

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 24th day of May, 2022, at 7:00 PM, there were:

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

Also present in person: **Tim Ford** – Deputy Highway and Parks Superintendent, **Robin MacDonald** – Acting Water & Sewer Superintendent, **Dan Delpriore**– Code Enforcement Officer, **Ed Hemminger**- Planning Board Chairman, **Adrian Bellis** – Planning Board Member, **Ron Brand** – Director of Planning and Development, **Dave Herman** – MRB Group, **Tonia Ettinger**-resident

Also present by telephone/video conferencing were: John Piper, David Barnett, Lance Secrest

PUBLIC HEARINGS: Local law amending Chapter 165, Zoning Law, Articles II,V and VI, regarding general requirements for erecting and maintaining commercial speech signs, accessory structures and special permit criteria for mini warehouse sites

Supervisor Ingalsbe opened the public hearing at 7:07 p.m. The Town Clerk read the legal notice. Dan Delpriore stated the changes that were made or added. Supervisor Ingalsbe added that it will be less work for the Building Department and few will have to go in front of the Zoning Board of Appeals. Supervisor Ingalsbe asked if anyone wanted to speak for or against, hearing none, the public hearing was closed at 7:14 p.m.

APPROVAL OF MINUTES:

A motion was made by **Councilman Holtz** and seconded by **Councilman Casale**, that the minutes of the May 10, 2022, Town Board Meeting, and given to members for review, be approved. All Voting “Aye”. (Holtz, Casale, Bowerman, and Ingalsbe) Motion Carried.

PRIVILEGE OF THE FLOOR: None.

PUBLIC CONCERNS: None.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Holtz reported:

1. Digester #1 wall repair.
2. Discussed Digester #1 needs a new heat exchanger pump – looking at pricing.
3. Mobil Solids Solutions has completed cleaning.
4. Discussed Trojan work to be performed on UV.
5. Discussed Boiler Water recirculation pump – needs new seals.
6. Discussed replacement of Clay Valve in the Influent Building.
7. Discussed watermain replacement at the intersection of Rt. 332 and Rt. 96.
8. NYS Fence started installation of new gate at the Sewer Treatment Plant.
9. Watermain breaks – none.
10. Work has begun on the watermain replacement on Townline Road.
11. Flow testing and pressure monitoring has begun north of Townline Road.
12. Manhole Top for Wangum Road Lift Station has been completed.
13. Interceptor line inspections have been completed.
14. Discussed resolutions for meeting.

Highway & Parks:

1. Highway- equipment maintenance, roadside mowing, Loomis Road is paved, CFTL work.
2. Parks- Building and Park Maintenance, mowing parks, Beaver Creek Park stripped for Pickle Ball, all fields striped for soccer and ready to use, and drain line cleaned at Pumpkin Hook Park. Fire alarm testing completed at Parks, Highway, Court, and Town Hall.
3. Discussion items: carpets to be cleaned at the Town Hall and Court on June 10th at night.
4. Discussed resolutions for meeting.

Town Operations Committee: Councilman Bowerman reported:

1. Discussed various projects-Chapter 74 Town Code updates, Delaware River Solar project, no word on TAP Grant, NYS DOT to post “No Parking” signs on Rt. 332 near KFC soon, and still waiting on traffic reports from Farmington Market Center.
2. Report filed with Town Clerk and posted on website.

Town Finance Committee: Supervisor Ingalsbe reported:

1. Mortgage Tax receipts 1st payment estimate \$254,788.61, \$193,453.74 less than 2021, and \$64,545.70 more than 2020. Across NYS sales tax is still estimated to be up 16% over the same time in 2021.

Town Public Safety Committee: Councilman Holtz reported: None.

REPORTS OF TOWN OFFICIALS:

Supervisor Peter Ingalsbe reported:

1. Memorial Day ceremony on Monday, May 30th at 9 am at the North Farmington Cemetery on Sheldon Road.
2. Met with Councilman Casale and Victor Town Supervisor Marren and leadership from Victor Farmington Volunteer Ambulance Corp. to discuss accomplishments to date for 2022 and setting future dates for budget discussions for 2023.
3. Received from the April Sales Report from the Assessor Aide – gave examples of sales in Farmington, example 166 Mulberry Drive is assessed at \$197,700 and sold for \$367,000.

Deputy Highway & Parks Superintendent Tim Ford reported:

1. Completed mowing trails in Auburn Meadows and Hickory Rise.
2. Discussed Townline Road paving – should be completed on June 6th or 7th.

Town Clerk Michelle Finley reported:

1. Webinar – Retirement Reported for Elected Officials.
2. Hosting County Clerk Association luncheon and meeting on May 25th.
3. Discussed delinquent dog licensing.

Water & Sewer Superintendent Robin MacDonald reported:

1. Took samples on waterline. Services to be placed into road prior to paving.

Code Enforcement Officer Dan Delproire reported:

1. Discussed fire calls-1471 Fraser Way and 10 Melbar Drive.
2. Discussed grass mowing contract, dropping off door hangers to educate not to blow grass clippings in roadways and culverts.

Director of Planning and Development Ron Brand reported:

1. Report available on website and filed with the Town Clerk.
2. Will be a busy summer with more applications coming in.

Assessor reported: None.

Town Engineer Dave Herman reported:

1. Discussed boring intersection of 332/96 on June 10th.

Fire Chief reported: None.

Planning Board Chairman Ed Hemminger reported:

1. Next Meeting- Final on Bowerman 2 lot subdivision, Capps Subdivision, Hathaways Corner Apartments, and Grievance Day.

Zoning Board of Appeals reported: None.

Recreation Advisory Committee Bryan Meck reported: None.

Recreation Director Mark Cain reported: None.

Ontario County Planning Board Member reported: None.

Conservation Board Chairman Hilton reported: None.

Town Historian Donna Herendeen reported: None.

Swap Shop Update: Councilman Holtz reported: None.

Agricultural Advisory Committee Chairman Adams: None.

