

RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF FARMINGTON OF LOCAL LAW NO. ____ OF 2020 ENTITLED “A LOCAL LAW ESTABLISHING A MORATORIUM ON SOLAR COLLECTION SYSTEMS AND SOLAR FARMS”

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Farmington for a public hearing to be held by said Town Board on _____, 2020, at 7:00 p.m. at the Farmington Town Hall, 1000 County Road 8, Farmington, New York, to hear all interested parties on a proposed Local Law entitled, “A Local Law Establishing a Moratorium on Solar Collection Systems and Solar Farms”; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Farmington, on _____, 2020 and other notices required to be given by law were properly served, posted or given; and

WHEREAS, said public hearing was duly held on _____, 2020, at 7:00 p.m. at the Farmington Town Hall, 1000 County Road 8, Farmington, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

WHEREAS, the Town Board of the Town of Farmington, after due deliberation, finds it in the best interest of the Town of Farmington to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Farmington hereby adopts said Local Law No. ____ of 2020, entitled “A Local Law Establishing a Moratorium on Solar Collection Systems and Solar Farms”, a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Farmington, and to give due notice of the adoption of said local law to the Secretary of State of New York.

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 _____, 2020, by the following vote:

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

Dated: _____, 2020

Michelle Finley, Town Clerk

SEAL

**RESOLUTION AUTHORIZING ACCEPTANCE OF HIKING/BIKING TRAIL EASEMENT
FROM JONATHAN F AND ARIKA M MASTIN**

WHEREAS, the Town of Farmington, by its officers or representatives, has engaged in discussions with Jonathan F and Arika M Mastin ("Owner") regarding the Town's obtaining a biking/trail easement over portions of its property known as 6047 Amber Drive bearing tax account parcel number 41.10-2-510.000, as shown on Map No. M-5 prepared by MRB Group dated August 2020 and to be filed in the Ontario County Clerk's Office; 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 the Town of Farmington, 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 _____, 2020, by the following vote:

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

Dated: _____, 2020

Michelle Finley, Town Clerk

SEAL

**RESOLUTION AUTHORIZING ACCEPTANCE OF HIKING/BIKING TRAIL EASEMENT
FROM OMAR AND KALA G KARDEN**

WHEREAS, the Town of Farmington, by its officers or representatives, has engaged in discussions with Omar and Kala G Karden ("Owner") regarding the Town's obtaining a biking/trail easement over portions of its property known as 6045 Amber Drive bearing tax account parcel number 41.10-2-511.000, as shown on Map No. M-6 prepared by MRB Group dated August 2020 and to be filed in the Ontario County Clerk's Office; 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 the Town of Farmington, 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 _____, 2020, by the following vote:

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

Dated: _____, 2020

Michelle Finley, Town Clerk

SEAL

RESOLUTION AUTHORIZING ACCEPTANCE OF WATER AND UTILITY EASEMENT FROM MC FARMINGTON, LLC

WHEREAS, the Town of Farmington, by its officers or representatives, has engaged in discussions with MC FARMINGTON, LLC ("Owner") regarding the Town's obtaining a water and utility easement over portions of its property known as 6215 New York State Route 96 bearing tax account parcel number 29.00-1-48.100, as shown on Map No. M-1 prepared by MRB Group dated April 2020 and to be filed in the Ontario County Clerk's Office; 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 the Town of Farmington, 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 _____, 2020, by the following vote:

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

Dated: _____, 2020

Michelle Finley, Town Clerk

SEAL

Resolution No. _____ of 2020

**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 | | | | |

RE: RESOLUTION AUTHORIZING THE TOWN OF FARMINGTON TOWN BOARD TO REFUND THE PERMIT FEES IN REGARD TO AN INGROUND POOL AND FENCE FOR \$150.00.

WHEREAS, The Town received \$100.00 for the inground pool and \$50.00 for the fence from Julie Pastore of 225 Elder Drive, Farmington

WHEREAS, the applicant is not going to move forward with the project and is requesting a refund for permit number B-0311-2020 for the inground and permit number B-0310-2020 for the fence.

