

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 14<sup>th</sup> day of February, 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: **Tim Ford** – Highway and Parks Superintendent, **Dave Conti** – Water & Sewer Superintendent, **Dan Delproire** – Code Enforcement Officer, **Ron Brand** – Director of Planning and Development, and **Bill Davis** – MRB Group, **Ed Hemminger** – Planning Board Chairman, **Adrian Bellis** – Planning Board Member, **Larry and Jenny Potter** – residents, **Ryan Destro** – BME Associates, **Rob Brenner and Brian Mahoney** – Canandaigua Development Company LLC, and **Chris Day** from Ontario County.

Also present by telephone/video conferencing were: **John Piper** – HR Consultant, **Michael Phillips** – resident, **Tonya Ettinger** – resident, **Dave Shields** – resident

### **PUBLIC HEARINGS: POWER’S INCENTIVE ZONING**

Mr. Destro from BME Associates spoke on behalf of the applicants (Rob Brenner and Brian Mahoney from Canandaigua Development Company LLC). He thanked the Town Board and staff for all the coordination efforts to get to where they are tonight. He added that per the input they received from the Town Board and staff members at the January 10, 2023, Town Board Meeting, they removed the internal open space and conservation easement lines from the incentive zoning concept plan, and they also expanded the individual parcel rear lot lines where applicable. He stated that the minimal lot size remains the same (11,900 sq. ft.) as originally proposed for this property however, that alone represents a minimum increase in lot area of 19% over the approved minimum lot size in Hickory Rise of 10,000 sq. ft. as well as the R1-10 zoning along Hook Road to the west and Fairdale Glen is zoned R7-2 which allows even smaller lot sizes. He stated that by removing the open space and conservation easement area lines, the average lot size on this 216-lot subdivision is 16,500 sq. ft. He stated that concept plan reconfirms that it is consistent with the Farmington Comprehensive Plans recommendations for the property. Mr. Destro stated that as previously mentioned, Chapter 4-Future Land Use Plan, of the Comprehensive Plan, states “for example, the land located to the east of Fairdale Subdivision Tract is zoned LI (limited industrial), the town may want to consider rezoning the area east of Fairdale to a residential use which would be more consistent with the existing land use pattern”. As noted, the average lot size for the proposed 216 lot subdivision for lot layout and density greatly exceed the lot standards of the nearby residential properties to the west. Mr. Destro recapped and noted some noteworthy dates during the incentive rezoning application include the following: on August 12, 2022, the Town Supervisor issued a letter on behalf of the Town Board stating that the Town Board accepts the amenities package which is based on the current 216 lot residential incentive zoning concept plan, on November 2, 2022, Planning Board report and recommendations included a statement recommending that the Town Board to consider moving forward with the formal rezoning process, then on December 14, 2022, the County Planning Board recommended the of the Power Property Incentive Rezoning Application and finally on February 1, 2023, the Planning Board adopted a supplemental report and recommendations for this project in favor of moving forward with the formal rezoning process.

Mr. Destro stated that they are aware of existing offsite drainage concerns east of the project as noted by the adjacent property owners at the previous meeting. He added that with any new development this project will be designed to meet the NYS DEC Stormwater Management Design Guidelines for water quality and water quantity and this will be used to reduce the post construction runoff to a rate less than predevelopment runoff for the property. Supervisor Ingalsbe stated that in comparison, Hickory Rise and Hathaway’s Corners, and some of the newer projects, where the detention ponds were put in place, they see them work, they hold up the water flow in heavy rain and release it at a slower rate than what they would normally (prior state before construction). Supervisor Ingalsbe stated that staff from the Highway Department and the Building Department inspects all the watershed facilities in the town. Mr. Delpriore stated that they are broken up into quadrants and every pond is looked at every 4 years unless it is in one of the higher demand areas then they increase the inspections of it. Mr. Brand stated that the public hearing was continued to this meeting because there was new information submitted by the applicant which included concepts for the limited industrial portion along the north side of Rt. 96 and it was also reviewed by the Planning Board on the concept level and their report and recommendations bring to closure the one open issue which was originally identified when they initially reviewed it that they had not shown any conceptual design for that area, now they have and the Planning Board has reviewed it, and they are ready to move forward on it. He asked Chris Day from Ontario County Department of Public Works to add what they had found as far as the drainage concerns that some of the neighbors had. Supervisor Ingalsbe stated that at the last meeting, they had a discussion about the east side of County Road 8 and he reached out to the Ontario County Highway Department and after some conversations back and forth, the County did go and look at the property so he asked Chris Day to come to the meeting tonight, he is part of the team that is going to rebuild County Road 8, 23, and 24 so they have had a chance to look at the drainage over there and it is not going to fix everything but there will be some improvements. Mr. Day, Ontario County Department of Public Works, stated that they were there in November to give a public information meeting on a culvert that they are doing on County Road 8 between Rt. 96 and the County Line and at that time some of the constituents brought to their attention some of the drainage issues located along the eastside of County Road 8 and they were interested to know of the culvert was plugged so they went out there to check it out and found a pretty interesting situation with the drainage. He added that they have a culvert (#21) being replaced and they are going to have a 13x7 box culvert there near Black Creek (referred to a map showing the direction of flow) and stated that once it gets to a certain point there is a 16-inch steel pipe there and that is not going to work. He was confused at how that situation came to and thought that at some time perhaps that the railroad shoved the pipe into the culvert over and backfilled it to mitigate not putting in a culvert but to their surprise they went and pulled their evaluation maps from when the railroad was built in 1917 and that is how it was built, they actually put the pipe in there and allowed the creek to come along the other side and then there was a split the flow and had the water converse on the ditch where is re-enters back into Black Creek. He stated that it is a complicated drainage situation out there. He added that there are two water sheds, Black Creek which flows kind of north then heads to the east and then there is another drainage area that flows to the west so what was happening is that Black Creek was having a very high flow event and for years and years it must have just worked, went through the pipe down into the ditch and the water didn’t backfill but at some point, they think around 2009, the Empire Pipeline came through that area and what they did was actually blew through the berm that was there out then so now when Black Creek comes up it allows water to go back east into the

other drainage area and down along the ditch along the railroad bed and then go under their culvert pipe and goes towards the west and eventually goes underneath the railroad and heads over to Collett Road. Mr. Day stated that the plan is to meet with the railroad tomorrow morning and try to have them re-establish (clean) the ditch and the berm and keep that drainage moving to the east instead of having it go back to the west. Mr. Day reviewed and explained some pictures that were taken. Mr. Day stated that the only thing he asks the town in their review of the subdivision is to have the applicates retain the integrity of the watersheds, there are two watersheds, one to the south and one to the north, they would like to see that the flow be the same in each direction like they are in pre-development. Supervisor Ingalsbe stated that there is natural high spot on the property now which water goes north and south.

