

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 22nd day of September, 2020, at 7:00 PM, there were:

PRESENT: Peter Ingalsbe – Supervisor
Mike Casale – Councilman
Steven Holtz – Councilman
Nate Bowerman – Councilman
Ron Herendeen – Councilman
Michelle Finley – Town Clerk

Also present in person: **Don Giroux** – Highway and Parks Superintendent, **Adrian Bellis** – Planning Board Member, **Dan Delpriore** – Code Enforcement Officer, **Ron Brand** – Director of Planning and Development, **Bill Davis** – MRB Group and Mr. and Mrs. Jim Falanga – residents.

Also present by telephone/video conferencing were: **Michelle Nicodemus** – Assessor, **Mr. Bill Allen**, resident.

PUBLIC HEARINGS-

APPROVAL OF MINUTES:

A motion was made by **Councilman Casale** and seconded by **Councilman Holtz**, that the minutes of the September 8, 2020, Town Board Meeting, and given to members for review, be approved. Four Voting “Aye” (Holtz, Casale, Herendeen, and Ingalsbe). One Abstention (Bowerman). Motion Carried.

PRIVILEGE OF THE FLOOR: Jim Falanga-Ellsworth Road

Letter read by Jim Falanga on behalf of Jim Foley at the September 22, 2020 Board Meeting – letter is exactly as written by author, original is on file at Town Clerk’s Office.

With all due respect, due to public health safety concerns I cannot appear tonight to personally offer my comments. I wish that you will be well and safe. Secondly, in order to compress the time involved I ask that Jim Falanga read my comments into the record and offer this written statement for inclusion.

We became involved after this Board voted to change the zoning law to allow large scale industrial power plants to be built in a district that was zoned for agricultural use. I believe that this zoning change was in direct conflict with the Farmington Agricultural Plan and the intent to protect farmland. To this date I have yet to hear any member of the Board indicate what benefit this desecration of our land and homes provides to the Town and its residents. We have engaged both this Board and the Planning Board to express our concerns and opposition, and at each and every turn during the past two years the will of the people has been ignored by both boards.

Many months ago, we asked this Board to declare a moratorium on all solar projects so that it could consider the obvious deficits in the law and the consequences of following this path. There was never any real participation by the residents of the area during the passage of the law. Given the massive impact that these large scale industrial power plants would have on previously zoned strict agricultural areas it would have been appropriate for this board to have attempted to maximize public participation as opposed to the simple legal notice which generally no one reads. The moratorium would have offered an opportunity to have real public participation as opposed to the domination of the process by solar industry representatives. This Board decided that no moratorium was necessary.

Now we learn that this Board has declared a moratorium as a result of issues with the solar law that the Planning Board had identified during the course of the past two years of public hearings. However, despite reviewing the relevant minutes of this Board and the Planning Board there is no definition of the issues that brought about the moratorium. Interestingly, as of this time on September 22, 2020 there has been no posting of the September 8, 2020 Town Board minutes where the moratorium passed. The most significant question given the fact that DRS project has not yet been approved is why was DRS exempted from the moratorium. If there are issues with the law how can any project be allowed to proceed, and this Board must answer the question of why did DRS get an exemption from the law. Legally a government moratorium is the result of a significant risk to the town if a particular legislative path is continued. Exemptions for one project over another cannot happen. Yet as with everything involving DRS this government just seems to be focused on protecting and assisting DRS over the desires of the people you were elected to serve.

Letter read by Jim Falanga at the September 22, 2020 Board Meeting from Bridget O’Toole, Esq. – letter is exactly as written by author, original is on file at Town Clerk’s Office.

- Request a new moratorium which does not exempt DRS
- Our group has been requesting this moratorium for months – only to have this project excluded
- If there are problems with the law, they should be fixed before it is applied to the DRS project
- Our attorney has advised us that there is nothing in State law which prevents a moratorium being applicable to DRS project
- We have not yet seen the 9/8 minutes and would request that they be posted to the Town website as soon as possible but no later than tomorrow

Town Clerk Michelle Finley advised Mr. Falanga that the minutes must be approved by the Town Board before posting, and then they will be on the website on Wednesday morning.

Letter read by Jim Falanga at the September 22, 2020 Board Meeting – letter is exactly as written by author, original is on file at Town Clerk's Office.

From concerned citizens opposed to DRS Industrial/Commercial Solar Power Plant in Ag & Residential Zones
We as citizens feel let down by the Town Board (No benefit to our Town)

“I encourage you to Google – statewide backlash against Industrial Solar Power Plants Coalition to Protect our Rural Communities (CPORC) nogridsolarwvny.com Great articles on the Impact of Industrial Commercial Solar Re: decreased property values, fire hazard and inability for local fire departments to fight solar panel fires, loud transformer noise soil sterilization, toxic mineral contamination, and water/soil runoff.

