

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 13th day of February, 2024, 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, **Robin MacDonald** – Acting Water & Sewer Superintendent, **Dan Delpriore** – Code Enforcement Officer, **Ron Brand** – Director of Planning & Development, **Ed Hemminger** – Planning Board Chairman, **Adrian Bellis** – Planning Board Member, **Hal Adams** – Agricultural Advisory Committee Chairman, and **Jeff Ashline** – Canandaigua National Bank

Also present by telephone/video conferencing were: **John Piper, Bill Davis** – MRB Group

PUBLIC HEARINGS: None.

APPROVAL OF MINUTES:

A motion was made by **Councilman Holtz** and seconded by **Councilman Casale** that the minutes of the January 23, 2024, Town Board Meeting and the January 23, 2024, Capps Public Hearing meeting minutes, previously given to members for review, be approved. All Voting “Aye” (Holtz, Herendeen, Casale, Bowerman, and Ingalsbe). (Councilman Bowerman abstained from the January 23, meeting minutes). Motion **CARRIED**.

PRIVILEGE OF THE FLOOR:

PUBLIC CONCERNS: None.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Herendeen reported:

1. New belts for the Belt Press have arrived.
2. Flash Mixer will be ordered by the end of the month.
3. WWTP paving and drainage work is on hold until they have the time and manpower to start it.
4. New flow meters installed.
5. Manhole inspections and repairs in Cobblestone.
6. Discussed resolutions on agenda.

Highway & Parks:

1. Highway- equipment maintenance, plowing and salting roads, cutting trees (Mertensia Road, Kyte Road, and Yellow Mills Road), ditching on Herendeen Road, new Mechanic started, mixing salt with Magic Minus one, and culver pipes on Rushmore have been slip line.
2. Parks- plowing and salting parking lots and sidewalks, servicing summer equipment, repairing and painting picnic tables and benches, completed new sign for transfer station, dealing with heat issues at Court Building, and installed new drinking fountain at Highway Building.
3. Discussed resolutions on agenda.

Town Operations Committee: Councilman Bowerman reported:

1. Discussed resolutions on agenda.
2. The Town Board conducted a workshop with the applicant for the proposed Whitestone Incentive Zoning project on January 30th at 4 p.m. The applicant has submitted an amended concept design which was posted in the lobby at the Town Hall.
3. Farmington Market Center rezoning project is ready to move forward with the rezoning and then referral to the Town Planning Board for Preliminary Overall Site Plan approvals.
4. The Parks and Recreation Survey of town residents is underway and to date over 375 surveys have been completed on-line.
5. Update on TAP Grant project- bid opening tomorrow at 10 a.m. in main meeting room.
6. Agricultural Advisory Committee has requested a preliminary draft of the overlay district regulations to be discussed at their next meeting on March 21, 2024. In addition, they have requested a review of the appointment procedure for members.

Town Finance Committee: Supervisor Ingalsbe reported: None.

Town Public Safety Committee: Councilman Holtz reported: None.

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

1. County – he is now the Chairman of the Government Operations and Insurance Committee.

Highway & Parks Superintendent Tim Ford reported:

1. New 10-wheeler truck is in finally (ordered in April 2022).

Town Clerk Michelle Finley reported:

1. To date we have collected \$10,670,148.49 in Town and County Taxes.

Acting Water & Sewer Superintendent Robin MacDonald reported:

1. Pre-Con Meeting – Brickyard Road Water Tank project.

Code Enforcement Officer Dan Delpriore reported:

1. Permits for January – 31, permit inspections completed – 97, fire inspections completed – 0, Stormwater/Zoning inspections completed – 25.
2. Update on Records Management Grant – all files have been boxed in the Assessor's Office.

Director of Planning and Development Ron Brand reported:

1. Town Operations Report available on website and filed with the Town Clerk.
2. Along with the Supervisor and the Town Highway Superintendent, and representatives from the Town of Canandaigua, they met with NYS DOT Region 4 Office, last week regarding plans being prepared for synchronized intersections on Route 332 from Canandaigua to the Thruway. This is going to be a 2025 State project.
3. Updated on the 1816 Quaker Meeting House- putting together an application for special use permit and site plan approval.
4. Updated on the Parks and Recreation Survey – posted on the Town's website and it was in the Town's Newsletter, good response to far. To date there have been over 375 surveys completed.

Assessor Donna LaPlant reported: None.**Town Engineer Bill Davis reported:**

1. Update on projects: Brickyard Road Tank, Digester #2, and Farmington Grove Park.

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

1. Next meeting –Paddock Landing Project, Union Crossing project, and Pintail Crossing.

Zoning Board of Appeals reported: None.**Recreation Advisory Board 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:**

1. Stipulation in the law that establishes their committee states that they must submit a report every year to the Town Board. He asked what the proper way is to submit it, Supervisor Ingalsbe stated to send it to his secretary and she will add it to the Correspondence file.

COMMUNICATIONS:

1. Letter to the Town Supervisor from Matthew Duffy of National Grid. Re: Avangrid Hook Road Station 127.
2. Letter to the Town Supervisor from Kendall Larsen of the NYS DOH. Re: Public Water Supply, CFWD Completed Works Approval – NYS Rt 332 & NYS 96 Watermain Replacement.
3. Letter to Robert Clerk from the Code Enforcement Officer. Re: ZB #1201-23: Robert Clark – Area Variance – Continuation.
4. Letter to Scott Elkovitch from the Town Supervisor. Re: Final Payment Due, 1008 Gypsum Mills Street.