Mr. Destro stated that with any development you try to honor the existing grids as much as possible and part of the design will be to honor the high point and maintain the existing drainage patterns. Mr. Destro stated that part of the design once they get into overall preliminary and final design phases, part of it will be honoring the existing high points as much as practicable and centrally located on the property north of the high point, that area drains to the north/north eastern corner of the property (pointed at a map), and south of it drains to the south/south eastern corner of the property, and part of their design will be to utilize the high point and split the storm sewers to take the drainage that was going to the north under the existing conditions to maintain that pattern as well as the drainage areas that go to the south under existing conditions to maintain that pattern as well. Mr. Destro stated that the map currently shows on the southeastern corner of the property just below the residential portion 1 to 2 retention ponds, and in the northeast corner they have the potential for 1-3 ponds. Mr. Potter referred to the ponds that are showing on the map on the north east corner and asked if any there was any way the overflow can be directed over to the railroad, try to curve it around so it is not coming back to the east. Mr. Destro replied that they can look into that. Councilman Bowerman stated that what it looks like from what the County shared that the water that is jumping along the railroad tracks is coming up and eventually flowing into the northern part of the project, and his concern is if engineering sets a standard where this is how much is coming off the existing property but there is more water than there should be coming from the overflow of the creek, what is going to get done first, the berm, the correcting of flow issues that happen when the creek splits, then they are they are going to have stormwater to the north that might not be adequate and then will be a hold up to get that done. He added that the retention ponds have to be built to a certain level and possibly might have to over engineer these ponds, so they hold a little bit more than is required. Mr. Destro stated that he will look into it as part of their overall preliminary design. Supervisor Ingalsbe asked if the northern portion will be completed last, Mr. Destro replied correct. Mr. Day stated that a portion to the east of County Road 8 will still drain to the west, that is supposed to drain in that direction. Mr. Phillips stated that there are three landowners that border this property that might possibly be rezoned (1104, 1110, and 1118 County Road 8) and in reviewing the most recent plan layout there will be around nine housing units across his property line, which is around 600 feet long or so, and the other two landowners will have similar housing counts on their borders, and there are approximately 1600 lineal ft. of property line for all three landowners that immediately border the property. He added that there will be approximately 20 housing units that border their wooded property. He stated that the reason he is stating these numbers is that he foresees a number of issues in the future with these possible housing units such as family gathering firewood for a campfire or kids building forts and playing in the woods, or individuals coming over to see the horse farm to see the donkey and other animals or use their woods for additional storage space. He added that he recalls past meetings where there have been calls to the town in the past for issues with people crossing property lines and the town wants to avoid those calls. Mr. Phillips asked what in assurance the three landowners will have from the town that there will not be individuals coming onto their wooded property if this project goes through. He added that they will have to deal with possible issues for decades to come. He added that in other areas around he has seen privacy barriers created either by the town or the state, or by the developer when having housing next to a road, for instance, the wall between the apartments as you get off the thruway. He asked will it be the landowner's responsibility to build these privacy barriers at their own expense or if it's a possibility to have the developer put up the barriers. Supervisor Ingalsbe asked Mr. Destro how many times he has seen a developer pay for the expense of walls, Mr. Destro replied none and typically in most municipalities there are no buffering requirements between residential-to-residential properties. Supervisor Ingalsbe stated that Auburn Meadows has 400+ homes and he can think of only two properties that they had issues with. Mr. Delpriore stated that Mr. Destro summed it up pretty well and residential to residential there is no buffering requirement and the one that Mr. Phillips is mentioning is between a residential and a highway, which is the thruway entrance and that is why that wall was built. He added that the town has had encroachment issues on town property that they had to deal with. Mr. Delpriore stated that Mr. Phillips can come and get a permit for a fence but that would be at his own expense. Mr. Phillips stated that in the future this project will create work and expense for him going forward and he can guarantee there will be border issues that he will have to deal with in the future. Supervisor Ingalsbe stated to Mr. Phillips that his neighbor Mr. Potter could encroach on his property too so is he going to build a fence there too. Mr. Phillips replied that he has two bordering neighbors which have their own double digit acreage that they can use but when the developer creates nine homes bordering his property line, these families with limited space to use and the woods are a perfect example to use, so that is the difference that he sees and if he had a choice between the housing units or businesses, he would choose businesses. Councilman Bowerman stated that placing no trespassing signs along the property would be a start and if someone encroached onto his property Mr. Phillips could take legal action. Mrs. Potter asked how close are the homes to the property lines. Mr. Destro replied that the lots are 170 feet deep, 300-400 feet between the existing homes and the property lines and then the additional rear yard area of the new lot as well which 80 feet. Supervisor Ingalsbe stated that developers don't like building houses deep on the lot because it cost more expensive for the driveway and water lines. Mr. Destro stated that the front setback is 35 feet. Supervisor Ingalsbe stated that those yards will have large backyards due to the front setbacks, sheds would be 5 feet from the property line. Mr. Phillip thanked the board for their advice.

Supervisor Ingalsbe closed the public hearing at 7:34 p.m.

Supervisor Ingalsbe stated that this project will go through the Planning Board process which will be multiple stages as they build the project. He added that the board will not be approving the project tonight.

#### **APPROVAL OF MINUTES:**

A motion was made by **Councilman Casale** and seconded by **Councilman Bowerman**, that the minutes of the January 24, 2023, Town Board Meeting and given to members for review, be approved. All Voting "Aye". ( Herendeen, Casale, Holtz, Bowerman, and Ingalsbe). Motion Carried.

#### **PRIVILEGE OF THE FLOOR: None.**

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

**REPORTS OF STANDING COMMITTEES:****Public Works Committee: Councilman Holtz reported:**

1. Discussed Low Lift Pump VFD cooling fans need to be replaced.
2. Discussed Digester #1 -has been filled and no leaks detected.
3. Generator has been tested under load and is not set to do so every Tuesday.
4. Discussed removal of the excavation spoils at the WWTP that began last week.
5. Discussed watermain replacement at the intersection of Rt. 332 and Rt. 96.
6. Discussed flow meters being installed in three manholes.
7. Discussed PS #7 project.
8. Annual Water supply parts inventory is completed.
9. Maintenance personnel have been raising manhole covers is Victor and Farmington.
10. Discussed resolutions on agenda.

**Highway & Parks:**

1. Highway- equipment maintenance, worked on log jam on Mud Creek, cutting trees, installing drainage pipe for Mertensia Park playground, grinding tree and brush pile, filling in potholes around town, and salting of roads.
2. Parks- Building and Park Maintenance, repairing picnic tables and benches, finishing up with maintenance on mowers, and knocked down and removed pavilion at the Town Park.
3. Discussed tennis and basketball courts rehab for Mertensia Park.
4. Discussed resolutions for meeting.

**Town Operations Committee: Councilman Bowerman reported:**

1. Discussed various projects –Sidewalk Easements for TAP grant, sidewalk/trail connection project, working on scope for conducting an inter-municipal drainage are study, and the Ag Advisory Committee meeting at 6:30 p.m. at the town hall, short-term rentals, Rt. 96 and Mercier Blvd signalization, “no standing signs”, and Adopt-a-highway signs.