Once DRS leaves (the minute the ink is dry on the contract) what have you done as a Town Board to ensure the next owner lives up the agreement? Supervisor Ingalsbe stated that it is a Planning Board process not a Town Board process. (30 year lease!) for example please google and see that Towns are struggling to enforce agreements with subsequent project owners and examples of Town's mitigation at the Town's expense, such as installing noise barriers for LOUD transformer noise) Sight view adjustment etc. (at tax payer expense)

The citizens of Farmington knew the law had problems from the start (no definition of large-Scale Solar etc.) That is why we petitioned the Board months ago asking for the Solar Moratorium.

Why did you the Town Board vote for a Solar Law you did not understand? The townspeople are very much aware of comments made in public “We had no idea a project this large could be considered when we passed the law” (Ron Brand and M. Casale) The townspeople are very much aware of the intent of the law “was to help small farms/farmers with individual projects (Nate Bowerman Quote)

I also want to read part of Jim Redmond's, Owner of Jarlon Manufacturing on Fox Road, text to me, with his permission, as to why he is not in attendance (Covic 19) he states “ I have begun taking soil and water samples on my property (as his property is directly across the street and Hydro-logically connected with the Smith Farm and proposed DRS project), for the purpose of possible future Town mitigation/litigation”

ITS TIME to Apply the BREAKS now to all large-Scale Solar energy projects! The Moratorium should apply across the board. No site plan or Special use Permit has been granted therefore the perfect time to include DRS. We request a new moratorium which does not exempt DRS (for example, The Genesee County Town of Byron recently passed a 12-month moratorium on solar energy systems including project in the pipeline.

Our group is asking for a copy the 9/8/20 Town Board meeting Minutes or for the minutes to be posted on the Town website by 9/23/20 and to keep the issue open until we can view the minutes. Finally, what is the Town Board doing to get the public involved in revisions to the solar law?

Thank you, your neighbors and Farmington residents.

Mr. Falanga stated that they are all Republicans and Conservatives here and yet we are carrying water to the Governor, the same Governor who is putting all this garbage up here, prisoners up here, and raping our land. He added that they have an opportunity here as Conservatives to protect what they have. He stated that the reason there is one government in Albany is because one million Upstate New Yorkers fled the State in the last 10 years, one million of them are gone, towns who were typically Republicans and Conservatives have flipped and now are Democrats. He stated that they have a chance now to say dammit this is our land, our town, let's put a stop to this and why carry water for a Governor who hates Upstate New York based on the decisions he has made over the years.

Supervisor Ingalsbe asked what is Mr. Falanga's groups counter action to the Governor now that he is authorizing project larger than 25 kW, where governments are not going to have much say at all. He added that there are going to larger projects than this one all over New York State. Mr. Falanga replied that it is deplorable but they are dealing with their little town and we can send a message to the coalition. Supervisor Ingalsbe stated that Mr. Falanga is asking/accusing the Town Board to take a stance or make additional comments and since his group sued the Town and is following the Planning Board process very closely and no matter which way the Planning Board goes there will probably be a lawsuit so legally they (the Town Board) cannot say anything about the Planning Board process or Zoning Board process, they are separate bodies. He added that they cannot get involved with that and all they can do is set the town code for many things and department staff work within the town code and when projects comes along they go to the Planning Board or Zoning Board. He stressed that the Town Board must stay separate from that. Mrs. Falanga stated that the Town Board has a control over the majority and they see no legal reason why DRS is not included in that. Supervisor Ingalsbe stated that from the very beginning they (the Town Board) told them (the Group) that based on the advice from the Town Attorney that the Town Board not include DRS and as a Town Board they decided that on any new project coming forward. Mr. Falanga stated that the Town Attorney wasn't even present when the law was written. Supervisor Ingalsbe stated that the Town Attorney does not need to be present and can-do things over the phone or in person. Mrs. Falanga stated that their attorney advised

them that there is no legal reason as to why it is not included. Supervisor Ingalsbe stated that it is their attorney versus the Town Attorney.