NOW THEREFORE, BE IT RESOLVED That the Town Board of Farmington does herein approve the refund of \$150.00 to Julie Pastore of 225 Elder Drive, Farmington

MAY IT BE FURTHER RESOLVE, that copies of this resolution be submitted by the Town Clerk to Julie Pastore of 225 Elder Drive, Farmington, NY14425, the Principal Account Clerk and to Building Department for the property file.

Resolution No. _____ of 2020

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

| 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 _____

RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE MONTHLY REPORT OF THE SUPERVISOR FOR AUGUST 2020

WHEREAS, Town Law states the Town Board must approve/reject the Supervisor's Monthly Report, and

WHEREAS, the Principal Account Clerk submitted the Monthly Report of the Supervisor for August 2020 to the Town Supervisor on September 1, 2020, and

WHEREAS, the Town Supervisor approved and executed the Monthly Report of the Supervisor for August 2020 on September 1, 2020,

WHEREAS, the Town Supervisor submitted said Monthly Report to the Town Board for approval via email,

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby accepts the Monthly Report of the Supervisor for August 2020, and be it further

RESOLVED that the Town Clerk give a copy of this resolution to the Principal Account Clerk.

Resolution No. _____ of 2020

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

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

RESOLUTION REAPPOINTING ED HEMMINGER TO THE BOARD OF ASSESSMENT REVIEW

WHEREAS, the purpose of the Board of Assessment Review is to help ensure Farmington property owners are afforded a fair and unbiased review of their property values; and

WHEREAS, current Board of Assessment Review member Ed Hemminger’s term expires on September 30, 2020; and

WHEREAS, Mr. Hemminger has expressed interest in continuing as a Board of Assessment Review member

RESOLVED, the Farmington Town Board appoints Ed Hemminger to the Board of Assessment Review effective October 1, 2020 with his term expiring on September 30, 2024 and

RESOLVED, that the Town Clerk forward a copy of this resolution to Assessor Michelle Nicodemus; Director of Ontario County Real Property Donna LaPlant at 20 Ontario Street Canandaigua NY 14424; and to Ed Hemminger at 5900 King Hill Dr, Farmington, NY 14425.

Resolution No. _____ of 2020

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

| | Names | Ayes | Nays | Abstain | Absent |
|-----------------------------|------------------------------|------|------|---------|--------|
| The following was presented | Supervisor Peter Ingalsbe | | | | |
| By _____ | Councilman Steven Holtz | | | | |
| Sec'd by _____ | Councilman Mike Casale | | | | |
| Date of Adoption: | Councilman Ron Herendeen | | | | |
| | Councilman Nate Bowerman | | | | |
| | | | | | |

RESOLUTION WAIVING THE FEES FOR MERTENSIA LODGE FOR FARMINGTON VICTOR KIWANIS

WHEREAS, the Farmington Victor Kiwanis has requested use of the Mertensia Lodge to hold their evening meeting on September 16, 2020, and have asked to have the fees waived, and

WHEREAS, the Town Board requires a head count and safety plan turned into the Building Department at least three days before the event, therefore be it

RESOLVED, the Farmington Town Board authorizes the waiving of the fees for the use of the Mertensia Lodge on September 16, 2020 for the Farmington Victor Kiwanis, and be it

FURTHER RESOLVED, that a copy of this resolution be sent to Dave Plante at Plante29@gmail.com.

Resolution No. _____ of 2020

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption: April 14, 2020

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

CONFIRMING RESOLUTION AUTHORIZING THE PURCHASE OF REPLACEMENT CAMERAS AND REPAIRS FOR THE SECURITY AND SURVEILLANCE SYSTEM AT THE TOWN COURT FACILITY

WHEREAS, repairs and replacement to the current security and surveillance system at the Town Court Facility were needed; and

WHEREAS, the Town Supervisor received a quote from Alternative Technology, LLC with a cost of \$3,500.00 for the new equipment needed for the security and surveillance system at the Town Court Facility; now therefore

BE IT RESOLVED that the Town Board hereby authorizes the purchase of equipment for the security and surveillance system at the Town Court Facility from Alternative Technology, LLC at a total cost not to exceed \$3,500.00; and

BE IT FINALLY RESOLVED that the Town Clerk provide copies of this resolution to the Principal Account Clerk, the Town Court and Dennis Lewis of Alternative Technology, LLC at 8229 South Shore Road, Sodus Point, NY 14555.