**Town Finance Committee: Supervisor Ingalsbe reported: None.****Town Public Safety Committee: Councilman Holtz reported: None.****REPORTS OF TOWN OFFICIALS:****Supervisor Peter Ingalsbe reported:**

1. Ontario County: Jail population 79 total with 18 females as of February 4<sup>th</sup>.
2. Last week I attended three County committee meetings, Government Operations, Public Works and Ways & Means. Yesterday Ron Brand & I also attended the Ontario County sponsored meeting on Infrastructure where Ontario County staff and members from six towns and the City of Canandaigua discussed the current growth patterns and what the water & sewer capacities are now and what will be needed in the future. This Thursday is the Ontario County Board of Supervisors meeting.
3. Farmington: We received the 4<sup>th</sup> quarter sales tax up 12.14 % from the same time last year.
4. I have worked with staff and the Town Board on a second software purchase with Invoice Cloud. This will vastly improve the way water & sewer customers can pay their bill. We have a resolution to approve this tonight.
5. Town 2023 Insurance costs are generally up 6% however Cyber Security Insurance is up over 200%. We will approve our insurance coverage at our February 28<sup>th</sup> meeting.
6. DOH water samples were taken last week, and we should have the THM’s numbers back from the lab sometime next week.

**Highway& Parks Superintendent Tim Ford reported:**

1. Update on new truck.

**Town Clerk Michelle Finley reported:**

1. Taxes collected to date - \$9,843,721.00, 4,712 payments received.

**Water & Sewer Superintendent Dave Conti reported:**

1. Discussed water meter system.

**Code Enforcement Officer Dan Delpriore reported:**

1. January permits – 39, permit inspections completed in January – 156, fire inspections completed in January – 5, Stormwater/MS4 inspections completed for January – 34, and 28 Zoning Inspections completed in January.

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

1. Report available on website and filed with the Town Clerk.

**Assessor Paul Arndt reported: None.**

**Town Engineer Bill Davis reported:**

1. Updates on year end reports CMOM, water projects, and Cline/Brownsville intersection.

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

1. Dan Delproire reported that their next meeting they will be reviewing the Electric Car Corner application, and the Power's project.

**Zoning Board of Appeals reported: None.****Recreation Advisory Committee Bryan Meck reported: None.**

Supervisor Ingalsbe stated that they are waiting for comments from the Recreation Advisory Board regarding improvements to the Farmington Grove Park.

**Recreation Director Mark Cain reported: None.****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. Letter to the Town Supervisor from Janene Sweet of Ontario County Real Property Tax Services. Re: Ontario County Schedule of Taxes for 2023.
2. Letter to Tom Timmons of Stonehedge Village Townhomes. Re: Notice to Remedy Stonehedge – Townline Road.
3. Letter to the Town Supervisor from Sheryl Robbins of the NYS DOH. Re: Public Water Supply (Water System Certified Operators) Ontario, Wayne & Yates Counties.
4. Letter to the Town Supervisor from US Department of Commerce US Census Bureau. Re: Boundary and Annexation Survey (BAS).
5. Letter to the Town Supervisor from Melody Dowd of Ontario County Real Property Tax Services. Re: Senior Citizens'; Persons with Disabilities; Alternative Veterans'; Cold War; Cold War Extension; Business Investment; and Solar Wind/Energy Exemption Options for 2023 Assessment Rolls.
6. Ontario County Short Form Contract. Re: Backyard Composting Kits.
7. Letter to the Town Supervisor from Victor-Farmington Volunteer Ambulance. Re: New organizational structure.
8. Chapter 13 Plan. Re: Debra Barmaster.
9. Permission to use land for delivery of excess clean fill materials. Re: 4738 Herendeen Road.
10. Letter to the Town Supervisor from James Hooper of 4-H Camp Bristol Hills and Timothy David of Cornell Cooperative Extension of Ontario County. Re: Assistance in promoting 4-H Camp Bristol Hills.
11. Email to the Town Supervisor from Eric and Leslie Nash of Tudor Way. Re: Backyard chickens.
12. Letter to the Town Supervisor from Sheryl Robbins of the NYS DOH. Re: Public Water Supply Community Water Systems Non-Community Non-Transient Water Systems 2023 Sampling Requirements.
13. Letter to the Town Board from John Robortella, Clerk of the Planning Board. Re: Power Incentive Zoning Project: Planning Board Supplemental Report and Recommendation to the Town Board.
14. Email to the Town Supervisor from John Goodwin, City Manager, City of Canandaigua. Re: Water Treatment Plant Projects.
15. RG&E/NYSEG Organization Members verification.
16. Email to the Town Supervisor from Bill Wright on Ontario County Public Works. Re: CR8 Black Creek Drainage Study.
17. Email to Chris Day of Ontario County from the Town Supervisor. Re: CR8 Black Creek Drainage Study.
18. Legal Notice of Public Hearing. Re: Ontario County Civil Service Rules.
19. Certificates of Liability Insurance from: Ontop Home Improvements; Fibertech Environmental Services, Inc.; Village of Manchester Fire Department; Blake Miller Lawn and Landscape, LLC; Serenity Pool and Spa, LLC.
20. Certificate of Disability and Paid Family Leave Benefits from: Fibertech Environmental Services, LLC.
21. Cancellation of Workers' Compensation Insurance from: Fibertech Environmental Services, Inc.; Blake Miller Lawn and Landscape, LLC; Serenity Pool and Spa, LLC.

**REPORTS & MINUTES:**

1. Project Review Committee Meeting Minutes – January 5, 2023.
2. Recreation Board Meeting Minutes – January 10, 2023.
3. Victor-Farmington Volunteer Ambulance Annual Report – 2022.
4. Building Department – Permit Report by Type – January 2023.
5. Building Department – Inspection Schedule – January 2023.
6. Building Department – Inspections Report – Weidenborner – January 2023.
7. Building Department – Inspections Report – Gordner – January 2023.
8. Planning Board Meeting Minutes – January 4, 2023.
9. Planning Board Meeting Minutes – January 18, 2023.

10. Farmington Volunteer Fire Association Chief's Report – January 2023.
11. Victor Fire Department Chief's Report – January 2023.
12. Farmington Senior Citizens Meeting Minutes – January 16, 2023.
13. Judge Lew – Monthly Report – January 2023.
14. Conservation Board Meeting Minutes – January 23, 2023.
15. Judge Gligora – Monthly Report – January 2023.

## ORDER OF BUSINESS:

### RESOLUTION 83-2023:

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

**RESOLUTION TO CLOSE THE PUBLIC HEARING AND ANY FURTHER DELIBERATIONS UPON THE POWER'S INCENTIVE REZONING ACTION TO TUESDAY EVENING, FEBRUARY 28, 2023, COMMENCING AT 7:00 P.M.; AND DIRECTING THE PREPARATION OF DRAFT ENVIRONMENTAL DOCUMENTS ALONG WITH A DRAFT RESOLUTION TO APPROVE THE REQUESTED REZONING WITH CONDITIONS**

**WHEREAS**, the Town of Farmington Town Board (hereinafter referred to as Town Board) has by adopting Town Board Resolution Number 51 of 2023 (hereinafter referred to as Resolution) dated January 10, 2023, continued tonight's public hearing upon the above referenced rezoning Action; and

**WHEREAS**, at tonight's public hearing new information has been introduced which identifies the Town Planning Board's Supplemental Report and Recommendation, that was requested in the above referenced Resolution) on the amended conceptual layout for the proposed four (4) parcels of land located within the existing LI Limited Industrial portion of the overall site, that are referenced as Parcels "A," "B," "C" and "D;" and

**WHEREAS**, new information has also been received from the Ontario County Department of Public Works (DPW) and introduced at tonight's public hearing showing photos of stormwater drainage conditions along the Ontario Central Railroad property located east of County Road 8, along with a list of four proposed items to correct the identified drainage issues; and

**WHEREAS**, the Town Board desires time to further discuss these items with the Town Engineers and the staff at the Ontario County DPW; and

**WHEREAS**, the Town Board desires time to review a draft of Parts 2 and 3 of the Full Environmental Assessment Forms (FEAF), a draft resolution setting forth findings of the anticipated impacts upon the environment based upon the criteria contained in 6NYCRR, Part 617, and a draft resolution to approve with conditions the proposed incentive rezoning for this Project for the Board's review, acceptance and consideration at their next meeting on Tuesday, February 28, 2023.