COMMUNICATIONS:

1. Financing the Union Victory in the Civil War Preliminary Reading List compiled by Preston Pierce.
2. US Bankruptcy Court Western District of NY Order Granting Motion to Extend Automatic Stay. Re: Barmaster.
3. Letter to the Town Supervisor from Peter Vars of BME Associates. Re: Power Property Route 96 Incentive Zoning Amenities.
4. CFWD Self Certification Form – updated May 1, 2022.
5. CFWD Payment Deferral Request Form – updated May 1, 2022.
6. Email to Travis Skinner of Marshall Exteriors from the Town Supervisor. Re: Gutter repairs.
7. Letter to the Town Supervisor from the Clerk of the Boards. Re: 2022 Major Thoroughfare Overlay District (MTOD) and Main Street Overlay District (MSOD) Site Design Guidelines.
8. Ontario County Office of Sheriff Law Day Annual Awards Ceremony Program.
9. Letter to the Town Supervisor from Kathy Ammari and Pradepp Jangbari of the NYS DEC. Re: Approval of Plans – Wangum Road (PS-25) Pump Station Improvements (PS#2372 SPDES Permit #NY0023531).
10. Certificates of Liability Insurance from: Allstate Fencing Co.; LA Johnson Construction Co., Inc.; DRM Builders; Finger Lakes Roofing Co., Inc.
11. Certificates of Workers' Compensation Insurance from: Allstate Fencing Enterprises, LLC; LA Johnson Construction Co., Inc.; Smith's Law and Landscape, LLC.
12. Certificates of NYS Disability and Paid Family Leave Insurance from: Allstate Fencing Enterprises, LLC.
13. Reinstatement of Insurance from: Skanex Pipe Services, Inc.
14. Cancellation of Insurance from: Duboise Enterprises, Inc.

REPORTS & MINUTES:

1. Breakdown by Incident Type – Farmington Volunteer Fire Association – April 2022.
2. Project Review Committee Meeting Minutes – May 6, 2022.
3. Manchester Fire Department Incident Run Log – April 2022.
4. Municipal Shelter Inspection Report – May 4, 2022.
5. Planning Board Meeting Minutes – May 4, 2022.

ORDER OF BUSINESS:**RESOLUTION 211-2022:**

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

RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF FARMINGTON OF LOCAL LAW NO. 4 OF 2022 ENTITLED “A LOCAL LAW AMENDING: CHAPTER 165, ARTICLE II, TERMINOLOGY, SECTION 10. DEFINITIONS; CHAPTER 165, ARTICLE V, SUPPLEMENTARY REGULATIONS, SECTION 43.B. GENERAL REQUIREMENTS FOR ERECTING AND MAINTAINING COMMERCIAL SPEECH SIGNS; CHAPTER 165, ARTICLE V, SUPPLEMENTARY REGULATIONS, SECTION 58, ACCESSORY STRUCTURES; AND CHAPTER 165, ARTICLE VI, SPECIAL PERMIT USES, SECTION 84.1. MINI-WAREHOUSE SITES, OF THE CODE OF THE TOWN OF FARMINGTON.”

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Farmington, on April 26, 2022, for conducting a public hearing upon the above referenced Local Law No. 4 of 2022, that was held by said Town Board on May 24, 2022, at 7:00 p.m. at the Farmington Town Hall, 1000 County Road 8, Farmington, New York; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Farmington, on May 6, 2022 and other notices required to be given by law were properly served, posted or given; and

WHEREAS, the Town Board has acknowledged Ontario County Planning Referral Number 92-2022, a part of the County's May 11, 2022 Meeting record, which resulted in a recommendation of approval which was completed in accordance with the provisions of Sections 239-l and -m of the New York State General Municipal Law; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Farmington hereby adopts said Local Law No. 4 of 2022, dated April 26, 2022, entitled “A Local Law Amending: Chapter 165, Article II, Terminology, Section 10. Definitions; Chapter 165, Article V, Section 43.B. General requirements for erecting and maintaining Commercial Speech Signs; and Chapter 165, Article V, Supplementary Regulations, Section 58, Accessory Structures; and Chapter 165, Article VI, Special Permit Uses, Section 84.1. Mini-warehouse sites, of the Code of the Town of Farmington.” a copy of which is attached hereto and made a part of this resolution.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to certify said Local Law, and to enter it into the minutes of this meeting and into the Local Law Book of the Town of Farmington; and to give due notice of the adoption of said local law to the Secretary of State of the State of New York.

BE IT FURTHER RESOLVED, that upon the date of filing of this local law with the New York State Secretary of State, the regulations contained in Local Law No. 4 of 2022, shall become in effect.

BE IT FINALLY RESOLVED, that upon receipt of the filing notice with the New York State Secretary of State, the Town Clerk is hereby directed to provide a certified copy of said local law to General Code Publishers for preparing copies thereof for inserting into the Town Code Books and adding to their e-360 Code for the Town.

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

Local Law No. 4 of the year 2022

“A Local Law Amending: Chapter 165, Article II, Terminology, Section 10, Definitions; Chapter 165-43, Article V, Supplementary Regulations, Section 43. B. General requirements for erecting and maintaining commercial speech signs; and Chapter 165-58, Article V, Supplementary Regulations, Section 58, Accessory Structures; and Chapter 165, Article VI, Special Permit Uses, Section 84.1. Mini-warehouse sites, of the Code of the Town of Farmington.”

Be it enacted by the **Town Board**

County

City

Town of Farmington as follows:

Village

Section 1. Chapter 165, Article II, Terminology, Section 10 is hereby amended by deleting the following definition, in its entirety:

WAREHOUSE SITE, MINISTORAGE

Section 2. Chapter 165, Article II, Terminology, Section 10 is hereby amended by adding the following definitions in alphabetical order:

MINI WAREHOUSE SITE – A parcel of land containing both Conditioned and Unconditioned Mini Warehouse space.

SPACE, CONDITIONED – An area or room that is enclosed within the building thermal envelope and is directly or indirectly heated or cooled using fossil fuel or electricity as the energy source. Spaces are indirectly heated or cooled where they communicate through openings with conditioned spaces, where they are separated from conditioned spaces by uninsulated walls, floors or ceilings, or where they contain uninsulated ducts, piping or other sources of heating or colling using fossil fuel or electricity.

SPACE, UNCONDITIONED – An area or room that is enclosed within the building not meeting the definition of Conditioned Space.

Section 3. Chapter 165, Article V, Supplementary Regulations, Section 43. B. (1) (a) General requirements for erecting and maintaining commercial speech signs is hereby amended to read as follows:

§165-43. B. (1) (a) Only one building-mounted commercial speech sign may be allowed on the front façade of the building, unless said building is adjacent to and visible from a second public street. The total square footage for a building-mounted commercial speech sign located on the front façade of the building shall not exceed 48 square feet; or one square foot of sign area for each lineal foot of building frontage.

