation for establishing said letter of credit in the amount specified above herein and the Applicant’s Engineer’s (Costich Engineering) Estimate of Value 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 forthcoming 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: Matt Heilmann, Town Construction Inspector; Don Giroux, 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 copy of this resolution is to be issued to the Applicant, Robert Marchenese, Auto Wash 6, P.O. Box 451, Canandaigua, New York 14424; the Applicant’s Engineer, Alex Amering, P.E., Costich Engineering, D.P.C., 217 Lake Avenue, Rochester, New York 14608; and Matthew Bragg, Chrisantha Construction Corporation, 4661 Dewey Avenue, Stanley, New York 14561.

Resolution No. ____ of 2021

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption: September 14, 2021

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

RE: Resolution adopting the Town of Farmington Sidewalk/Trail Master Plan Map, an amendment to the 2021 Edition of the Town of Farmington Comprehensive Plan.

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has engaged the Town Engineers, MRB Group, D.P.C., to update the Sidewalk/Trail Master Plan Map which is part of the adopted 2011 Edition of the Town of Farmington Comprehensive Plan; and

WHEREAS, the Town Engineers, on July 27, 2021 provided said master plan map which has been on display to the public in the foyer at the Farmington Town Hall since July 27, 2021; and

WHEREAS, said map was also discussed at a public information meeting held upon a pending 2021-2022 TAP/CMAQ Grant Application that was conducted in the Town Hall, on Tuesday evening, August 3, 2021; and

WHEREAS, said map has also been on display, since August 4, 2021 on the Town's website; and

WHEREAS, said map has been reviewed and updated by the Town Highway Superintendent, the Town Planning Board, the Town Code Enforcement Officer and the Town Director of Planning and Development; and

WHEREAS, said map has also been shared with the consulting engineering firms (Bergmann Associates, P.C. and Barton & Loguidice, DPC), who have prepared the Genesee Transportation Council's study entitled "State Routes 332 and 96 Sub-Area Transportation Study" (hereinafter referred to as the Sub-Area Transportation Study); and

WHEREAS, said Sub-Area Transportation Study confirms, in several locations within the Study, the need for a Sidewalk/Trail Master Plan Map to be prepared and to be used for identifying policy for the completion of missing sections of sidewalks located within the defined “Community Center Area” of the Town of Farmington; and

WHEREAS, the Town Board has tonight conducted a public hearing upon the above referenced map and has given consideration to the testimony received at said hearing.

NOW, THEREFORE, BE IT RESOLVED that the Town Board classifies the Action to adopt the Town of Farmington Sidewalk/Master Plan Map as being a Type II Action, as defined in Part 617.5 (c)(24) and (26) of article 8 of the New York State Environmental Conservation Law (ECL).

BE IT FURTHER RESOLVED that Type II Actions are not subject to review under the ECL, as they have been determined not to have a significant impact on the environment or are otherwise precluded from environmental review.

BE IT FURTHER RESOLVED that the Town Board does hereby adopt the “Town of Farmington Sidewalk/Trail Master Plan Map,” prepared by MRB Group, D.P.C., dated September 14, 2021 and further identified as Project No. 0610.13000, as the Official Sidewalk/Trail Master Plan Map for the Town of Farmington.

BE IT FURTHER RESOLVED that said Master Plan Map is to be maintained and update as necessary for re-certification and adoption by this Town Board.

BE IT FURTHER RESOLVED that the Town Board directs said map to be made part of the 2021 Edition of the Town of Farmington Comprehensive Plan.

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to provide a Certified Copy of this resolution to the Town Director of Planning and Development to be used as part of the pending 2021-2022 Town of Farmington TAP Grant Application to the New York State Department of Transportation which is to be submitted on or before September 29, 2021.

BE IT FURTHER RESOLVED that the Town Director of Planning and Development is hereby directed to have copies of said Sidewalk/Trail Master Plan Map, dated September 14, 2021 made for distribution to Town Departments, and to cause the posting of said Map on the Town’s Official website.

BE IT FINALLY RESOLVED that the Town Board does hereby authorize and directs the Town Engineers, MRB Group, D.P.C., to assist the Town Director of Planning and Development in making said copies and the posting thereof on the Town’s official website.