5. Letter to the Town Supervisor from Sheryl Robbins of the NYS DOH. Re: Public Water Supply 2024 Sampling Requirements.
6. Letter to Mr. Lee Suggs from the Town Supervisor. Re: 234 Mulberry Drive meter.
7. NYS Department of Labor Application for Dispensation for Hours. Re: Randsco Pipeline, Inc.
8. Letter to the Town Supervisor from the US Census Bureau. Re: Boundary and Annexation Survey Annual Response Form.
9. Fax to Mike Abraham from Michel Stam of Siewert Equipment. Re: Service Proposal Wemco SFF6-Y-BFF2W.
10. USDA Property Access Request.
11. Letter to the Town Supervisor from Kendall Larsen of the NYS DOH. Re: Public Water Supply, CFWD Approval – Completed Works, Hathaway’s Corners Phase 2A Watermain.
12. Erie Insurance Company of New York Reinstatement Notice. Re: Serenity Pool and Spa, LLC.
13. Ontario County American Rescue Plan (ARPA) Funding Uses.
14. NYS Department of Labor Notice of Determination: Dispensation.
15. Letter to the Town Supervisor from Pitney Bowes. Re: Change in Purchase Power Credit Limit.
16. Certificates of Liability Insurance from: Expert Environmental & Construction Group, LLC; JSM Roofing, LLC: Village of Manchester and Village of Manchester Fire Department; Ontop Home Improvements.
17. Certificate of Workers’ Compensation Insurance from: MRI Contractors of NY, Inc.; Finger Lakes Roofing Co., Inc.; Home Power Systems, LLC.
18. Certificate of Disability and Paid Family Leave Benefits Insurance from: Sturdi-Built Sheds, LLC.

REPORTS & MINUTES:

1. ZBA 2024 Rules of Procedure.
2. Project Review Committee Meeting Minutes – January 4, 2024.
3. Agricultural Advisory Committee Meeting Minutes – January 11, 2024.
4. Planning Board Meeting Minutes – January 3, 2024.
5. Victor-Farmington Volunteer Ambulance Year End Report – 2023.
6. Historian’s Annual Report – 2023.
7. Monthly Report – Town Clerk – January 2024.
8. Farmington Volunteer Fire Association Chief’s Report – February 2024.
9. Farmington Senior Citizens Meeting Minutes – December 18, 2023.
10. Monthly Report – Judge Lew – January 2024.
11. Monthly Report – Judge Thomas – January 2024.
12. Building Department – Inspection Schedule – January 2024.
13. Building Department – Permit Report by Type – January 2024.
14. Ontario County Sheriff Traffic Report – January 2024.
15. Monthly Report – Victor-Farmington Volunteer Ambulance – January 2024.
16. Victor Fire Department Chief’s Report – January 2024.
17. Planning Board Meeting Minutes – January 17, 2024.

ORDER OF BUSINESS:

RESOLUTION #79-2024:

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

RESOLUTION AUTHORIZING ADVERTISEMENT OF BIDS FOR FARMINGTON GROVE PARK SITE IMPROVEMENTS

WHEREAS, the Farmington Grove Park is in need of site improvements; 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 Farmington Grove Park Site Improvements with a bid opening at the Town Hall on March 19th, 2024 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, Casale, Bowerman, and Herendeen), the Resolution was **CARRIED**.

RESOLUTION #80-2024:

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

APPROVAL TO ACCEPT A QUOTE FROM COLACINO INDUSTRIES, 126 HARRISON ST. NEWARK NY 14513

WHEREAS, the Acting Water and Sewer Superintendent has received one quote for this project and no other vendors submitted quotes for this project; and

WHEREAS, the Town of Farmington Acting Water & Sewer Superintendent recommends accepting the quote from Colacino Industries on January 24, 2024, for the replacement of Sludge Pump #1 VFD at the Sewer Treatment Plant 1216 McMahon Rd Victor NY 14564; and

WHEREAS, the Acting Water and Sewer Superintendent seeks to award the quote to Colacino Industries at a cost not to exceed \$5,000.00 using cost code SS8130.4; now therefore

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

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

RESOLUTION #81-2024:

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

RESOLUTION RECALLING AND AMENDING RESOLUTION #40-2022, #146-2023, AND #40-2024

WHEREAS, the new requirements for Chapter 9 of the Town Code, Sections 9-10 specifies members of the Town Agricultural Advisory Committee shall be appointed by the Town Board for terms of three (3) calendar years, with the terms of there (3) members ending at the conclusion of each calendar year; and

WHEREAS, in order to establish terms that the Town Code now calls for, the Town Board needs to recall Resolution #40-2022 changing the term end dates for Denis Lepel and Doug Payne to December 31, 2027; and

WHEREAS, in order to establish terms that the Town Code now calls for, the Town Board needs to recall Resolution #146-2023 changing the term end date for Ronald Mitchell to December 31, 2025; and

WHEREAS, in order to establish terms that the Town Code now calls for, the Town Board needs to recall Resolution #40-2024 changing the term end date for Michael Putman to December 31, 2025; now therefore it be

RESOLVED, that the Town Board hereby recalls and amends Resolution #40-2022 correcting Denis Lepel and Doug Payne's term end dates to December 31, 2027, Resolution #146-2023 correcting Ronald Mitchell's term end date to December 31, 2025, and Resolution #40-2024 correcting Michael Putman's term end date to December 31, 2025; and be it further

RESOLVED, that the Town Clerk forward a copy of this resolution to Mr. Lepel at 1089 County Road 28, Shortsville, NY 14548; Mr. Mitchell at 6193 Deerfield Drive, Farmington, NY 14425; Mr. Payne at 1523 County Road 8, Farmington, NY 14425; Mr. Putman at 1728 Elmwood Circle, Farmington, NY 14425; the Agricultural Advisory Committee Chairperson, the Supervisor's Secretary and prepare an Oath of Office to be taken in the days ahead.