Section 4. Chapter 165, Article V, Supplementary Regulations, Section 43. B. (1) (b) is hereby amended in its entirety to read as follows:

§165-43, B. (1) (b) Where a building is adjacent to and visible from a second public street then the maximum total square footage for a second building-mounted commercial speech sign placed on the building façade facing the second street shall not exceed 32 square feet in sign area.

Section 5. Chapter 165, Article V, Supplementary Regulations, Section 43. B. (1) (d) is hereby amended in its entirety to read as follows:

§165-43. B. (1) (d) As an alternative to a building-mounted commercial speech sign or a ground-mounted free-standing commercial speech business identification sign for those buildings fronting along State Route 332, there may be erected an awing sign which shall be subject to approval by the Planning Board. Awing sign(s) shall be uniform in vertical dimension and height above existing grade. The maximum letter height shall be eight (8) inches. Awning sign(s) shall be uniform in vertical dimensions, lettering and height above existing grade. Such awnings sign(s) shall be of the same color and material on all buildings. Such awning sign(s) shall be no larger than the window opening. No sign message shall be permitted on the sloping area of the awning, however, a simple logo may be permitted on each awning.

Section 6. Chapter 165, Article V, Supplementary Regulations, Section 43. B. (2) (a) is hereby amended in its entirety to read as follows:

§165-43. B. (2) (a) One (1), double-sided, ground-mounted, freestanding, commercial speech sign may be allowed having a sign area of 48 square feet and shall not be higher than 15 feet above existing grade. Said sign shall only identify the name of the shopping center, plaza, office complex or other multiple-use facility. Said sign shall be located within 30 feet of the driveway entrance/exit for the site.

Section 7. Chapter 165, Article V, Supplementary Regulations, Section 43.B. (2) (b) and (c) are hereby deleted in their entirety.

Section 8. Chapter 165, Article V, Supplementary Regulations, Section 43. B (3) is hereby created to read in its entirety as follows:

§165-43. B. (3) The following regulations apply to all commercial speech signs in any zoning district:
(a) All ground-mounted, freestanding, commercial speech signs shall be approved by the Planning Board as part of a sign site plan application; and
(b) The base surrounding every ground-mounted, freestanding, commercial speech business identification sign shall have a minimum landscaping area of one square foot of ground area for each square foot of sign copy area; and

- (c) All landscaping shall be installed prior to the issuance of a Certificate of Compliance, or as may be specified by the Town Code Enforcement Officer due to seasonal conditions. In no event, shall landscaping not be installed later than May 31st of the following calendar year; and
- (d) All landscaping shall be maintained during the useful life of the sign.

Section 9. Chapter 165, Article V, Supplementary Regulations, Section 58, Accessory Structures, Subsection 58. C. is hereby amended in its entirety to read as follows:

§165-58. C. Accessory structures with the mapped A-80, RR-80, RS-25, R-1-15, R-1-10, R-7.2, R-2, RMF, RB, NB, GB, GI and LI Districts, excluding private garages, shall have a maximum buildable area of 300 square feet and a maximum building height of 15 feet above existing grade. Accessory structures, excluding private garages, shall not be used for the purpose of storage of vehicles. Accessory structures shall conform to the style, color, and type of exterior finish on the principal structure or be a neutral type of exterior finish.

Section 10. Chapter 165, Article V, Supplementary Regulations, Section 58, Accessory Structures, Subsections D., E., and F, are hereby deleted in their entirety and are replaced with Subsections D., E., F. and G. to read in their entirety as follows:

§165-58. D. Private garages and carports shall have a maximum buildable area of 800 square feet when located upon any lot having less than one acre of land. The Planning Board may require private garages and carports to have an exterior finish which conforms to the style, color, and type of exterior finish on the principal structure.

- §165-58. E. Private garage/carport, as used in this section, requires:
- (1) Any structure which is defined as whose use includes vehicle storage; and
 - (2) Any structure for private garages shall have a non-combustible floor surface; and
 - (3) Not more than one private garage or carport shall be permitted per lot; and
 - (4) Carports are to be securely mounted to the ground to prevent movement caused by weather and/or wind conditions; and
 - (5) Private garages/carports shall be constructed in accordance with all applicable Uniform Codes; and
 - (6) Private garages/carports are to be kept in good repair and in a safe and sanitary condition.

§165-58. F. Not more than one accessory structure, excluding a private garage/carport, shall be permitted on any lot located within a manufactured dwelling park site. Such accessory structure shall have a maximum buildable area of 100 square feet and shall be no taller than eight feet above existing grade to the peak of the structure's roofline. No accessory structure located within a manufactured dwelling park site shall be located closer than five feet to the lot line.

§165-58. G. All lighting for a private garage/carport shall be in compliance with the provisions contained in the Town's lighting regulations, Chapter 165, Article V, Section 64 of the Town Code.

Section 11. Chapter 165, Article VI, Special Permit Uses, Section 84.1 E., is hereby amended in its entirety to read as follows:

§165-84.1. E. In the GB General Business, LI Limited Industrial and GI General Industrial Districts, a portion of the storefront structure shall be designated as the rental office for the mini-warehouse structure(s).

Section 12. Chapter 165, Article VI, Special Permit Uses, Sections 84.1. D., E., F. and H. are hereby deleted in their entirety and are hereby amended by adding new sub-sections 84.1.D., E. and F. which are to read in their entirety as follows:

§165-84.1. D. In the GB General Business, LI Limited Industrial and GI General Industrial Districts, no mini warehouse structure may be used as part of a storefront without Planning Board authorization as part of an approved special use permit and site plan.

§165-84.1. E. In the GB General Business, LI Limited Industrial and GI General Industrial Districts, a portion of a storefront within a mini warehouse structure may also be designated as the rental office for the mini warehouse site.

§165-84.1. F. In the GB General Business, LI Limited Industrial and GI General Industrial Districts, the storefront portion of a mini warehouse structure shall not be larger than 35% of the total square-foot print of said mini warehouse structure.