Resolution No. ____ of 2021

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption: September 14, 2021

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

RE: Resolution authorizing the establishment of a Capital Project, in the total amount of \$450,000.00 to be funded over the next two-year period, to be identified as the Town of Farmington Sidewalk Trail 2021-2022 Transportation Alternative Program (TAP) Capital Project.

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has by resolution adopted July 27, 2021 authorized the Town Director of Planning and Development (hereinafter referred to as Director) to prepare the Town's 2021-2022 Transportation Alternative Program (TAP) Grant Application to the New York State Department of Transportation under the State's Gateway Grant Program; and

WHEREAS, the Director has attended the State's TAP/CMAQ Webinar held on Wednesday, July 14, 2021; and

WHEREAS, the Director has submitted a Preliminary Grant Application to the State's Grant Gateways on Tuesday, August 17, 2021 which was accepted and has been reviewed by staff at the State Department of Transportation in Albany; and

WHEREAS, the Director and the Town Supervisor have both reviewed the State's comments on the Preliminary Grant Application; and

WHEREAS, the Director has made adjustments to the project budget and the time line for completing the project as recommended by the State; and

WHEREAS, the Director has obtained all but one (1) remaining easement which is currently being worked on with property owners and is expected to be filed with the County Clerk's Office later this month; and

WHEREAS, the Town's Engineer, MRB Group, D.P.C., has certified the cost estimates prepared as part of the above referenced TAP Grant Application; and

WHEREAS, the Town Board has received and reviewed the proposed budget for the TAP Grant Application; and

WHEREAS, the Town Board acknowledges the proposed budget provides funds to complete the installation of the missing sections of sidewalks located within the Phase 1 Area of the adopted Town of Farmington Sidewalk Trail Master Plan Map.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby accept the proposed budget for the Town's 2021-2022 TAP Grant Application and directs the Town's Principal Account Clerk to establish a Capital Project which is to be identified as the "Town of Farmington Sidewalk Trail Transportation Alternative (TAP) Program Capital Project."

BE IT FURTHER RESOLVED that the Town Board authorizes total funds in the amount of \$450,000.00 be placed in this Capital Project that is to be used as the Town's matching share of the 2021 TAP-CMAQ Budget Total Project Cost of \$2,214,000.00.

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to provide a Certified Copy of this resolution to the Town Director of Planning and Development to be used as part of the pending 2021-2022 Town of Farmington TAP Grant Application to the New York State Department of Transportation which is to be submitted on or before September 29, 2021.

Resolution No. _____ of 2021

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption: September 14, 2021

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

A Resolution accepting and approving the submission of the Town of Farmington 2021-2022 Transportation Alternatives Program (TAP) – Congestion Mitigation and Air Quality Improvement Program (CMAQ) Grant Application, in the total amount of \$2,214,000.00, with \$1,771,200.00 being Federal Highway Administration Funds and \$442,800.00 being Town Funds, for implementing the construction of sidewalk and trail connections shown on the adopted Town of Farmington Sidewalk Trail Master Plan Map, a part of the 2021 Edition of the Town of Farmington Comprehensive Plan; and directing submission to the New York State Department of Transportation under the State’s Grants Gateway Process.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received information from the Town Director of Planning and Development (hereinafter referred to as Director) regarding a pending TAP Grant Application for funding sidewalk trial improvements shown on the adopted “Town of Farmington Sidewalk Trail Master Plan Map;” and

WHEREAS, the Town Board has also received, as part of the pending TAP Grant Application, the project budget which has been reviewed by the Town Engineers, MRB Group, D.P.C., and found to be a reasonable estimate of anticipated project costs; and

WHEREAS, the State’s request for the 2021-2022 TAP-CMAQ Grant Applications is now open and will close at 5:00 p.m. on Wednesday, September 29, 2021; and

WHEREAS, the Town Board has reviewed and adopted the “Town of Farmington Sidewalk Trail Master Plan Map,” a part of the 2021 Edition of the Town of Farmington Comprehensive Plan, finding detailed delineations and distinctions between existing and proposed sidewalks and trail connections, and areas where sidewalks and trails do not exist and are not envisioned in the future; and

WHEREAS, the Town Board has also reviewed the Director’s report describing the subareas of the community where-in sidewalk/trail connections are envisioned to be installed which are dependent upon the award of TAP-CMAQ Grant funds; and