**NOW, THEREFORE BE IT RESOLVED**, the Town Board does hereby close the public hearing upon this Action.

**BE IT FURTHER RESOLVED**, that the Town Board directs the Town Director of Planning and Development to prepare drafts of Parts 2 and 3 of the FEAF for this rezoning Action, prepare a draft Town Board resolution using the criteria set forth in the State's Environmental Quality Review (SEQR) Regulations (6NYCRR, Part 617.7) for determining the significance for acting upon this proposed rezoning, and prepare a draft resolutions for approving the proposed rezoning with conditions, all of which for the Town Board's review, acceptance and, if possible, formal action at their next meeting on Tuesday, February 28, 2023.

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to provide certified copies of this resolution to the Applicants, the Applicants Engineer, Bill Wright, P.E., Commissioner of Public Works, Ontario County Department of Public Works, 2962 County Road 48, Canandaigua, New York 14424, the Town Highway & Parks Superintendent, the Town Water & Sewer Superintendent, the Town Director of Planning & Development, the Town Construction Inspector, the Town Code Enforcement Officer, the Town Zoning Officer and the Town Engineers.

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

### RESOLUTION #84-2023:

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

#### RESOLUTION CREATING AN ASSISTANT ASSESSOR POSITION

**WHEREAS**, the Town has identified that an Assistant Assessor position is needed; and

**WHEREAS**, a new position duties statement was sent to Ontario County Human Resources for their review and approval; and

**WHEREAS**, Ontario County Human Resources sent the Town Supervisor an email dated February 13, 2023 enclosing a copy of Classification Certification No. 10-2023 which classifies one position of Assistant Assessor for the Town of Farmington and has directed the Town to create the position; now therefore

**BE IT RESOLVED**, that the Town Board hereby authorizes the creation of one Assistant Assessor position; and be it further

**RESOLVED**, that the Town Clerk forward a copy of this resolution to Michele Smith, Director of Ontario County Human Resources, Assessor's Office, the Accountant I, and the Supervisor's Secretary.

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

**RESOLUTION #85-2023:**

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

**APPROVAL OF A REQUEST FOR THE PARTIAL RELEASE OF FUNDS (RELEASE #2) FROM THE LETTER OF CREDIT, SECTION 2, MONARCH MANOR INCENTIVE ZONING PROJECT, IN THE TOTAL AMOUNT OF \$ 99,186.94**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) has received a resolution from the Town Planning Board (hereinafter referred to as Planning Board), dated February 1, 2023, recommending the Town Board take action to approve the request for the second partial release of funds from the above referenced Letter of Credit; and

**WHEREAS**, the Planning Board's recommendation is based upon their review and acceptance of the recommendations received from the Town Construction Inspector, Town Department Heads and the Town's Engineers, and the signed Town Surety Release Forms (G-1.1) and (G-2.0); and

**WHEREAS**, the total amount of this letter of credit is \$ 755,813.50; and

**WHEREAS**, this partial release of funds in the total amount of \$ 99,186.94 will leave a balance in the Letter of Credit of \$ 195,242.69; and

**WHEREAS**, the Town Clerk has reviewed this requested partial release of funds finding the amounts contained herein to be accurate.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby accepts the Planning Board's recommendation and approves the partial release of funds (Release #2) from the Letter of Credit for the above referenced project, in the total amount of \$ 99,186.94.

**BE IT FURTHER RESOLVED**, that the Town Board authorizes the Town Supervisor to sign and date Form G-2.0, Town Letter of Credit Partial Release Form.

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to notify tomorrow, by U.S. Mailing, certified copies of this resolution to: Anthony DiPrima, 7 Beauclaire Drive, Fairport, New York 14450; and Walter Baker, D.S.B. Engineers & Architects, P.C., 2349 Ridgeway Avenue, Rochester, New York 14626.

**BE IT FINALLY RESOLVED**, that certified copies of this resolution are also to be provided to the Town Highway & Parks Superintendent, the Town Water & Sewer Superintendent, the Town Code Enforcement Officer, the Town Director of Planning and Development, the Town Construction Inspector and the Town Engineers.

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

**RESOLUTION #86-2023:**

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

**APPROVAL OF A PARTIAL RELEASE OF FUNDS (RELEASE #2) FROM THE ESTABLISHED LETTER OF CREDIT FOR SITE IMPROVEMENTS ASSOCIATED WITH AUBURN MEADOWS, SECTION 8S, IN THE TOTAL AMOUNT OF \$ 503,391.39**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) has received a packet of information from the Town Director of Planning & Development, containing the recommendations from the Town Engineer and Town Construction Inspector, dated January 24, 2023, for the partial release of funds (Release #2) from the established Letter of Credit for site work completed within Section 8S of the Auburn Meadows Subdivision Tract, in the total amount of \$ 503,391.39; and

**WHEREAS**, the Town Planning Board, by resolution adopted on Wednesday, February 1, 2023, has recommended the Town Board approve of the partial release of funds (Release #2); and

**WHEREAS**, a part of said packet of information includes the signed Letter of Credit/Surety – Partial Release Form (G-1.1) and the Letter of Credit Release Form (G-2.0); and

**WHEREAS**, the total amount of funds within this Letter of Credit is \$ 866,779.37 and after authorizing the first partial release of funds (Release #1), there is a remaining balance of \$ 665,019.34; and

**WHEREAS**, after authorizing this partial release of funds (Release #2) from the Letter of Credit, there will be a remaining balance of \$161,627.95; and

**WHEREAS**, the Town Clerk has verified the total amounts specified above herein to be accurate.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby approves the requested partial release (Release #2) of funds, from the Letter of Credit on file with the Town Clerk's Office, in the above referenced amount of \$ 503,391.39.

**BE IT FURTHER RESOLVED**, that the Town Supervisor, is hereby authorized to sign the Town Form, G-2.0.

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to notify tomorrow, by U.S. Mailing, certified copies of this resolution to: Anthony DiPrima, A&D Real Estate Development Corporation, LLC, 7 Beauclaire Lane, Fairport, New York 14450; Walter Baker, D.S.B. Engineers, 2394 Ridgeway Avenue, Rochester, New York 14626; and Frank Affronti, 104 Contractors, Inc., 536 New York State Route 104, Ontario, New York 14519.

**BE IT FINALLY RESOLVED**, that certified copies of this resolution are also to be provided to the Town Highway & Parks Superintendent, the Town Water & Sewer Superintendent, the Town Code Enforcement Officer, the Town Director of Planning and Development, the Town Construction Inspectors, David Orians and Matthew Heilmann, and the Town Engineer.

