

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 8<sup>th</sup> day of September, 2020, at 7:00 PM, there were:

**PRESENT:** Peter Ingalsbe – Supervisor  
Mike Casale – Councilman  
Steven Holtz – Councilman  
Nate Bowerman – Councilman-necessarily absent  
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, Adrian Bellis – Planning Board Member, **Robin MacDonald** – Acting Water & Sewer Superintendent, **Bill Davis** – MRB Group, **Emily Palumbos** – MRB Group, **Dave Capps** – resident, and **Ruth DeBrock** – resident.

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

### **PUBLIC HEARINGS- A Local Law Establishing a Moratorium on Solar Collection Systems and Solar Farms**

Supervisor Ingalsbe opened the Public Hearing at 7:00 p.m. The Town Clerk read the Legal Notice. Mr. Brand, Director of Planning and Development, stated that the town has gone through the process where they have identified changes that are needed, the moratorium allows them the opportunity to prepare these regulations and they have been working towards making those changes and they feel comfortable with moving forward with a six month moratorium and to make those changes and present them to the public by holding a public hearing on those amendments.

Mr. Capps, resident, stated that he noticed in the code that there is a distinction in solar systems, there is the NYS Unified Solar Permit, which allows for residential solar systems of 25k or under, he had heard that these types will not be affected by this new rule and asked if that was correct. Mr. Delpriore, Code Enforcement Officer, stated that is correct. Mrs. DeBrock, resident, inquired about size limit on roof tops of homes. Mr. Delpriore stated that the moratorium is for the large scale systems, not residential. He added that it doesn't go by acres it goes by the size of the unit. Mrs. DeBrock asked how many large scale systems does the town have now. Mr. Brand replied that there is one pending that is grandfathered in under the rules of the 2018 regulations that were enacted. He added that he has received interests from another company as well.

With no further comments, Supervisor Ingalsbe closed the public hearing at 7:09 p.m.

### **APPROVAL OF MINUTES:**

A motion was made by **Councilman Holtz** and seconded by **Councilman Casale**, that the minutes of the August 25, 2020, Town Board Meeting, and given to members for review, be approved. Four Voting "Aye" ( Holtz, Casale, Herendeen, and Ingalsbe). Motion Carried.

### **PRIVILEGE OF THE FLOOR:**

**Mr. Allen**, resident, commented about the roundabout in Victor and how they made a mistake and now it won't be open until mid-October, and asked if the Supervisor could elaborate on that. Mr. Allen added that about 800 cars go by his house per hour. Supervisor Ingalsbe replied that there might some re-engineering to that project but that project is located in Victor and he does not know all the details.

### **PUBLIC CONCERNS: None.**

### **REPORTS OF STANDING COMMITTEES:**

#### **Public Works Committee: Councilman Herendeen 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 Hydrodyne Compactor repair.
7. Discussed Townline Road-completion of installing watermain.
8. Discussed Manhole Rehab – approximately 3 left.
9. Discussed resolutions on agenda.

### **Highway & Parks:**

1. Highway- equipment maintenance, Vac All sweeping gutters, traffic control for ditching, mowing of town roads, ditching, and hauling gravel for stock.
2. Parks- building and park maintenance, mowing parks, and field maintenance.
3. Fall Cleanup – October 16<sup>th</sup> and 17<sup>th</sup>.
4. Discussed resolution on agenda.

**Town Operations Committee: Councilman Casale reported:**

1. Discussed resolutions on agenda.
2. Discussed various projects: Delaware River Solar, County Road 28 Intersection project, Lyons National Bank, and new townhouse project on the corner of Mertensia Road and Collett Road.

**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. Working with Bookkeeper on the 2021 Budget. Meeting Town of Victor on September 16<sup>th</sup> to go over sewer budget, October 13<sup>th</sup> will be the annual meeting on the water budget.

**Highway & Parks Superintendent Giroux reported:**

1. Discussed Salt allocations for 2019/2020/
2. Discussed Fall Cleanup.

**Town Clerk Michelle Finley reported:**

1. Reported collection of 300 dog licenses, 86 building permits, 8 marriage licenses, and 50 vital records for the month of August.
2. Presented 2021 Tentative Budget with binders to Board Members.