WHEREAS, the 2021 Edition of the Town of Farmington Comprehensive Plan and the Genesee Transportation Council (GTC) State Routes 96 & 332 Subarea Study both identify the need for connecting the various sub-areas within the community where sidewalks/trail connections do not exist to areas where sidewalks/trail connections have been committed or constructed; and

WHEREAS, the Town Board further understands that a commitment to match a portion of the total proposed TAP-CMAW Project cost is required; and

WHEREAS, the Town Board has established a Capital Project, entitled “Town of Farmington Sidewalk Trail Transportation Alternative Program (TAP) Capital Project;” and

WHEREAS, a total of \$450,000.00 has been established in said Capital Project as the Town’s matching share for the proposed TAP Grant award requested; and

WHEREAS, the proposed sub-areas shown on the above referenced master plan map lie within the identified “Community Center” portion of the Town, thereby meeting the State’s requirement for awarding funds to projects that are in compliance with the State’s Public Infrastructure Investment Policy Act; and

WHEREAS, the action of constructing sidewalks is an Unlisted Action as classified under Part 617.5 of article 8 of New York State Environmental Conservation Law, the State’s Environmental Quality Review Regulations, thereby necessitating a determination of significance once detail design plans have been prepared for the construction of the sidewalk and trail connections.

NOW, THEREFORE, BE IT RESOLVED that the Town Board, does hereby authorize the Director to submit the Town of Farmington 2021-2022 TAP-CMAQ Grant Application for the above referenced Project.

BE IT FURTHER RESOLVED that the Town Board does hereby request Federal Funds be awarded to the Town for a share of the above referenced Project in the total amount of \$1,771,200.00.

BE IT FURTHER RESOLVED that the Town Board reaffirms its’ commitment to provide a match of \$442,800.00 to the total TAP-CMAQ Project Cost of \$2,214,000.00.

BE IT FINALLY RESOLVED that certified copies of this resolution are to be provided to the Town Principal Account Clerk and the Director.

Resolution No. _____ of 2021

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption: September 14, 2021

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

A Resolution accepting a draft Local Law to amend portions of Chapter 74 of the Farmington Town Code entitled “Construction Codes, Uniform;” scheduling a public hearing thereon for Tuesday, September 28, 2021; and directing the publishing of a legal notice and posting on the Town Hall Bulletin Board and the Town’s Website.

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has on Monday, September 13, 2021 received from the Town Director of Planning and Development, a draft local law for amending portions of Chapter 74 (Construction Codes, Uniform) of the Town of Farmington, Town Code and changing the title of said Chapter to be known as “Chapter 74 – Buildings and Fire Codes, Uniform” (hereinafter referred to as Action); and

WHEREAS, the Town Board has reviewed the above referenced Action during both the Town Public Works Committee Meeting and the Town Operations Committee Meeting that were held on Tuesday morning, September 14, 2021; and

WHEREAS, the Town Board after discussing said Action at tonight’s public meeting desires to move forward with the formal adoption of said proposed amendments to Chapter 74.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby accept the draft local law document referenced above herein (Action), to be entitled “Chapter 74 – Buildings and Fire Codes, Uniform,” for public review.

BE IT FURTHER RESOLVED that the Town Board does hereby classify the proposed Action as a Type II Action, as listed under Section 617.5 (c) (24) (25) and (26) of article 8 of the New York State Environmental Conservation Law (ECL).

BE IT FURTHER RESOLVED that Type II Actions defined under Section 617.5 (c) are not subject to review under the State's Environmental Quality Review Act (SEQRA), as these Actions have been determined not to have a significant impact upon the environment or are otherwise precluded from environmental review under the State's ECL.

BE IT FURTHER RESOLVED that the Town Board does hereby schedule a public hearing to be held upon the above referenced Action, at the September 28, 2021, Town Board Meeting starting at 7:00 p.m., in the Farmington Town Hall, 1000 County Road 8, Farmington, New York 14425.

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to provide a legal notice of said public hearing, cause said notice to be published, posted on the Town Hall Bulletin Board and on the Town's Website in accordance with established procedures.