Mr. Brand stated that the Town did advertise the public hearing for the local law moratorium, and no one showed up for that hearing to speak for or against it. Mrs. Falanga stated that the reason they were not there was because they were at their son's wedding. Mr. Falanga stated that he is not being adversarial but the bottom line is that they can protect what they all moved to Farmington for. Mr. Falanga stated that in Macedon they have a 1000 sq. ft. setback and that's why you hear no complaints there. Mrs. Falanga asked the Town Board how they would feel if they were them and they presented a petition with 200 signatures asking for a moratorium ten months ago and now all of a sudden, its okay to have one. Supervisor Ingalsbe stated that the reason for the moratorium is because of the two year experience with the Planning Board and working with DRS and working with the residents that there are a few things the Town Board wanted to tweak and that they are not going to do a complete rewrite. Mrs. Falanga asked what are they changing with the law and obviously there is a problem with the law. Supervisor Ingalsbe replied that it isn't necessarily a problem with the law, it's things the Planning Board have brought up through the discussions with the residents and DRS. Councilman Bowerman added that they also have to add additional guidance's from the State since they are involved as well. Supervisor Ingalsbe stated that when they get to the point of talking about changes to the Solar Law during this moratorium some of it you will probably find are now conditions that the Planning Board put in place for DRS. Mr. Falanga stated that is promising. Councilman Bowerman stated that they are not rubberstamping this, they had residents on the committee when they were putting the Solar Law together, they sent the Solar Law to the State and the governing bodies to review it and they received very positive feedback on the law that they constructed. He added that when they work through the process, like with any law, if the State comes up with better guidance and we see some areas that they can clean up the language, not a major change, just some areas because people can interpret a sentence in many ways. He added that by some of the comments the Board is getting he feels the group thinks they (the Board) are one sided and if that was the case this would have been approved a year and a half ago, it hasn't even gotten through preliminary approvals after two years. Mrs. Falanga stated that is shouldn't get through, that is the point. Councilman Bowerman stated that the Planning Board certainly has not made it easy process for DRS, they had to come up with a lot of answers, a lot of studies, plans, conditions for approval. He added that not every resident is against solar power. Mr. Falanga stated none of them are either for renewable energy but not for industrial solar power that is not contusive to the neighborhood. He urged the Board to go look at the property, it is not flat, it's a grade no matter where you are. He also urged the Town Board to take a look at the websites he had mentioned. Lastly, he added that they support individual solar on your own property, they do not support industrial/commercial solar.

PUBLIC CONCERNS: None.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Holtz reported:

1. Discussed Vaughn Chopper Pump Repair.
2. Discussed Sand Filter Bid Controller.
3. Discussed Odor Control Tank Washing.
4. Discussed Bio Tower #1 Fan Motor.
5. Discussed Bio Tower #3-LFP bearing replacement.
6. Discussed Manhole Rehab – approximately 3 left.
7. Discussed resolutions on agenda.

Highway & Parks:

1. Highway- equipment maintenance, Vac All sweeping gutters, replacing culvert pipes, mowing town roads, ditching, and mowing of State roads and billed to Greg Trost.
2. Parks- building and park maintenance, mowing parks, and field maintenance.
3. Discussed closing of the Farmbrook bathroom, and the drinking fountain at the park.
4. Fall Cleanup – October 16th and 17th.
5. Discussed resolution on agenda.

Town Operations Committee: Councilman Bowerman reported:

1. Discussed various projects: Delaware River Solar, Beaver Creek Park Project, County Road 28/Shortsville Road Intersection Project, Lyons National Bank, Redfield Grove Incentive Zoning, and Town Code Updates.

Town Personnel Committee: None.

Town Finance Committee: Supervisor Ingalsbe reported: None.

Town Public Safety Committee: Councilman Holtz reported: None.

REPORTS OF TOWN OFFICIALS:

Supervisor Peter Ingalsbe reported:

1. 2021 Budget Workshops.
2. Newsletter.

Highway& Parks Superintendent Giroux reported:

1. Discussed Townline Road, vandalism at Farmbrook Park, plugging problem at Pumpkin Hook Park.

Town Clerk Michelle Finley reported: None.**Water & Sewer Superintendent reported: None.****Code Enforcement Officer Dan Delpriore reported:**

1. Discussion Covid Inspections.
2. Discussed Code changes.
3. Hathaways Corners Update.

Director of Planning and Development Ron Brand reported:

1. Report available on website and filed with the Town Clerk.
2. Hathaways Corners Update, Code Updates.

Assessor Michelle Nicodemus reported:

1. School tax bills are out. Receiving inquires.
2. Assessor's Aide position filled.

Supervisor Ingalsbe stated that he needs to talk with her about the difference in assessment values for a like dollar amount of a project versus a common assessment versus a condominium status. He stated that they need to educate themselves on that before he gets back to a developer who wants to build some facilities in the town and have it under a HOA Condominium status.