**Water & Sewer Superintendent reported:**

1. Testing on watermain at Beaver Creek Park and Townline Road.
2. General Maintenance.

**Code Enforcement Officer Dan Delpriore reported:**

1. 82 permits issued in August, 553 permits issued January through August 31<sup>st</sup>, 209 inspections in August, 1194 inspections since beginning of year.
2. Discussed patio lots in Auburn Meadows. He referenced a map showing the patio lots and highlighted the ones that signed the petition. He also did some comparison of the lots for the boards review. He stated that this information is also posted for the public to review. He asked the Board how they would like him to proceed and if nothing else is needed then he will turn this back over to the Board. Councilmen Holtz and Herendeen stated that they have all the information they need.
3. Discussed Clean Energy Grant. Working with Mrs. Palumbo. MRB Group. Supervisor Ingalsbe talked about running conduit at Beaver Creek Park for a charging station. Board discussed possible location of charging station. They also discussed making a parking space for another handicapped spot. Mr. Delpriore stated that could just run conduit and see if one of the grants could help pay for a charging station. Mrs. Palumbo discussed two vendors who deal with charging units and she discussed the different options.
4. Discussed Beaver Creek Park drinking fountain options.

**Director of Planning and Development Ron Brand reported:**

1. Report available on website and filed with the Town Clerk.
2. Discussed pending policy/guidelines for remote participation by Board Members and Committee Members for Public Meetings.
3. Discussed resolutions on agenda.

**Assessor Michelle Nicodemus reported: None.****Town Engineer Bill Davis reported:**

1. Discussed Brickyard Road Water Tank project, Manhole Rehab project, and Beaver Creek Park project.

**Fire Chief reported: None.****Planning Board Chairman Ed Hemminger reported: None.****Planning Board Member Adrian Bellis reported: None.****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 the Advisory Board is discussing Treat and Trunk in October.

**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 Gerald McLoughlin of the NY Power Authority. Re: Long-term fixed rate financing option for energy services projects.
2. Letter to the Town Supervisor from Karen Buckley of NYMIR. Re: Cyber recommendations.
3. Email to the Town Board from Allyn Wagner, Resident. Re: Water bill.
4. Petition for the reduction/extension of speed limit on Hook Road.
5. Letter to Greek 6025 Properties LLC (Park Place) from Jeremy Button of NYS DOT. Re: NYS Route 96 right-of-way.
6. Ontario County Board of Supervisors Resolution No. 424-2020. Re: Resolution to increase charges to cities and towns by the Ontario County Board of Elections.
7. Letter to the Town Supervisor from Jasmine DiSalvo of Mercy Flight Central. Re: 2020 Contribution.
8. Letter to the Town Supervisor from C. Allan Reeve, Esq. of Reeve Brown PLLC. Re: Assignment of Notice Under Lien Law for Account of Public Improvement – Auburn Trail Connector.
9. Letter to Robin Johnson, Director of Real Property Tax Agency from the Town Supervisor. Re: Ontario County fee sharing request.
10. Letter to the Town Supervisor from Sheryl Robbins of the NYS DOH. Re: Public Water Supply, CFWD Approval – Completed Works, County Road 28/Shortsville Road Watermain Relocation.
11. Letter to the Town Supervisor from Lisa Kaseman of Pintail Crossing II, LLC. Re: CEO Notification and Transmittal of LIHTC Program Application Documents.
12. Letter to Michael Birkby of Conifer Realty from the Town Supervisor. Re: Support of application for funding Phase II of the Pintail Crossing Community.
13. Petition for reduction of speed limit on County Road 41 from the intersection of State Route 332 to the intersection of County Road 8.
14. Letter to the Town Supervisor from Thomas Vogler of MRB Group. Re: General GIS Mapping Assistance, MRB Project No. 0610.17002.000.
15. Letter to the Town Supervisor and Town Board from Stan Aldrich, Resident. Re: Budget concerns.
16. Town of Farmington Planning Board Resolution Letter of Credit – Partial Release (Release #2) – site improvements Hathaway's Corner Incentive Zoning Project – Phase I.
17. Beaver Creek Park Construction door knocker verbiage.
18. Email to the Town Supervisor from the Director of Development. Re: Reply to offer to remove the billboard sign located on property at the southwest corner of the intersection of State Route 332 and Gateway Drive.
19. Letter to the Town Clerk from the Town of Canandaigua Development Office. Re: Plan Review 0000 Mobile Road.
20. NYS DEC ENB Region 8 Notices 9/2/2020.
21. Intermunicipal Cooperation Agreement between the Town of Farmington, Ontario County and Victor Central School District.
22. Letter to the Town Clerk from Gary Foster of the Farmington Volunteer Fire Association, Inc. Re: New Member(s).
23. Certificates of Liability Insurance from: Integrated Power Supplies International; Christa Construction; JMA Electric;
24. Certificates of Disability and Paid Family Leave Benefits from: Integrated Power Supplies International, Inc.