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

RESOLUTION #82-2024:

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

RESOLUTION AUTHORIZING DAN DELPRIORE TO ATTEND THE NATIONAL STORMWATER CENTER FOR CSI-MS4 RE-CERTIFICATION TRAINING ONLINE ON APRIL 10, 2024

WHEREAS, Dan Delpriore has been appointed the MS4 Official for the Town; and

WHEREAS, Dan Delpriore completed the original CSI – MS4 National Stormwater certification class on August 23, 2019 which is valid for 5 years and on completion of the re-certification class will be certified for another 5 years; and

WHEREAS, The National Stormwater Center is hosting an online CSI-MS4 re-certification training on April 10, 2024, for a cost of \$299.00 plus a \$25.00 registration fee; and

WHEREAS, this training is a National Certification that would continue Dan Delpriore's certification for another 5 years; and

WHEREAS, the cost of this training is a budgeted item; now therefore

BE IT RESOLVED, that the Town Board of Farmington authorizes Dan Delpriore to attend the online National Stormwater Center training on April 10, 2024, at a cost not to exceed \$324.00; and

BE IT FURTHER RESOLVED, that copies of this resolution be submitted by the Town Clerk to the Accountant I, the Confidential Secretary, and Code Officer Dan Delpriore.

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

RESOLUTION #83-2024:

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

RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE MONTHLY REPORT OF THE SUPERVISOR FOR JANUARY 2024

WHEREAS, Town Law states the Town Board must approve/reject the Supervisor's Monthly Report, and

WHEREAS, the Accountant I submitted the Monthly Report of the Supervisor for January 2024 to the Town Supervisor on February 2, 2024, and

WHEREAS, the Town Supervisor approved and executed the Monthly Report of the Supervisor for January 2024 on February 2, 2024,

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 2024, 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 #84-2024:

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

RESOLUTION AUTHORIZING ACCEPTANCE OF EASEMENTS-5969 COLLETT ROAD

WHEREAS, the Town of Farmington, by its officers or representatives, has engaged in discussions with Farmington Lawn Care, Inc. (“Owner”) regarding the Town’s obtaining a Water and Utility Easement and Stormwater Management Facility Easement over portions of Owner’s property located at 5969 Collett Road, as shown on maps attached to each document; and

WHEREAS, Town of Farmington officials have recommended to the Town Board that said Owner grant to the Town the easements over said lands of said Owner;

WHEREAS, said easements have been offered by Owner to the Town of Farmington; and

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

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

NOW, THEREFORE, BE IT **RESOLVED**, that the Town Board of the Town of Farmington does hereby accept the Easements attached hereto as Exhibit 1 from Owner in accordance with the terms and conditions contained in said instruments and directs that the same be recorded in the Office of the Clerk of the County of Ontario, the fees for said recording to be borne by the 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 #85-2024:

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

RESOLUTION AUTHORIZING THE CODE ENFORCEMENT OFFICER TO ENTER INTO A CONTRACT WITH INSTREAM FOR DOCUMENT CONVERSION SERVICES AND CONTENT MANAGEMENT SYTSTEM

WHEREAS, the Town has been awarded a grant from the New York State Archives local government records management improvement fund program in the total amount of \$74,890.00; and

WHEREAS, this competitive grant program provides funds to help local government chance records management programs, a priority of the Town of Farmington, which will assume primary responsibility for the ongoing implementation of the improved records management program on a long-term continuing basic; and

WHEREAS, the Town of Farmington previously utilized and formally adopted records retention and disposition schedule MU-1, and has since formally adopted records retention and disposition schedule LGS-1; and

WHEREAS, the Town will contract with InStream & NYS IND For the Disabled Inc to perform a scanning and indexing of paper records. This shall be done though NYS Preferred Source Program through a collaboration with NYSID. Records to be converted shall be mixed sizes of documents from 8 1/2 x 11 to C/D/E size maps; and

WHEREAS, the Town shall as part of this grant enter into a contract for content management system with InStream LLC. The FileBound DM level shall be a convenient and secure store and access to records; now therefore

BE IT RESOLVED, that the Town Board of Farmington authorizes the Code Enforcement Officer to enter into a contract with InStream as shown on Quote # 57-0223-06 for a total project not to exceed \$74,890.00; and

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

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

RESOLUTION #86-2024:

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

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE 2021 VLT, 2022 VLT AND 2023 VLT CAPITAL RESERVE ACCOUNTS ONCE THE PUBLIC REFERENDUM PERIOD IS COMPLETE.

WHEREAS, the following funding transfers utilizing the VLT reserve funds were allocated in the 2024 budget:

\$300,000 to the Highway Fund
 \$23,500 to the Parks Equipment Reserve
 \$400,000 to the Beaver Creek Park Capital Project
 \$450,000 to the Town Facility and Land Acquisition Reserve
 \$200,000 to the Emergency Services Reserve
 \$450,000 to the Parks Building Upgrade Capital Project
 \$130,000 to the Town Hall Capital Project
 \$361,278 plus interest earned to the Parks Improvements Capital Project
 \$1,136,260 plus interest earned to the Highway Pole Barn Capital Project
 \$276,500 to the General fund for equipment purchases

WHEREAS, these transfers will take the balances of the 2021 and 2022 VLT reserves to zero and will use a portion of the 2023 VLT reserve,

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

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, and be it

Further RESOLVED, that the Accountant I completes all budget amendments for the interest earned as well as the following budget amendments within the capital projects:

HR5031 Interfund Transfer	\$450,000	
HR1620.2 Building Capital Outlay		\$450,000
HB5031 Interfund Transfer	\$400,000	
HB7110.26 Lodge		\$400,000
HT5031 Interfund Transfer	\$130,000	
HT1620.2		\$130,000
HP5031 Interfund Transfer	\$361,278 (plus interest)	
HP7110.2 Parks Improvements		\$361,278
HX5031 Interfund Transfer	\$1,136,260 (plus interest)	
HX5132.4 Polebarn Construction		\$1,136,260 (plus interest)

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 #87-2024:

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

RESOLUTION AUTHORIZING THE CLOSEOUT OF THE ROUTE 332 & 96 WATERLINE CAPITAL PROJECT

WHEREAS, all disbursements for this project have been completed and the funds left within the capital project as well as any interest earned can be transferred to the water fund, now

THEREFORE BE IT RESOLVED, that the following budget amendments be completed within the capital project:

HH1440.2	Engineering	1404.00
HH8340.2	Waterline	138.47
HH9901.9	Transfer to Other Funds	\$1542.47

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

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

RESOLUTION #88-2024:

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

RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR BIDDING AND THE BID OPENING DATE FOR THE ANNUAL WATER & SEWER PARTS BID

WHEREAS, The Acting Water and Sewer Superintendent has compiled a list of parts for the Town of Farmington annual parts bid; and

WHEREAS the Acting Water and Sewer Superintendent with this resolution has set the Bid Opening Date of March 1, 2024; now therefore

BE IT RESOLVED, that the Town Board of the Town of Farmington acting on behalf of the Farmington Water and Sewer District hereby authorizes the Town Clerk to advertise the bidding with the bid opening date being held March 1, 2024 at 10:00 AM at the Town of Farmington Town Hall located at #1000 County Road 8, Farmington New York; and

BE IT FINALLY RESOLVED, that the Town Clerk provide copies of this resolution to the Acting W&S Superintendent and the Accountant I.