BE IT FINALLY RESOLVED that the Town Clerk is to provided Certified Copies of this resolution to: the Town Construction inspector; the Town Code Enforcement Officer; the Town Zoning Officer; the Town Fire Marshal, and the Town Director of Planning and Development.

Resolution No. _____ of 2021

**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: August 10, 2021

RE: Resolution recalling Town Board Resolution No. 239 of 2021 entitled "Resolution adopting the Action entitled "Town of Farmington Decommissioning Plan for Smiths, Their Property and Delaware River Solar, LLC and Affiliates and Successors;" and adopting the attached document entitled "Town of Farmington Decommissioning Plan for Smiths, Their Property and Delaware River Solar, LLC and Affiliates and Successors."

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has reviewed the above referenced resolution and the above referenced adopted Decommissioning Plan, dated 6/23/21; and

WHEREAS, the Town Board has reviewed Town Board Resolution # 308 of 2021, adopted on August 24, 2021 which resulted in a denial of the amended document dated 8/14/21 and directed Delaware River Solar (DRS) LLC to work with the Town's Special Legal Counsel (hereinafter referred to as Town's Legal Counsel) in preparing amendments that are acceptable to both the Town's Legal Counsel and DRS; and

WHEREAS, the Town Board has received and reviewed requested amendments to said previously adopted Decommissioning Plan, from the Town's Legal Counsel, dated September 14, 2021; and

WHEREAS, the members of the Town Public Works Committee and Town Operations Committee at their meetings held on Tuesday, September 14, 2021 reviewed the latest amendments which have incorporated all of DRS concerns and those agreed-to by the Town's Legal Counsel into the document now under consideration and dated 9/14/21.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby accept the amended Decommissioning Plan Document dated 6/23/21 and does adopt in its entirety the Decommissioning Plan Document dated 9/14/21.

BE IT FURTHER RESOLVED that the Applicant, Delaware River Solar, is to prepare and file with the Town Clerk's Office, a Letter of Credit in the amount specified in the Decommissioning Plan Document dated 9/14/21 prior to the Town Code Enforcement Officer scheduling a pre-construction meeting and prior to the issuing of a notice to proceed with site development.

BE IT FURTHER RESOLVED that the letters regarding Decommissioning Plan Estimated Maintenance Bond Costs which were previously added to Appendix I of the adopted 6/23/21 Decommissioning Plan are hereby added to Appendix I of the 9/14/21 Decommissioning Plan Document.

BE IT FURTHER RESOLVED that said Decommissioning Plan, dated 9/14/21, is to first be signed by all parties listed on Page 30 of said Plan document, notarized and then signed by the Town Supervisor, notarized and filed with the Town Clerk's Office before taking effect.

BE IT FURTHER RESOLVED that a Maintenance Bond, in the total combined amount of \$417,118.00 be filed by Delaware River Solar, LLC, in the Town Clerk's Office, in the amount of the three (3) estimated costs identified by the Town Engineers in the Decommissioning Plan Document for: Lot #1, in the total dollar amount of \$151,956.00; Lot #2, in the total dollar amount of \$129,121.00; and Lot #3 in the total dollar amount of \$136,041.00 as is contained in Section 2.2 i), ii) and iii), page 6, of this approved Decommissioning Plan dated 9/14/21 before the Town Code Enforcement Officer issues a Certificate of Compliance for the Smith Property Delaware River Solar Farm Project.

BE IT FINALLY RESOLVED that the Clerk of the Board is to provide certified copies of this resolution to: Roger and Carol Smith, 4790 Fox Road, Palmyra, N.Y. 14522; Peter Dolgos, Delaware River Solar, LLC, as System Operator and Owner of NY Farmington I, LLC, NY Farmington II, LLC, and NY Farmington III, LLC, having a current address at 140 East 45th Street, Suite 32-B1, New York, N.Y. 10017; David Matt, Schultz Associates, P.C., P.O. Box 89 Spencerport, N.Y. 14559; Sheldon Boyce, Esquire, Brenna & Boyce, PLLC; Michael Crosby, Esquire, Brenna & Boyce, PLLC; the Town Highway and Parks Superintendent; the Acting Town Water and Sewer Superintendent; the Town Director of Planning and Development; the Town Code Enforcement Officer; the Town Construction Inspector; the Town Engineering Firm, MRB Group, D.P.C., Attn: Lance S. Brabant, CPESC, Director of Planning & Environmental Services; the Town Planning Board; the identified Involved and Interested Agencies; and to John Robortella, Clerk of the Board, Town of Farmington Planning Board.