Resolution No. _____ of 2020

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

The following was presented
By _____
Sec'd by _____
Date of Adoption _____

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

RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN THE SEWER FUND

WHEREAS, budget amendments are needed in the Sewer funds for engineering expenses,

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

| | | |
|---|----------|----------|
| From: SS8120.21 Extended Sewer | \$28,200 | |
| To: SS8120.44 Contractual Engineering | | \$14,100 |
| To: SS8120.44V Victor Contractual Engineering | | \$14,100 |

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 No. _____ of 2020

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

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

September 8, 2020

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE 2016 VLT CAPITAL RESERVE ACCOUNT ONCE THE PUBLIC REFERENDUM PERIOD IS COMPLETE.

Whereas, Resolution 108 of 2020 approved the allocation of funds from the 2016 VLT reserve fund,

Whereas, anticipated shortfalls for 2020 revenues have resulted in cost reductions and the reallocation of reserves,

Whereas, there is approximately \$180,000 (plus any interest to be earned) remaining in the 2016 VLT reserve,

Now therefore be it resolved, that the balance be allocated as follows:

- \$150,000 to the Townline Road Capital Project
- \$20,950 plus interest earned to the Parks Equipment Reserve

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

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

Further resolved, that the Principal Account Clerk completes the following budget transfer within the Townline Road capital project:

| | |
|---------------------------|-----------|
| HZ5031 Interfund Transfer | \$150,000 |
| HZ5197.22 Construction | \$150,000 |

Be it finally resolved, that the Town Clerk, of the Town of Farmington, is to forward copies of this resolution as well as the public notice to the Principal Account Clerk and the Highway Superintendent.

Resolution No. _____ of 2020

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

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

September 8, 2020

AUTHORIZATION TO PURCHASE AND INSTALL NEW, 1 MICROLOGIX 1400 PLC SYSTEM TO REPLACE (1) EXISTING MICROLOGOIX 1500 PLC SYSTEM FOR SAND FILTER CONTROLS

WHEREAS, The Acting Water and Sewer Superintendent has identified the need to replace these parts so that the Sand Filter will operate automatically, and

WHEREAS, The Sewer Department has received a quote from Sloth Electric Inc.in the amount of \$2,749.00 for purchase and installation of the Micrologix 1400 PLC System, and

NOW, THEREFORE BE IT RESOLVED, that the Farmington Town Board authorizes the Acting Water and Sewer Superintendent to purchase said parts to repair the Sand Filter. Not to exceed \$3,000.00 from account code SS8130.4, and

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

Resolution No. _____ of 2020

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

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

Resolution to adopt the New York State Solar System Project Form, for projects of 25 kW or less within the Town of Farmington, replacing the Town’s existing Permit Form.

WHEREAS, the Town of Farmington (hereafter “Town”) anticipates that it will receive future applications for the installation of solar photovoltaic systems (hereafter “Solar Systems”) with a rated output of 25 kW or less; and

WHEREAS, the Town wishes to adopt a model permit application form to assist applicants and the Town by making the permitting process for Solar System projects of 25 kW or less more uniform and efficient; and

WHEREAS, the Town has modified its’ solar permit template, for solar system projects of 25kW or less, in the manner shown on the Attached Town of Farmington Solar Permit Form, which is hereby made part of this resolution and is to be known as the Town of Farmington New York State Unified Solar Permit Form for such purposes.

NOW, THEREFORE, BE IT RESOLVED that said amended Solar Permit Form is found to be in keeping with the current provisions of the Farmington Town Code.