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

RESOLUTION #89-2024:

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

CONFIRMING RESOLUTION AUTHORIZING THE HIGHWAY/PARKS SUPERINTENDENT TO HIRE TIMOTHY DELPRIORE AS A LABORER IN THE PARKS DEPARTMENT

WHEREAS, the Highway/Parks Superintendent is asking that he be allowed to fill one (1) vacant Laborer position in the Parks Department at a rate of \$ 17.50 per hour, and

WHEREAS, it has been verified that Timothy Delpriore's application has been approved by Ontario County Human Resource Department, now therefore be it

RESOLVED, that the Town Board authorizes the Highway/Parks Superintendent to hire Timothy Delpriore to fill a vacant Laborer position in the Parks Department at a rate of \$17.50 per hour effective Monday, February 12th, 2024, and be it further

RESOLVED, that the Town Clerk forward copies of this Resolution to the Highway/Parks Superintendent, the Confidential Secretary, and the Accountant I.

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

RESOLUTION #90-2024:

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

RESOLUTION AUTHORIZING THE HIGHWAY/PARKS SUPERINTENDENT TO ATTEND THE NYS COUNTY HIGHWAY SUPERINTENDENT'S ASSOCIATION 2024 ADVOCACY CAMPAIGN

WHEREAS, the Highway/Parks Superintendent would like to attend the NYS County Highway Superintendent's Association 2024 Advocacy Campaign in Albany on March 5 and 6, 2024; and

WHEREAS, the 2024 Advocacy Campaign will cost \$300 for the hotel, bus, and meals; now therefore

BE IT RESOLVED, that the Town Board authorizes Tim Ford to attend the NYS County Highway Superintendent's Association Advocacy Campaign for local roads and bridges at a cost not to exceed \$300.00 to be expended from Account A-5010.4; and

BE IT FURTHER RESOLVED, that the Town Clerk provide copies of this Resolution to the Highway/Parks Department, Confidential Secretary, and the Accountant I.

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

RESOLUTION #91-2024:

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

RESOLUTION AUTHORIZING THE HIGHWAY/PARKS SUPERINTENDENT TO PURCHASE ONE (1) JOHN DEERE 4075R OUTLINED IN THE QUOTE NUMBER 29492560 PER NYS CONTRACT PC 69683

WHEREAS, the Highway/Parks Superintendent budgeted for a John Deere 4075R for the Parks Department; and

WHEREAS, a letter of intent has been sent to purchase the 4075R from John Deere; and

WHEREAS, in compliance with the current purchasing policy for the Town, this quote follows New York State Agriculture Tractors and Implements Contract PC69683 pricing; and

WHEREAS, the total price shall be at a cost not to exceed \$43,160.52 after trade in value of the John Deere 4320 is applied; now therefore

BE IT RESOLVED, that these expenses are to be paid from the Parks Equipment -VLT line (A-7112.2VLT); and

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

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

RESOLUTION #92-2024:

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

RESOLUTION REAPPOINTING THOMAS YOURCH TO THE ZBA AND AS ZBA CHAIRPERSON

WHEREAS, Thomas Yourch's term as both ZBA member and Chairperson ended December 31, 2023; now therefore

RESOLVED, the Farmington Town Board reappoints Thomas Yourch as Chairperson of the ZBA for a term beginning January 1, 2024 to expire on December 31st, 2024; and be it further

RESOLVED, the Farmington Town Board reappoints Thomas Yourch as a member of the ZBA for a term beginning January 1, 2024 to expire on December 31st, 2028; and be it finally

RESOLVED, that the Town Clerk forward a copy of this resolution to the Confidential Secretary and Thomas Yourch at 855 Hook Road, Farmington, NY 14425.

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

RESOLUTION #93-2024:

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

RESOLUTION REAPPOINTING JULIE LARUE AS RECREATION ADVISORY COMMITTEE CHAIRPERSON

WHEREAS, Julie LaRue's term as Recreation Advisory Committee Chairperson ended December 31, 2023; now therefore

RESOLVED, the Farmington Town Board reappoints Julie LaRue as Chairperson of the Recreation Advisory Committee for a term beginning January 1, 2024 to expire on December 31st, 2024; and be it further

RESOLVED, that the Town Clerk forward a copy of this resolution to the Confidential Secretary and Julie LaRue at 6217 Buckskin Drive, Farmington, NY 14425.

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

RESOLUTION #94-2024:

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

RESOLUTION REGARDING THE CONSENT OF THE TOWN BOARD TO DEDICATE COOPER PLACE AND A PORTION OF OSBURN LANE IN HATHAWAY'S CORNERS SUBDIVISION

WHEREAS, Upon reading the dedication of Cooper Place and a portion of Osburn Lane in Hathaway's Corners Subdivision, dated the 20th day of November, 2023 and the Release related thereto dated the 20th day of November, 2023, all in the above entitled matter, wherein the owner of lands described therein have released the same to the Town of Farmington and its Highway Superintendent for highway purposes; now, therefore, be it

RESOLVED, that consent be and the same hereby is given to the Town Superintendent of Highways of the Town of Farmington to make an order laying out the lands described in said dedication, dated the dated the 20th day of November, 2023, for highway purposes, in accordance with the provisions of the Highway Law and other statutes applicable thereto.

