

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 22<sup>nd</sup> day of August, 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 Delpriore** – Code Enforcement Officer, **Ron Brand** – Director of Planning and Development, **Bill Davis** – MRB Group, **Adrian Bellis** – Planning Board Member, **Ed Hemminger** – Planning Board Chairman, **Nathan Thomas** – resident, **Donna LaPlant** – Assessor, **Christopher LaPlant** – resident, **Tonia Ettinger** – resident, and **Tracey Curry** – Court Clerk

Also present by telephone/video conferencing were: **Michael Phillips** – resident, and John Piper - Consultant

**PUBLIC HEARINGS: None.**

**APPROVAL OF MINUTES:**

A motion was made by **Councilman Bowerman** and seconded by **Councilman Casale** that the minutes of the August 8, 2023, Town Board Meeting and given to members for review, be approved. All Voting “Aye”. (Casale, Holtz, Herendeen, Bowerman, and Ingalsbe). Motion Carried.

**PRIVILEGE OF THE FLOOR: None.**

**PUBLIC CONCERNS: None.**

**REPORTS OF STANDING COMMITTEES:**

**Public Works Committee: Councilman Herendeen reported:**

1. Discussed Digester #1 -is in and work will continue.
2. Discussed UV System- now operational.
3. Discussed flow meter – in manhole V-2749, southwest of 6437 Murphy Drive had been retrieved.
4. PS #7 is in service, paving and landscaping is completed.
5. Manhole inspection in Cobblestone, four were located.
6. I & I inspection at Marsh Circle. Redmond has repaired the four manholes.
7. Discussed Collett Road emergency sewer repairs.
8. Service line information is available for the L/C survey in records at the WWTP, interns have completed tap record data entry into field maps.
9. Hydrant flushing and weed trimming is ongoing.
11. 2024 equipment budget appropriation from vehicles/equipment to a valve turner.
10. Discussed resolution on agenda.

**Highway & Parks:**

1. Highway- equipment maintenance, roadside mowing, trucks helped Town of Canandaigua and Phelps, poured catch basins and fitters on Meadowbrook and Clovermeadow, Cline/Brownsville Roads open, removed road closure and detour signs, and Suit Kote is doing crack sealing.
2. Parks- mowing, field striping and grooming, painted crosswalks, mower maintenance and repair, and fire extinguisher inspections at Highway, Court, Park Shop, Town Hall, and Mertensia Lodge.
3. Swap Shop – lost power/ underground wire is corroded.
4. Discussed resolutions for meeting.

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

1. Discussed resolutions on agenda.
2. TAP Sidewalk Grant proceeding on schedule.
3. Discussed upcoming public hearings – Chapter 9 amendments and new Chapter 38.
4. Ag Advisory meeting will be September 21<sup>st</sup>, at 6:30 p.m., at the Town Hall.
5. Discussed amending Site Design and Criteria.
6. County Drainage Study-Black Creek.

**Town Finance Committee: Supervisor Ingalsbe reported: None.**

**Town Public Safety Committee: Councilman Holtz reported: None.**

**REPORTS OF TOWN OFFICIALS:****Supervisor Peter Ingalsbe reported:**

1. Compost containers were issued the past two weeks to residents, the cost is \$25.00, taking names now for the 2024 budget.
2. 2024 budget sheets have been turned in from department heads. Now scheduling workshops with departments and outside agencies.
3. Last Thursday met with representatives from Fishers Fire Department, Farmington Volunteer Fire Association, Victor Fire Department, and the Victor-Farmington Volunteer and Victor Supervisor Marren.
4. Attended open house and ribbon cutting event for Farmington Medical Group on NYS 332 with Ron and Dan.
5. Attended Eagle Scout Court of Honor for Troop 6060, the all-female troop started in 2019, five young women who are founding troop members all earned their Eagle rank this Spring. Two are from Farmington: Ruby Callari and Makenna Binder.
6. Along with Ron, met with the Rochester Home Builders Association and Congresswoman Tenney's Office at the Hathaway Corner site to discuss the current housing market climate, and the impact on the local economy, what does the future look like and workforce development or environmental issues.
7. County -Attended along with Dan and Ron, a FEMA presentation on new flood plain maps.
8. County-Committee cycles for the 2024-2025 budget discussions have started with the final review by the Ways & Means Committee scheduled for September 21 at 8 am.
9. County – the town is co-sponsoring a Hazardous Waste event with the Cornell Cooperative Extension of Ontario County, September 16<sup>th</sup> at the Farmington Highway Garage. You must pre-register.
10. Reminder – Farmington Town Clean Up days – October 13<sup>th</sup> and 14<sup>th</sup>, more information to come next month.