### **REPORTS & MINUTES:**

1. Report to Town Public Works and Town Operations Committee – August 25, 2020.
2. Building Department – Permit Report by Type – August 2020.
3. Building Department – Inspection Schedule – August 2020.
4. Enhanced Law Enforcement Traffic Report – August 2020.

**ORDER OF BUSINESS:**

**RESOLUTION #302-2020:**

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

**RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF FARMINGTON OF LOCAL LAW NO. 4 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 September 8, 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 August 25, 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 September 8, 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. 4 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.

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

Local Law No. 4 of the year **2020**

A local law **"Establishing a Moratorium on Solar Collection Systems and Solar Farms"**

Section 1. STATEMENT OF LEGISLATIVE INTENT:

It is the purpose of this moratorium to enable the Town of Farmington to have sufficient time to review the Town's existing laws, Local Law No. 6 of 2017, pertaining to Solar PV collection systems, in particular solar farms requiring a special permit; and to recommend modifications to the above cited local law regarding such operations. This review is in accordance with the goals, objectives and policies contained in the adopted Town of Farmington Comprehensive Plan.

Changes to said law would permit an enhanced and easily understood code, to achieve the objectives of the Comprehensive Plan and encourage consistent and fair application of laws pertaining to such operations. Amendments would be considered in regard to further enhancing protection of the environment and possible modifications are felt necessary to permit for careful review and approvals of such development that would allow for continued economic development while assuring that such development is compatible with the community and competing land uses.

The Town Board is concerned that approval of expansions to any such existing operations or approvals of new operations, under the existing laws, could negatively impact the value and appearance of the neighborhoods in which they would be situate and of the Town as a whole.

It is, therefore, the intent of the Town Board to temporarily suspend the approval of all expansions to existing such operations and approval of new such operations. This will afford the Town sufficient time to draft amendments to the Town's Zoning Code.

Based on the foregoing, the Town Board wants to ensure that any such expansions to existing such operations or approval of new such operations are reviewed under the new regulations and not under the existing laws.

Section 2. DEFINITIONS

- A. SOLAR COLLECTION SYSTEM OR SOLAR FARM - An area of land or other area used for a solar collection system principally used to capture solar energy and convert it to electrical energy to transfer to the public electric grid in order to sell electricity to or receive a credit from a public utility entity, but also may be for on-site use. Solar farm facilities consist of one or more freestanding ground or roof-mounted solar collector devices, solar-related equipment and other accessory structures and buildings,

including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities.

- B. TOWN: Town of Farmington, Ontario County, New York
- C. TOWN BOARD: Town of Farmington Town Board
- D. PLANNING BOARD: Town of Farmington Planning Board
- E. ZONING BOARD OF APPEALS: Town of Farmington Zoning Board of Appeals
- F. CODE ENFORCEMENT OFFICER: Town of Farmington Code Enforcement Officer

**Section 3. MORATORIUM.**

A. The Town Board hereby enacts a moratorium, which shall prohibit the review, approval or creation of any expansions to existing solar collection systems or solar farms or the approval of solar collection systems or solar farms anywhere within the Town.

B. This moratorium shall be in effect for a period of six (6) months from the effective date of this Local Law and shall expire on the earlier of (i) the date six (6) months from said effective date, unless renewed; or (ii) the enactment by the Town Board of a resolution indicating the Town Board is satisfied that the need for the moratorium no longer exists.

C. This moratorium shall apply to all real property within the Town.

D. Pursuant to this moratorium, the Planning Board shall not review any applications for any expansions to existing solar collection systems or solar farms or the approval of new solar collection systems or solar farms and shall not grant any preliminary or final site plan approval to any such expansions to or new solar collection systems or solar farms within the Town.