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

RESOLUTION #95-2024:

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

RESOLUTION AUTHORIZING ACCEPTANCE OF DEEDS FROM HATHAWAY CORNER, LLC

WHEREAS, the Town of Farmington, by its officers or representatives, has engaged in discussions with Hathaway Corner, LLC ("Owner") regarding Owner conveying certain lands to the Town identified as **Open Space A and Open Space C** in Hathaway's Corner Phase 1A as shown on a map prepared by BME Associates filed March 3, 2020, being Drawing No. 2540A-11, Map No. 036924 and also identified as **Open Space B** in Hathaway's Corner Phase 1A as shown on a map prepared by BME Associates dated February 8, 2023, being Drawing No. 2540A-97; and

WHEREAS, Town of Farmington officials have recommended to the Town Board that said Owner conveys Open Space A, Open Space B and Open Space C to the Town; and

WHEREAS, a deed conveying Open Space A, Open Space B and Open Space C has been offered by the Owner to the Town of Farmington; and

WHEREAS, the Town Board of the Town of Farmington is desirous of accepting said offered deed; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Farmington does hereby accept the Deed conveying Open Space A, Open Space B and Open Space C, attached hereto as Exhibit 1, from Owner to the Town of Farmington 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 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 #96-2024:

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

RESOLUTION ADOPTING LOCAL LAW NO. 3 OF 2024 WITH CONDITIONS AND DIRECTING THE FILING THEREOF WITH THE NEW YORK STATE SECRETARY OF STATE THEREBY APPROVING THE REZONING OF APPROXIMATELY 18.3 ACRES OF LAND FROM GB GENERAL BUSINESS TO IZ INCENTIVE ZONING, MTD MAJOR THOROUGHFARE OVERLAY DISTRICT AND MSOD MAIN STREET OVERLAY DISTRICT FOR THE FARMINGTON MARKET CENTER (FMC) INCENTIVE ZONING PROJECT IN ACCORDANCE WITH THE PROVISIONS CONTAINED IN CHAPTER 165, ARTICLE III [ESTABLISHMENT AND DESIGNATION OF DISTRICTS] SECTION 12 AND CHAPTER 165, ARTICLE IV [DISTRICT REGULATIONS] SECTION 34.1 IZ INCENTIVE ZONING DISTRICT AND DIRECTING THE TOWN CLERK TO AMEND THE TOWN'S OFFICIAL ZONING MAP IN ACCORDANCE WITH THESE PROVISIONS

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has as the designated lead agency under the provisions of the State Environmental Quality Review Act (SEQRA) on July 25, 2023, made a determination of non-significance upon the above referenced Action; and

WHEREAS, the Town Board has given consideration to the comments made within the Ontario County Planning Board's Referral No. 62-2022, dated April 13, 2022; and

WHEREAS, the Town Board has given consideration to the public record established upon the above referenced Action; and

WHEREAS, the Town Board, based upon its review of the draft local law referenced above herein and the conditions of approval for the rezoning 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, MTOD Major Thoroughfare Overlay District and MSOD Main Street Overlay District for the Farmington Market Center Incentive Zoning Project, does hereby move to approve the following actions.

Now, therefore, be it RESOLVED, that the Town Board does hereby adopt Local Law No. 3 of 2024 in its entirety, subject further to the conditions set forth below herein, and directs the Town Clerk to sign and submit said Local Law, along with this resolution, which is hereby made as an attachment thereto, to the New York State Department of State for filing.

Be it further RESOLVED, that the Town Board does hereby grant the following zoning incentives for the Farmington Market Center (FMC) Incentive Zoning Project which replace all dimensional and land use requirements contained elsewhere in § 165-28 GB General Business District; § 165-34 MTOD Major Thoroughfare Overlay District; and §165-34.2, MSOD Main Street Overlay District, of Chapter 165 of the Code of the Town of Farmington:

1. Unless otherwise provided for herein, all buildings and structures shall be setback from State Route 96 and Mertensia Road, the minimum distance specified in the existing §§165-34.2 G. and H. of the Farmington Town Code. Notwithstanding the foregoing and in recognition that the future development of Lots #4 and #5 identified on the drawing prepared by Costich Engineering, dated 12/20/2021, drawing #5950 CE106, sheet 1 of 1, entitled "Overall Incentive Site Plan, Market Center, 6139-6179 N.Y.S. Route 96," are speculative and do not have tenants at this time, the following setbacks for Lots #4 and #5 are hereby established with these conditions:
 - a. Lot #4, identified as "2 Tenant w/Drive Thru (5,700 square feet)" shall be eligible for a 50-foot front setback from State Route 96 and a 30-foot front setback from Mertensia Road provided that said setbacks do not encroach into any highway safety clear vision zone (sight triangle area), that there shall be no drive-thru lanes between any building and the rights-of-way of these two highways and there shall be no encroachment into the Main Street Corridor Landscape area to be installed across the frontage of the entire Lot #4; and
 - b. Lot #5, identified as "Specialty Drive Thru 2,220 square feet" shall be eligible for a 50-foot front setback from State Route 96 provided that said setback does not encroach into any highway safety clear vision zone (sight triangle area), that there shall be no encroachment into the Main Street Corridor Landscape area across the frontage of the entire Lot #5; and
2. In the instance of §165-34. 2. H. of the Farmington Town Code - No structure, other than an approved streetscape structure shall be placed within thirty-foot (30 foot) from the edge of existing State Route 96 pavement; and
3. In the instance of §165-34. 2. H. of the Farmington Town Code - All ground-mounted (freestanding) commercial speech business identification signs shall be set back a minimum of 45 feet from the right-of-way for State Route 96 and a minimum of 30 feet from the right-of-way of the adjacent Town highways [e.g. Mertensia Road and Mercier Boulevard]; and
4. All buildings and structures shall be setback a minimum of thirty (30) feet from any on-site access drive shown on the Overall Preliminary Site Plan to be approved by the Town Planning Board in accordance with established IZ Incentive Rezoning Procedures; and
5. The existing access point to/from Mertensia Road shall be maintained; and
6. There shall be a total of three (3) points of access provided to the FMC site: the existing one (1) from Mertensia Road; the existing one (1) from State Route 96 (to become a redesigned entrance/exit providing only right-in and right-out traffic movements separated by a landscaped island barrier); and a new one (1) from the adjacent GLN Farmington Realty Property (the extension of Mercier Boulevard); and
7. The future access point to/from Mercier Boulevard shall be designed and shown on the Overall Preliminary Site Plan for this project to be approved by the Planning Board and it shall connect to the end of Mercier Boulevard located at the east property line of the FMC site with the adjacent Farmington Realty GLN Property; and
8. There shall be an access easement shown on the Overall Preliminary Site Plan that is to be located at the above referenced point of connection for Mercier Boulevard between FMC and GLN, that is to be agreed-to by the Town Highway Superintendent and accepted by the Town Board. This easement area shall be granted to the Town of Farmington for Town Highway Equipment use and for the temporary storage of snow accumulated from snow plowing operations of Mercier Boulevard. This easement shall be filed in the Ontario County Clerk's Office prior to the issuance of the first Certificate of Occupancy, or Certificate of Compliance; and
9. There shall be no internal driveway access point(s), either for the proposed CNB facility or the future 21,000 square foot retail strip center addition to the existing Tops Market facility, located within 150 feet of the property line between FMC and GLN; and

