

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 26th day of September, 2023, 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: **Dave Conti** – Water & Sewer Superintendent, **Dan Delpriore** – Code Enforcement Officer, **Ron Brand** – Director of Planning and Development, **Bill Davis** – MRB Group, **Ed Hemminger** – Planning Board Chairman, **Don Giroux** – resident, **Donna LaPlant** – Assessor, **Christopher LaPlant** – resident, **Tonia Ettinger** – resident, **Hal Adams** – Ag Advisory Chairman

Also present by telephone/video conferencing were: **Adrian Bellis** – Planning Board Member, **Michael Phillips** – resident, and **John Piper**

PUBLIC HEARINGS:

LOCAL LAW NO. 3 OF 2023, ESTABLISHING A NEW CHAPTER 38 OF THE TOWN CODE OF THE TOWN OF FARMINGTON, ONTARIO COUNTY, NEW YORK, ENTITLED “RECORDS MANAGEMENT AND PUBLIC RECORDS ACCESS

Supervisor Ingalsbe opened the public hearing at 7:00p.m. The Town Clerk read the legal notice. Mr. Brand talked about the overall process. He stated that Local Law No. 3 establishes the Records Management and Public Records Access rules and regulations for the town. He added that this came about as a result of the State making amendments this year to the open meeting law and as a result of those changes determined the need for the town to update our town code and provide for the clarification of how the public proceeds as to how to apply for a FOIL (Freedom of Information Law Request), extinguishes the records that are available to the public from those that are the courts that are not available to the public. He stated that these regulations clarify all the changes.

Supervisor Ingalsbe asked if anyone wanted to comment on this proposed local law, hearing none he closed the public hearing at 7:02 p.m.

LOCAL LAW NO. 4 OF 2023, REPEALING LOCAL LAW NO. 6 OF 1995 IN ITS ENTIRETY AND ESTABLISHING A NEW CHAPTER 9, ARTICLE II, AGRICULTURAL ADVISORY COMMITTEE, DUTIES AND RESPONSIBILITIES

Supervisor Ingalsbe opened the public hearing at 7:03 p.m. The Town Clerk read the legal notice. Councilman Casale serves on the Agricultural Advisory Committee and he stated that a draft local law was reviewed and accepted by the Ag Advisory Committee at their meeting held on June 15, 2023. He added that the local law establishes memberships, terms of office, and attendances at meetings, it also defines their advising to the Town Board and other Town Boards on matters pertaining to sustaining farming and protection of the agricultural soils within this town.

Supervisor Ingalsbe asked if anyone wanted to comment on this proposed local law. Mr. Brand stated that with the addition of new members this year, they committee wanted to discuss their duties and responsibilities, and upon looking at what was in Chapter 9 of the town code and what they found was there are two articles, one was the Historic Preservation Commission and the other was Agricultural Advisory Committee, and when looking at the Ag Advisory Committee rules and regulations, it was created back in 1992, resulted in the committee asking for staff to do some research as to what other communities in New York State were doing as far as identifying the duties and responsibilities of the committees, and several copies were provided to the Ag Advisory Committee and they were discussed at meetings, and as part of that process they discovered that there were other Boards and Committees that were referenced in various chapters of the code but were never provided for in Chapter 9 which they thought was necessary. He added that those other committees went to Town Laws and General Municipal Laws and town code regulations and identified their duties and responsibilities so each of the succeeding public hearings tonight are a result of working with the Ag Advisory Committee, the Environmental Conservation Board, Recreation Advisory Board, the Planning Board, and the Zoning Board of Appeals on the need for this code amendment in Chapter 9.

Supervisor Ingalsbe asked if there were any other comments, hearing none, he closed the public hearing at 7:06 p.m.

LOCAL LAW NO. 5 OF 2023, ESTABLISHING A NEW CHAPTER 9, ARTICLE III, ENVIRONMENTAL CONSERVATION BOARD (ECB), DUTIES AND RESPONSIBILITIES

Supervisor Ingalsbe opened the public hearing at 7:07 p.m. The Town Clerk read the legal notice. Councilman Holtz stated that the draft local law was reviewed and accepted by the Conservation Board at their meeting held on June 26, 2023. He added that this local law defines requirements within state general municipal law for maintaining board status, also list activities and reports for the Board to complete each year, provides new administrative terms and definitions to be placed in Chapter 165 (Zoning Law) of the town code, it defines appointments, memberships, reviews of pending development applications and provides for an alternative member when the need arises.

Supervisor Ingalsbe asked if there were any comments or questions, hearing none, he closed the public hearing at 7:09 p.m.

LOCAL LAW NO. 6 OF 2023, ESTABLISHING A NEW CHAPTER 9, ARTICLE IV, RECREATION ADVISORY BOARD, DUTIES AND RESPONSIBILITIES

Supervisor Ingalsbe opened the public hearing at 7:10 p.m. The Town Clerk read the legal notice. Councilman Bowerman stated that the Recreation Advisory Board reviewed and accepted the draft local law at their meeting held on August 15, 2023. He added that the proposed local law identifies rules for the Board to provide information to the residents of the town and to the Town Board on issues relating to sustaining, promoting, and identifying the public parklands, facility and recreational needs of the town, provides a list of functions to be provided by the Recreation Advisory Board, establishes memberships, terms of office, and responsibilities of the chairperson, and responsibilities of the members, and the Town’s Recreation Director.

Supervisor Ingalsbe asked if there were any comments or questions, hearing none, he closed the public hearing at 7:11 p.m.

LOCAL LAW NO. 7 OF 2023, ESTABLISHING A NEW CHAPTER 9, ARTICLE V, PLANNING BOARD, DUTIES AND RESPONSIBILITIES

Supervisor Ingalsbe opened the public hearing at 7:11 p.m. The Town Clerk read the legal notice. Councilman Herendeen stated that the Planning Board reviewed and accepted the draft local law at their meeting held on September 6, 2023. He stated that the proposed local law defines the administrative power provided by NYS Town Law and the Farmington Town Code. He added that this proposed local law replaces Local Law No. 2 of 2001 and incorporates all the changes that have been made to Article 16 of the New York State Town Law, and it establishes the functions of the Planning Board and establishes memberships and provides for an alternative member when needed. He added that this proposed local law directs and maintains the rule of operating procedures.

