

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 9th day of January, 2024, at 7:00 PM, there were:

PRESENT: Peter Ingalsbe – Supervisor
Mike Casale – Councilman
Steven Holtz – Councilman- via zoom
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, **Adrain Bellis** – Planning Board Member, **Ed Hemminger** – Planning Board Chairman, **Hal Adams**, Agricultural Advisory Board Chairman, **Bill Davis** – MRB Group, **Donna LaPlant** – Assessor, and **Christopher LaPlant** – resident and **Matthew Brongo**- student

Also present by telephone/video conferencing were: **John Piper**

PUBLIC HEARINGS: None.

APPROVAL OF MINUTES:

A motion was made by **Councilman Bowerman** and seconded by **Councilman Casale** that the minutes of the December 26, 2023, Town Board Meeting, were given to members for review, be approved. All Voting “Aye” (Holtz, Herendeen, Bowerman, Casale, and Ingalsbe). Motion **CARRIED**.

PRIVILEGE OF THE FLOOR:

PUBLIC CONCERNS: None.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Herendeen reported:

1. Discussed Flash Mixer prices.
2. New belts for the Belt Press have been ordered.
3. New flow meters installed.
4. Manhole inspections in Cobblestone, twenty buried manholes have been located.
5. Video of the sanitary sewer on Fallow Lane and Fawn Meadow have been reviewed.
6. Discussed resolutions on agenda.

Highway & Parks:

1. Highway- equipment maintenance, plowing and salting roads, ditching on Rushmore Road and Yellow Mills Road, repaired trails at Hickory Rise Subdivision, and cleaned plugged drainpipe on Flaxen Drive.
2. Parks- plowing and salting parking lots, servicing summer equipment, making a new sign for Transfer Station, repaired trails in Beaver Creek Park and Auburn Trail, and snow blowing sidewalks.

Town Operations Committee: Councilman Casale reported:

1. Discussed resolutions on agenda.
2. Discussed Pedestrian Bridge crossing over Beaver Creek along the south side of County Road 41 has been accepted by NYSDOT. Bidding for the project is still on schedule for January/February 2024 and awarding a contract for February/March. All work on the project is on schedule to be completed by December 31, 2024.
3. Town Board will be holding a workshop with the applicant for the proposed Whitestone Incentive Zoning project on January 30, 2024, at 4 p.m.
4. Nothing to report on the Farmington Market Center project.
5. Town Staff have completed their edit of the Town of Farmington narrative, including a list of priority projects and the Community Capability Assessments that are to be included in the 2024 Edition of the Ontario County All Hazards Mitigation Plan.
6. Zoning Board of Appeals will have a meeting on January 22nd at 7 p.m. to hear an application for an area variance to allow an accessory structure in the side yard of a lot.
7. Environmental Conservation Board will be meeting on January 22nd at 7 p.m. to continue work on the Open Space Index.

Town Finance Committee: Supervisor Ingalsbe reported: None.

Town Public Safety Committee: Councilman Holtz reported: None.

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

1. Attend Ontario County Economic Corporation Board meeting, went over the 2023 budget status, discussed affordable housing, and went over the 2024 calendar.
2. For 2024 he has been selected to Chair the Government Operations & Insurance Committee and again he is a member of the Ways & Means Committee.
3. Reminded the Public & the Town Board that they have two extra meetings scheduled this month, the first is on Tuesday January 23 at 6:15pm a special TB hearing on the Hook road sewer installation and the second is on January 30th at 4pm for a workshop to discuss the Whitestone project on NYS Route 332 (the old water park property)
4. We are reaching out to water customers to change out old water meters that are not sending accurate readings. The new meters will have a cellular endpoint that sends daily readings to our water & sewer office and the readings will also be available for the customer to check their water usage.
5. We will be sending out another town newsletter in February to our residents.

Highway & Parks Superintendent Tim Ford reported:

1. Updated on new truck – hopefully will be here next week.

Town Clerk Michelle Finley reported:

1. Busy collecting Town and County Taxes and Water and Sewer bills.
2. Discussed 2023 fees collected: Town Clerk - \$477,658.63, Town and County Taxes - \$11,178,164.40, and Water & Sewer - \$6,672,258.56, total - \$18,328,082.59.
3. In 2023 the Town Board acted on 476 resolutions and held 17 public hearings.