Section 13. Chapter 165, Article VI, Special Permit Uses, Section 84.1. K. is hereby deleted and replaced with a new Section 84.1.K. to read in its entirety as follows:

§165.84.1.K. The maximum size for an unconditioned mini warehouse structure, not including any storefront portion shall be 6,000 square feet. An retail portion of a mini warehouse unconditioned structure used for storefront purposes shall be conditioned space. The maximum lot coverage for a mini warehouse conditioned structure, including a storefront portion, shall be 35% in the GB General Business, LI Limited Industrial and GI General Industrial Districts.

Section 14. Chapter 165, Article VI, Special Permit Uses, Section 84.1. O. is hereby deleted and replaced with a new section 84.1.O. to read in its entirety as follows:

§165.84.1.O. The minimum front setback for a mini warehouse structure in the GB General Business District, shall be 75 feet, and in the LI Limited Industrial and GI General Industrial Districts, shall be 80 feet.

Section 15. Chapter 165, Article VI, Special Permit Uses, Section 84.1.P is hereby deleted and replaced with a new section 84.1. P. to read in its entirety as follows:

§165-84.1. P. Outdoor parking of stored travel trailers, trailers, recreational vehicles, boats, etc., may be allowed as part of site plan approval for a mini warehouse site provided that:

- (1) Such parking is within a designated area of the site that is fully screened by either a solid fence, a berm and/or landscaping, to the greatest extent practical, from view from along adjacent highways, parkland, an residential neighborhoods; and
- (2) Outdoor storage use/area shall be accessory to the mini warehouse use; and
- (3) Designated off-street parking spaces shall be identified on site plans for mini warehouse sites shall not be used for outdoor parking of stored vehicles listed above in this Section.

Section 16. Chapter 165, Article VI, Special Permit Uses, Section 84.1. R. is hereby deleted and replaced with a new section 84.1.R. to read in its entirety as follows:

§165-84.1. R. Access to all unconditioned mini warehouse structures located within a mini warehouse site may be by gated entry point(s). All unconditioned mini warehouse structures may be fully secured by a six-foot-high fence. A solid wall may be located along those portions of any unconditioned mini warehouse structure that has an exterior wall facing the rear or side lot lines. All fences/walls visible from adjacent highways, parkland, and residential neighborhoods shall be constructed of decorative material such as slump stone masonry, concrete block, decorative brick or stone, wrought iron, or other similar materials that fully screen the mini warehouse units. Said exterior wall for the unconditioned mini warehouse units shall not have any openings for access. Where there is a storefront as part of an unconditioned mini warehouse structure, then a fence may be attached to the side portion of the storefront and extend towards the interior drive aisle portion(s) of the site. Access to a conditioned mini warehouse structure, that has a locked/alarmed exterior entrance door(s) is not required to be further secured by a six- foot-high fence/wall surrounding said structure.

Section 17. Chapter 165, Article VI, Special Permit Uses, Section 84.1. T. is hereby deleted and replaced with a new section 84.1.T. to read in its entirety as follows:

§165-84.1. T. A minimum of forty (40) feet in length, of clear, unobstructed driveway shall be provided from the adjacent highway right-of-way to the primary access gate or principal entry point to any mini warehouse site. The minimum driveway width between all mini warehouse structures shall be twenty-five (25) feet. The minimum driveway width circulating around the mini warehouse structures and connecting to the internal drive aisles shall be thirty (30) feet when serving two-way traffic movements.

Section 18. Chapter 165, Article VI, Special Permit Uses, Section 84.1. Y. is hereby deleted and replaced with a new section 84.1. Y. to read in its entirety as follows:

§165-84.1. Y. A landscaped area, at least six (6) feet in width shall be provided around the mini warehouse site. Said landscaped area is to be delineated on the approved site plan and shall contain those native plants and trees specified elsewhere within Chapter 165, Article VIII, Sections 100. C. (2) and D. A two-year surety guarantee for maintaining this landscape area shall be required starting at the time of issuance of either a certificate of occupancy or a certificate of completion.

Section 19. Chapter 165, Article VI, Special Permit Uses, Section 84.1. Z. is hereby repealed and is replaced with a new section 84.1.Z. to read in its entirety as follows:

§165-84.1. Z. All mini warehouse sites shall provide a sidewalk across the site's frontage when the site is identified on the Town of Farmington Sidewalk/Trail Master Plan Map, Map No. 19, contained in Appendix #2, of the latest edition of the adopted "Town of Farmington Comprehensive Plan."

Section 20. Chapter 165, Article VI, Special Permit Uses, Section 84.1. AA is hereby repealed and is replaced with a new section 84.1. AA. to read in its entirety as follows:

§165-84.1. AA. All mini warehouse sites having more than one (1) structure shall have similar building elevations and colors, and each building shall be identified by either a letter or number that is legible from the adjacent public highway and located on the side of the structure near the entrance to said structure. All other Commercial Speech Signage shall comply with sign regulations contained elsewhere in this Chapter of the Town Code.

Section 21. Chapter 165, Article VI, Special Permit Uses, Section 84.1. BB is hereby repealed and is replaced with a new section 84.1.BB. to read in its entirety as follows:

§165-84.1.BB. All mini warehouse site Non-Commercial Speech Signs may identify the property owner(s), their telephone number(s) and/or e mail address.

Section 22. Chapter 165, Article VI, Special Permit Uses, Section 84.1. CC is hereby repealed and is replaced with a new section 84.1. CC to read in its entirety as follows:

§165-84.1. CC. All mini warehouse sites shall have conspicuously posted, near the main entrance to the site, a Non-Commercial Speech Sign containing the contact information to be called in the event of a site emergency.

Section 23. Chapter 165, Article VI, Special Permit Uses, Section 84.1. DD is hereby repealed and is replaced with a new section 84.1. DD to read in its entirety as follows:

§165-84.1. DD. Snow removal from within the mini warehouse site shall be required unless the owner can demonstrate an area, within said site, where snow storage will not interfere with internal circulation of emergency vehicles and users of the facility.

Section 24. Chapter 165, Article VI, Special Permit Uses, Section 84.1. EE is hereby repealed and is replaced with a new section 84.1. EE to read in its entirety as follows:

§165-84.1. EE. All mini warehouse sites shall provide internal roadway circulation designed to accommodate access throughout the site by emergency vehicles.