Supervisor Ingalsbe asked if there were any questions or comments, hearing none, he closed the public hearing at 7:13 p.m.

LOCAL LAW NO. 8 OF 2023, ESTABLISHING A NEW CHAPTER 9, ARTICLE VI, ZONING BOARD OF APPEALS, DUTIES AND RESPONSIBILITIES

Supervisor Ingalsbe opened the public hearing at 7:13 p.m. The Town Clerk read the legal notice. Supervisor Ingalsbe stated that the proposed local law has been reviewed and accepted by the Zoning Board of Appeals as their meeting held on July 24, 2023. He added that it defines administrative powers provided by NYS Town Law and the Farmington Town Code, it replaces a Town Board resolution dated July 15, 1957 by adoption of a local law amending the town code. He added that the Board hears appeals and interpretations made by the towns code officials, it defines functions of the Zoning Board of Appeals to hear appeals on provisions legally enacted by the NYS legislators, defines the term of office, filing vacancies, membership requirements, and participation in meetings, and it directs maintaining the rules and operating procedures.

Supervisor Ingalsbe asked if there were any questions or comments. Mr. Brand stated that these articles provide a description of the duties and responsibilities for the members of each of the identified Boards and Committees and that these descriptions provide the residents of the town documentation of these boards and provides direction and guidance for future applicants that serve the town and the committees and boards. He added that according to the senior planner at Ontario County Planning Department, who he worked closely with on this, stated to him that no other municipality has established such duties and responsibilities and that once again Farmington leads the way.

Supervisor Ingalsbe asked if there were any questions and comments, hearing none, he closed the public hearing at 7:17 p.m.

APPROVAL OF MINUTES:

A motion was made by **Councilman Holtz** and seconded by **Councilman Casale** that the minutes of the September 12, 2023, Town Board Meeting and given to members for review, be approved. All Voting “Aye”. (Casale, Holtz, Herendeen, Bowerman, and Ingalsbe). Motion Carried.

PRIVILEGE OF THE FLOOR: None.
PUBLIC CONCERNS: None.

REPORTS OF STANDING COMMITTEES:
Public Works Committee: Councilman Herendeen reported:

- 1. MRB working on submitting a bid proposal for cleaning Digester #2.
- 2. Discussed water sampling vendor change.
- 3. New flow meters have arrived.
- 4. Manhole inspections – Cobblestone and Hathaway’s Corners.
- 5. Discussed the Collett Road Sewer repair.
- 6. Discussed smoke testing in Doe Haven.
- 7. Nettle Creek PRV vault – work is almost done.
- 8. Hydrant flushing and weed trimming is still ongoing.
- 9. Discussed paving and drainage work at the Treatment Plant.
- 10. Discussed resolutions on agenda.

Highway & Parks:

- 1. Highway- equipment maintenance, roadside mowing, working on catch basins, gutters and pipe on Clovermeadow, wedging roads in preparation for next year’s chip sealing, installed new signalized crosswalk sign on Mertensia Road at the Auburn Trail, and cleaned up vehicles that are going to auction on October 7th.
- 2. Parks- mowing, field striping and grooming, striping parking lots, mower maintenance and repair, and removed pavilion concrete pad at Town Park.
- 3. Discussed patch work on the Grange.
- 4. Generator service scheduled for October 9th and 10th.
- 5. Discussed resolution for meeting.

Town Operations Committee: Councilman Casale reported:

1. Discussed resolutions on agenda.
2. TAP Sidewalk Grant proceeding on schedule.
3. Ag Advisory meeting will be September 21st, at 6:30 p.m., at the Town Hall.
4. Discussed amending Site Design and Criteria – specifications changes.
5. Working on Chapter 9 text amendments to Town Code for Boards, Committees, and Commission's duties and responsibilities.
6. Chapter 38 Town Code updates for Records Management and Access to Public Records.

Town Finance Committee: Supervisor Ingalsbe reported: See Supervisor's comments below.**Town Public Safety Committee: Councilman Holtz reported: None.****REPORTS OF TOWN OFFICIALS:****Supervisor Peter Ingalsbe reported:**

1. Received annual fiscal monitoring system report from the Office of the State Comptroller. This is the 2022-year end fiscal reporting. In this case the lower the number the better. For years 2020,2021 and 2022 as listed the Town of Farmington received a score of zero in Fiscal stress and a zero Environmental stress scores. The best score we can get.
2. The Town Board has authorized for this year Charter Communications to design and install fiber-optics in the Farmbrook Park. This will help monitor the park as we have had some damage in the past few years. Other parks will be designed in 2024.
3. The Towns of Canandaigua, Manchester, Hopewell, and Farmington met with the City Manager and staff to discuss 2024 and future funding and for all to come to an agreement with a new Inter- Municipal Agreement (IMA) that all could agree to. The result is more funding for Capital Projects at their treatment plant. The city expects their engineers to have a cost estimate for upgrades to the plant and all customers will share in that cost. Next year the water rate will go up between 17 and 20 cents per thousand to pay for future upgrades.
4. Clean up days are October 13-14, Recreation sponsored Trunk & Treat is here at the Town Park on October 21st Noon to 2 pm.
5. The Farmington Chamber is again having a scare crow contest, cost is \$20.00. Check out the Chamber Facebook page or website.
6. Fall Newsletter is at the printers.

Highway& Parks Superintendent Tim Ford reported: Necessarily absent**Town Clerk Michelle Finley reported:**

1. Thanked Water & Sewer Superintendent for approving the purchase of a new date and time stamp.
2. Officiated two weddings.
3. Ontario County Municipal Town Clerks Association meeting this Wednesday at the Landfill. Deputy Cerniglia will be attending it.

Water & Sewer Superintendent Dave Conti reported:

1. North Road Water project is nearly completed.

Code Enforcement Officer Dan Delpriore reported:

1. Update on Electric Vehicle Charging Equipment for the parks, RG&E awarded funding (90% of the equipment) to the town to use in 2024-2025, and he will continue to look for more grant funding. There is a grant out there that might help then as well to put charging stations in all of their parks. Mr. Delpriore stated that they are looking at level 2 chargers, level 3's super charging stations are like the ones at Eastview Mall.