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

1. Discussed electrical issue at Swap Shop.
2. New truck is done, pick up sometime next week. Waiting on loader and mowing tractor.

**Town Clerk Michelle Finley reported:**

1. Last Saturday afternoon received Facebook message regarding individuals going door to door over in the Doe Haven subdivision, no peddler permits have been issued, took a drive over and found two young men selling window cleaning services and explained to them that they needed a permit, the owner was to contact me Monday morning but had not.
2. Officiated a marriage last Friday.

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

1. North Road project is proceeding very well-hopefully in service next week.

**Code Enforcement Officer Dan Delproire reported:**

1. Having issues with contractors working after hours and on Sundays.
2. Discussed FEMA mapping- they will be having some open houses and will post the information.

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

1. Town Operations Report available on website and filed with the Town Clerk.
2. Discussed Congresswoman Tenney's visit by the Rochester Home Builders – she commented on how inflation is creating a very difficult time for home builders and for people who are wanting to get into their first homes. He stated that she complimented to the Town for the diversity of housing that was being offered in the Hathaways Corners Subdivision and the way that area was being developed. Kudos to the Planning Board for doing a great job.
3. September will have a number of public hearings on amendments to the town code with Boards, Committees, and Commissions and a new chapter on Records.
4. Update on sidewalk grant – not looking so good due to inflation of cost on supplies.

**Assessor Donna LaPlant reported:**

1. 10 small claims (2 hearings next week, 3 the week after, and the rest are not scheduled yet), 4 certioraris
2. She sent around the school tax rates other than she couldn't find Red Jacket so she doesn't know how much that will go down. She stated that both Victor and Pal Mac will go down about \$4.00 per thousand, the only thing that would change that is a big Article 7 in any town will affect the rate.

**Town Engineer Bill Davis reported:**

1. Update on various projects – Townline Road sewer evaluation and make sure the residents know what the cost is and that it is acceptable to them, Close-out Rt. 96/332 project (final payment), Town Park Pavilion-lengthy lead time on the pavilion in order to get started, Farmington Grove Park- will be updating the costs for the budget, and the Brickyard Road Water Tank- SEQR amendment due to a slight alignment in the watermain.
2. Had a presentation from the intern that did the lead service line inventory and he felt that they did a fabulous job so far.

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

2. Next meeting – September 6<sup>th</sup>, continued re-subdivision over in Pheasant Crossings, a Final Site Plan for Yellow Mills project.

**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 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 Chris DeBolt, Ontario County Administrator and Todd Campbell, Chairman Ontario County Board of Supervisor's from the Town Supervisor. Re: Federal American Rescue Act, Victor Farmington Library Renovation, 2023 Grant Application.
2. Letter to Chris DeBolt, Ontario County Administrator and Todd Campbell, Chairman Ontario County Board of Supervisor's from the Town Supervisor. Re: Federal American Rescue Act, Cobblestone Performing Art Center, Best Foot Forward, 2023 Grant Application.
3. Small Claims Assessment Review Petition. Re: 5845 Green Road, Farmington.
4. Small Claims Assessment Review Petition. Re: 5454 State Route 96, Shortsville.
5. Small Claims Assessment Review Petition. Re: 6018 Amber Drive, Farmington.
6. Notice of Electronic Filing. Re: NY Farmington 1, LLC v. Assessor for the Town of Farmington.
7. South Farmington Friend Cemetery Association Art, Culture and Recreation Grant Support Application.
8. Letter to the Town Supervisor from Kathy Sayadoff of Williamson Law. Re: 2024 Annual Support.
9. Letter dated August 10<sup>th</sup>, 2023 to the Town Clerk, Town Supervisor, Town Board and 7<sup>th</sup> District Administrative Judge Hon. William K. Taylor from Town Justice John Gligora received on August 11<sup>th</sup>, 2023. Re: Notice of retirement.
10. Congresswoman Tenney visit with Rochester Homebuilders Discussion Topics.
11. Certificates of Liability Insurance from: Creative Contracting.