BE IT FINALLY RESOLVED, that the Town Board of the Town of Farmington hereby adopts the attached Town of Farmington New York State Unified Solar Permit Form to be utilized for all Solar System projects of 25 kW or less within the Town of Farmington.

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

Names Ayes Nays Abstain Absent

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

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

**RESOLUTION APPOINTING JESSICA KING TO THE HISTORIC PRESERVATION
COMMITTEE**

WHEREAS, Joshua Barry resigned from his seat on the Historic Preservation Committee effective in July 2020 creating a vacancy, and

WHEREAS, Jessica King has been recommended to fill said vacancy, now therefore be it

RESOLVED, that the Town Board appoints Jessica King to the Historic Preservation Committee for a term effective September 8, 2020 to expire on December 31, 2021, and be it further

RESOLVED, that the Town Clerk forward a copy of this resolution to Jessica King at Jessnillking@gmail.com, the Supervisor's Secretary and prepare an Oath of Office to be taken in the days ahead.

**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 | | | | |
| | | | | |

9/3/20

**RESOLUTION ACCEPTING THE INVENTORY OF HIGHWAY MACHINERY,
TOOLS AND EQUIPMENT**

WHEREAS, the Highway/Parks Superintendent has submitted the Inventory of Highway Machinery and Tools and Equipment as required by Highway Law, Section 142(3), now therefore be it

RESOLVED, that the Town Board accepts the Inventory of Highway Machinery, Tools and Equipment, and further be it

RESOLVED, that the Town Clerk forward copies of this Resolution to the Highway/Parks Department and the Principal Account Clerk.

Resolution No. _____ of 2020

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

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

9/8/20

RESOLUTION RENEWING THE TOWN OF FARMINGTON'S PESTICIDE APPLICATION

WHEREAS, the attached Pesticide Registration is due for the town, and

WHEREAS, the appropriate application and Certificate of Liability Insurance is attached, now therefore be it

RESOLVED, that the Town Supervisor sign as the Town Official and the Town Board hereby approves the 3 (three) year renewal, and be it further

RESOLVED, that the Town Clerk forward a copy of this Resolution with a signed copy of the agreement to the Highway/Parks Department and the Principal Account Clerk.

**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: September 8, 2020 | Councilman Ronald Herendeen | | | | |
| | Councilman Nathan Bowerman | | | | |
| | | | | | |

Resolution to adopt Energy Benchmarking Requirements for the Town of Farmington.

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) finds that buildings are the single largest user of energy in the State of New York; and

WHEREAS, the Town Board also finds that the poorest performing buildings typically use several times the energy of the highest performing buildings—for the exact same building use; and

WHEREAS, collecting, reporting, and sharing building energy data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide, and equipped with this/her information the Town of Farmington will be able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement; and

WHEREAS, the Town Board desires to use Building Energy Benchmarking - a process of measuring a building’s energy use, tracking that use over time, and comparing performance to similar buildings - to promote the public health, safety, and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the Town; and

WHEREAS, the Town Board desires to establish procedure or guideline for Town staff to conduct such Building Energy Benchmarking; and

NOW THEREFORE, IT IS HEREBY RESOLVED, that the following specific building energy benchmarking policy and procedures are hereby adopted:

**TOWN OF FARMINGTON, NEW YORK
BUILDING ENERGY BENCHMARKING POLICY/PROCEDURES**

§1. DEFINITIONS

- (1) “Benchmarking Information” shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.
- (2) “Building Energy Benchmarking” shall mean the process of measuring a building’s Energy use, tracking that use over time, and comparing performance to similar buildings.
- (3) “Commissioner” shall mean the Town Code Enforcement Officer.
- (4) “Covered Municipal Building” shall mean a building or facility that is owned or occupied by the Town of Farmington that is 1,000 square feet or larger in size. This term does not include a covered structure having a roof.
- (5) “Department” shall mean the Town of Farmington Development Office.
- (6) “Energy” shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in Utility bills or other documentation of actual Energy use.
- (7) “Energy Performance Score” shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.
- (8) “Energy Use Intensity (EUI)” shall mean the kBtUs (1,000 British Thermal Units) used per square foot of gross floor area.
- (9) “Gross Floor Area” shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.
- (10) “Portfolio Manager” shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.
- (11) “Utility” shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.
- (12) “Weather Normalized Site EUI” shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