Acting Water & Sewer Superintendent Robin MacDonald reported: None.**Code Enforcement Officer Dan Delpriore reported:**

1. Total Permit for December – 27, permits for 2023-821, permit inspections – 97, permit inspections for 2023 – 2,418, and fire inspections for 2023 – 135.
2. Discussed upcoming Rain Barrel Workshop.

Director of Planning and Development Ron Brand reported:

1. Town Operations Report available on website and filed with the Town Clerk.
2. Submitted Farmington's portion of the County Hazard Mitigation Plan.
3. Will be preparing documents for the 1816 Meeting House grant.
4. Agricultural Advisory Committee will be meeting on Thursday night to discuss Agricultural Conservation regulations and how they would like to proceed.

Assessor Donna LaPlant reported:

1. Exemption applications have been mailed.
2. Discussed resolution on agenda for tonight. After the tentative roll was filed the State came out with an evaluation model solar projects and they have to use it even though the roll has been filed, which decreases the assessments. This will be used for all solar projects.

Town Engineer Bill Davis reported:

1. Update on Brickyard Road Tank project-working on getting bonds and insurances. He had a good meeting with the City of Canandaigua.
2. Update on Digester Cleaning project – plans and specs are available for the rebid.
3. Update on the Sewer Work Plan-getting some good flow readings. Found a good number of areas do not have a significant amount of I&I.
4. Will have two more quotes for next meeting for manhole meters.

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

1. Next meeting is January 17th – re-subdivision Phase 3, Redfield Grove, Paddock Landing Preliminary Subdivision Plat and Site Plans; Farmbrook Site Plans, Section 7A & 7B; and adopted 2024 rules and procedures.

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: None.

COMMUNICATIONS:

1. Ontario County Board of Supervisors Resolution No. 790-2023. Re: Unpaid Town sewer charges to be placed on 2024 Tax Rolls.
2. Ontario County Board of Supervisors Resolution No. 789-2023. Re: Unpaid water charges to be placed on the 2024 Tax Rolls.
3. Letter to the Town Supervisor from R. Daniel Mackay of the NYS Parks, Recreation and Historic Preservation. Re: South Friend Cemetery & Meetinghouse Park/State Register of Historic Places.
4. Letters to Shortsville, Manchester and Farmington Fire Departments from the Town Supervisor. Re: Foreign fire insurance tax.
5. Letter to the Town Board from the Clerk of the Planning Board. Re: 2024 Planning Board Rules of Procedure.
6. Ontario County Board of Supervisors Resolution No. 344-2023. Re: Apportionment of 2024 Workers' Compensation Insurance Expense Ontario County Mutual Self-Insurance Plan.
7. Certificates of Liability Insurance from: Ulrich Sign Company, Inc.; FF Thompson Health System, Inc.; NVR, Inc.; Expert Environmental & Construction Group, LLC; Saxton Corporation of Albany; Building Innovation Group, Inc.; Concord Electric Corporation
8. Certificates of Workers' Compensation Insurance from: VanScott Builders, Inc.; Saxton Corporation of Albany
9. Certificate of Disability and Paid Family Leave Benefits Insurance from: Saxton Corporation of Albany.

REPORTS & MINUTES:

1. Farmington Volunteer Fire Association Chief's Report – January 2024.
2. Victor Fire Department Chief's Report – December 2023.
3. Farmington Senior Citizens Meeting Minutes – November 20, 2023.
4. Building Department – Permit Report by Type – December 2023.
5. Building Department – Inspection Schedule – December 2023.
6. Building Department – Permit Report by Type – 2023.
7. Building Department – Inspection Schedule – 2023.
8. Ontario County Sheriff Traffic Report – December 2023.
9. Planning Board Meeting Minutes – December 6, 2023.