### **REPORTS & MINUTES:**

1. Farmington Senior Citizens Meeting Minutes – July 17, 2023.
2. Monthly Report – Judge Lew – July 2023.
3. Monthly Report – Judge Gligora – July 2023.
4. Manchester Fire Department Incident Run Log – July 2023.
5. Farmington Town Park Pavilion Replacement Project Preconstruction Meeting Minutes – August 2, 2023.
6. Monthly Report - Victor-Farmington Ambulance – July 2023.
7. Project Review Committee Meeting Minutes – August 3, 2023.

### **ORDER OF BUSINESS:**

#### **RESOLUTION 306-2023:**

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

#### **RESOLUTION AUTHORIZING THE HIGHWAY/PARKS SUPERINTENDENT TO FILL AN MEO POSITION IN THE HIGHWAY DEPARTMENT**

**WHEREAS**, the Highway/Parks Superintendent has asked that he be allowed to fill the vacant MEO position in the Highway Department at a rate of \$21.00 per hour, and

**WHEREAS**, it has been verified that Devon Murphy's application has been approved by Ontario County Human Resource Department, and

**RESOLVED**, that the Town Board authorizes the Highway/Parks Superintendent to fill the vacant MEO position for the Highway Department with Devon Murphy with a start date of Monday, August 28<sup>th</sup>, 2023, and be it further

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

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

#### **RESOLUTION #307-2023:**

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

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF A STORMWATER CONTROL FACILITY MAINTENANCE AGREEMENT WITH A ROCHESTER GAS AND ELECTRIC CORPORATION**

**WHEREAS**, the Town of Farmington, by its officers or representatives, has engaged in discussions with Rochester Gas and Electric Corporation at their 168 Substation regarding the Town's obtaining a Stormwater Control Facility Maintenance Agreement; and

**WHEREAS** Town of Farmington officials have recommended to the Town Board that said Rochester Gas and Electric Corporation grants to the Town the agreement over said lands of said at Substation 168 located at 4411 State Street, Manchester NY; and

**WHEREAS**, said agreement have been offered by Rochester Gas and Electric Corporation owner of substation 168 to the Town of Farmington; and

**WHEREAS** the Town Board of the Town of Farmington is desirous of accepting said offered agreement on behalf of said Town; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Farmington does hereby accept the agreement attached hereto as Exhibit 1 from Rochester Gas and Electric Corporation 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 Rochester Gas and Electric Corporation, and

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

**MAY IT BE FURTHER RESOLVED**, that copies of this resolution be submitted by the Town Clerk to Jeff Graff 26 East Main Street Clifton Springs for filing with the County Clerks Office, Code Officer Dan Delpriore, Lance Brabant with MRB and Megan Yoshida with RG&E, at 3 City Center, 2<sup>nd</sup> floor, 180 South Clinton Ave, Rochester 14604.

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

**RESOLUTION 308-2023:**

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

**RESOLUTION AUTHORIZING WAIVING THE BEAVER CREEK PARK FEES FOR THE VICTOR CUB SCOUTS PACK 67**

**WHEREAS**, the Victor Cub Scouts Pack 67 is having their family picnic on September 9, 2023 at Beaver Creek Park, and

**WHEREAS**, they are requesting the fees be waived, therefore be it

**RESOLVED**, the Farmington Town Board authorizes the waiving of the fees for the use of the pavilion at Beaver Creek Park on Saturday, September 9<sup>th</sup>, 2023, for the Victor Cub Scouts Pack 67 family picnic, and be it.

**FURTHER RESOLVED**, that the Town Clerk provide a copy of this resolution to the Accountant I and Adam Bull ([awbull@gmail.com](mailto:awbull@gmail.com)), Victor Pack 67 Committee Chair, 6013 Amber Drive, Farmington, NY 14425.

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

**RESOLUTION #309-2023:**

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

**RESOLUTION AUTHORIZING HIRING OF CADIN LLOYD FOR THE VACANT ZONING / ASSISTANT CODE ENFORCEMENT OFFICER POSITION**

**WHEREAS**, the Building Department has a vacancy for a Zoning / Assistant Code Enforcement Officer, and

**WHEREAS**, the Zoning and Assistant Code Enforcement Officer is classified as a competitive position, therefore, in order to qualify for appointment a candidate must meet the minimum qualifications and not only pass the written examination, but also score within the top three highest scores, and

**WHEREAS**, the candidate shall complete and pass all state training for New York State Code Enforcement Officer within 12 months of appointment, and

**WHEREAS**, Cadin Lloyd has applied for the position and been approved by Ontario County Human Resources, and

**WHEREAS**, this appointment will be provisional based upon Cadin Lloyd completing the Code Enforcement Officer Civil Service Exam and scoring within the top three highest scores, now

**THEREFORE BE IT RESOLVED**, that the Town Board of Farmington hereby authorizes the provisional hiring of Cadin Lloyd effective September 5, 2023, at a rate of \$23.00 per hour, and

**BE IT FURTHER RESOLVED**, that the Town Clerk provide copies of this resolution to the Building Department, the Accountant I, Confidential Secretary and to Cadin Lloyd at 4125 Straw Road, Canandaigua NY 14424.