Town Engineer Bill Davis reported:

1. Discussed Brickyard Road Water Tank project, Manhole Rehab project, and Mertensia Roads Watermain project.

Fire Chief reported: None.**Planning Board Chairman Ed Hemminger reported: None.****Planning Board Member Adrian Bellis reported:**

1. DRS next meeting.

Zoning Board of Appeals Jeremy Marshall reported: None.**Recreation Advisory Committee Bryan Meck reported: None.****Recreation Director Mark Cain reported: None.**

Supervisor Ingalsbe stated that they did review the Recreation Budget and had a good discussion with Mr. Cain. He also for forwarded pictures of the Beaver Creek construction to all the Recreation Advisory members to keep them up to date.

Ontario County Planning Board Member reported: None.**Conservation Board Chairman Hilton reported: None.****Town Historian Donna Herendeen reported: None.****Swap Shop Update: Councilman Holtz: None.****Agricultural Advisory Committee Chairman Hal Adams: None.****COMMUNICATIONS:**

1. Letter to the Town Supervisor from Barbara Samel of New York Planning Federation. Re: Training and website updates.
2. Letter to the Town Supervisor from Mark McIntyre of Merchant McIntyre Associates. Re: Federal Grants Consultation for Town of Farmington.
3. Legal Notice by Order of the United States District for the Northern District of New York. Re: Class action settlement 2015-2019 Ford F-Series Trucks.
4. NYS Dec Joint Application Form.

5. Letter to all employees covered under the Excellus Dental Plan from the Confidential Secretary. Re: Excellus Dental Premiums.
6. Equipment and Services Agreement with Keyser Computer Services.
7. Letter to Douglas and Deborah Gillette from the Town Supervisor. Re: Sanitary Sewer Manhole Maintenance.
8. Letter to the Town Supervisor from Michelle Allison of the NYS DOT. Re: Federal and State Single Audit Reporting Requirements.
9. Letter to Jeffrey D. Graff of Riley & Graff, LLP from the Confidential Secretary. Re: Easements for filing with the Ontario County Clerk.
10. Letter to the Town Supervisor from John Rizzo of the Ontario County Department of Finance. Re: 2021 Snow & Ice Removal Contracts.
11. Memo to all employees from the Town Supervisor. Re: Flu Shot clinic.
12. Letter to the Town Clerk from Tessa LaBrake of the Farmington Volunteer Fire Association, Inc.
13. Letter to the Town from James Pierce of the USPS. Re: Case #3151354-MT.
14. Certificates of Liability Insurance from: Comfort Window Co., Inc.; DGA Builders, LLC; Ontario Exteriors, Inc.; FSI Acoustical Systems, LLC; Josh Lawn Care & Landscaping, Inc.; The Betlem Service Corporation.
15. Certificates of Workers' Compensation Insurance from: Comfort Window Co., Inc.; DGA Builders, LLC; FSI Acoustical Systems, LLC.
16. Certificates of Disability and Paid Family Leave Benefits from: Comfort Window Co., Inc.
17. Cancellation of Insurance from: Skanex Pipe Services, Inc.

REPORTS & MINUTES:

1. Judge Lew – Monthly Report – August, 2020.
2. Judge Gligora – Monthly Report – August, 2020.
3. Planning Board Meeting Minutes – August 19, 2020.
4. Project Review Committee Meeting Minutes – September 3, 2020.
5. Planning Board Meeting Minutes – September 2, 2020.

ORDER OF BUSINESS:

RESOLUTION #328-2020:

Councilman Holtz offered the following Resolution, seconded by **Councilman Herendeen**:

CONFIRMING RESOLUTION WAIVING THE PARK RESERVATION FEE FOR CUB SCOUT PACK 50

WHEREAS, Cub Scout Pack 50 has requested use of the Pumpkin Hook Park on Friday, September 11, 2020, from 5:30 p.m. to 7:30 p.m. for their recruitment event, and

WHEREAS, they are asking that the park reservation fee be waived, therefore be it

RESOLVED, that the Farmington Town Board authorizes the waiver of the park reservation fee to Cub Scout Pack 50 for their recruitment event.

All Voting "Aye" (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #329-2020:

Councilman Casale offered the following Resolution, seconded by **Councilman Holtz**:

RESOLUTION AUTHORIZING ACCEPTANCE OF DRAINAGE AND UTILITY EASEMENT FROM RYAN AND ELIZABETH FOSTER

WHEREAS, the Town of Farmington, by its officers or representatives, has engaged in discussions with Ryan and Elizabeth Foster ("Owner") regarding the Town's obtaining a drainage and utility easement over portions of its property known as 5718 Bean Pol Circle bearing tax account parcel number 41.08-4-12.100, as shown on Map No. M-2 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.