Supervisor Ingalsbe stated that he was able to talk with both committees today and they know it is a long shot with getting the grant, but they will certainly try to get it. He added that if they don't get the grant is it estimated that the town would need to spend \$91,000/\$92,000, they could take the money out of the video terminal money if needed. Supervisor Ingalsbe stated that there is no issue with proceeding forward with this project.

Director of Planning and Development Ron Brand reported:

1. Town Operations Report available on website and filed with the Town Clerk.
2. Received application for development of the former water park site, approximately 80 acres.
3. Local Law No. 10 – Redfield Grove incentive zoning project.
4. Will be considering next month the Farmington Markets rezoning project.

Assessor Donna LaPlant reported:

1. All but one of the small claims hearings has been held. Went well, 2 decisions (1) one right before the hearing she met with the owner and they agreed to settle by lowering it \$20,000, (2) the resident wanted an assessment of \$327,000, hearing office left it at \$426,000. Still has one more to do but has not heard when that one is.
2. Aged exemptions – laws changed, hopefully will do a presentation in November on options the town may have.
3. Receiving a lot of calls on Star Credit versus Star Exemption.

Town Engineer Bill Davis reported:

1. Update on various projects – Brickyard Road Tank process (getting close to bid), flow management plan, received new meters, found a couple small pumpstations that may have some I&I issues and will do some smoke testing in those areas, Town Park Pavilion project.

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

1. Next meeting – Fowler 3-lot subdivision.

Zoning Board of Appeals reported: None.**Recreation Advisory Board Bryan Meck reported: None.****Recreation Director Mark Cain reported: None.****Supervisor Ingalsbe reported that the Trunk and Treat will be October 21st noon-2 p.m.****Ontario County Planning Board Member reported: None.****Conservation Board Chairperson reported: None.****Town Historian Donna Herendeen reported: None.****Swap Shop Update: Councilman Holtz reported: None.****Agricultural Advisory Committee Chairman Adams: None.****COMMUNICATIONS:**

1. Town of Canandaigua Resolution No. 2023-200: Authorization for Highway Superintendent to complete a Phase 1A/1B Study for new road off of Purdy Road.
2. Farmington Intern Program Scope of Lead & Copper Service Line Inventory Project.
3. Email from the Town Supervisor to Felix Tao. Re: Request to waive late fee denial.
4. Letter to the Town Supervisor from Edward Burgess IV, Chief of Data Operations, of the NYS Comptroller. Re: State Aid Payment Advisory.
5. Letter to Regina Sousa, Senior Planner, of the Ontario County Department of Sustainability and Solid Waste Management from the Town Supervisor. Re: Request for funds to cover staging of a trailer and mattresses collected from the Fall Cleanup Day.
6. NYSEG/RG&E fact sheets on natural gas emergencies.
7. Letter to the Town Supervisor from Congresswoman Claudia Tenney. Re: Academy Committee.
8. Certificates of Liability Insurance from: Betlem Service Corporation; Christa Construction, LLC; FSI Acoustical Systems, LLC.
9. Certificates of Workers' Compensation Insurance from: FSI Acoustical Systems, LLC.
10. Cancellation of Insurance from: Serenity Pool and Spa, LLC; D Loco, Inc.

REPORTS & MINUTES:

1. NYS Agriculture and Markets Municipal Shelter Inspection Report – August 24, 2023.
2. Historic Preservation Meeting Minutes – July 13, 2023.
3. Manchester Fire Department Incident Run Log – August, 2023.
4. Farmington Senior Citizens Meeting Minutes – August 21, 2023.
5. Project Review Committee Meeting Minutes – September 7, 2023.

ORDER OF BUSINESS:**RESOLUTION 344-2023:**

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

RESOLUTION TO PURCHASE TWO (2) CATERPILLAR EXCAVATING BUCKETS FOR A CAT 310 EXCAVATOR

WHEREAS, The Water and Sewer Superintendent has identified the need to purchase two (2) Caterpillar Excavating Buckets for the Cat 310 Excavator; and

WHEREAS, The Water and Sewer Superintendent has received one (1) quote with NYS OGS PC69406 advertised discount for said excavating buckets from Milton Cat, 400-Wheeler St., Tonawanda NY at a cost of \$ 6,075.00; now therefore

BE IT RESOLVED, that the Farmington Town Board authorizes the Water and Sewer Superintendent to purchase two (2) Caterpillar Excavating Buckets at a cost not to exceed \$6,075.00 from 2023 account codes SS8130.20 and SW1-8340.20; 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 Accountant I.

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

RESOLUTION #345-2023:

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

RESOLUTION ACCEPTING AND DIRECTING THE FILING OF A TWO (2) YEAR MAINTENANCE BOND FROM A&D REAL ESTATE DEVELOPMENT CORPORATION, LLC, FOR NEWLY INSTALL TOPCOAT OF ASPHALT WITHIN SECTION 2, MONARCH MANOR INCENTIVE ZONING PROJECT, IN THE TOTAL AMOUNT OF \$3,918.00

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineers, a letter dated September 8, 2023, recommending a two (2) year Maintenance Bond, for the newly installed site improvement [topcoat of asphalt] for Monarch Drive and Brimstone Drive, both located within Section 2 of the above referenced Project, be provided in the total amount of \$3,918.00 prior to authorizing the close out of the Letter of Credit Release for Section 2; and

WHEREAS, the Town Board understands that said Maintenance Bond is to be used for making repairs or replacement of any defects that may be found, during a specified two (2) year period, in material and/or workmanship relating to the dedicated item; and

WHEREAS, the Town Board further understands that prior to the close out of a condition of approval for the remaining items in the letter of credit for this project, a two (2) year maintenance bond is required to be provided to the Town and filed with the Town Clerk.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby accept the Town Engineer's recommendation and directs the Applicant to file with the Town Clerk a two (2) year Maintenance Bond, in the total amount specified above herein, for the above referenced project improvements which has been completed as part of Section 2 of said Project.

BE IT FURTHER RESOLVED, that said Maintenance Bond is to be filed with the Town Clerk prior to the Town Board taking any further action to release funds remaining in the Letter of Credit for this Phase of said Project.

BE IT FURTHER RESOLVED, that the Town Clerk is to provide certified copies of this resolution to: Matt Heilmann, Town Construction Inspector; Tim Ford, Town Highway & Parks Superintendent; David Conti, Town Water & Sewer Superintendent, Lance S. Brabant, CPESC, Director of Planning Services, MRB Group, D.P.C.; Dan Delpriore, Town Code Enforcement Officer; Edward Hemminger, Town Planning Board Chairperson; and Ronald L. Brand, Town Director of Planning and Development.