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

**RESOLUTION #87-2023:**

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

**ENDORSEMENT OF THE SOUTH FARMINGTON FRIENDS AND CHAPEL ORGANIZATION'S APPLICATION TO THE NEW YORK STATE REGISTRY OF HISTORIC PLACES AND THE NATIONAL REGISTRY OF HISTORIC PLACES FOR HISTORIC PROPERTY RECOGNITION OF THE SOUTH FARMINGTON FRIENDS CEMETERY HISTORIC DISTRICT**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) has received a request from the Treasurer of The South Farmington Friends and Chapel Organization, a 501c3 organization, which is known as the South Farmington Friends Cemetery, for the Town Board to take action to endorse the applications referenced above herein, for establishing the South Farmington Friends Cemetery Historic District (hereinafter referred to as The District); and

**WHEREAS**, the South Farmington Friends and Chapel Organization (hereinafter referred to as The Organization) owns a parcel of land located along the south side of Shortsville Road, west of the intersection with County Road 28, containing approximately 3.1 acres of land identified as Tax Map Account Number 43-1-37, which contains a cemetery and a stone vault (The South Farmington Cemetery) and a cemetery chapel building (The South Farmington Union Chapel) which the Organization desires to include in the above referenced District; and

**WHEREAS**, The Organization also desires to include all land originally owned by Welcom and Mercy Herendeen, Trustees of the Religious Society of Friends held in Farmington, into The District; and

**WHEREAS**, the Town of Farmington since June, 1976 owns one of the parcels of land which was part of the Religious Society of Friends held in Farmington, which is now known as Meetinghouse Park and is located at the northwest corner of the intersection of Shortsville Road and County Road 28, containing approximately .74 acres of land, identified further as Tax Map Account Number 43-1-50, and which continues to be used for recreational purposes; and

**WHEREAS**, the Town Board understands that including the Meetinghouse Park land as part of The District does not impose any additional restrictions or increased costs upon the Town of Farmington for its continued recreational use of said land; and

**WHEREAS**, the 2021 Edition of the Town of Farmington Comprehensive Plan contains a number of stated Town Objectives that support this Organization's declared intent to establish The District which include protection of historic structures and sites, and consideration for establishing a Town Register of Historic Structures and Sites; and

**WHEREAS**, there are no town funds involved with this organization's applications for State and Federal properties recognition.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby endorses the establishment of the South Farmington Friends Cemetery Historic District and The South Farmington Friends and Chapel Organization's efforts to register said District on both the State and Federal Registers.

**BE IT FURTHER RESOLVED**, that the Town Board hereby acknowledges the direct historic connection of Meetinghouse Park to the South Farmington Friends Cemetery Historic District as being part of the original district established by the Trustees of the Religious Society of Friends held in Farmington and, therefore, agrees with and hereby authorizes that it should remain a part of said original District.

**BE IT FINALLY RESOLVED**, that certified copies of this resolution are also to be provided to the Town Historian, and the Town Director of Planning and Development.

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

**RESOLUTION #88-2023:**

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

**RECOGNITION OF THE FARMINGTON TOWN HISTORIAN'S APPLICATION FOR PARTICIPATION IN THE GARDINER FOUNDATION SEMI-QUINCENTENNIAL PROJECT (GFSP) FOR 2023, RECOGNITION OF THE GFSP ACCEPTANCE BY THE TOWN THEREBY ENABLING ITS PARTICIPATION IN THE GFSP AND AUTHORIZATION FOR A CHOSEN STUDENT INTERN TO BE PROVIDED SPACE IN THE TOWN HALL FOR WORK WITH THE TOWN HISTORIAN ON THE TWO-YEAR LONG GFSP**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) has been informed by the Town Historian of her recent application for participation in the above referenced GFSP; and

**WHEREAS**, the Town Board has also been informed by the Town Historian of her application being accepted by GFS and approved funding for research services starting in 2023 and ending in 2024; and

**WHEREAS**, the Town Board understands that the award involves funds provided from GFS to the New York State Education Department and the New York State Registry of Historic Places for research services to be provided by graduate student interns; and

**WHEREAS**, the Town Board further understands that there are no matching town funds required for the Town's participation in the two-year long research project, the results of which will become part of the 2026 National Commemorative of the American Revolution; and

**WHEREAS**, the Town Board further understands that the work product to be provided is to be overseen by representatives from the seven colleges and universities, that have been selected by GFS, which are located within New York State; and

**WHEREAS**, the Town Board further understands that acceptance of this award involves the Town Board agreeing to provide work space in the Town Hall, during Town Hall operating hours; and

**WHEREAS**, the goal of the GFS Project is to identify how the American Revolution affected western New York communities; and

**WHEREAS**, the Town Historian agrees to provide local assistance to the student intern and to coordinate the intern's work with a designated representative provided by a local college or university.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby support and endorses the above referenced GFSP,

**BE IT FURTHER RESOLVED**, that the Town Board hereby agrees to provide a workspace in the Farmington Town Hall, during normal business hours and during the period 2023 – 2024, for a student intern selected by a local college or university to work on the above referenced GFSP,

**BE IT FINALLY RESOLVED**, that certified copies of this resolution are to be provided to Donna Herendeen, the Town Historian and to the Town Director of Planning and Development.

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

**RESOLUTION #89-2023:**

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

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE GENERAL FUND**

**WHEREAS**, additional funding is needed in the Assessor overtime expenditure line due to the Town re-valuation,

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

Debit:	A1355.1 Assessor Personnel	\$14,500	
Credit:	A1355.12 Assessor Personnel OT		\$14,500

**BE IT RESOLVED**, that the Accountant I performs the budget amendment, and

**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 #90-2023:**

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

**CONFIRMING RESOLUTION FOR THE UPGRADE FROM 3G TO 4G FOR PS-5, PS-6, PS-11, PS-21, PS-23, AND PS-25**

**WHEREAS** the Victor-Farmington Sewer District recognize the need for 4G upgrade of said Pump Stations for remote monitoring, and

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of Farmington acting on behalf of the Victor-Farmington Sewer District hereby authorizes the Water and Sewer Superintendent to pay the invoice #59080 from Colacino Industries 126 Harrison Street, Newark New York for the total cost of \$15,616.72 and

**BE IT FURTHER RESOLVED**, that fund for said work will be from Budget Code SS-8120.45V with the following budget amendment:

From:	SS599 Appropriated Fund Balance	\$15,600	
To:	SS8120.45V Scada/FSI-Victor		\$15,600

**BE IT FINALLY RESOLVED**, that a copy of this resolution will be supplied from the Town Clerk to the Water and Sewer Superintendent and the Accountant I.

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

**RESOLUTION #91-2023:**

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

**RESOLUTION AUTHORIZING TOWN STAFF FROM THE HIGHWAY DEPARTMENT, THE WATER & SEWER DEPARTMENT, AND THE BUILDING DEPARTMENT TO ATTEND CUSTOM DRONE TRAINING PRESENTED BY SKYOPS**

**WHEREAS**, Eric Fritz from the Highway Department, Justin Dorchester from the Water & Sewer Department, John Weidenborner from the Building Department, and Daniel Delpriore from the Building Department and Department Head over seeing the Drone Program have been chosen to attend the custom training by SkyOps; and

**WHEREAS**, SkyOps is the only local hands on training center in the area and said training is custom to the Town of Farmington Drone Program; and

**WHEREAS**, the cost of this training is \$1,680.00 per person for a total training cost of \$6,720.00; and

**WHEREAS**, this training is customized for the Town of Farmington which will include: Intro to Drones for Commercial Users, Using Drones for Public Safety, and Part 107 Testing Prep in classroom training. The training will also have hands-on drone flight training. This training does not include the cost of the required Part 107 test to be licensed to fly drones; now

**THEREFORE BE IT RESOLVED**, that the Town Board of Farmington authorizes Dan Delpriore to enter into a contract with SkyOps for custom training for 4 Town staff members at a cost not to exceed \$6,720.00; and be it



**FURTHER RESOLVED**, that copies of this resolution shall be submitted by the Town Clerk to the Accountant I and Code Enforcement Officer Dan Delpriore.