All Voting “Aye” (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #330-2020:

Councilman Casale offered the following Resolution, seconded by **Councilman Holtz**:

RESOLUTION AUTHORIZING ACCEPTANCE OF DRAINAGE AND UTILITY EASEMENT FROM DEVIN MACHENRY

WHEREAS, the Town of Farmington, by its officers or representatives, has engaged in discussions with Devin Machenry ("Owner") regarding the Town’s obtaining a drainage and utility easement over portions of its property known as 5720 Bean Pole Circle bearing tax account parcel number 41.08-4-11.100, as shown on Map No. M-1 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.

All Voting “Aye” (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #331-2020:

Councilman Bowerman offered the following Resolution, seconded by **Councilman Casale**:

RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE TERRACON SPECIAL INSPECTION PROPOSAL FOR THE BEAVER CREEK PARK PROJECT

WHEREAS, MRB received proposals for special inspections for the Beaver Creek Park Project from two vendors,

WHEREAS, MRB has recommended that the Town utilize Terracon Consultants-NY, Inc. based on the quality of their work and their lower estimate,

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington hereby authorizes the Supervisor to sign the contract from Terracon for an amount not to exceed \$13,500 which will be expensed from the Beaver Creek Park Capital Project,

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

All Voting “Aye” (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #332-2020:

Councilman Herendeen offered the following Resolution, seconded by **Councilman Holtz**:

RESOLUTION AUTHORIZING THE LAST DAY OF PAYMENT FOR ALL 2020 THIRD QUARTER WATER SERVICES LOCATED WITHIN THE CANANDAIGUA-FARMINGTON (CFWD) WATER AND SEWER DISTRICT AND VICTOR SEWER DISTRICT ACCOUNTS

WHEREAS, The Farmington Code, Chapter 159 entitled Water Rules and Regulations, Section 159-25, Shutting Off Water Services states that in event a water bill remains unpaid for more than 60 days, the Town Board may, by Resolution, cause the supply of public water to be shut off given at least 10 days written notice to the owner and occupant of the premises

WHEREAS, A written notice will be given by first-class mail that will be addressed to both the owner and occupant at least 10 days prior to the proposed shut off, and

WHEREAS, such notice shall advise the owner and occupants that the water supply to such property shall be shut off on the specified dated for nonpayment of the water bill unless the unpaid water bill and penalty are paid in full to the Town Clerk prior to the specified dated, and

WHEREAS, the water supply to such property shall not be restored after the shutoff date until the unpaid water bill and late fee penalties, including administrative fees, are paid in full, and

WHEREAS, payment for the 3rd Quarter 2020 CFWD water and sewer bills and Victor Sewer District sewer bills are due on the close of business day at the Farmington Town Clerks Office located at the Farmington Town Hall, 1000 County Road 8 on by 8am on Monday November 2, 2020, now therefore

BE IT RESOLVED, that the Town Board of Farmington acting on behalf of the Canandaigua-Farmington Water District and Victor Sewer District, hereby authorizes the Water Superintendent to establish the last day for payment of the CFWD 3rd Quarter 2020 and Victor Sewer District without the 20% penalty applied as being by 8am on Monday November 2, 2020, and any payments with US mail postmarks as of 12:00 AM on Saturday, October 31, 2020 being accepted without penalty, and

BE IT FURTHER RESOLVED, that the On-Line payment option are also available for water and sewer payments which will be accepted up until 8am on Monday, November 2, 2020 without the 20% penalty being applied and

BE IT FURTHER RESOLVED, that any payment received after November 2, 2020 for all unpaid water and sewer accounts will be assessed with a 20% late fee being applied to the bill, and

BE IT FURTHER RESOLVED, that any payment received after November 4, 2020 for unpaid water and sewer accounts will be Passed to the Ontario County Property on Thursday, November 5, 2020 with penalties and

BE IT FINALLY 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.

All Voting "Aye" (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #333-2020:

Councilman Holtz offered the following Resolution, seconded by **Councilman Casale**:

RESOLUTION AUTHORIZING THE SALE OF SURPLUS EQUIPMENT FOR THE TOWN OF FARMINGTON WATER AND SEWER DEPARTMENT

WHEREAS, the Water and Sewer Superintendent had prepared a Five Year Capital Equipment Replacement Program and newer equipment replacement items were budgeted in the 2020 Budget for replacement, and

WHEREAS the Water & Sewer Supt. has recommended that the following pieces of equipment utilized by the Water and Sewer Department are currently obsolete and/or surplus:

1. 2004 Sterling Model LT9 Diesel powered 10 wheel dump truck with 106,356 miles, VIN 2FZHAZAS84AM87725 purchased used 10/30/15 from the Town of Victor, (W-11)

WHEREAS, the Monroe County Municipal Equipment Auction is scheduled for October 10, 2020, at the Monroe County Fleet Center, 145 Paul Road, Rochester New York, and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Farmington acting on behalf of the Water and Sewer Districts, hereby declares the listed equipment/Iron as surplus and authorizes the Water and Sewer Superintendent to have this equipment sold at auction or by internet bidding with proceeds being revenue split between both SS-2665 (Sale of Equipment) and SW1-2665 (Sale of Equipment), 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.