Be it further RESOLVED, that the following are hereby classified as permitted land use of the approved sites located within the FMC project and which shall further be limited to and consist of:

10. Approximately 38,370 square-feet of leased building area located on the seven (7) parcels to be leased within the 18.3-acre FMC Incentive Zoning District Site:
 - a. A 2,220 square-foot freestanding bank facility with two (2) drive through tellers and one (1) ATM; and
 - b. Six (6) fuel dispensing units (either fossil fuel or electric) with a 220 square-foot employee operated kiosk facility to be operated by Tops Markets; and
 - c. A 6,730 square-foot freestanding tire sales/service facility with a maximum of eight (8) service bays; and
 - d. A 5,700 square-foot freestanding two (2) tenants freestanding commercial building with drive-thru facility; and
 - e. A 2,000 square-foot freestanding one tenant (1) commercial building with drive-thru facility; and
 - f. A 21,000 square foot multi-tenant commercial building to be extended from the east side of the existing Tops Market building.

- g. All of the above building sizes may be increased in size by five percent (5%) to allow for differences encountered during the preparation of detailed architectural drawings without having to come back to the Town Board. Any building larger than 5% above that listed above herein shall require approval by the Town Board as an amendment to this resolution; and

Be it further RESOLVED, that the following regulations shall apply to the development of the FMC Overall Site Plan:

11. All new site lighting shall be in accordance with the standards contained in §165-34.2 I. of the Farmington Town Code. All site lighting associated with the operation of Automated Teller Machines (ATMs) that are part of an approved final site plan by the Planning Board shall comply with the ATM Safety Act provisions applicable to all Federal and State chartered banking institutions, including trust companies, savings banks, savings and loan associations, and credit unions; and
12. Commercial Speech Signs shall continue to be regulated by §165-34.2 J. of the Farmington Town Code; and
13. Streetscape Design Requirements shall continue to be regulated by §165-34.2 M. of the Farmington Town Code.

Be it further RESOLVED, that Applicant shall use commercially reasonable efforts to install three (3) double-sided, electric vehicle charging stations [a total of six (6) chargers] installed not later than December 31, 2025, within the delineated parking spaces for the Tops Market building as shown on the Overall Preliminary Site Plan approved by the Planning Board.

Be it further RESOLVED, that prior to the issuance of the first Certificate of Occupancy or Certificate of Compliance for any building or use located on the FMC site, the following site-related amenities shall be under construction by the Applicant:

- a. The third (south) and fourth (east) legs of pedestrian signal improvements and cross walks for the intersection of State Route 96 and Mertensia Road; and
- b. The design for a new State Route 96 right-in/right-out entrance/exit for the FMC site is to be shown on the Overall Preliminary Site Plan to be approved by the New York State Department of Transportation and the Town Planning Board and it is to be installed, weather permitting, within six (6) months of written notification by the Town of the completion of the construction of Mercier Boulevard located within Phase 1A of the adjacent GLN Farmington Realty Project; and
- c. The section of a new public sidewalk [to be identified as Sidewalk Section 1 and shown on the Overall Preliminary Site Plan approved by the New York State Department of Transportation and the Town Planning Board] and located along the south side of State Route 96 connecting the end of the existing State Route 96 sidewalk [across the FMC site's State Route 96 frontage] to the pedestrian crossings and signal improvements located at the intersection of State Route 96 and Mertensia Road; and
- d. A five-foot-wide concrete pedestrian sidewalk [to be identified as Sidewalk Section 2 and shown on the Overall Preliminary Site Plan to be approved by the Planning Board] is to be constructed along the south side of the driveway entrance/exit (to/from) Mertensia Road connecting with the proposed sidewalks across the Mavis Tire Center site [to be identified as Sidewalk Section 3 and shown on the Overall Preliminary Site Plan to be approved by the Planning Board] and connecting to the existing sidewalk [to be identified as Sidewalk Section 4 and shown on the Overall Preliminary Site Plan to be approved by the Planning Board] located in front of the Tops Market building (including the sidewalk in front of the existing CN Bank Branch Office); and
- e. A five-foot-wide concrete pedestrian sidewalk [to be identified as Sidewalk Section 5 and shown on the Overall Preliminary Site Plan to be approved by the Planning Board] is to be constructed between the existing State Route 96 entrance to the FMC site connecting to the sidewalks identified on the Overall Preliminary Site Plan drawings as [Sidewalk Sections 3 and 4]. This Sidewalk Section 5 is to be constructed along the west side of the driveway entrance/exit from State Route 96 connecting to Sidewalk Sections 3 and 4; and
- f. A five-foot-wide concrete sidewalk [to be identified as Sidewalk Section 6 and shown on the Overall Preliminary Site Plan that is to be approved by the Planning Board] is to be constructed within the Mertensia Road right-of-way, between the sidewalk to be located at the southeast portion of the intersection of State Route 96 and Mertensia Road [Sidewalk Section 1] and connecting to the existing sidewalk located along the east side of Mertensia Road at Creekview Trail.
- g. All streetscape improvements across the Route 96 frontage of the FMC site shown on the approved Overall Preliminary Site Plan are to be installed, within six (6) months of written notification by the Town that a certificate of occupancy or certificate of compliance has been issued for either Lot #6 or Lot #7 the streetscape improvements will be installed, weather permitting.