ORDER OF BUSINESS:

RESOLUTION #51-2024:

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN PROCLAMATION WITH THE INTERNATIONAL CODE COUNCIL DECLARING THE MONTH OF MAY 2024 AS BUILDING SAFETY MONTH

WHEREAS, the Town of Farmington is committed to recognizing that our growth and strength depends on the safety and essential role our homes, buildings and infrastructure play, both in everyday life and when disasters strike, and

WHEREAS, the Town's confidence in the resilience of these buildings that make up our community is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers, plumbers and others in the construction industry—who work year-round to ensure the safe construction of buildings, and

WHEREAS, these guardians are dedicated members of the International Code Council, a nonprofit that brings together local, state, territorial, tribal and federal officials who are experts in the built environment to create and implement the highest-quality codes to protect us in the buildings where we live, learn, work and play, and

WHEREAS, these modern building codes include safeguards to protect the public from hazards such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquakes, and;

WHEREAS, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities' largely unknown protectors of public safety—our local code officials—who assure us of safe, sustainable and affordable buildings that are essential to our prosperity, and

WHEREAS, "Mission Possible," the theme for Building Safety Month 2024, encourages us all to raise awareness about building safety on a personal, local, and global scale, and

WHEREAS, each year, in observance of Building Safety Month, people all over the world are asked to consider the commitment to improve building safety, resilience and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property, now therefore

BE IT RESOLVED, the Town Board authorize Supervisor Ingalsbe to sign the proclaim that the month of May 2024 to be Building Safety Month and to encourage our citizens to join with their communities in participation in Building Safety Month activities., and

BE IT FURTHER RESOLVED, that copies of this resolution to be submitted by the Town Clerk to the Confidential Secretary and that the Town Clerk provide the original signed Proclamation to the Building Department for submission to the ICC.

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

RESOLUTION #52-2024:

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

RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE MONTHLY REPORT OF THE SUPERVISOR FOR DECEMBER 2023

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 December 2023 to the Town Supervisor on January 3, 2024, and

WHEREAS, the Town Supervisor approved and executed the Monthly Report of the Supervisor for December 2023 on January 3, 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 December 2023, and be it further

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

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

RESOLUTION #53-2024:

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN A LEASE EXTENSION WITH COUNTRY BIBLE BAPTIST CHURCH

WHEREAS, the Town of Farmington is the sole owner of 130 Hook Road in the Town of Farmington, Ontario County, New York State (the "Premises"), which consists of approximately 0.273 acre of land with a building located thereon, and

WHEREAS, the current Lease expired on December 31, 2023 and Country Bible Baptist Church has asked for another extension of the lease, now therefore

BE IT RESOLVED, that the Town Board of the Town of Farmington has determined that the Town has no present municipal need for the Premises and that the Premises is still available for leasing, and

BE IT FURTHER RESOLVED, that the Town Board finds the rent, terms and consideration set forth in the Lease extension represent fair and adequate consideration for the rental of the Premises, and

BE IT FURTHER RESOLVED, that the Town Board approves the Lease extension for a term from January 1, 2024 through December 31, 2024, and

BE IT FINALLY RESOLVED, that the Supervisor is hereby authorized and directed to execute the Lease extension on behalf of the Town of Farmington and the Town Board and that a copy of the Resolution and Lease extension be sent to Pastor Drake, County Bible Baptist Church, 130 Hook Road, and the Accountant I.

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

RESOLUTION #54-2024:

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

RESOLUTION AUTHORIZING SETTLEMENT OF PENDING TAX CERTIORARI ACTION BY RECOVERY SOLAR 1 LLC AND GREEN MOUNTAIN ELECTRIC SUPPLY, INC.