E. Pursuant to this moratorium, the Code Enforcement Officer shall not issue Building Permits for any construction involving any expansions to solar collection systems or solar farms or involving any new solar collection systems or solar farms anywhere within the Town.

F. Pursuant to this moratorium, no applications for variances, special use permits or other approvals involving any expansions to solar collection systems or solar farms or involving any new solar collection systems or solar farms shall be processed or granted; except that reviews of existing special use permits that are required to come regularly before the Town for re-approval, may be reviewed and approved by the Town, provided such applications do not request any modifications to the existing solar collection systems or solar farms.

**Section 4. EXCEPTIONS**

No part of the moratorium to be enacted by this local law shall apply to the following:

A. Reviews of existing special use permits that are required to come regularly before the Town for re-approval may be reviewed and approved by the Town, provided such applications do not request any modifications to the existing solar collection systems or solar farms; and

B. Any complete application pertaining to any expansions to existing solar collection systems or solar farms or pertaining to any new solar collection systems or solar farms, provided that, prior to this local law taking effect, such complete application has been properly filed with the Town and the filing fee due to the Town on such application has been fully paid to the Town.

Any application to which these exceptions apply shall be reviewed and processed and may be acted upon by the Planning Board or Zoning Board of Appeals pursuant to all other relevant laws, ordinances, regulations and standards in effect at such time.

**Section 5. PENALTIES.**

Any person, firm, entity or corporation which shall violate the provisions of this Local Law, shall be subject to:

1. A penalty in the amount of a minimum of \$100.00 and a maximum of \$250.00 for each day that such violation shall exist; and
2. Injunctive relief in favor of the Town to cease any and all such actions which conflict with this Local Law and, if necessary, to remove any construction or improvements which may have been built in violation of this Local Law.

It shall be the duty of the Code Enforcement Officer to enforce the provisions of this Local Law.

Section 6. VARIANCES

Any property owner affected by this moratorium may apply to the Zoning Board of Appeals and make use of the existing variance procedures under the Zoning Law of the Town of Farmington to seek relief from the restrictions of this local law.

Section 7. VALIDITY.

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been ordered.

Section 8. SUPERSEDING EFFECT.

Pursuant to New York Municipal Home Rule Law, Section 22, the provisions of this law are to supersede any inconsistent provision of state or local law.

Section 9. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the New York Department of State and shall remain in force and effect for a period of six (6) months from the date of such filing.

**RESOLUTION #303-2020:**

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

**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.

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

**RESOLUTION #304-2020:**

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

**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.

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

**RESOLUTION #305-2020:**

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

**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.

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

**RESOLUTION #306-2020:**

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

**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 RESOLVED**, 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.

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

**RESOLUTION #307-2020:**

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

**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.

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

**RESOLUTION 308-2020:**

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

**RESOLUTION ESTABLISHING THE STANDARD WORK DAY AND REPORTING SCHEDULE FOR NYS RETIREMENT**

BE IT **RESOLVED**, that the Town of Farmington hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

TITLE	NAME	SOCIAL SECURITY NUMBER	REGISTRATION NO.	STANDARD WORK DAY	TERM BEGINS/ENDS	PARTICIPATES IN EMPLOYERS TIME KEEPING SYSTEM (Y/N)	DAYS/MONTH	NO RECORD SUBMITTED
<b>ELECTED OFFICIALS</b>								
Councilman	Nathan Bowerman	8464	43130491	6	1/1/2020-12/31/2023	N	5.25	
<b>APPOINTED OFFICIALS</b>								

And, further be it, **RESOLVED**, that a certified copy of this resolution be transmitted by the Town Clerk to the NYS Comptroller and Supervisor’s Office.

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

**RESOLUTION #309-2020:**

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

**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.

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

**RESOLUTION #310-2020:**

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

**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.

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

**RESOLUTION #311-2020:**

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

**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.

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

**RESOLUTION #312-2020:**

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

**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.

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

**RESOLUTION #313-2020:**

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

**AUTHORIZATION TO PURCHASE AND INSTALL NEW, 1 MICROLOGIX 1400 PLC SYSTEM TO REPLACE (1) EXISTING MICROLOGIX 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.