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

**RESOLUTION #310-2023:**

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

**CERTIFICATE OF SUBSTANTIAL COMPLETION FOR THE RT 332 AND 96 WATERLINE REPLACEMENT AND APPROVING THE FINAL PAYMENT APPLICATION TO ROCHESTER PIPELINE**

**WHEREAS**, MRB has provided the Town with the final payment application for this project as well as the certificate of substantial completion, the correction period letter, the bond letter, debts and claims form, release of lien for the contractor and subcontractor, and the consent of surety, now

**THEREFORE BE IT RESOLVED**, that the Town Board of Farmington hereby authorizes the final payment to Rochester Pipeline, and

**BE IT FULLY RESOLVED**, that the Town Clerk returns the signed certificate of substantial completion to MRB Group, and forwards a copy of this resolution and the certificate of substantial completion to the Accountant I and the Water and Sewer department.

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

**RESOLUTION #311-2023:**

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

**RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN THE PROPOSAL FROM ATLANTIC TESTING LABORATORIES FOR SPECIAL INSPECTIONS FOR THE TOWN PARK PAVILION**

**WHEREAS**, proposals were received from three firms for the special inspection and testing services for the Town Park Pavilion Project, and

**WHEREAS**, Atlantic Testing Laboratories had the lowest pricing in the amount of \$5,150, and

**WHEREAS**, the 2023 General Fund budget allocated \$150,000 to the Town Park Pavilion project, now therefore

**BE IT RESOLVED**, that the \$150,000 be moved to the Town Park Improvement Capital Project with the following budget amendments:

|   |           |           |
|---|-----------|-----------|
| Debit: A7110.21 Pavilion                    | \$150,000 |           |
| Credit: A9950.9 Transfer to Capital Project |           | \$150,000 |
| Debit: HP5031 Interfund Transfer            | \$150,000 |           |
| Credit: HP7110.2 Park Improvements          |           | \$150,000 |

**BE IT FURTHER RESOLVED**, that the Supervisor sign the proposal from Atlantic Testing Laboratories, and

**BE IT FULLY RESOLVED**, the signed proposal be returned to Atlantic Testing Laboratories, and that a copy of the resolution and proposal be supplied to Jeremy Gworek at MRB group, the Highway department, and the Accountant I.

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

**RESOLUTION #312-2023:**

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

**RESOLUTION AUTHORIZING BUDGET AMENDMENTS FOR THE GENERAL FUND**

**WHEREAS**, budget amendments are needed to cover expenses in the General Fund, now

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

|  |          |          |
|--|----------|----------|
| Credit: A1990.4 Contingent             | \$33,900 |          |
| Credit: A2725 VLT Revenue              | \$57,100 |          |
| Debit: A1355.4 Assessor Contractual    |          | \$13,000 |
| Debit: A9050.8 Unemployment Insurance  |          | \$3,000  |
| Debit: A1440.4 Engineering Contractual |          | \$75,000 |

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

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

**RESOLUTION #313-2023:**

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

**RESOLUTION AUTHORIZING ACCEPTANCE OF A STORMWATER MAINTENANCE AGREEMENT**

**WHEREAS**, the Town of Farmington, by its officers or representatives, has engaged in discussions with Auto Outlets USA Properties, Inc. and 6162 State Route 96, LLC ("Owners") regarding the Town's obtaining a Stormwater Maintenance Agreement over portions of their respective properties on Route 96, as shown on maps prepared by Lu Engineers last dated June 13, 2023; and

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

**WHEREAS**, said agreement has been offered by Owners to the Town of Farmington; and

**WHEREAS**, the Town Board of the Town of Farmington is desirous of accepting said offered agreement on behalf of said Town; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Farmington does hereby accept the agreement attached hereto as Exhibit 1 from Owners in accordance with the terms and conditions contained in said instrument and directs that the same be recorded in the Office of the Clerk of the County of Ontario, the fees for said recording to be borne by Owners; 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 #314-2023:**