BE IT FINALLY RESOLVED, that a certified copy of this resolution is to be issued to the Applicant, Anthony DiPrima, A&D Real Estate Development Corporation, LLC, 7 Beauclaire Lane, Fairport, New York 14450; Joseph Sortino, President, Sortino Properties, 2015 Maiden Lane, Rochester, New York 14626; and Walter Baker, Project Manager, D.S.B. Engineers & Architects, 2394 Ridgeway Avenue, Rochester, New York 14626.

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

RESOLUTION 346-2023:

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

RESOLUTION ACCEPTING AND DIRECTING THE FILING OF A TWO (2) YEAR MAINTENANCE BOND FROM A&D REAL ESTATE DEVELOPMENT CORPORATION, LLC, FOR NEWLY INSTALL TOPCOAT OF ASPHALT WITHIN SECTION 8S, AUBURN MEADOWS INCENTIVE ZONING PROJECT, IN THE TOTAL AMOUNT OF \$4,308.00

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineers, a letter dated September 8, 2023, recommending a two (2) year Maintenance Bond, for the newly installed site improvement [topcoat of asphalt] for a portion of Ackerman Drive, located within Section 8S of the above referenced Project, be provided in the total amount of \$4,308.00 prior to authorizing the close out of the Letter of Credit Release for this Section; and

WHEREAS, the Town Board understands that said Maintenance Bond is to be used for making repairs or replacement of any defects that may be found, during a specified two (2) year period, in material and/or workmanship relating to the dedicated item; and

WHEREAS, the Town Board further understands that prior to the close out of a condition of approval for the remaining items in the letter of credit for this project, a two (2) year maintenance bond is required to be provided to the Town and filed with the Town Clerk.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby accept the Town Engineer's recommendation and directs the Applicant to file with the Town Clerk a two (2) year Maintenance Bond, in the total amount specified above herein, for the above referenced project improvements which has been completed as part of Section 8S of said Project.

BE IT FURTHER RESOLVED, that said Maintenance Bond is to be filed with the Town Clerk prior to the Town Board taking any further action to release funds remaining in the Letter of Credit for this Phase of said Project.

BE IT FURTHER RESOLVED, that the Town Clerk is to provide certified copies of this resolution to: Matt Heilmann, Town Construction Inspector; Tim Ford, Town Highway & Parks Superintendent; David Conti, Town Water & Sewer Superintendent, Lance S. Brabant, CPESC, Director of Planning Services, MRB Group, D.P.C.; Dan Delpriore, Town Code Enforcement Officer; Edward Hemminger, Town Planning Board Chairperson; and Ronald L. Brand, Town Director of Planning and Development.

BE IT FINALLY RESOLVED, that a certified copy of this resolution is to be issued to the Applicant, Anthony DiPrima, A&D Real Estate Development Corporation, LLC, 7 Beauclaire Lane, Fairport, New York 14450; Frank Affronti, President, 104 Contractors, Inc., P.O. Box 205, Union Hill, New York 14563; and Walter Baker, Project Manager, D.S.B. Engineers & Architects, 2394 Ridgeway Avenue, Rochester, New York 14626.

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

RESOLUTION #347-2023:
Councilman Bowerman offered the following Resolution, seconded by **Councilman Casale**:

RESOLUTION ACCEPTING A TWO (2) YEAR MAINTENANCE BOND FROM S. B. ASHLEY MANAGEMENT CORPORATION, FOR NEWLY CONSTRUCTED SITE IMPROVEMENTS WITHIN HATHAWAY’S CORNERS INCENTIVE ZONING PROJECT, PHASE 1A (5TH PHASE OF DEDICATION), IN THE TOTAL AMOUNT OF \$38,324.85

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineers, a letter dated September 8, 2023, recommending a two (2) year Maintenance Bond, for the newly constructed improvements that have been dedicated to the Town, be provided and accepted in the total amount of \$38,324.85 prior to authorizing the next Letter of Credit Release; and

WHEREAS, the Town Board understands that said Maintenance Bond is to be used for making repairs or replacement of any defects that may be found, during a specified two (2) year period, in material and/or workmanship relating to the dedicated items; and

WHEREAS, the Town Board further understands that prior to the close out of a condition of approval for the remaining items in the letter of credit for this project, a two (2) year maintenance bond is required to be provided to the Town and filed with the Town Clerk.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby directs the Applicant to file with the Town Clerk a two (2) year Maintenance Bond, in the total amount specified above herein, for the above referenced project improvements which has been completed as part of Phase 1 A of said Project.

BE IT FURTHER RESOLVED, that said Maintenance Bond is to be filed with the Town Clerk prior to the Town Board taking any further action to release funds remaining in the Letter of Credit for this Phase of said Project.

BE IT FURTHER RESOLVED, that the Town Clerk is to provide certified copies of this resolution to: Matt Heilmann, Town Construction Inspector; Tim Ford, Town Highway & Parks Superintendent; David Conti, Town Water & Sewer Superintendent, Lance S. Brabant, CPESC, Director of Planning Services, MRB Group, D.P.C.; Dan Delpriore, Town Code Enforcement Officer; Edward Hemminger, Town Planning Board Chairperson; and Ronald L. Brand, Town Director of Planning and Development.

BE IT FINALLY RESOLVED, that a certified copy of this resolution is to be issued to the Applicant, Mark Stevens, S.B. Ashley Management Corporation, 16 West Main Street, Suite 700, Rochester, New York 14614; and Tom Danks, Project Manager, BME Associates, 10 Lift Bridge Lane East, Fairport, New York 14450.