All Voting "Aye" (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION 334-2020:

Councilman Holtz offered the following Resolution, seconded by **Councilman Casale**:

RESOLUTION APPOINTING JEAN ALLISON TO THE HISTORIC PRESERVATION COMMITTEE

WHEREAS, Audrey Everdyke resigned from her seat on the Historic Preservation Committee effective in

December 2020 creating a vacancy, and

WHEREAS, Jean Allison has been recommended to fill said vacancy, now therefore be it

RESOLVED, that the Town Board appoints Jean Allison to the Historic Preservation Committee for a term

effective September 22, 2020 to expire on December 31, 2020, and be it further

RESOLVED, that the Town Clerk forward a copy of this resolution to Jean Allison at jmallison777@gmail.com, the Supervisor’s Secretary and prepare an Oath of Office to be taken in the days ahead.

All Voting “Aye” (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #335-2020:

Councilman Casale offered the following Resolution, seconded by **Councilman Bowerman**:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE GENERAL FUND

WHEREAS, a budget amendment is needed to cover attorney expenses,

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

From:	A599 Appropriated Fund Balance	\$80,000	
To:	A1420.4 Law – Contractual		\$80,000

BE IT RESOLVED, that the Principal Account Clerk transfers the amount above

FURTHER RESOLVED, that copies of this resolution be submitted by the Town Clerk to the Principal Account Clerk.

All Voting “Aye” (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #336-2020:

Councilman Herendeen offered the following Resolution, seconded by **Councilman Casale**:

RESOLUTION AUTHORIZING THE ACTING WATER AND SEWER SUPERINTENDENT TO PURCHASE FROM CORE & MAIN 1220 BRIGHTON-HENRIETTA TOWNLINE ROAD ROCHESTER NEW YORK, 200 FEET OF 12’ C900 DR14 PVC PIPE (G) 20’ PC305

WHEREAS, the Water and Sewer Supervisor has identified the need to purchase 200’ of 12” DR14 water main to finish phase-2 of water main on Canandaigua-Farmington Townline Rd., and

WHEREAS, The Sewer Department has received a quote from Core & Main. in the amount of \$ 4,666.00. for two hundred feet of 12” C900 DR14 PVC Pipe at a cost not to exceed \$4700.00 from account code SS1-8340.29, and

Be it RESOLVED, the Farmington Town Board authorizes the Water and Sewer Superintendent to purchase said pipe to finish phase-2 water main. Not To exceed \$4,700.00 from account code SS1-8340-29, and

Be it further RESOLVED, that the Town Clerk provides a copy of this resolution to the Water/Sewer Superintendent and the Principle Account Clerk.

All Voting “Aye” (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #337-2020:

Councilman Holtz offered the following Resolution, seconded by **Councilman Casale**:

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN A LEASE EXTENSION WITH COUNTRY BIBLE BAPTIST CHURCH

WHEREAS, the Town of Farmington is the sole owner of 130 Hook Road in the Town of Farmington, Ontario County, New York State (the “Premises”), which consists of approximately 0.273 acre of land with a building located thereon; and

WHEREAS, the Town Board, by Resolution #399-2019 approved a lease with Country Bible Baptist Church for the property located at 130 Hook Road; and

WHEREAS, Country Bible Baptist Church has asked for an extension of the lease;

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Farmington has determined that the Town has no present municipal need for the Premises and that the Premises is still available for leasing; and

BE IT FURTHER RESOLVED, that the Town Board finds the rent, terms and consideration set forth in the Lease extension represent fair and adequate consideration for the rental of the Premises; and

BE IT FURTHER RESOLVED, that the Town Board approves the Lease extension; and

BE IT FINALLY RESOLVED, that the Supervisor is hereby authorized and directed to execute the Lease extension on behalf of the Town of Farmington and the Town Board.