Section 25. Chapter 165, Article VI, Special Permit Uses, Section 84.1. FF is hereby repealed and is replaced with a new section 84.1. FF to read in its entirety as follows:

§165-84.1. FF. The parking spaces for conditioned mini warehouse storage building(s) shall be clearly identified on the approved site plan, marked on pavement near the main entrance to the building and shall not be located greater than one-hundred-fifty (150) lineal feet from the building's main entrance. Each conditioned mini warehouse storage building shall have designated handicapped parking spaces as required by the State Uniform Code. None of these parking spaces may be used for the outdoor parking of vehicles being stored on the site as is identified above herein. Unconditioned mini warehouse buildings may have parking alongside the drive aisles for each building.

Section 26. Chapter 165, Article VI, Special Permit Uses, Section 84.1. GG is hereby created to read in its entirety as follows:

§165-84.1. GG. The maximum height allowed for a conditioned mini warehouse building shall be three (3) stories in the GB General Business, LI Limited Industrial and GI General Industrial Districts.

Section 27. Chapter 165, Article VI, Special Permit Uses, Section 84.1. HH is hereby created to read in its entirety as follows:

§165-84.1. HH. One (1) loading dock may be allowed to be attached to a conditioned mini warehouse building provided the building has a minimum of ten (10) storage units, each sized one hundred (100) square feet in area, or larger. The loading dock shall be kept clear of all material and debris after each loading/unloading operation.

Section 28. Chapter 165, Article VI, Special Permit Uses, Section 84.1. II is hereby created to read in its entirety as follows:

§165-84.1. II. All packaging, rubbish, or debris associated with any mini warehouse storage building/unit shall be stored on-site within an approved trash receptacle and shown on the site plan or immediately removed.

Section 29. Chapter 165, Article VI, Special Permit Uses, Section 84.1. JJ is hereby created to read in its entirety as follows:

§165-84.1. JJ. Vehicles, trailers and related equipment may be rented or leased on-site as an accessory use to the mini warehouse use. However, no more than three (3) vehicles, trailers and related equipment for rent or lease may be parked, displayed or stored in front of any mini warehouse structure for more than twenty-four (24) hours. All on-site Commercial Speech Sign(s) must comply with the Town's Sign Regulations contained elsewhere in Chapter 165 of the Town Code.

Section 30. Chapter 165, Article VI, Special Permit Uses, Section 84.1. KK is hereby created to read in its entirety as follows:

§165-84.1. KK. Mini warehouse sites are intended for dead storage of personal goods and vehicles. The following activities are prohibited:

- (1) Furniture, garage and junk sales; and
- (2) Auctions of any kind or retail activity except for such activity conducted by the site's owner for legal purposes. All such auctions are considered to be a special event subject to review and approval by the Town Code Enforcement Officer; and
- (3) Automobile repair, and similar uses; and
- (4) Storage of hazardous or flammable materials must comply with New York State Fire Codes; and
- (5) Cabinet making and similar manufacturing, whether it is for sale or for the storage of unit renters personal use; and
- (6) No dumping of sewage or trash, no washing of laundry, no living within a stored RV or board shall be permitted.

Section 32. If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been ordered.

Section 33. This local law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION #212-2022:

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

EARTHWORK SURETY FINAL RELEASE – MONARCH MANOR SUBDIVISION – PHASE 2, IN THE TOTAL AMOUNT OF \$ 15,950.00.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from the Town Planning Board (hereinafter referred to as Planning Board) a resolution dated May 18, 2022 recommending approval of the requested release of funds from the above referenced Surety. The total amount of funds recommended to be released for the earth work completed in Phase 2 of the Monarch Manor Subdivision Tract, is \$15,950.00; and

WHEREAS, the Town Board has also been provided the Town Letter of Credit Release Forms G-1.1 and G-2.0 that have been signed by all of the town department heads and dated January 25, 2022; and

WHEREAS, the total amount of this Surety is \$ 15,950.00; and

WHEREAS, there will be a zero balance remaining; and

WHEREAS, the Town Clerk and the Town Principal Account Clerk have both reviewed this requested release finding the amounts contained therein to be accurate.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby approve of the requested release of funds cited above herein and authorizes the Town Supervisor to sign Form G-2.0 approving the above referenced release of funds from the above referenced Surety.

BE IT FURTHER RESOLVED, that the Town's Principal Account Clerk is hereby authorized to prepare a payment voucher, in the total amount of \$ 15,950.00; and to process payment to Anthony DiPrima, A&D Real Estate Development Corporation, LLC.

BE IT FURTHER RESOLVED, that the Town Clerk, is to be provided certified copies of this resolution to: Anthony DiPrima, A&D Real Estate Development Coporation, LLC, Anthony DiPrima, 7 Beauclaire Drive, Fairport, New York 14450; Walter Baker, D.S.B. Engineers & Architects, P.C., 2349 Ridgeway Avenue, Rochester, New York 14626; Matt Heilmann, Town Construction Inspector; Tim Ford, Town Highway & Parks Superintendent; Robin MacDonald, Acting Town Water & Sewer Superintendent; Lance S. Brabant, CPESC, Director of Planning Services, MRB Group, D.P.C.; Dan Delpriore, Town Code Enforcement Officer; and Ronald L. Brand, Town Director of Planning and Development.

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

RESOLUTION #213-2022:

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

RESOLUTION RECALLING AND AMENDING RESOLUTION #163-2022 AUTHORIZING THE SUPERVISOR TO SIGN CONTRACT WITH YOUNG EXPLOSIVES FOR JULY 3 FIREWORKS DISPLAY

WHEREAS, the Town Board passed Resolution #163-2022 authorizing the Supervisor to sign a Contract with Young Explosives for the July 3rd fireworks display; and

WHEREAS, the Farmington Chamber of Commerce has committed to donating and additional \$1,500.00 for the July 3rd fireworks display; and

WHEREAS, Young Explosives Corp. has verified in the contract that they will provide \$2 million in liability insurance and will charge the town \$6,000.00 (\$4,500.00 from the Town and \$1,500.00 from the Chamber of Commerce) for the exhibition of fireworks including all technicians; now therefore be it

RESOLVED, that the Town Board does hereby recall and amend Resolution \$163-2022 authorizing the Supervisor to sign a revised Contract with Young Explosives to include ethe \$1,500.00 donation from the Farmington Chamber of Commerce; and be it

RESOLVED, that the Town Clerk forward the signed contract to Young Explosives and make copies of the contract and this resolution for the Recreation Director, the Farmington Chamber of Commerce, and Highway/Parks Superintendent.