Be it further RESOLVED, that prior to the issuance of the first Building Permit for site development within the FMC Site, the Applicant is to provide the Town with a Performance Bond that is to be used for and as part of the final costs to be awarded for the future signalized construction of the intersection of State Route 96 and Mercier Boulevard which is further to be located on the adjacent GLN Farmington Realty site. Said Performance Bond is to initially be issued in the total amount of forty-four percent (44%) of the identified signal components contained in the Fisher Associates December 19, 2022, letter to the Town; and is further made subject to 44% of the approved costs associated with the final design for said signalized intersection that is to be approved by the New York State Department of Transportation at a future date. Said known current surety amount [44% of \$347,800.00] is [\$153,032.00] and is an initial performance bond. This amount is based upon the trip distribution figures provided by the former SRF Associates (current Passero Associates) Traffic Studies for both the FMC and GLN sites, and is further identified in the October 25, 2022, letter from Fisher Associates to the Town Director of Planning and Development. The final surety amount shall be determined upon mutual agreement between the Applicant (FMC), the adjacent Applicants (GLN Farmington Realty, LLC and G&A Development) and the Town depending upon the time construction of said intersection is accepted by the Region 4 Office of the New York State Department of Transportation and then State Highway Work Permits and a Notice to Proceed has been issued. The final distribution of shared costs amongst the three Applicants shall be determined by an independent third-party review of the final signal design plans and the engineer's estimate of costs, which is to be paid for by the FMC Applicant.

Be it further RESOLVED, the applicant is hereby directed to order and deliver to the Town Highway Superintendent a total of 18 streetlight poles and fixtures, as are further specified in the Town's adopted Site Design and Development Criteria, on or before December 31, 2026. These streetlight fixtures and poles are hereby accepted by the Town Board as part of the amenity package for this rezoning action and are to be installed by the Town elsewhere on sites located within the mapped MSOD.

Be it further RESOLVED, the applicant is hereby directed to make a cash contribution, in the total maximum amount of \$100,000.00, to the Town of Farmington upon the following schedule, whichever shall occur first:

- a. \$100,000.00 on or before June 30, 2027, if no development is underway for Lots #2, #4 or #5; or
- b. \$50,000.00 upon final site plan approval for the 5,700 square foot two (2) tenant building with drive thru on Lot #4, with the remaining \$50,000.00 due upon final site plan approval for the 2,000 square foot specialty building with drive thru on Lot #5, or the final site plan approval for the 21,000 square foot building on Lot #2, attached to the east end of the current Tops Market Building; or
- c. \$100,000.00, within sixty (60) days, upon the Town Board's acceptance of a report stamped by a NYS Licensed Engineer retained by the Town Board, that based upon field monitoring of existing sewer infrastructure located along this portion of State Route 96, that there is a lack of capacity of the public sewer line which prevents final site plan approval being granted by the Planning Board for any development of the above three lots (Lots #2, #4 or #5), or the reuse of the existing buildings or any expansion thereof on Lot #1.

This total maximum contribution is to be placed in the Town of Farmington's Beaver Creek Sanitary Sewer Force Main Capital Project Account.

Be it further RESOLVED, that the applicant is hereby directed to provide the Town a one-time cash contribution of \$85,000.00 which is to be used towards constructing the completion of Mercier Boulevard, between the proposed Mercier Boulevard hammerhead in Phase 1A of the GLN Farmington Realty Project and the existing Mercier Boulevard cul-de-sac located within the currently identified Phase 2 drawing dated April 2021, prepared by BME Associates located on the adjacent property and extending south and east to the south property line. This payment is due within sixty (60) days from notification by the Town of the start of construction of this portion of Mercier Boulevard.

Be it further RESOLVED, that within six (6) months of written notification by the Town of the construction of and the Town's acceptance of the dedication of the public sidewalks that are to be constructed along the south and west sides of the proposed Town Road [Mercier Boulevard] rights-of-way that are to be located on the adjacent Phase 1A of the GLN Farmington Realty site, there shall be constructed on the FMC site a connecting five-foot-wide temporary asphalt sidewalk [to be identified as Sidewalk Section 7 and shown on the Overall Preliminary Site Plan that is to be approved by the Planning Board]. The Section 7 Sidewalk is to connect the existing sidewalk on the adjacent GLN site with the existing sidewalk located at the east end of the Tops Market Building on the FMC Overall Site Plan. Before a certificate of occupancy or certificate of compliance shall be issued for the 21,000 square foot retail strip center building on Lot #2, the temporary five-foot-wide temporary asphalt sidewalk shall be replaced with a connective five-foot-wide permanent concrete sidewalk.

Be it further RESOLVED, that the Applicant is hereby directed to submit an application to the Town Planning Board for Overall Preliminary Site Plan Approval for the development of the FMC Site in accordance with the conditions of approval for this proposed rezoning action contained elsewhere within this resolution.

Be it further RESOLVED, that upon receiving Overall Preliminary Site Plan Approval, the Applicant is to file a signed copy of said Plan with the Town Clerk's Office within sixty (60) days of written notification by the Town Planning Board approval.