All Voting “Aye” (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #338-2020:

Councilman Casale offered the following Resolution, seconded by **Councilman Herendeen**:

Abstract 18-2020

TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS

TO: MARCY DANIELS FROM: J. MARCIANO

ABSTRACT NUMBER	<u>18</u>
DATE OF BOARD MEETING	<u>9/22/2020</u>

FUND CODE	FUND NAME	TOTAL FOR EACH FUND	VOUCHER NUMBERS
A	GENERAL FUND	124,548.88	1626-1635,1637,1639-1654,1656-1669, 1682-1684,1721,1724-1725
HG	MERTENSIA WATERLINE	0	
DA	HIGHWAY FUND	50,458.07	1642,1664,1670-1680,1720-1721,1724-1725
HA	AUBURN TRAIL PROJ	0	
HB	BEAVER CREEK PARK	785.51	1710,1714
HS	PUMPSTATION 2	0	
HM	FUEL STATION CAP PROJ	85.00	1638
HN	NORTH RD CAP PROJ	0	
HP	TOWN PARK IMPROVEMENTS	0	
HQ	LED STREET LIGHTING	0	
HW	WATER TANK REPAIR	200.00	1655
HZ	TOWNLIN CAP PROJ	3,950.00	1681
SD	STORM DRAINAGE	1,765.83	1721,1725
SF	FIRE PROTECTION DISTRICT	0	
SL1	LIGHTING DISTRICT	1,387.63	1659
SM	SIDEWALKS	0	
SS	SEWER DISTRICT	35,732.85	1642,1645,1652,1664,1667,1685-1712, 1721-1722,1724-1725
SW1	WATER DISTRICT	25,695.21	1642,1645,1652,1664,1667,1685,1687-1690,1695,1700,1704,1708-1711,1713-1719,1721-1725
TA93	LETTER OF CREDIT (CASH)		
TA200	PAYROLL DEDUCTIONS(TA85UNI,TA20,TA20D,TA86)	4,214.55	1636,1668,1721,1724-1725
	TOTAL ABSTRACT	\$ 248,823.53	

Councilman Holtz abstained from Voucher No. 1681.

All Voting “Aye” (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

TRAINING UNDER \$100: None.

WAIVER OF THE RULE: No Objection

RESOLUTION #339-2020:

Councilman Casale, offered the following Resolution, seconded by **Councilman Holtz**:

REQUESTING THE LOWERING OF THE 55 MILE PER HOUR SPEED LIMIT TO 40 MILES PER HOUR ON HOOK ROAD BETWEEN YAHN ROAD AND ALLEN PADGHAM ROAD MARTZ ROAD

WHEREAS, During the August, 25th Town of Farmington Board Meeting a resident brought to our Town Board, as well as the attention of the Highway Superintendent, concerns, in the form of a petition that contains in 16 names from residents in and around the area, and

WHEREAS, several new homes have been built along this portion of the road and the curve allowing for minimal sight distance and the potential for additional school bus stops, and

WHEREAS, the Highway Superintendent has drafted a letter recommending the reduction of speed, now

THEREFORE BE IT RESOLVED, the Farmington Town Board Supports the speed reduction requested by the Highway Superintendent, and be it

FURTHER RESOLVED, that the Town Clerk forward copies of this Resolution to the Highway/Parks Department, Principal Account Clerk and Mr. John Masley, 639 Hook Road, Farmington, NY 14425, and be it

FINALLY RESOLVED, that the Town Clerk forward 2 copies of the TE-9 (attached) along with 2 certified copies of this resolution to William Wright, Ontario County Public Works, 2962 County Road 48, Canandaigua, NY 14424

Discussion: The Board discussed that the last discussion on this they had agreed to request lowering the speed limit on a portion of Hook Road (north of existing 40 mph zone to Martz Road not Allen Padgham). Councilman

Bowerman made a motion to extend speed limit to Martz Road not Allen Padgham Road, Councilman Casale seconded the motion, motion **CARRIED**.

All Voting "Aye" (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #340-2020:

Councilman Bowerman offered the following Resolution, seconded by **Councilman Holtz**:

REQUESTING THE LOWERING OF THE 55 MILE PER HOUR SPEED LIMIT TO 40 MILES PER HOUR ON COUNTY ROAD 41 BETWEEN STATE ROUTE 332 AND COUNTY ROAD 8

WHEREAS, the Town Supervisor received a letter dated August, 27th from the residents of Philips Landing in regards to concern about speeding on County Road 41 between State Route 332 and County Road 8, and

WHEREAS, the Highway Superintendent has drafted a letter recommending the reduction of speed, now

THEREFORE BE IT RESOLVED, the Farmington Town Board Supports the speed reduction requested by the Highway Superintendent, and be it

FURTHER RESOLVED, that the Town Clerk forward copies of this Resolution to the Highway/Parks Department, Principal Account Clerk and Theresa Adams, 1440 Fraser Way, Farmington, NY 14425, and be it

FINALLY RESOLVED, that the Town Clerk forward 2 copies of the TE-9 (attached) along with 2 certified copies of this resolution to William Wright, Ontario County Public Works, 2962 County Road 48, Canandaigua, NY 14424.