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

RESOLUTION #214-2022:

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN A MOBILE BIO-SCRU DRYER DEMO AGREEMENT WITH BCR SOLID SOLUTIONS

WHEREAS, the Town Supervisor has been provided with an agreement from BCR Solid Solutions to demonstrate the Mobile Bio-Scru Indirect Dyer for purposes of drying municipal biosolids at the WWTP at a cost not to exceed \$2,550.00; and

WHEREAS, this treatment solution would allow the Town to dry the WWTP's dewatered biosolids to achieve Class-A disinfection requirements set forth by the US EPA; now therefore be it

RESOLVED, that the Town Board authorizes the Town Supervisor to sign the Mobile Bio-Scru Dryer Demo Agreement with BCR Solid Solutions at a cost not to exceed \$2,550.00; and be it

RESOLVED, that the Town Clerk forward the original signed contract to the Supervisor's Office and provide copies of this resolution to the W&S Superintendent, Bill Davis of MRB Group, and the Principal Account Clerk.

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

RESOLUTION #215-2022:

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

RESOLUTION CREATING AN ACCOUNTANT I POSITION

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 a letter dated May 16, 2022 enclosing a copy of Classification Certification No. 35-2022 which classifies one position of Accountant I 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 an Accountant I 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, the Principal Account Clerk and the Supervisor's Secretary.

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

RESOLUTION #216-2022:

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

APPROVAL TO AWARD A BID TO SPRAY IN PLACE SOLUTIONS LLC LOCATED AT 45 KNICKERBOCKER AVE. STE 1, BOHEMIA, NY 11967 -HOOK ROAD WATERMAIN UNDER NYS THRUWAY

WHEREAS, the Town of Farmington Water & Sewer Superintendent recommends the award of the bid opened on April 29, 2020 (resolution 178-2022) from Spray In Place Solutions LLC for the lining of the 12" water main that crosses under the New York State Thruway,

WHEREAS, the Water and Sewer Superintendent has received one bid for this project; no other vendors bid this project, and

WHEREAS, the Water and Sewer Superintendent seeks to award the bid to Spray in Place Solutions LLC. at a cost not to exceed \$69,300.00. The capital project "SIPP Lining" will be established using Federal ARPA funds with the following budget amendment within the capital project:

HS2397 Capital Projects, Other Gov	\$80,000	
HS1440.2 Engineering		\$8,000
HS8340.2 Water Distribution Outlay		\$72,000

RESOLVED, that the Town Board approves the Supervisor to sign and execute the contracts for this project,

LASTLY BE IT RESOLVED, that a copy of this resolution will be supplied from the Town Clerk to the Water and Sewer Superintendent, Bill Davis at MRB Group, the Principal Account Clerk, and Spray in Place Solutions LLC, 45 Knickerbocker Ave, Ste 1, Bohemia, NY 11967.

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

RESOLUTION #217-2022:

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

RESOLUTION AMENDING THE ESTIMATED COSTS WITHIN THE 284 HIGHWAY AGREEMENT

WHEREAS, resolution 421-2021 approved the 284 agreement for the Highway expenditures for 2022,

WHEREAS, the estimated cost figures for the permanent improvement projects are higher due to increased costs for materials as summarized in the attached spreadsheet,

WHEREAS, the Acting Highway Superintendent has verified that the improvement projects as well as the general maintenance and repairs scheduled for 2022 will remain within the parameters of the 2022 adopted budget,

WHEREAS, in the event that a budget transfer is required, there is fund balance available within the Highway accounts,

NOW, THEREFORE BE IT RESOLVED, that the Town Board approves the amended estimated costs within the revised 284 agreement,

FULLY RESOLVED, that copies of this resolution be submitted by the Town Clerk to the Principal Account Clerk, and the Highway Superintendent.

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

RESOLUTION #218-2022:

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

RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN THE HIGHWAY FUND TO REFLECT THE 2022-2023 STATE AID FOR PAVE OUR POTHOLES (POP) PROGRAM

WHEREAS, a letter has been received from NYS Dot and the Town is eligible for \$41,941.92 in POP funding,

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

	Debit	Credit
DA3501 Consolidated Highway Aid	\$41,941.92	
DA5112.24 POP program		\$41,941.92

FULLY RESOLVED, that copies of this resolution be submitted by the Town Clerk to the Principal Account Clerk, and the Highway Superintendent.

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

RESOLUTION #219-2022:

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

CANANDAIGUA-FARMINGTON WATER DISTRICT –TOWN LINE ROAD EAST END 12" WATERMAIN PROJECT- AWARD PUBLIC BIDDING OF WATERMAIN FITTINGS AND SUPPLIES

WHEREAS, the Water Superintendent for the for the Canandaigua-Farmington Water District (CFWD) has requested the purchase of watermain fittings and supplies for the upcoming 2022 budgeted CFWD watermain replacement project located

within the joint Canandaigua-Farmington Town Road Highway Improvement Project that is currently underway, and

WHEREAS, by Board Resolution #194 of 2022 the Town Board of the Town of Farmington authorized the Advertisement of Public Bidding for the Canandaigua-Farmington Town Line Road 12” watermain supplies, and

WHEREAS, three sealed bids were on Tuesday, May 13, 2022 and publicly read at 10:15AM at the office of the Farmington Town Clerk, 1000 County Road 8, Farmington, New York 14425 and the bids have been reviewed by the Water and Sewer Superintendent, and

BE IT RESOLVED, that the Town Board of Farmington acting on behalf of the Canandaigua Farmington Water District hereby authorizes the Water and Sewer Supt. to award the water pipe materials as follows at a combined cost of \$ 150,063.69 to the following:

- Blair Supply, Rochester New York: Total being \$905.72
- Core and Main, Rochester New York: Total being \$148,329.97
- Ferguson Waterworks, Syracuse New York: Total being \$828.00

BE IT FURTHER RESOLVED, that funding for said supplies will be from the Water Tank Repair Capital Project with the following budget amendment within the capital project:

	Debit:	Credit:
HW8397.22 Bond Counsel	70,000	
HW8397.23 Special Inspections	39,795	
HW8397.24 Scada	50,000	
HW8397.26 Waterline		159,795