§2. APPLICABILITY

- (1) This policy is applicable to all Covered Municipal Buildings as defined in Section 3 below of this policy.
- (2) The Commissioner may exempt particular Covered Municipal Building(s) from the benchmarking requirement if the Commissioner determines that it has characteristics that make benchmarking

impractical.

§3. BENCHMARKING REQUIRED FOR COVERED MUNICIPAL BUILDINGS

(1) No later than December 31, 2020, the Commissioner or his/her designee from the Department shall enter into Portfolio Manager the total Energy consumed by each Covered Municipal Building to the earliest year accepted by NYSERDA; and then no later than May 1 every year thereafter, the Commissioner or his/her designee from the Department shall enter into Portfolio Manager the total Energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager, for the previous calendar year.

(2) For new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Commissioner or his/her designee from the Department shall begin inputting data in the following year.

§4. DISCLOSURE AND PUBLICATION OF BENCHMARKING INFORMATION

(1) The Department shall make available to the public on the internet Benchmarking Information for the previous calendar year:

(a) No later than December 31, 2020, and no later than May 1 every year thereafter for Covered Municipal Buildings, commencing on the date as specified in Section 3 (1) above; and

(2) The Department shall make available to the public on the internet and update at least annually, the following Benchmarking Information:

(a) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and

(b) For each Covered Municipal Building individually:

(i) The status of compliance with the requirements of this Policy; and

(ii) The building address, primary use type, and gross floor area; and

(iii) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available; and

(iv) A comparison of the annual summary statistics (as required by Section 5(2)(b)(iii) of this/her Policy) across calendar years for all years since annual reporting under this/her Policy has been required for said building.

§5. MAINTENANCE OF RECORDS

The Department shall maintain records as necessary for carrying out the purposes of this Policy, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved by the Department for a period of three (3) years.

§6. ENFORCEMENT AND ADMINISTRATION

(1) The Commissioner or his/her designee from the Department shall be the Chief Enforcement Officer of this Policy.

(2) The Chief Enforcement Officer of this/her Policy may promulgate and the Town Board may adopt regulations necessary for the administration of the requirements of this Policy.

(3) Within thirty days after each anniversary date of the effective date of this Policy (i.e. September 8th), the Chief Enforcement Officer shall submit a report to the Town Board including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of

Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the Commissioner determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this/her Policy.

§7. EFFECTIVE DATE

This/her policy shall be effective immediately upon passage.

Resolution No. _____ of 2020

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

| | Names | Ayes | Nays | Abstain | Absent |
|-------------------------------------|------------------------------------|------|------|---------|--------|
| The following was presented | Supervisor Mr. Ingalsbe | | | | |
| By _____ | Councilman Mr. Holtz | | | | |
| Sec'd by _____ | Councilman Dr. Casale | | | | |
| Date of Adoption: September 8, 2020 | Councilman Mr. Herendeen | | | | |
| | Councilman Mr. Bowerman | | | | |
| | Total | | | | |

RE: Resolution to waive the Building Permit Fees for the construction of a mixed-use Park Maintenance Building and Public Restrooms to be located within the Beaver Creek Park Site.

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has received a request from the Town Code Enforcement Officer (hereinafter referred to as CEO) to authorize him to waive the fee for a Building Permit Application submitted by BLM Construction Company, Inc., for the construction of a 1,700 square foot mixed use park maintenance and public restrooms structure to be located within the Phase 1 Portion of the Beaver Creek Park.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby move to accept the CEO's request and approves of the waiving of the Building Permit Fee referenced above herein.