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

**ACCEPTANCE OF PARTS 2 AND 3 OF THE FULL ENVIRONMENTAL ASSESSMENT FORMS (FEAFs) FOR THE REVISED ACTION KNOWN AS "BRICKYARD ROAD WATER STORAGE TANK AND WATER TRANSMISSION LINE PROJECT;" AND MAKING A DETERMINATION OF NON-SIGNIFICANCE UPON SAID REVISED ACTION**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) is, as of May 9, 2017, the established lead agency for the above referenced Action; and

**WHEREAS**, the Town Board has received from MRB Group, the Town's Engineers, a revised alignment for a portion of the water transmission line located in the Town of Canandaigua, between Purdy Road and the Canandaigua/Farmington Town Line Road, which involves shifting previous ground disturbance to the east of the original alignment in this area; and

**WHEREAS**, the Town Board has provided notice, dated July 31, 2023, of the revised alignment for this portion of the above referenced Action to the involved and interested agencies, requesting their response by noon on Friday, August 18, 2023; and

**WHEREAS**, no comments were received from said agencies within the time frame established; and

**WHEREAS**, the Town Board at its meeting on Tuesday, July 25, 2023, did instruct the Town Director of Planning and Development and the Town Engineers to prepare drafts of Parts 2 and 3 of the Full Environmental Assessment Forms for the revised alignment; and

**WHEREAS**, the Town Board has received drafts of these FEAFs and has completed their review of the findings and proposed determination of significance upon the proposed Action.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby find the revised FEAFs, dated August 22, 2023, as being complete and providing an accurate identification of the anticipated impacts upon the environment.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby accept and approves the revised Parts 2 and 3 of the FEAF, along with an eleven (11)-page Part 3 FEAF Narrative Supplement for said Action, dated August 2023, prepared by the Town Engineers and the Town Director of Planning and Development for the above referenced revised Action.

**BE IT FURTHER RESOLVED**, that the Town Board having reviewed the public record upon the above referenced revised Action does hereby conclude the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity; traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems; and
- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed Action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed Action; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on the site; and
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action; and
- (iv) the overall density of the site is consistent with the Town's Comprehensive Plan land use recommendations; and
- (v) we have re-coordinated a review with the State Office of Parks, Recreation and Historic Preservation (SHPO) regarding the revised alignment for a portion of the water main in the Town of Canandaigua and will mitigate any identified important historical, archeological, architectural, or aesthetic resource findings on the site as required by SHPO; and
- (vi) there will not be a major change in the use of either the quantity or type of energy resulting from the proposed Action; and
- (vii) there will not be any hazard created to human health resulting from the proposed Action; and
- (viii) there will not be a change in the use of current active agricultural land resulting from the proposed Action; and
- (ix) there will not be a large number of persons attracted to the site for more than a few days when compared to the number of persons who would come to such a place absent the Action; and
- (x) there will not be created a material demand for other Actions that would result in one of the above consequences; and
- (xi) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xii) there are not two or more related Actions which would have a significant impact on the environment.

**BE IT FURTHER RESOLVED**, that based upon the information and analysis above and the supporting documentation referenced above, the proposed revised Action WILL NOT result in any significant [Moderate to Large] adverse environmental impacts.

**BE IT FURTHER RESOLVED**, that the Town Board does hereby make a Determination of Non-Significance upon said Action and directs the Town Supervisor to sign and date Part 3 of the Full Environmental Assessment Form, the State’s Negative Declaration Form.

**BE IT FURTHER RESOLVED**, that the Town Clerk is to provide copies of Parts 2 and 3 of the FEAFs and the Attached Narrative Supplement along with a certified copy of this resolution to the involved and interested agencies.

**BE IT FURTHER RESOLVED**, that the Director of Planning and Development is to provide notice of this determination to the New York State Department of Environmental Conservation and request publishing thereof in the next available edition of the State’s Environmental Notice Bulletin.

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

**RESOLUTION #315-2023:**

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

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN A 36 MONTH CONTRACT FOR NATURAL GAS WITH SPRAGUE OPERATING RESOURCES, LLC**

**WHEREAS**, the Town’s Natural Gas Contract with Sprague is up for renewal, and

**WHEREAS**, the new 36-month Contract will lock the Town in at a fixed rate of \$4.68/dth; now therefore be it

**RESOLVED**, the Farmington Town Board authorizes the Town Supervisor to sign the 36-month Natural Gas Contract with Sprague at a fixed rate of \$4.68/dth; and be it

**FURTHER RESOLVED**, that a copy of this resolution be sent to the Accountant I, the Water & Sewer Superintendent, and Justin Raybeck of Troy and Banks at jraybeck@troybanks.com.