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

RESOLUTION #348-2023:
Councilman Casale offered the following Resolution, seconded by **Councilman Bowerman**:

RESOLUTION DECLARING MISCELLANEOUS EQUIPMENT FROM THE TOWN SUPERVISOR’S OFFICE AS SURPLUS SO IT MAY BE DISPOSED OF AT AUCTION OR DISCARDED

WHEREAS, the Confidential Secretary has asked that the following items in the Town Supervisor’s Office be declared surplus so that they may be disposed of and/or discarded

- Two (2) CyberPower Battery Backup
- Two (2) APC Battery Backup
- One (1) HP Officejet Pro 8600 Plus All-in-one Printer
- One (1) Acer Monitor
- Two (2) Microsoft Keyboards
- Three (3) Lenovo Keyboards
- One (1) Jetbook Laptop
- One (1) LG Computer
- One (1) Lenovo ThinkCentre
- One (1) NexLink Computer
- One (1) MinuteMan Pro1500RT
- One (1) Martin Yale 1611 Folding Machine

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes that miscellaneous equipment from the Town Supervisor’s Office be declared surplus and disposed of and/or discarded, and be it further

RESOLVED, that the Town Clerk forward copies of this Resolution to the Accountant I.

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

RESOLUTION #349-2023:
Councilman Bowerman offered the following Resolution, seconded by **Councilman Casale**:

RESOLUTION ACCEPTING A FOUR (4) YEAR MAINTENANCE BOND FROM A&D REAL ESTATE DEVELOPMENT CORPORATION, LLC, FOR TOPCOAT OF ASPHALT INSTALLED ALONG IVORY DRIVE WITHIN SECTION 7N, AUBURN MEADOWS SUBDIVISION, IN THE TOTAL AMOUNT OF \$3,640.00

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from the Town Director of Planning & Development, a letter dated September 20, 2023, from Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineering Firm, recommending establishing a four-year Maintenance Bond in the total amount of \$3,640.00, for topcoat of

asphalt installed along Ivory Drive within Section 7N of the Auburn Meadows Subdivision, prior to closing out the Letter of Credit associated with this project; and

WHEREAS, the Town Board understands that said Maintenance Bond is to be used for making repairs or replacement of any defects that may be found during the specified four year period of the maintenance bond, in material and/or workmanship, relating to the installation of the above cited topcoat of asphalt within Section 7N of the Auburn Meadows Subdivision Project; and

WHEREAS, the site contractor, Frank Affronti, 104 Contractors, has agreed-to the specified four-year period for this maintenance bond; and

WHEREAS, the Town Construction Inspector has verified the recommended amount of the maintenance bond and the four-year period for the bond as being correct.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby accept the above referenced recommendation to establish a four-year maintenance bond for the identified site improvements and directs the applicant to file a maintenance bond, in the amount specified herein, with the Town Clerk’s Office prior to the Town Board taking action to approve a request for the final release of funds from the Letter of Credit on file for this project.

BE IT FURTHER RESOLVED, that the Town Clerk is to provide certified copies of this resolution to: Matt Heilmann, Town Construction Inspector; Tim Ford, Town Highway & Parks Superintendent; David Conti, Town Water & Sewer Superintendent; Lance S. Brabant, CPESC, Director of Planning Services, MRB Group, D.P.C.; Dan Delpriore, Town Code Enforcement Officer; Edward Hemminger, Town Planning Board Chairperson; and Ronald L. Brand, Town Director of Planning and Development.

BE IT FINALLY RESOLVED, that a certified copy of this resolution is to be issued to: Mr. Anthony DiPrima, A&D Real Estate Development Corporation, LLC, 7 Beauclaire Lane, Fairport, New York 14450; Mr. Frank Affronti, President, 104 Contractors, Inc., P.O. Box 205, Union Hill, New York 14563; and Mr. Walter Baker, Project Manager, D.S.B. Engineers & Architects, 2394 Ridgeway Avenue, Rochester, New York 14626.

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

RESOLUTION #350-2023:
Councilman Casale offered the following Resolution, seconded by **Councilman Herendeen**:

RESOLUTION ACCEPTING A FOUR (4) YEAR MAINTENANCE BOND FROM A&D REAL ESTATE DEVELOPMENT CORPORATION, LLC, FOR TOPCOAT OF ASPHALT INSTALLED ALONG IVORY DRIVE WITHIN SECTION 8N, AUBURN MEADOWS SUBDIVISION, IN THE TOTAL AMOUNT OF \$3,920.00

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from the Town Director of Planning & Development, a letter dated September 20, 2023, from Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineering Firm, recommending establishing a four-year Maintenance Bond in the total amount of \$3,920.00, for topcoat of asphalt installed along Ivory Drive within Section 8N of the Auburn Meadows Subdivision, prior to closing out the Letter of Credit associated with this project; and

WHEREAS, the Town Board understands that said Maintenance Bond is to be used for making repairs or replacement of any defects that may be found during the specified four year period of the maintenance bond, in material and/or workmanship, relating to the installation of the above cited topcoat of asphalt within Section 8N of the Auburn Meadows Subdivision Project; and

WHEREAS, the Town Construction Inspector has verified the recommended amount of the maintenance bond is correct.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby accept the above referenced recommendation to establish a four-year maintenance bond for the identified site improvements and directs the applicant to file a maintenance bond, in the amount specified herein, with the Town Clerk’s Office prior to the Town Board taking action to approve a request for the final release of funds from the Letter of Credit on file for this project.

BE IT FURTHER RESOLVED, that the Town Clerk is to provide certified copies of this resolution to: Matt Heilmann, Town Construction Inspector; Tim Ford, Town Highway & Parks Superintendent; David Conti, Town Water & Sewer Superintendent; Lance S. Brabant, CPESC, Director of Planning Services, MRB Group, D.P.C.; Dan Delpriore, Town Code Enforcement Officer; Edward Hemminger, Town Planning Board Chairperson; and Ronald L. Brand, Town Director of Planning and Development.

BE IT FINALLY RESOLVED, that a certified copy of this resolution is to be issued to: Mr. Anthony DiPrima, A&D Real Estate Development Corporation, LLC, 7 Beauclaire Lane, Fairport, New York 14450; Mr. Frank Affronti, President, 104 Contractors, Inc., P.O. Box 205, Union Hill, New York 14563; and Mr. Walter Baker, Project Manager, D.S.B. Engineers & Architects, 2394 Ridgeway Avenue, Rochester, New York 14626.

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

RESOLUTION #351-2023:
Councilman Bowerman 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 fund for contractual expenses

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

From: SS599 Appropriated Fund Balance	\$65,000	
To: SS8130.42 Chemicals		\$60,000
To: SS8130.47 UV Contractual		\$5,000

BE IT RESOLVED, that the Accountant I completes the budget amendments,

FURTHER RESOLVED, that the Town Clerk submits a copy of the resolution to the Accountant I and the Water and Sewer Department.