Resolution No. _____ of 2021

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption: September 14, 2021

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

A Resolution accepting sidewalk easements from property owners for enabling the construction of sidewalk and trail connections shown on the adopted Town of Farmington Sidewalk Trail Master Plan Map and as identified in the Town of Farmington 2021-2022 Transportation Alternatives Program (TAP) Grant Application to the New York State Department of Transportation under the State’s Grants Gateway Process.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received signed easement documents from property owners that have been identified by the Town Director of Planning and Development (hereinafter referred to as Director) regarding a pending TAP Grant Application for enabling sidewalk trial improvements shown on the adopted “Town of Farmington Sidewalk Trail Master Plan Map;” and

WHEREAS, the Town Board has compared these easements to the adopted Town of Farmington Sidewalk Trail Master Plan Map and the sub-areas identified in the Town of Farmington 2021-2022 Transportation Alternatives Program (TAP) Grant Application to the New York State Department of Transportation under the State’s Grants Gateway Process finding all proposed easements are identified therein; and

WHEREAS, the proposed sub-areas shown on the above referenced master plan map all lie within the identified “Community Center” portion of the Town, thereby meeting the State’s requirement for awarding funds to projects that are in compliance with the State’s Public Infrastructure Investment Policy Act; and

WHEREAS, with the acceptance and filing of these easement documents, the Town Board understands that there remain only one (1) property where an easement has been requested and where the Town has been promised they would receive, however, at this time that easement has not been submitted for acceptance and filing.

NOW, THEREFORE, BE IT RESOLVED that the Town Board, does hereby accept and authorizes the Town Supervisor to sign and to file the following easement documents in the Office of the Ontario County Clerk: (1) Margaret VanEpps, 6239 Elizabeth Way, T.M. #29.38-2-46.500; (2) Cary S. Bilowsky, 1175 Mertensia Road, T.M. #29.00-1-66.200; (3) Simmons Rockwell Development, LLC, State Route 96, T.M. #29.11-2-74.000; (4) Simmons Rockwell Development, LLC, State Route 96, T.M. #29.11-2-72.000; (5) Simmons Rockwell Development, LLC, 5890 State Route 96, T.M. #29.11-2-73.000; (6) Simmons Rockwell Development, LLC, State Route 96, T.M. #29.11-2-75.000; (7) Debra S. Delforte, 1378 Beaver Creek Road, T.M. #29.00-2-22.000; (8) Woodlawn Mobile Home Park, LLC, 6237 State Route 96, T.M. #29.00-1-48.210; and (9) Rochester MHP Portfolio, LLC, 1191 Mertensia Road, T.M. #29.00-1-68.000.

BE IT FINALLY RESOLVED that certified copies of this resolution are to be provided to the Town Assessor and to the Director.

Resolution No. ____ of 2021

**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: September 14, 2021

RESOLUTION AUTHORIZING THE ACCEPTANCE OF AN EASEMENT FOR 1100 CORPORATE DRIVE

WHEREAS, Town of Farmington Town Board (hereafter referred to as Town Board) Resolution #276-2021 on July 27th, 2021 declared a public emergency exists at 1100 Corporate Drive and Collett Road having a sewer line collapse and authorizing engineering design, purchase of pipe, fixtures, and manholes; and

WHEREAS, on August 10th, 2021, the Farmington Town Board per Resolution #288-2021 authorized a survey and declared a State of Emergency exists of a collapsed sewer line on Collett Road; and

WHEREAS, Resolution #307-2021 declared under SEQRA provisions the sewer line replacement be classified as a Type II Action; and

WHEREAS, signed easements have been obtained and received on September 14th, 2021 awaiting Town Board Action; now therefore be it

RESOLVED, that the attached information by way of this resolution shall authorize the Town Supervisor to sign said easements; and be it further

RESOLVED, that the Town Clerk provide copies of this resolution to ESL Federal Credit Union Representative, Dave Hermann and Bill Davis of MRB Group, the Acting W&S Superintendent and the Principal Account Clerk.