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

**RESOLUTION #92-2023:**

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

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN AGREEMENT TO HIRE B.R. JOHNSON, LLC FOR REPLACEMENT OF FIVE (5) DOORS AT FARMBROOK PARK BATHROOMS AND STORAGE BUILDING**

**WHEREAS**, Farmbrook Park's Restroom and Storage Doors need to be replaced; and

**WHEREAS**, the three quotes received were from B.R. Johnson, LLC. (\$11,122.90), Rochester Colonial Mfg, Corp. (\$23,890.00) and Alliance Door & Hardware, Inc. (\$17,581.55); and

**WHEREAS**, B.R. Johnson, LLC., has the lowest price and should be expensed to Parks Contractual (A-7110.4); now

**THEREFORE BE IT RESOLVED**, that the Town Board authorizes the Town Supervisor to sign the agreement with BR Johnson, LLC at a cost not to exceed \$11,500.00; 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 #93-2023:**

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

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN AGREEMENT TO HIRE WORD OF MOUTH PAINTING, LLC FOR PAINTING INTERIOR WALLS OF FARMINGTON TOWN HALL**

**WHEREAS**, touch up painting is needed on the interior walls of Farmington Town Hall; and

**WHEREAS**, the three quotes received are from Word of Mouth, LLC., (\$5,025.00); D. Ras Painting and Staining, (\$10,950.00) and Pro-Vision Painting, (\$9,137.50); and

**WHEREAS**, Word of Mouth, LLC., has the lowest price and should be expensed to Buildings Contractual (A-1620.4); now

**THEREFORE BE IT RESOLVED**, that the Town Board authorizes the Town Supervisor to sign the agreement at a cost not to exceed \$6,000.00; 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 #94-2023:**

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

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN AGREEMENT TO HIRE SECORE CONTRACTING SERVICES, LLC FOR TEAR OFF AND RE-ROOFING OF FARMBROOK PARK BATHROOM, STORAGE BUILDING AND PAVILION**

**WHEREAS**, Farmbrook Park's Bathroom, Storage Building and Pavilion roofs need to be torn off and replaced; and

**WHEREAS**, the three quotes received are from Secore Contracting, Services, LLC., (\$22,885.00); Dayton Enterprises, LLC., (\$33,000.00) and Marshall Exteriors, (\$24,799.00); and

**WHEREAS**, Secore Contracting Services, LLC has the lowest price and should be expensed to Parks Contractual (A-7110.4); now

**THEREFORE BE IT RESOLVED**, that the Town Board authorizes the Town Supervisor to sign the agreement at a cost not to exceed \$23,000.00; 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 #95-2023:**

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

**RESOLUTION AUTHORIZING ADVERTISEMENT OF BIDS FOR CLINE AND BROWNSVILLE HIGHWAY IMPROVEMENTS**

**WHEREAS**, Cline and Brownsville Roads are in need of approximately 1,100 LF of road reconstruction including removal of the existing storm sewer and structures, removal of the existing pavement to design subgrade, installation of new base and asphalt pavement, installation of storm drainage improvements, road side ditch drainage, topsoil and seeding; and

**WHEREAS**, MRB Group has prepared the Advertisement for Bids as well as a draft bidding schedule; now

**THEREFORE BE IT RESOLVED**, that the Town Board authorizes to go to bid for the Cline and Brownsville Road Highway Improvements with a pre-bid meeting at the Town Hall on Wednesday, March 8, 2023 at 10 a.m. and bid opening at the Town Hall on March 21, 2023 at 10 a.m.; and be it further

**RESOLVED**, that the Town Clerk have the Advertisement to Bid published in the local newspaper and forward the copies of this Resolution to the Highway/Parks Department, Bill Davis of MRB Group, and the Accountant I.

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

**RESOLUTION #96-2023:**

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

**RESOLUTION AUTHORIZING QUARTERLY STIPEND AND PAY INCREASE FOR AUGUST GORDNER**

**WHEREAS**, August Gordner has acted as the Building Department Head when Dan Delpriore is out of the office and/or on vacation and is being appointed as Deputy Department Head resulting in a stipend of \$3,000.00 per year paid quarterly; and

**WHEREAS**, with the competitive nature of the Code Enforcement Officer position, there are limited qualified candidates to fill that position, and with the status of the current economy, August Gordner shall receive a pay increase of \$2.50 per hour effective with PR#4 (February 5, 2023); now

**THEREFORE BE IT RESOLVED**, that the Town Board authorizes both the quarterly stipend of \$3,000.00 per year to be paid quarterly for Deputy Department Head and a pay increase of \$2.50 per hour; and be it further

**RESOLVED**, that the Town Clerk forward copies of this resolution to August Gordner, the Building Department, the Accountant I and the Confidential Secretary.

Discussion: Supervisor Ingalsbe stated that Augie received quite an offer from a developer to come work for them so they had to raise their compensation up a little bit so they would not lose him.

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

**RESOLUTION #97-2023:**

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

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE MONTHLY REPORT OF THE SUPERVISOR FOR JANUARY 2023**

**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 January 2023 to the Town Supervisor on February 2, 2023, and

**WHEREAS**, the Town Supervisor approved and executed the Monthly Report of the Supervisor for January 2023 on February 2, 2023,

**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 January 2023, and be it further

**RESOLVED**, that the Town Clerk give a copy of this resolution to the Accountant I.

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

**RESOLUTION #98-2023:**

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

**RESOLUTION APPOINTING BRIAN WHITE AND DAVID SHIELDS TO THE CONSERVATION BOARD**

**WHEREAS**, there are currently three vacancies on the Conservation Board; and

**WHEREAS**, Brian White and David Shields have submitted a letter of interest and resume for review; and

**WHEREAS**, Brian and David have been recommended to fill two of the three vacancies by Kimberly Boyd, Chairperson, now therefore be it

**RESOLVED**, the Farmington Town Board appoints Brian White and David Shields to the Conservation Board for terms beginning February 14<sup>th</sup>, 2023 to expire on December 31<sup>st</sup>, 2023; and be it further

**RESOLVED**, that the Town Clerk forward a copy of this resolution to Kimberly Boyd, Chairperson, the Confidential Secretary, Brian White at 1424 Olde Park Square, Farmington, NY 14425, and David Shields at 50 Windigo Lane, Farmington, NY 14425.