Be it further RESOLVED, that upon filing of the above referenced Plan, the Town Clerk is directed to cause the amendment to be made to the Town's Official Zoning Map changing the zoning designation for the three (3) parcels of land, containing approximately 18.3 acres, from GB General Business with MTOD Major Thoroughfare Overlay District and MSOD Main Street Overlay District to IZ Incentive Zoning, MTOD Major Thoroughfare Overlay District and MSOD Main Street Overlay District for the Farmington Market Center Project.

Be it further RESOLVED, that once the Official Zoning Map has been amended and signed by the Town Clerk, the Applicant may then submit final site plans to the Planning Board for each of the identified site improvements associated with this rezoning action.

Be it further RESOLVED, that any relief to these conditions of approval shall be acted upon by the Town Board.

Be it finally RESOLVED, that no Building Permit(s) shall be issued until all conditions final site plan approvals granted by the Town Planning Board have been satisfied, all final site plan drawings have been signed and filed with the Town Development Officer, and any required surety has been approved by the Town Board and filed with the Town Clerk's Office.

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

RESOLUTION #97-2024:

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

RESOLUTION APPOINTING BRYAN WHITE AS CONSERVATION BOARD CHAIRPERSON

WHEREAS, Kimberly Boyd submitted her resignation as Conservation Board Chairperson on January 22nd, 2024 leaving a vacancy; and

WHEREAS, Bryan White is a current member of the Conservation Board and expressed interest in filling the vacant Chairperson position; now therefore

RESOLVED, the Farmington Town Board reappoints Bryan White as Chairperson of the Conservation Board for a term beginning February 13th, 2024 to expire on December 31st, 2024; and be it further

RESOLVED, that the Town Clerk forward a copy of this resolution to the Confidential Secretary and Bryan White at 1424 Old Park Square, Farmington, NY 14425.

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

RESOLUTION #98-2024:

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO VOTE TO ACCEPT THE SECOND AMENDED JOINT CHAPTER 11 PLAN OF REORGANIZATION OF ENDO INTERNATIONAL PLC AND ITS AFFILIATED DEBTORS

WHEREAS, the Town Supervisor received a cover letter and recommendation of the debtors from the US Bankruptcy Court Southern District of New York regarding Endo International; and

WHEREAS, the paperwork was reviewed by the Town Attorney who advised the Town Supervisor to vote to accept the Second Amended Joint Chapter 11 Plan of Reorganization of Endo International PLC and its Affiliated Debtors; now therefore

RESOLVED, the Farmington Town Board authorizes the Town Supervisor to vote to accept the Second Amended Joint Chapter 11 Plan of Reorganization of Endo International PLC and its Affiliated Debtors; and be it further

RESOLVED, that the Town Clerk forward a copy of this resolution to the Confidential Secretary and the Accountant I and send the original signed form to the Endo Ballot Processing Center in the attached pre-addressed, stamped envelope.

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

RESOLUTION #99-2024:

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

RESOLUTION APPROVING THE PUBLIC WORKS PROPOSAL FROM SIEWERT EQUIPMENT COMPANY FOR THE INSTALLATION OF A NEW FLASH MIXER AT THE WASTEWATER TREATMENT PLANT

WHEREAS, the flash mixer at the waste water treatment plant which was installed around 1989 is inoperable and in need of replacement to ensure effective mixing of the treatment chemicals; and

WHEREAS, three quotes were received for this public works project and the quote from Siewert Equipment Company has the lowest cost for a compatible mixer with installation now therefore

BE IT RESOLVED, that the Town Board approve the project with Siewert Equipment at a cost not to exceed \$29,911 which includes freight and a gearbox mounted on a pedestal to match the current set up; and be it

FURTHER RESOLVED, that this project will be funded from expense line SS8130.4 from the 2024 budget; and be it

FULLY RESOLVED, that the Town Clerk forwards a copy of the resolution to Rich Beschler, Siewert Equipment, 175 Akron St, Rochester, NY 14609, the water and sewer department, and the Accountant I.

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

RESOLUTION #100-2024:

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

Abstract 3 – 2024

TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS

<i>ABSTRACT NUMBER</i>		<u>3</u>	
<i>DATE OF BOARD MEETING</i>		<u>2/13/2024</u>	
<i>FUND CODE</i>	<i>FUND NAME</i>	<i>TOTAL FOR EACH FUND</i>	<i>VOUCHER NUMBERS</i>
A	GENERAL FUND	323,935.73	138-150,152-155,158-164, 167-174,176-185,187,188,190-193, 195-203,205,207
DA	HIGHWAY FUND	78,658.17	139-141,165,169,171,173,179,193, 196,197,200,208-220
HK	SIDEWALK CAP PTOJECT	3,221.70	145,166
HN	NORTH RD CAPITAL PROJ		
HZ	TOWNLINE CAP PROJ.	110.00	182
HT	TOWN HALL CAPITAL IMPR.	4,551.00	263
HV	MERTENSIA WATERLINE		
HW	WATER TANK REPAIR		
SF	FIRE PROTECTION DIST.	273,866.00	156,175,194
SD	STORM DRAINAGE	523.10	177,254
SM	SIDEWALKS	1,000.00	140
SS	SEWER DISTRICT	89,389.43	141,153,157,171,177,182,188,200, 201,207,221-258,264
SW1	WATER DISTRICT	9,809.71	141,153,157,171,177,188,200,201, 207,221,227-237,244-246,251-252, 254,259-262,264
TA200	PAYROLL DEDUCTIONS	2,093.02	141,143,151,186,189,198,204,206, 265
	TOTAL ABSTRACT	\$ 787,157.86	

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

TRAINING UNDER \$100: None.

DISCUSSION: None.

WAIVER OF THE RULE: None.

EXECUTIVE SESSION: None.

With no further business before the Board, **Councilman Casale** offered a motion to adjourn the meeting at 7:33 p.m., seconded by **Councilman Bowerman**. Motion **CARRIED**.

Michelle A. Finley, MMC, RMC -Town Clerk