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

**RESOLUTION #316-2023:**

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

**RESOLUTION AUTHORIZING THE APPOINTMENT OF A TOWN JUSTICE**

**WHEREAS**, Justice John Gligora submitted his resignation on August 11, 2023 effective August 31, 2023, and

**WHEREAS**, Nathan Thomas is an attorney in good standing, a former Ontario County District Attorney assigned to the Farmington Town Court and has two years’ experience as a former Associate Justice for the Village of Clifton Springs; and

**WHEREAS**, Nathan Thomas is a qualified Town Resident who is interested in filling the vacancy of Town Justice for a term effective September 1, 2023 through December 31, 2024; and

**WHEREAS**, the Town Board is in agreement that Nathan Thomas is a suitable candidate to fill the vacancy of Town Justice; now therefore be it

**RESOLVED**, the Farmington Town Board authorizes the appointment of Nathan Thomas as Town Justice for a term effective September 1, 2023 through December 31, 2024; and be it

**FURTHER RESOLVED**, that a copy of this resolution be sent to the Accountant I, the Town Court, the Confidential Secretary and Nathan Thomas at 1697 Marion Way, Farmington, NY 14425.

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

**RESOLUTION #317-2023:**

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

Abstract 16 – 2023

**TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS**

| <i>ABSTRACT NUMBER</i>       |                          | <i>16</i>                  |   |
|------------------------------|--------------------------|----------------------------|---|
| <i>DATE OF BOARD MEETING</i> |                          | <i>8/22/2023</i>           |   |
| <i>FUND CODE</i>             | <i>FUND NAME</i>         | <i>TOTAL FOR EACH FUND</i> | <i>VOUCHER NUMBERS</i>  |
| A                            | GENERAL FUND             | 168,335.50                 | 1533-1543,1545,1546,1548-1562,1564-1570,1572-1574,1575,1578-1582                                    |
| DA                           | HIGHWAY FUND             | 39,921.61                  | 1534,1535,1546,1548,1557,1564,1566,1570,1583-1595   |
| HG                           | CTY RD 8 WATERLINE       | 937.50                     | 1564  |
| HH                           | ROUTE 332/96 WATERLINE   | 5,669.49                   | 1575  |
| HN                           | NORTH ROAD CAP PROJECT   | 2,625.00                   | 1564  |
| HB                           | BEAVER CREEK PARK        | 120.52                     | 1571,1577   |
| HP                           | TOWN PARK IMPROVEMENTS   | 912.00                     | 1564  |
| HW                           | WATER TANK REPAIR        | 7,910.00                   | 1564  |
| SD                           | STORM DRAINAGE           | 3,862.54                   | 1543,1546,1548,1570,1589,1596   |
| SF                           | FIRE PROTECTION DISTRICT | 245,530.16                 | 1547,1563   |
| SL1                          | LIGHTING DISTRICT        | 1,263.60                   | 1541,1572   |
| SS                           | SEWER DISTRICT           | 62,756.46                  | 1535,1543,1546,1550,1557,1564,1566,1567,1570,1597-1625,1636,1637                                    |
| SW1                          | WATER DISTRICT           | 48,632.05                  | 1535,1543,1546,1550,1557,1564,1566,1567,1570,1597-1600,1606,1608,1610,1613-1615,1619,1620,1623-1637 |
| TA200                        | PAYROLL DEDUCTIONS       | 8,022.53                   | 1535,1544,1546,1570,1625  |
|                              | <b>TOTAL ABSTRACT</b>    | <b>\$ 596,498.96</b>       |   |

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

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

**DISCUSSION:**

1. Request to waive late fee – 5779 Oatfield Drive – mistakenly addressed envelop and post office returned it – Board denied waiver.
2. Request to waive late fee – 6155 Hunters Drive – signed up for automatic payment on July 28<sup>th</sup>, should have been by the 20<sup>th</sup> of the month in order for it to have time to withdraw from account, confusion on wording on insert. Board agreed to waive the fee.

**WAIVER OF THE RULE: None.**

**EXECUTIVE SESSION: None.**

With no further business before the Board, **Councilman Casale** offered a motion to adjourn the meeting at 7:35 p.m., seconded by **Councilman Bowerman**. Motion **CARRIED**.

Michelle A. Finley, MMC, RMC -Town Clerk