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

**RESOLUTION #99-2023:**

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

**RESOLUTION APPOINTING BARBARA MCINTOSH TO THE BOARD OF ASSESSMENT REVIEW**

**WHEREAS**, there is currently a vacancy on the Board of Assessment Review; and

**WHEREAS**, Barbara McIntosh has submitted a letter of interest and resume for review; and

**WHEREAS**, Barbara has been recommended to fill said vacancy, now therefore be it

**RESOLVED**, the Farmington Town Board appoints Barbara McIntosh to the Board of Assessment Review for a term beginning February 14<sup>th</sup>, 2023 to expire on September 30<sup>th</sup>, 2027; and be it further

**RESOLVED**, that the Town Clerk forward a copy of this resolution to Doug Payne, Chairperson of the Board of Assessment Review, Assessor’s Office, Barbara McIntosh at 5981 Amber Drive, Farmington, NY 14425 and the Confidential Secretary.

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

**RESOLUTION #100-2023:**

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

**RESOLUTION TO REORDER THE 2022 HIGHWAY AND PARKS EQUIPMENT BASED ON 2023 PRICING DUE TO SUPPLY ISSUES**

**WHEREAS**, the following resolutions approved the purchase of the equipment for the 2022 budget with pricing based on the signed quotes for 2022 pricing:

- Resolution # 403 OF 2021 F-550XL CAB \$89,895.31 (HWY)
- Resolution # 404 OF 2021 F-350XL CREW \$44,820.20 (HWY)
- Resolution # 405 OF 2021 F-350XL CAB \$45,967.40 (PARKS)

**WHEREAS**, Ford was unable to build and supply the 2022 trucks and they need to be reordered under the following 2023 pricing:

CODE	DESCRIPTION	ORIGINAL RESOLUTION	2022 ENCUMBERANCE	2023 PRICING	2023 DIFFERENCE
DA5130.2 VLT	F-550 XL CAB	403 OF 2021	\$ 89,895.31	\$ 107,294.25	\$ 17,398.94
DA-5130.2 VLT	F-350 XL CREW	404 OF 2021	\$ 44,820.20	\$ 61,365.22	\$ 16,545.02
A-7110.2VLT	F-350 XL CAB	405 OF 2021	\$ 46,000.00	\$ 62,753.08	\$ 16,753.08
			\$ 180,715.51	\$ 231,412.55	\$ 50,697.76

**WHEREAS**, the Town Board authorizes the Town Supervisor to sign the three (3) truck agreements, and

**NOW THEREFOR RESOLVED**, the orders be placed under the new pricing with the following budget amendments:

From: DA599 Appropriated Fund Balance \$34,000  
 To: DA5130.2 Equipment \$34,000

**RESOLVED**, that the Town Clerk forward the original signed agreements and a copy of this Resolution to the Highway/Parks Department and a copy of the resolution to the Accountant I.

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

**RESOLUTION #101-2023:**

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

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO ELECTRONICALLY SIGN THE CONTACT WITH INVOICE CLOUD**

**WHEREAS**, resolution 410-2022 approved the Town to migrate to the Muni-Link cloud based software package for the water and sewer billing,

**WHEREAS**, a customer engagement, e-billing and electronic payment platform that can be integrated with the Muni-Link billing software is needed and Muni-Link has recommended the use of Invoice Cloud for these services,

**WHEREAS**, Invoice Cloud has presented to the Town a proposal which includes a payment platform where water and sewer customers can utilize e-billing and electronic payments,

**WHEREAS**, fees to the Town of Farmington will be via direct debit and include a monthly portal access fee of \$295/month, a card reader fee of \$20/month/reader, and a .25/transaction fee for invoice presentment to paperless customers, with no implementation fee incurred by the Town,

**WHEREAS**, customer fees will increase slightly to 3.35% for credit/debit/paypal transactions and \$1.95 per ACH/EFT transaction,

**FURTHER RESOLVED**, that the Town Board approves the Supervisor to electronically sign the certification and agreement provided by Invoice Cloud

**FULLY RESOLVED**, that the Town Clerk provides a copy of the resolution to the Accountant I, the Water and Sewer Department and email a copy to Matthew Straw of Invoice Cloud: mstraw@invoicecloud.com.

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

**RESOLUTION #102-2023:**

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

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN COVERALL'S CONTRACT ADDENDUMS FOR COST-OF-LIVING INCREASE FOR CLEANING SERVICES**

**WHEREAS**, the contract between the Town of Farmington and Coverall is being amended due to Cost-of-Living Adjustment; and

**WHEREAS**, there are three (4) contract addendums attached: Highway Department monthly total (\$753.15), Town Court monthly total of (\$522.76), Water and Sewer Department monthly total of (\$761.25) and Town Hall (\$1,332.40); and

**NOW THEREFORE BE IT RESOLVED**, that the Town Board hereby authorizes the Town Supervisor to sign the addendums beginning with 2/1/2023, and be it further

**RESOLVED**, that the Town Clerk return the original signed addendums to the Highway Department and forward copies of this resolution to the Accountant I and Water and Sewer Department.

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

**RESOLUTION #103-2023:**

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

**RESOLUTION AUTHORIZING ADDITIONAL FUNDING IN THE SIDEWALK CAPITAL PROJECT**

**WHEREAS**, the 2023 budget allocated \$150,000 to the Sidewalk Capital Project from the General Savings account,

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

Debit: HK4997 Federal Aid-Home & Community Serv	\$356,000	
Debit: HK5031 Interfund Transfer	\$150,000	
Credit: HK1440.2 Design		\$445,000
Credit: HK 5410.2 Sidewalk Capital Outlay		\$61,000

**BE IT RESOLVED**, that the Accountant I transfers the funds and performs the budget amendments,

**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 #104-2023:**

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

**RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE 2019 VLT, 2020 VLT AND 2021 VLT CAPITAL RESERVE ACCOUNTS ONCE THE PUBLIC REFERENDUM PERIOD IS COMPLETE**

**WHEREAS**, the following funding transfer utilizing the 2019 VLT reserve fund was allocated in the 2023 budget:

\$142,803.33 plus interest earned to the Emergency Services Reserve

**WHEREAS**, the following funding transfers utilizing the 2020 VLT reserve fund were allocated in the 2023 budget:

- \$450,000 to the Highway Fund
- \$50,000 to the Parks Equipment Reserve
- \$400,000 to the Beaver Creek Park Capital Project
- \$250,000 to the Town Facility and Land Acquisition Reserve
- \$157,558.71 to the Emergency Services Reserve
- \$100,000 to the Parks Building Upgrade Capital Project
- \$25,483.35 plus interest earned to the Town Hall Capital Project

**WHEREAS**, the following funding transfers utilizing the 2021 VLT reserve fund were allocated in the 2023 budget:

- \$400,000 to the Parks Building Upgrade Capital Project
- \$100,000 to the Tax Stabilization Reserve
- \$99,517 to the Town Hall Capital Project
- \$90,000 to the Parks Improvements Capital Project
- \$300,000 to establish a capital project (HX)for a Highway Pole Barn

**Now therefore be it RESOLVED**, that the Town Clerk publish the public notice for the withdrawal from the VLT reserves,

**Further RESOLVED**, that the Accountant I, of the Town of Farmington, is hereby authorized and directed to transfer the funding from the VLT reserve funds once the permissive referendum period is complete,

**Further RESOLVED**, that the Accountant I completes the following budget amendments within the capital projects:

HR5031 Interfund Transfer	\$500,000	
HR1620.2 Building Capital Outlay		\$500,000
HB5031 Interfund Transfer	\$400,000	
HB7110.26 Lodge		\$400,000
HT5031 Interfund Transfer	\$125,000.35 (plus interest earned)	
HT1620.2		\$125,000 (plus int earned)
HP5031 Interfund Transfer	\$90,000	
HP7110.2 Parks Improvements		\$90,000
(Highway Polebarn)		
HX5031 Interfund Transfer	\$300,000	
HX5132.4 Polebarn Construction		\$300,000

**Be it finally RESOLVED**, that the Town Clerk, of the Town of Farmington, is to forward a copy of this resolution as well as the public notice to the Accountant I.