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

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

RESOLUTION #220-2022:

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

CANANDAIGUA-FARMINGTON WATER DISTRICT –TOWN OF FARMINGTON 2022 ANNUAL WATER SUPPLY AWARD PUBLIC BIDDING OF WATERMAIN FITTINGS AND SUPPLIES

WHEREAS, the Water Superintendent for the for the Canandaigua-Farmington Water District (CFWD) has requested the purchase of watermain fittings and supplies for the upcoming 2022 budgeted CFWD Annual Water Supply, and

WHEREAS, by Board Resolution #194 of 2022 the Town Board of the Town of Farmington authorized the Advertisement of Public Bidding for the Annual Water supplies, and

WHEREAS, three sealed bids were on Tuesday, May 13, 2022 and publicly read at 10:30AM at the office of the Farmington Town Clerk, 1000 County Road 8, Farmington, New York 14425 and the bids have been reviewed by the Water and Sewer Superintendent, and

BE IT RESOLVED, that the Town Board of Farmington acting on behalf of the Canandaigua Farmington Water District hereby authorizes the Water and Sewer Supt. to award the water pipe materials as follows at a combined cost of \$ 104,753.04 to the following:

- Blair Supply, Rochester New York: Total being \$6,993.56
- Core and Main, Rochester New York: Total being \$96,744.48
- Ferguson Waterworks, Syracuse New York: Total being \$1,015.00

BE IT FURTHER RESOLVED, that funding for said expenditure will be from the 2022 Budget Code 8340.4 and

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

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

RESOLUTION #221-2022:

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

RESOLUTION TO RECALL AND AMEND RESOLUTION #208-2022 AUTHORIZING PAYMENT FOR PARTS AND LABOR TO REPAIR WATER TRUCK #6

WHEREAS, Resolution #208-2022 authorized payment to Macedon Collision for parts and labor to repair truck #6 in an amount not to exceed \$3973.94

WHEREAS, The final invoice received from Macedon Collision has a total amount due of \$4030.34, which will be paid as part of Abstract number 10,

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington authorizes the payment to Macedon Collision in the amount of \$4030.34,

FULLY RESOLVED, that a copy of the resolution be forwarded to the Water and Sewer Department and the Principal Account Clerk.

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

RESOLUTION #222-2022:

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

CONFIRMING RESOLUTION AUTHORIZING THE HIGHWAY/PARKS SUPERINTENDENT TO PURCHASE AN INTERNATIONAL 2024 HX 620 6X4 WITH VIKING EQUIPMENT FROM NAVISTAR

WHEREAS, the Highway/Parks Superintendent has allocated funds for an HX 620 6X 4 International from the 2023 budget for a truck to in for the Highway Department, and

WHEREAS, the International with Viking equipment from Navistar price is **\$255,099.90, and**

WHEREAS, the complete package will be purchased off the **Onondaga County Contract #8996, and**

WHEREAS, this purchase is in compliance with the current purchasing policy for the Town and will be **at a cost not to exceed \$256,000 allocated from (DA-5130.2), now therefore be it**

RESOLVED, that the Town Board authorizes the Highway/Parks Superintendent to purchase the 2024 International HX 620 6X4 with Viking Equipment from Navistar at a cost not to exceed \$256,000.00; and be it further

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

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

RESOLUTION #223-2022:

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

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

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

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

TITLE	NAME	SOCIAL SECURITY NUMBER	REGISTRATION NO.	STANDARD WORK DAY	TERM BEGINS/ENDS	PARTICIPATES IN EMPLOYERS TIME KEEPING SYSTEM (Y/N)	DAYS/MONTH	NO RECORD SUBMITTED
ELECTED OFFICIALS								
Town Clerk	Michelle Finley	2868	38173696	8	1/1/2022-12/31/2025	N	20.00	
Councilman	Michael Casale	5793	10070461	6	1/1/2022-12/31/2025	N	3.59	
Town Justice	John Gligora	3155	37370715	6	1/1/2022-12/31/2025	N	9.14	
Councilman	Steven Holtz	6635	43361609	6	1/1/2022-12/31/2025	N	3.87	
APPOINTED OFFICIALS								

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

RESOLUTION #224-2022:

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN PROPOSAL WITH GUTH DECONZO CONSULTING ENGINEERS FOR CAMERAS AND ROAD SENSORS AS PART OF THE NYPA LED STREET LIGHT PROGRAM

WHEREAS, the Town Supervisor received a Proposal from BouJeloud Reed of Guth DeConzo Consulting Engineers, PC regarding cameras and road sensors as part of the NYPA LED Street Light Program with the scope of the project totaling \$68,510.00 including contingency, and

WHEREAS, the Town's portion for this project is \$24,205.00 to be paid from the LED Capital Project Fund with the following budget transfer

	Debit:	Credit:
HQ599 Appropriated Fund Balance	17,168	
HQ3097.2 LED Lighting		17,168.00

RESOLVED, that the Town Board the Town Supervisor to sign the Proposal from Guth DeConzo Consulting Engineers, PC regarding cameras and road sensors as part of the NYPA LED Street Light Program; and be it further

RESOLVED, that the Town Clerk forward this resolution and the signed Proposal to BouJeloud Reed of Guth DeConzo Consulting Engineers, PC at breed@guthdeconzo.com and Joseph Szabo of NYPA at Joseph.Szabo@nypa.gov and copies to Highway/Parks Department and the Principal Account Clerk.

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

RESOLUTION #225-2022:

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

Abstract 10 – 2022

TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS

ABSTRACT NUMBER		10	
DATE OF BOARD MEETING		5/24/2022	
FUND CODE	FUND NAME	TOTAL FOR EACH FUND	VOUCHER NUMBERS
A	GENERAL FUND	90,832.26	915,916,918,920-950,952-957,959,961-967,977,979-980
DA	HIGHWAY FUND	22,747.32	933,939,949,954,961,967-974
HB	BEAVER CREEK PARK	882.43	958,976,978
HZ	TOWNLINE CAP PROJECT	122.10	951
HM	FUEL STATION CAP PROJECT	0	
TA93	LETTER OF CREDIT	15,950.00	914
SF	FIRE PROTECTION DISTRICT	0	
HW	WATER TANK REPAIR	0	
SL1	LIGHTING DISTRICT	1,312.76	979
SD	STORM DRAINAGE	2,980.01	933,954,975
SS	SEWER DISTRICT	65,063.33	974-905,917,918,933,937,939,949,954,960,961,965,967
SW1	WATER DISTRICT	19,036.30	874,881-883,888-889,900-903,906-913,918,933,937,939,949,953,954,960,961,965,967
TA200	PAYROLL DEDUCTIONS	7,212.44	901,919,925,933,954,962,967
	TOTAL ABSTRACT	\$ 226,138.95	

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

TRAINING UNDER \$100: None.