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

RESOLUTION #352-2023:
Councilman Bowerman offered the following Resolution, seconded by Councilman Casale:

RESOLUTION AUTHORIZING BUDGET AMENDMENTS FOR THE GENERAL FUND

WHEREAS, a budget amendment is needed in the Highway Administration Personnel Line for the Construction Inspector hours as well as planning board contractual expense lines,

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

Credit: A2401V22 Interest & Earnings	\$27,000	
Debit: A1910.4 Unallocated Insurance		\$2,500
Debit: A3640.41 Mowing		\$3,000
Debit: A5010.4 Highway Administration		\$1,500
Debit: A1420.4		\$20,000

BE IT FURTHER RESOLVED, that copies of this resolution be submitted by the Town Clerk to the Accountant I.

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

RESOLUTION #353-2023:
Councilman Bowerman offered the following Resolution, seconded by Councilman Casale:

RESOLUTION APPROVING A BUDGET TRANSFER WITHIN THE HIGHWAY FUND

WHEREAS, additional funding is needed within the Highway Fund contractual lines,

NOW, THEREFORE BE IT RESOLVED, that the Town Board approves the following budget amendments within the Highway Fund

From: DA599 Appropriated Fund Balance	\$41,000	
To: DA5110.41 Engineering		\$30,000
To: DA5110.2		\$11,000

BE IT FURTHER RESOLVED, that the Town Clerk forwards a copy of the resolution to the Accountant I.

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

RESOLUTION #354-2023:
Councilman Bowerman offered the following Resolution, seconded by Councilman Holtz:

ADOPTION OF LOCAL LAW NO. 3 OF 2023, ESTABLISHING A NEW CHAPTER 38 OF THE TOWN CODE OF THE TOWN OF FARMINGTON, ENTITLED “RECORDS MANAGEMENT AND PUBLIC RECORDS ACCESS.”

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has completed its review of the public hearing record and has previously classified the above referenced action as a Type II Action [under 6NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA) Regulations]; and

WHEREAS, Type II Actions are not subject to further review under SEQRA.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby adopt Local Law No. 3 of 2023, dated September 12, 2023, which is hereby made as an attachment to this resolution.

BE IT FURTHER RESOLVED, that the Town Clerk is to file certified copies of this resolution and the attached final draft of Local Law No. 3 of 2023, dated September 12, 2023, with the: New York State Department of State, Division of Corporations, State Records and Uniform Commercial Code, in Albany, New York.

FINALLY BE IT RESOLVED, that the Town Clerk, upon receiving the filing notice from the Department of State, is directed to provide a certified copy of said local law to General Code Publishers requesting this new chapter be published and copies thereof be provided to the Town for inserting in their copies of the Town’s Code Book.

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

RESOLUTION #355-2023:
Councilman Casale offered the following Resolution, seconded by Councilman Herendeen:

ADOPTION OF LOCAL LAW NO. 4 OF 2023, REPEALING LOCAL LAW NO. 6 OF 1995 IN ITS ENTIRETY AND ESTABLISHING A NEW CHAPTER 9, ARTICLE II, ENTITLED “AGRICULTURAL ADVISORY COMMITTEE, DUTIES AND RESPONSIBILITIES.”

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has completed its review of the public hearing record and has previously classified the above referenced action as a Type II Action [under 6NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA) Regulations]; and

WHEREAS, Type II Actions are not subject to further review under SEQRA.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby adopt Local Law No. 4 of 2023, dated September 12, 2023, which is hereby made as an attachment to this resolution.

BE IT FURTHER RESOLVED, that the Town Clerk is to file certified copies of this resolution and the attached final draft of Local Law No. 4 of 2023, dated September 12, 2023, with the: New York State Department of State, Division of Corporations, State Records and Uniform Commercial Code, in Albany, New York.

FINALLY BE IT RESOLVED, that the Town Clerk, upon receiving the filing notice from the Department of State, is directed to provide a certified copy of said local law to General Code Publishers requesting this new chapter be published and copies thereof be provided to the Town for inserting in their copies of the Town's Code Book.

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

RESOLUTION #356-2023:

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

ADOPTION OF LOCAL LAW NO. 5 OF 2023, A LOCAL LAW AMENDING CHAPTER 9 OF THE TOWN CODE OF THE TOWN OF FARMINGTON, ONTARIO COUNTY, NEW YORK, ENTITLED "BOARDS, COMMITTEES AND COMMISSIONS," BY ADDING ARTICLE III, "ENVIRONMENTAL CONSERVATION BOARD (ECB)"; AMENDING CHAPTER 165 OF THE TOWN CODE, ARTICLE II, TERMINOLOGY, SECTION 9, ENTITLED "ADMINISTRATIVE TERMS," AND SECTION 10, ENTITLED "DEFINITIONS;" AND AMENDING CHAPTER 165 OF THE TOWN CODE, ARTICLE VIII, ENTITLED "ADMINISTRATION AND ENFORCEMENT," SECTION 96, ENTITLED "APPOINTMENT OF ENVIRONMENTAL CONSERVATION BOARD; POWERS AND DUTIES."

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has completed its review of the public hearing record and has previously classified the above referenced action as a Type II Action [under 6NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA) Regulations]; and

WHEREAS, Type II Actions are not subject to further review under SEQRA.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby adopt Local Law No. 5 of 2023, dated September 12, 2023, which is hereby made as an attachment to this resolution.

BE IT FURTHER RESOLVED, that the Town Clerk is to file certified copies of this resolution and the attached final draft of Local Law No. 5 of 2023, dated September 12, 2023, with the: New York State Department of State, Division of Corporations, State Records and Uniform Commercial Code, in Albany, New York.

FINALLY BE IT RESOLVED, that the Town Clerk, upon receiving the filing notice from the Department of State, is directed to provide a certified copy of said local law to General Code Publishers requesting this new chapter be published and copies thereof be provided to the Town for inserting in their copies of the Town's Code Book.