BE IT FINALLY RESOLVED, that certified copies of this resolution are to be provided to: BLM Construction Company Inc., Attn: Andrea Convery, President, 100 Tech Park Drive, Rochester, New York 14623; Don Giroux, Town Highway & Parks Superintendent; Matthew Heilmann, Town Construction Inspector; Daniel Delpriore, Town Code Enforcement Officer; and Tom Fromberger, P.E., MRB Group, D.P.C., 145 Culver Road, Suite 160, Rochester, New York 14620.

Resolution No. _____ of 2020

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption: 2020

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

RE: Resolution to waive the Building Permit Fees for the construction of a pavilion structure to be located within the Beaver Creek Park Site.

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has received a request from the Town Code Enforcement Officer (hereinafter referred to as CEO) to authorize him to waive the fee for a Building Permit Application submitted by Monroe Roadways Incorporated, for the construction of a 2,400 square foot park pavilion and storage room structure to be located within the Phase 1 Portion of the Beaver Creek Park.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby move to accept the CEO's request and approves of the waiving of the Building Permit Fee referenced above herein.

BE IT FINALLY RESOLVED, that certified copies of this resolution are to be provided to: MRI Contractors of NY Inc., Attn: Mark Halley, Vice President, 300 Hogan Road, Fairport, New York 14450; Don Giroux, Town Highway & Parks Superintendent; Matthew Heilmann, Town Construction Inspector; Daniel Delpriore, Town Code Enforcement Officer; and Tom Fromberger, P.E., MRB Group, D.P.C., 145 Culver Road, Suite 160, Rochester, New York 14620.

Resolution No. _____ of 2020

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

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

RESOLUTION REAPPOINTING ED HEMMINGER TO THE BOARD OF ASSESSMENT REVIEW

WHEREAS, the purpose of the Board of Assessment Review is to help ensure Farmington property owners are afforded a fair and unbiased review of their property values; and

WHEREAS, current Board of Assessment Review member Ed Hemminger's term expires on September 30, 2020; and

WHEREAS, Mr. Hemminger has expressed interest in continuing as a Board of Assessment Review member; now therefore be it

RESOLVED, the Farmington Town Board appoints Ed Hemminger to the Board of Assessment Review effective October 1, 2020 with his term expiring on September 30, 2025; and be it further

RESOLVED, that the Town Clerk forward a copy of this resolution to Assessor Michelle Nicodemus; Director of Ontario County Real Property Donna LaPlant at 20 Ontario Street Canandaigua NY 14424; and to Ed Hemminger at 5900 King Hill Dr, Farmington, NY 14425.

Resolution No. _____ of 2020

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

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

September 8, 2020

AUTHORIZATION TO ACCEPT REPAIR PROPOSAL FOR A WEMCO HIDROSTAL 8X6 F6K-S-F2W

WHEREAS, The Acting Water and Sewer Superintendent has identified the need to rebuild said pump, and

WHEREAS, The Sewer Department has received a quote from Siewert Equipment to rebuild Wemco Hidrostal 8X6 F6K-S-F2W Serial Number O4DW05169-08 at a cost of \$8,011.00 and

NOW, THEREFORE BE IT RESOLVED, that the Farmington Town Board authorizes the Acting Water and Sewer Superintendent to accept this quote. Not to exceed \$8,100.00 from account code SS8130.4, and

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

**RESOLUTION AUTHORIZING ACCEPTANCE OF STORMSEWER AND UTILITY EASEMENT
FROM FARMINGTON VENTURE, LLC**

WHEREAS, the Town of Farmington, by its officers or representatives, has engaged in discussions with FARMINGTON VENTURE, LLC ("Owner") regarding the Town's obtaining a stormsewer and utility easement over portions of its property known as 5756 Townline Road bearing tax account parcel number 41.16-2-41.0, as shown on Map No. 8 prepared by MRB Group dated February 2017 and to be filed in the Ontario County Clerk's Office; 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 the Town of Farmington, 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 _____, 2020, by the following vote:

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

Dated: _____, 2020

Michelle Finley, Town Clerk

SEAL

RESOLUTION AUTHORIZING ACCEPTANCE OF WATER AND UTILITY EASEMENT FROM FARMINGTON VENTURE, LLC

WHEREAS, the Town of Farmington, by its officers or representatives, has engaged in discussions with FARMINGTON VENTURE, LLC ("Owner") regarding the Town's obtaining a water and utility easement over portions of its property known as 5756 Townline Road bearing tax account parcel number 41.16-2-41.0, as shown on Map No. 7 prepared by MRB Group dated February 2017 and to be filed in the Ontario County Clerk's Office; 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 the Town of Farmington, 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 _____, 2020, by the following vote:

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

Dated: _____, 2020

Michelle Finley, Town Clerk

SEAL

Resolution No. _____ of 2020

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption: September 8, 2020

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

RE: Resolution Establishing Policy and Procedure for members of all Town Boards and Town Committees for remote participation in public meetings.

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has received from the Town Director of Planning and Development (hereinafter referred to as Director) a copy of a draft document entitled “Remote Attendance Policy and Procedure for members of all Town Boards and Town Committees for remote participation in public meetings,” that is hereby attached to and made part of this resolution; and

WHEREAS, the Town Board understands that the purpose of these policies and procedures is to allow for members of all Town Boards (e.g. Town Board, Town Planning Board, Town Zoning Board of Appeals, Town Board of Assessment Review, Town Conservation Board and Town Board of Ethics) along with members of all Town Committees (e.g. the Town Recreation Advisory Committee, Town Historic Preservation Committee, the Town Agricultural Advisory Committee, and the Town Comprehensive Plan Update Committee), in addition to any other public body to be established by the Town Board, to participate in public meetings from remote settings in accordance with the provisions contained in the New York State Open Meetings Law(OML); and

WHEREAS, public bodies have been permitted by the State’s OML to use video conferencing since August 23, 2000 where the remote member can see and hear the other participants in the primary location (e.g. Town Hall or other designated Meeting locations) and the other participants can see the remote member of an established Town Board, or Town Committee; and

WHEREAS, a remote member through the use of video conferencing may be counted for purposes of establishing a quorum, can participate in the meeting, can make or second a motion at such meeting and can vote on any action properly brought up at such meeting.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby move to accept the above referenced document to be entitled “Town of Farmington Remote Attendance Policy and Procedure for members of all Town Boards and Town Committees for remote participation in public meetings,” and directs the filing thereof in the office of the Town Clerk.

BE IT FURTHER RESOLVED, that the Town Board does hereby direct the Town Clerk to provide copies of the above referenced policy and procedures document to the Chairpersons of each Town Board and Town Committee.

BE IT FURTHER RESOLVED, that the Town Clerk is to post this Policy and Procedures Document on the Town's website.

BE IT FURTHER RESOLVED, that all adopted Rules of Procedures for Town Boards and Town Committees are to be amended to include these policies and procedures.

BE IT FINALLY RESOLVED, that these policies and procedures shall be made in effect upon the adoption of this resolution being filed in the Town Clerk's Office.

Resolution No. _____ of 2020

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

| | Names | Ayes | Nays | Abstain | Absent |
|-----------------------------|------------------------------|------|------|---------|--------|
| The following was presented | Supervisor Peter Ingalsbe | | | | |
| By _____ | Councilman Steven Holtz | | | | |
| Sec'd by _____ | Councilman Mike Casale | | | | |
| Date of Adoption: | Councilman Ron Herendeen | | | | |
| | Councilman Nate Bowerman | | | | |
| | | | | | |

RESOLUTION WAIVING THE FEES FOR TOWN PARK FOR VICTOR CUB SCOUTS PACK 67

WHEREAS, the Victor Cub Scouts Pack 67 has requested use of the Town Park to hold their meetings every Thursday from 6 p.m. until 8 p.m. in the months of September and October, 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 Town Park every Thursday from 6 p.m. until 8 p.m. in the months of September and October, and be it

FURTHER RESOLVED, that a copy of this resolution be sent to Adam Bull at awbull@gmail.com.