All Voting "Aye" (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #341-2020:

Councilman Herendeen offered the following Resolution, seconded by **Councilman Holtz**:

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN THE CERTIFICATE OF SUBSTANTIAL COMPLETION FOR THE TOWNLINE ROAD CULVERT PROJECT

WHEREAS, resolution 280-2020 approved the final pay application and the closeout packet for the Townline Road Culvert,

WHEREAS, a letter of transmittal has been received from MRB with the Certificate of Substantial Completion and originals of the closeout package,

NOW, THEREFORE BE IT RESOLVED, the Supervisor signs the two Certificates of Substantial Completion,

FULLY RESOLVED, that the Town Clerk return one signed copy to MRB, and provide a copy of the resolution and certificate to the Principal Account Clerk and Highway Superintendent and forward the original closeout Package information to the Highway Superintendent.

All Voting "Aye" (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #342-2020:

Councilman Holtz offered the following Resolution, seconded by **Councilman Bowerman**:

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN PROPOSAL FOR PROFESSIONAL SERVICES WITH MRB GROUP FOR CAPACITY, MANAGEMENT, OPERATION AND MAINTENANCE (CMOM) PLAN UPDATE

WHEREAS, MRB Group submitted a Proposal for Professional Services for Capacity, Management, Operation and Maintenance (CMOM) Plan Update at a cost not to exceed \$8,500.00, now therefore be it

RESOLVED, that the Town Board of the Town of Farmington authorizes the Town Supervisor to sign the Proposal for Professional Services for Capacity, Management, Operation and Maintenance (CMOM) Plan Update at a cost not to exceed \$8,500.00 from MRB Group; and be it further

RESOLVED, that the Town Clerk forward copies of this Resolution to the Water & Sewer Department, Bill Davis of MRB Group, the Building Department and Principal Account Clerk.

All Voting "Aye" (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #343-2020:

Councilman Casale offered the following Resolution, seconded by **Councilman Holtz**:

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN INVESTMENT SUMMARY WITH PAYCHEX FOR TIME KEEPING SYSTEM

WHEREAS, with the new Paychex Flex platform there is an ability to consolidate all departments into one time keeping system, and

WHEREAS, the Confidential Secretary received an Investment Summary from Paychex regarding a new consolidated time keeping system, and

WHEREAS, the cost of a new consolidated time keeping system would be an initial investment of \$5,575.00 to include 2 InVision Iris Time Clocks, implementation, setup and delivery, and

WHEREAS, the bi-weekly payroll fees would be \$421.06 and the annual maintenance fees would be \$1,465.50, now therefore be it

RESOLVED, that the Town Board of the Town of Farmington authorizes the Town Supervisor to sign the Investment Summary with Paychex with costs not to exceed the initial investment of \$5,575.00 for implementation and equipment and bi-weekly payroll fees of \$421.06 and annual maintenance fees of \$1,465.50; and be it further

RESOLVED, that the Town Clerk forward copies of this Resolution to all Department Heads, the Confidential Secretary and the Principal Account Clerk.

All Voting "Aye" (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #344-2020:

Councilman Herndeem offered the following Resolution, seconded by **Councilman Holtz**:

AUTHORIZE HIGHWAY SUPERINTENDENT TO MOVE FORWARD ON THE PROJECT TO INSTALL A SLIP LINE ON COLLETT ROAD

WHEREAS, the Highway has reached out to three (3) vendors with the intent to slip line on Collett Road, and

WHEREAS, the Highway Department is working on drainage on Collett Road, and is asking for a quote for slip lining molded in place 2 sections of 80' in length each, 12" pipe, and

WHEREAS, the Highway Superintendent is requesting that the Town Board allow him to move forward with the slip lining project at a cost, **not to exceed \$ 12,000 to be paid for from DA-5110.4**, once the final quote has been received, and be it

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

All Voting "Aye" (Ingalsbe, Casale, Herendeen, Bowerman, and Holtz), the Resolution was **CARRIED**.

DISCUSSION:

1. Reminder Budget Workshop next Tuesday.
2. Carpet Cleaning – received three quotes.

EXECUTIVE SESSION: None.

With no further business before the Board, **Councilman Casale** offered a motion to adjourn the meeting at 8:15 p.m., seconded by **Councilman Holtz**. Motion **CARRIED**.

Michelle A. Finley, MMC, RMC -Town Clerk: _____