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

RESOLUTION #357-2023:

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

ADOPTION OF LOCAL LAW NO. 6 OF 2023, A LOCAL LAW AMENDING CHAPTER 9 OF THE TOWN CODE OF THE TOWN OF FARMINGTON, ONTARIO COUNTY, NEW YORK, ENTITLED "BOARDS, COMMITTEES AND COMMISSIONS," BY ADDING ARTICLE IV, "RECREATION ADVISORY BOARD (RAB)"

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has completed its review of the public hearing record and has previously classified the above referenced action as a Type II Action [under 6NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA) Regulations]; and

WHEREAS, Type II Actions are not subject to further review under SEQRA.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby adopt Local Law No. 6 of 2023, dated September 12, 2023, which is hereby made as an attachment to this resolution.

BE IT FURTHER RESOLVED, that the Town Clerk is to file certified copies of this resolution and the attached final draft of Local Law No. 6 of 2023, dated September 12, 2023, with the: New York State Department of State, Division of Corporations, State Records and Uniform Commercial Code, in Albany, New York.

FINALLY BE IT RESOLVED, that the Town Clerk, upon receiving the filing notice from the Department of State, is directed to provide a certified copy of said local law to General Code Publishers requesting this new chapter be published and copies thereof be provided to the Town for inserting in their copies of the Town's Code Book.

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

RESOLUTION #358-2023:

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

ADOPTION OF LOCAL LAW NO. 7 OF 2023, A LOCAL LAW AMENDING CHAPTER 9 OF THE TOWN CODE OF THE TOWN OF FARMINGTON, ONTARIO COUNTY, NEW YORK, ENTITLED "BOARDS, COMMITTEES AND COMMISSIONS," BY ADDING ARTICLE V, "PLANNING BOARD (PB) DUTIES AND RESPONSIBILITIES."

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has completed its review of the public hearing record and has previously classified the above referenced action as a Type II Action [under 6NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA) Regulations]; and

WHEREAS, Type II Actions are not subject to further review under SEQRA.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby adopt Local Law No. 7 of 2023, dated September 12, 2023, which is hereby made as an attachment to this resolution.

BE IT FURTHER RESOLVED, that the Town Clerk is to file certified copies of this resolution and the attached final draft of Local Law No. 7 of 2023, dated September 12, 2023, with the: New York State Department of State, Division of Corporations, State Records and Uniform Commercial Code, in Albany, New York.

FINALLY BE IT RESOLVED, that the Town Clerk, upon receiving the filing notice from the Department of State, is directed to provide a certified copy of said local law to General Code Publishers requesting this new chapter be published and copies thereof be provided to the Town for inserting in their copies of the Town's Code Book.

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

RESOLUTION #359-2023:

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

ADOPTION OF LOCAL LAW NO. 8 OF 2023, A LOCAL LAW AMENDING CHAPTER 9 OF THE TOWN CODE OF THE TOWN OF FARMINGTON, ONTARIO COUNTY, NEW YORK, ENTITLED "BOARDS, COMMITTEES AND COMMISSIONS," BY ADDING ARTICLE VI, "ZONING BOARD OF APPEALS (ZBA) DUTIES AND RESPONSIBILITIES;" AND AMENDING CHAPTER 165 OF THE TOWN CODE OF THE TOWN OF FARMINGTON, ONTARIO COUNTY, NEW YORK, ENTITLED "ZONING," ARTICLE II, SECTION 9, WORD USAGE; ADMINISTRATIVE TERMS AND SECTION 10, DEFINITIONS

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has completed its review of the public hearing record and has previously classified the above referenced action as a Type II Action [under 6NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA) Regulations]; and

WHEREAS, Type II Actions are not subject to further review under SEQRA.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby adopt Local Law No. 8 of 2023, dated September 12, 2023, which is hereby made as an attachment to this resolution.

BE IT FURTHER RESOLVED, that the Town Clerk is to file certified copies of this resolution and the attached final draft of Local Law No. 8 of 2023, dated September 12, 2023, with the: New York State Department of State, Division of Corporations, State Records and Uniform Commercial Code, in Albany, New York.

FINALLY BE IT RESOLVED, that the Town Clerk, upon receiving the filing notice from the Department of State, is directed to provide a certified copy of said local law to General Code Publishers requesting this new chapter be published and copies thereof be provided to the Town for inserting in their copies of the Town's Code Book.

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

RESOLUTION #360-2023:

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

RESOLUTION AUTHORIZING ACCEPTANCE OF A UTILITY EASEMENT FOR PROPERTY LOCATED AT 1120 HOOK ROAD.

WHEREAS, the Town of Farmington, by its officers or representatives, has engaged in discussions with Curly-Q-link, LLC ("Owner") regarding the Town's obtaining a Utility Easement over portions of its property located at 1120 Hook Road, as shown on a map prepared by MRB Group dated August 2023; and

WHEREAS, Town of Farmington officials have recommended to the Town Board that said Owner grant to the Town the easement over said land of said Owner; and

WHEREAS, said easement has 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 easement on behalf of said Town; and

WHEREAS, the Town Board of the Town of Farmington has examined said instrument and finds the consideration described in said easement to be fair and reasonable.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Farmington does hereby accept the Easement attached hereto as Exhibit 1 from Owner in accordance with the terms and conditions contained in said instrument and directs that the same be recorded in the Office of the Clerk of the County of Ontario by Town Attorney, the fees for said recording to be borne by the Town, 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.

MAY IT BE FURTHER RESOLVED, that copies of this resolution be submitted by the Town Clerk to the Jeff Graff 26 East Main Street Clifton Springs for filing with the County Clerk's Office, Code Officer Dan Delpriore, Confidential Secretary, Lance Brabant with MRB.