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

**RESOLUTION #314-2020:**

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

**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.

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

**RESOLUTION #315-2020:**

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

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

**WHEREAS**, Joshuah 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 Jessnilling@gmail.com, the Supervisor's Secretary and prepare an Oath of Office to be taken in the days ahead.

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

**RESOLUTION #316-2020:**

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

**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.

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

**RESOLUTION #317-2020:**

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

**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.

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

**RESOLUTION #318-2020:**

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

**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 8<sup>th</sup>), 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.

Discussed if they will be showing enough energy usage or should they go back further years. Mrs. Palumbo stated that this is part of the Clean Energies program through NYSERTA. Councilman Holtz made a motion to amend the wording of the benchmarking resolution, the resolution was seconded by Councilman Casale, all were in favor.

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

**RESOLUTION #319-2020:**

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

**Abstract 17-2020**

**TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS**

**TO: MARCY DANIELS** **FROM: J. MARCIANO**

ABSTRACT NUMBER	17
DATE OF BOARD MEETING	9/8/2020

FUND CODE	FUND NAME	TOTAL FOR EACH FUND	VOUCHER NUMBERS
A	GENERAL FUND	43,773.31	1571-1500,1613-1616,1620-1621,1623-1625
HG	MERTENSIA WATERLINE	0	
DA	HIGHWAY FUND	208,069.42	1601-1611,1615,1617-1619
HA	AUBURN TRAIL PROJ	0	
HB	BEAVER CREEK PARK	4,408.14	1573,1588
HS	PUMPSTATION 2	0	
HM	FUEL STATION CAP PROJ	0	
HN	NORTH RD CAP PROJ	0	
HP	TOWN PARK IMPROVEMENTS	408.73	1588
HQ	LED STREET LIGHTING	0	
HW	WATER TANK REPAIR	20,880.00	1588
HZ	TOWNLIN CAP PROJ	1,828.90	1588,1622
SD	STORM DRAINAGE	2,562.90	1558,1578,1588,1612,1615
SF	FIRE PROTECTION DISTRICT	0	
SL1	LIGHTING DISTRICT	0	
SM	SIDEWALKS	0	
SS	SEWER DISTRICT	1,000,421.54	1527-1559,1570,1578,1588,1599,1612,1615
SW1	WATER DISTRICT	68,549.66	1529,1535,1538,1540,1541,1543,1549,1550,1555,1557,1558,1560-1568,1578,1588,1599,1612,1615
TA93	LETTER OF CREDIT (CASH)		
TA200	<b>PAYROLL DEDUCTIONS(TA85UNI,TA20,TA20D,TA86)</b>	100.54	1574,1616
	<b>TOTAL ABSTRACT</b>	<b>\$ 1,351,003.14</b>	

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

**TRAINING UNDER \$100: None.**

**WAIVER OF THE RULE: No Objection**

**RESOLUTION #320-2020:**

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

**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.

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

**RESOLUTION #321-2020:**

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

**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.

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

**RESOLUTION #322-2020:**

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

**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.

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

**RESOLUTION #323-2020:**

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

**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.

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

**RESOLUTION #324-2020:**

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

**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.

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

**RESOLUTION #325-2020:**

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

**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.

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

**RESOLUTION #326-2020:**

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

**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.

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

**RESOLUTION #327-2020:**

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

**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.

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

**DISCUSSION:**

1. Set-up Budget Workshops – September 15<sup>th</sup> from 3:30 p.m. to 6:00 p.m., September 22<sup>nd</sup> from 3:30 p.m. to 6 p.m., and September 29<sup>th</sup> from 3:30 p.m. to 6 p.m.



**EXECUTIVE SESSION:**

**Councilman Casale** made a motion to enter into Executive Session at 8:23 p.m. to discuss the employment history of particular individuals, **Councilman Holtz** seconded the motion. Motion **CARRIED**.

**Councilman Casale** made a motion to exit the Executive Session at 9:06 p.m., **Councilman Herendeen** seconded the motion. Motion **CARRIED**.

With no further business before the Board, **Councilman Herendeen** offered a motion to adjourn the meeting at 9:07 p.m., seconded by **Councilman Holtz**. Motion **CARRIED**.

Michelle A. Finley, MMC, RMC -Town Clerk: \_\_\_\_\_