DISCUSSION: Request to waive late fee (Auto Wash – 6214 NY-96 and Fairdale Townhomes – 1155 Fairdale Glen). After a brief discussion the Town Board denied waiving the fee.

WAIVER OF THE RULE: No Objection

RESOLUTION #226-2022:

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

RESOLUTION AUTHORIZING THE HIGHWAY/PARKS SUPERINTENDENT TO FILL ONE (1) MEO POSITION IN THE HIGHWAY DEPARTMENT

WHEREAS, the Highway/Parks Superintendent has one (1) MEO Position vacant position to fill (Asa Hoffman) in the Highway Department at a rate of \$20.00 per hour with a start date of May 31, 2022, and

WHEREAS, the MEO position is included in the 2022 Budget to the Highway Department and,

RESOLVED, that the Town Board authorizes the Highway/Parks Superintendent to fill the vacant MEO position at a rate of \$20.00 per hour, and be it further

RESOLVED, that the Town Clerk forward copies of this Resolution to the Highway/Parks Superintendent, Principal Account Clerk, and the Supervisor's Office.

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

RESOLUTION #227-2022:

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

RESOLUTION WAIVING A SECOND APPLICATION FEE FOR FINAL SITE PLAN APPROVAL, LOT R-2, BLACKWOOD INDUSTRIAL PARK.

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has received from Michael Montalto, Costich Engineers, D.P.C., a letter dated May 23, 2022 requesting a waiver of a second application fee for final site plan approval for the above referenced project; and

WHEREAS, the Town Board has today, at both the Town Public Works Committee meeting and the Town Operations Committee meeting, discussed the issues surrounding this request for a waiver of the application fees for an amended final site plan drawing required by the Ontario County Department of Public's Works; and

WHEREAS, the Town Board has reviewed the Town's files on the proposed Action.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does find that based upon the information provided that there is sufficient justification, in this instance, for waiving the second application fee for final site plan approval and does hereby waive a second application fee for final site plan approval for this project.

BE IT FINALLY RESOLVED, that a certified copy of the resolution is to be provided to the Applicant, Karl Schuler, Union Crossing Development, LLC, 105 Despatch Drive Suite A, East Rochester, New York 14445; the applicant's engineer, Michael Montalto, Costich Engineers, D.P.C.; and a certified copy of this resolution is to be provided to the Town Development Office for placing in the property file.

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

RESOLUTION #228-2022:

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

RECALL RESOLUTION NO. 153 OF 2022 AND RE-CLASSIFYING A PROPOSED REZONING OF LAND (ACTION) UNDER THE PROVISIONS OF THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) REGULATIONS, FOR THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 165, ZONING LAW, ARTICLE III, SECTION 165-12, ZONING MAP, FOR REZONING THREE (3) PARCELS OF LAND IDENTIFIED AS TAX MAP ACCOUNT NUMBERS 29.00-01-39, 29.00-01-40 AND 29.00-01-41.1, FROM GB GENERAL BUSINESS TO IZ INCENTIVE ZONING FOR THE FARMINGTON MARKET CENTER PROJECT

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) at tonight's meeting has received a request from Corey A. Auerbach, a Partner in the firm Barclay Damon, LLP, dated May 19, 2022, requesting the Town Board re-classify the above referenced rezoning as being a Type I Action under the provisions of Section 617.4. (b) (6) (i) of 6NYCRR Part 617, effective January 1, 2019, a part of the New York State Environmental Conservation Law (ECL); and

WHEREAS, the Town Board has reviewed the amended Full Environmental Assessment Form (FEAF) submitted with the cover letter and has considered this request, along with a second request from Mr. Auerbach, to re-submit a full statement of the proposed Action to the Ontario County Planning Board pursuant to Sections 239-1 & -m of the New York State General Municipal Law; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby recall Resolution No. 153 of 2022 and does hereby re-classify the above referenced Action under the SEQR Regulations as a Type I Action.

BE IT FURTHER RESOLVED, that upon receipt of the previously requested traffic study for this proposed Project (Town Board Resolution #187-2022, dated April 27, 2022) the Director of Planning and Development is instructed to again submit a full statement of the proposed Action to the Ontario County Planning Board for their review and recommendation under the provisions of Sections 239-1 & -m of the New York State General Municipal Law.

BE IT FURTHER RESOLVED, that certified copies of this resolution are to be provide to: the Applicant, Angelo Ingrassia, Farmington Market Center, LLC, 550 Latona Road, Building E. Suite 501, Rochester, New York 14626; Corey A. Auerbach, Partner, Barclay Damon, LLP, The Avant Building, 200 Delaware Avenue, Suite 1200, Buffalo, New York 14202; and Michael Montalto, Project Manager, Costich Engineers, 217 Lake Avenue, Rochester, New York 14608.

BE IT FURTHER RESOLVED, that certified copies of this resolution are to be provided to the Town Director of Planning and Development, the Town Code Enforcement Officer, the Town Zoning Enforcement Officer, the Town Highway and Parks Superintendent, the Town Acting Water and Sewer Superintendent and the Town Engineer.

BE IT FINALLY RESOLVED, that the Town Board directs a copy of this resolution is to be filed as provided for under the State's SEQR Regulations.

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

EXECUTIVE SESSION: A motion was made by **Councilman Casale** at 7:52 p.m. to enter into executive session to discuss the medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation, **Councilman Bowerman** seconded the motion, motion CARRIED.

At 8:09 p.m. **Councilman Casale** made a motion to exit executive session, **Councilman Bowerman** seconded the motion, motion CARRIED.

With no further business before the Board, **Councilman Holtz** offered a motion to adjourn the meeting at 8:10 p.m., seconded by **Councilman Casale**. Motion CARRIED.

Michelle A. Finley, MMC, RMC -Town Clerk