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

RESOLUTION #361-2023:

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

RESOLUTION ACCEPTING A DRAFT LOCAL LAW NO. 10 OF 2023, FOR AMENDING LOCAL LAW NO. 5 OF 2015, INVOLVING THE REDESIGN OF THE REMAINING LANDS LOCATED WITHIN PORTIONS OF PHASE 3 OF THE REDFIELD GROVE INCENTIVE REZONING PROJECT AND FURTHER INVOLVING LANDS FRONTING ALONG THE NORTH SIDE OF STATE ROUTE 96 AND THE EAST SIDE OF COMMERCIAL DRIVE; CLASSIFYING THE ACTION UNDER THE PROVISIONS OF 6 NYCRR PARTS 617. 4 AND . 5 OF ARTICLE 8 OF THE STATE ENVIRONMENTAL CONSERVATION LAW (ECL), AS A TYPE II ACTION; DIRECTING THE SUBMISSION OF SAID ACTION ALONG WITH ATTACHMENTS THERETO TO THE ONTARIO COUNTY PLANNING BOARD FOR REVIEW AT ITS OCTOBER 11, 2023, MEETING; SCHEDULING A PUBLIC HEARING UPON SAID LOCAL LAW TO BE CONDUCTED ON TUESDAY, OCTOBER 24, 2023; AND DIRECTING THE PUBLISHING AND POSTING OF A LEGAL NOTICE FOR SAID ACTION

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) tonight received from the Town Director of Planning and Development a draft local law (hereinafter referred to as Action) to be known as Local Law No. 10 of 2023, amending Local Law No. 5 of 2015, affecting the redesign of the remaining portions of land located within Phase 3 of the Overall Site Plan for the Redfield Grove Incentive Zoning Project; and

WHEREAS, said draft local law has been prepared in response to the request contained in Town Board Resolution #324 of 2023, dated September 12, 2023; and

WHEREAS, the Town Board has reviewed the criteria for classifying Actions under the provisions of 6NYCRR, Part 617.5 of article 8 of the State Environmental Conservation Law (ECL); and

WHEREAS, said draft Local Law is based in part upon the Report and Recommendations received by the Town Board from the Town Planning Board, dated September 6, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby accepts the draft Local Law No. 10 of 2023, dated September 26, 2023.

BE IT FURTHER RESOLVED, that the Town Board does hereby classify the proposed Action as being a Type II Action, under the provisions of NYCRR Part 617.5 (26), (33) of the State ECL.

BE IT FURTHER RESOLVED, that the Town Board in making this classification determines Type II Action are not subject to review under Part 617.5 as they have been determined not to have a significant impact upon the environment or are otherwise precluded from environmental review under the ECL.

BE IT FURTHER RESOLVED, that said draft local law and the attachments thereto are to be referred to the Ontario County Planning Board for its review at their October 11, 2023, meeting.

BE IT FURTHER RESOLVED, that the Town Board does hereby schedule a public hearing to be held upon said draft local law commencing at 7:00 p.m., on Tuesday October 24, 2023, in the Farmington Town Hall, 1000 County Road 8, Farmington, New York 14425 to receive public comments upon the proposed Local Law and its adoption.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to publish a legal notice in the Town's Official Newspaper and to post a copy of said Local Law on the Town's Official Website in accordance with adopted procedures.

BE IT FINALLY RESOLVED, that a copy of said Local Law, including all attachments thereto, shall be made available to the public for review at the Town Clerk's Office during normal business hours, Monday through Friday, commencing on Wednesday, September 27, 2023.

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

RESOLUTION #362-2023:

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN AN AGREEMENT TO HIRE KENNEDY MECHANICAL CONTRACTORS TO PROVIDE FIRE INSPECTION SERVICES FOR FIVE (5) YEARS AT THE TOWN COURT AND HIGHWAY BUILDINGS

WHEREAS, New York state is now requiring annual testing of forward flow testing, and

WHEREAS, the quotes were requested from Kennedy (\$3,200) per yearly inspection, Landry is unable at this time due to no certified technicians, and Davis-Ulmer was unable to provide us with a quote, and

WHEREAS, Kennedy Mechanical Contractors will be able to provide the following types of inspections: Wet, Dry, Full FWD Flow and Backflow Testing (which they are currently providing for Farmington's Court and Highway Buildings, and

WHEREAS, the annual cost for Farmington's Town Court should be expensed to Buildings Contractual (A-1620.4), and

WHEREAS, the annual cost for Farmington's Highway Building should be expensed to Highway Garage Contractual (A-5132.4), and

WHEREAS, the Company (Kennedy Mechanical Contractors) requests in advance the sum of \$3,200, now therefore

BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to sign an agreement with Kennedy Mechanical Contractors at a cost not to exceed \$3,200 per fiscal year – for the duration for a five (5) year contract, and

BE IT FURTHER RESOLVED, that the Town Clerk forward the originals of this Resolution to the Highway/Parks Department and the Accountant I.

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

RESOLUTION #363-2023:
Councilman Casale offered the following Resolution, seconded by Councilman Herendeen:

Abstract 18 – 2023
TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS

ABSTRACT NUMBER		18	
DATE OF BOARD MEETING		9/26/2023	
FUND CODE	FUND NAME	TOTAL FOR EACH FUND	VOUCHER NUMBERS
A	GENERAL FUND	100,588.98	1802-1805,1808-1819,1921-1833, 1835,1837-1845,1848,1857,1558, 1864
DA	HIGHWAY FUND	39,697.37	1802,1808,1816,1821,1823,1826, 1831,1846-1847,1849-1857,1859- 1862
HK	SIDEWALK CAP PROJECT	0	
HG	CTY RD 8 WATERLINE	20,875.00	1821
HN	NORTH ROAD CAP PROJECT	256,155.44	1821,1834
HB	BEAVER CREEK PARK		
HP	TOWN PARK IMPROVEMENTS	304.00	1821
HW	WATER TANK REPAIR	8,965.00	1821
SD	STORM DRAINAGE	3,909.79	1806,1808,1821,1826,1863
SF	FIRE PROTECTION DISTRICT		
SL1	LIGHTING DISTRICT	1,613.56	1804,1827,1870
SS	SEWER DISTRICT	87,131.41	1763,1764-1791,1794,1799,1802, 1806,1808,1815,1816,1820,1821, 1823,1826,1831,1865-1867
SW1	WATER DISTRICT	30,062.67	1764,1766,1773,1774,1776,1778, 1780,1782,1784,1788-1790,1792, 1793,1795-1802,1806,1808,1815, 1816,1820,1821,1823,1826,1831, 1868,1869
TA200	PAYROLL DEDUCTIONS	8,672.94	1788,1789,1802,1807,1808,1826, 1845
	TOTAL ABSTRACT \$	557,976.16	

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

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

DISCUSSION: **None.**

WAIVER OF THE RULE: **None.**

EXECUTIVE SESSION: **None.**

With no further business before the Board, **Councilman Casale** offered a motion to adjourn the meeting at 7:46 p.m., seconded by **Councilman Bowerman**. Motion **CARRIED**.

Michelle A. Finley, MMC, RMC -Town Clerk