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

**RESOLUTION #105-2023:**

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

**RESOLUTION AUTHORIZING ACCEPTANCE OF EASEMENT AND A STORMWATER CONTROL FACILITY MAINTENANCE AGREEMENT**

**WHEREAS**, the Town of Farmington, by its officers or representatives, has engaged in discussions with Loomis Hidden Treasures, LLC (“Owner”) regarding the Town’s obtaining a Stormwater Management Facility Easement and a Stormwater Maintenance Agreement over portions of Owner’s property located at 6006 Loomis Road, as shown on a map prepared by McMahon LaRue Associates, P.C. dated August 9, 2022; and

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

**WHEREAS**, said easement and agreement 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 easement and agreement on behalf of the Town; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Farmington does hereby accept the Easement and agreement 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 Owner, and be it further

**RESOLVED**, that the Town Supervisor shall be and hereby is authorized to take any and all further action necessary to carry forth the intent of this resolution, including but not limited to the execution of all documents necessary to complete the conveyance of the premises referenced herein.

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

**RESOLUTION #106-2023:**

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

**RESOLUTION SETTING THE PUBLIC BID OPENING DATE FOR THE ANNUAL 2023 CANANDAIGUA-FARMINGTON WATER DISTRICT (CFWD) WATER MAIN FITTINGS AND SUPPLIES**

**WHEREAS**, the Water & Sewer Superintendent for the Canandaigua-Farmington Water District (CFWD) has requested the purchase of the annual water main fittings and supplies for 2023; and

**WHEREAS**, it is a requirement that the Town Board authorize the Advertisement of Public Bidding for the Canandaigua-Farmington Water District (CFWD) annual water main fittings and supplies; and

**WHEREAS**, the sealed bids will be accepted on or before March 9, 2023, at 11:00 AM at the office of the Farmington Town Clerk 1000 County Road 8, New York 14425 and the bids will be opened at this time; now therefore

**Be it RESOLVED**, the Farmington Town Board acting on behalf of the Canandaigua Farmington Water District hereby authorizes the Water and Sewer Superintendent to set the bid date of March 9, 2023, at 11:00AM. Bid documents will be available at the Farmington Water and Sewer Dept. 1216 McMahon Rd Victor, New York; and

**Be it further RESOLVED**, that the Town Clerk provides a copy of this resolution to the Water & Sewer Superintendent and the Accountant I.

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

**RESOLUTION #107-2023:**

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

**RESOLUTION FOR COLACINO PROJECT 41228 WWTP SLUDGE PUMP PLC/HMI**

**WHEREAS** the Victor-Farmington Sewer District recognize the need to upgrade the outdated sludge pump control system with a new control system; now therefore

**BE IT RESOLVED**, that the Town Board of Farmington acting on behalf of the Victor-Farmington Sewer District hereby authorizes the Water and Sewer Superintendent to accept the estimate # E43291 from Colacino Industries 126 Harrison Street, Newark, New York for the total cost of \$9,960.00; and

**BE IT FURTHER RESOLVED**, that funds for said work will be taken from Budget Code SS-8130.4; and

**BE IT FINALLY RESOLVED**, that a copy of this resolution will be supplied from the Town Clerk to the Water and Sewer Superintendent and the Accountant I.

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

**RESOLUTION #108-2023:**

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

**RESOLUTION APPOINTING PAULA RUTHVEN TO THE ASSISTANT ASSESSOR POSITION**

**WHEREAS**, Paula Ruthven has been employed by the Town as Assessor Aide since December 2021 and has taken several training classes to expand her knowledge base; and

**WHEREAS**, the Town received Ontario County Department of Human Resources Classification Certification No. 10-2023 which classifies one position of Assistant Assessor and directed the Town to create the position; and

**WHEREAS**, Ontario County Department of Human Resources has determined that Paula possesses the required qualifications to be appointed to the newly created Assistant Assessor position; now therefore

**BE IT RESOLVED**, that the Town Board of Farmington authorizes appointing Paula Ruthven to the Assistant Assessor position effective with PR#5 (February 19, 2023); and

**BE IT FURTHER RESOLVED**, that a copy of this resolution will be supplied from the Town Clerk to the Assessor's Office, the Confidential Secretary, and the Accountant I.

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

**RESOLUTION #109-2023:**

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

Abstract 3 – 2023

**TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS**

<i>ABSTRACT NUMBER</i>		<u>3</u>	
<i>DATE OF BOARD MEETING</i>		<u>2/14/2023</u>	
<i>FUND CODE</i>	<i>FUND NAME</i>	<i>TOTAL FOR EACH FUND</i>	<i>VOUCHER NUMBERS</i>
A	GENERAL FUND	363,803.54	194-202,204-218,220-232,234,235, 237-246,256,258,259,263,264
DA	HIGHWAY FUND	53,309.67	204,213,215,217,223,234,247-254, 259,263
HN	NORTH ROAD CAPITAL PROJ		
HM	FUEL STATION CAP PROJECT		
HB	BEAVER CREEK PARK	871.89	217,220,236
HH	ROUTE 332/96 WATERLINE		
HK	SIDEWALK CAP PROJECT	36,659.09	257,265
HZ	TOWNLINE CAP PROJECT	110.00	220
HQ	LED STREET LIGHTING		
SF	FIRE PROTECTION DISTRICT	262,636.17	203,219,233
SL1	LIGHTING DISTRICT		
SD	STORM DRAINAGE	1,907.45	183,217,234
SS	SEWER DISTRICT	84,365.45	150,167-185,213,220,228,234, 243,255,260-263
SW1	WATER DISTRICT	18,437.33	150,152,157,159,161,162,164-168, 170-173,175,182-193,213,228,234, 243,263
TA200	PAYROLL DEDUCTIONS	51.51	185,239
TA93	LETTER OF CREDIT (CASH)		
	<b>TOTAL ABSTRACT</b> \$	822,152.10	

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

**TRAINING UNDER \$100:**

1. Augie Gordner and John Weidenborner to attend "Best Practices in Community Risk Reduction" training at Fishers Fire District on March 7<sup>th</sup> and 8<sup>th</sup> at no cost.
2. Dan Delpriore and John Weidenborner to attend the SWPPP Prep & Review by Broom-Tioga Stormwater Winter Training Series on February 28<sup>th</sup> at a cost not to exceed \$25.00 per person.

**DISCUSSION:**

1. Request to waive late fees-1123 Belmont Drive- The Board discussed and decided to not waive the fees.

**EXECUTIVE SESSION: None.**

With no further business before the Board, **Councilman Casale** offered a motion to adjourn the meeting at 8:13 p.m., seconded by **Councilman Bowerman**. Motion **CARRIED**.

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Michelle A. Finley, MMC, RMC -Town Clerk