WHEREAS, a tax certiorari proceeding was commenced by Recovery Solar 1 LLC and Green Mountain Electric Supply, Inc. ("Petitioners") regarding property located at 6025 Denny Drive in the Town of Farmington ("Property") challenging Petitioners' assessment on the final tax assessment roll filed in 2023 and the action is currently pending in Ontario County Supreme Court (Index Number: 136596-2023) ("Pending Action"), and

WHEREAS, New York State recently mandated Towns apply a valuation model approved by the State to determine the value of solar energy facilities and this model results in values that are significantly lower than those computed based on the valuation methods previously utilized by assessors; and

WHEREAS, based on the lower value resulting from the application of the State's models, negotiations for settlement were entered into regarding the Pending Action, Petitioners have agreed to a proposed disposition and the attorney for the Town in this matter and the Assessor have recommended the settlement, finding that the proposed settlement is in the best interests of the Town, and now, therefore, it is

RESOLVED, that the Town Board authorizes a settlement with Petitioners that reduces the 2023 assessment from \$1,296,000 to \$168,000, that waives the application of RPTL §727 and that states that Petitioner agrees not to challenge the 2024 – 2026 assessments if the 2024 assessment does not exceed \$158,000, the 2025 assessment does not exceed \$148,000 and the 2026 assessment does not exceed \$138,000, and that entitles Petitioners to any and all refunds and interest that would have been paid on the original 2023 assessment; and it is further

RESOLVED that the proposed settlement is in the best interests of the Town; and it is further

RESOLVED, that the Town Supervisor and the attorney for the Town are authorized to prepare and execute all documents necessary to finalize the settlement; and it is further

RESOLVED, that the Town Clerk forward copies of this Resolution to Sheila M. Chalifoux, Esq., Chalifoux Law, PC, the Assessor’s Office, and the Accountant I.

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

RESOLUTION #55-2024:

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

RESOLUTION AUTHORIZING ADVERTISEMENT OF BIDS FOR CONSTRUCTION OF THE AUTHORIZED 2021-2022 FEDERAL HIGHWAY ADMINISTRATION (FHA)/NEW YORK STATE DEPARTMENT OF TRANSPORTATION(NYS DOT)/TOWN OF FARMINGTON TRANSPORTATION ALTERNATIVE PROJECT (TAP) KNOWN AS THE TOWN OF FARMINGTON SIDEWALK/TRAIL CONNECTION AND BIKE LANE CAPITAL PROJECT, PHASE 1, PIN 4761.41

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board), has been awarded FHA grant funds and has previously committed to and authorized town matching funds for the above referenced TAP; and

WHEREAS, the Town of Farmington officials have identified both priority subareas and alternative subareas for the construction of this TAP; and

WHEREAS, the Town Board has been informed of the Regional Director, Region 4, January 4, 2024, letter of acceptance of the Town of Farmington’s certification of the plans, specifications, and estimate for this locally administered Federal Aid project.

WHEREAS, the Town Board has been informed by the Town’s TAP Manager that there is pending notification, within the next week from the DOT, authorizing the advertising of the project for letting; and

WHEREAS, General Municipal Law (Section 103) requires that the Town Board advertise for bids and award the bid to the lowest responsible bidder(s) meeting New York State statutory requirements and the requirements set forth in the Town’s bidding documents; and

WHEREAS, the Town Board desires to keep this TAP on schedule by authorizing the advertisement of bids for construction of the Project this year.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Farmington does hereby authorize and directs Fisher Associates, the TAP Engineers, upon receipt of acceptance from the Albany Office of the NSYDOT, to prepare and publish an advertisement for bids for the construction of the above referenced TAP, in the Town’s Official Newspaper and other related publications.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to publicly open all bids received, read the same aloud and record the bids as is customarily done and to present the bids at either a regular or special scheduled meeting of the Town Board for making an award.

BE IT FINALLY RESOLVED, that certified copies of this resolution are to be provided to Ronald Brand, Director of Planning & Development, the Town’s TAP Project Manager, Jon Harman, Local Project Liaison, Region 4 Office, NYS DOT, 1530 Jefferson Road, Rochester, New York, 14623; and Emily Smith, P.E., Fisher Associates, the Town’s Project Engineers, 180 Charlotte Street, Rochester, New York 14607.

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

RESOLUTION #56-2024:

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

Abstract 25 – 2023

TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS

<i>ABSTRACT NUMBER</i>		<u>25</u>	
<i>DATE OF BOARD MEETING</i>		<u>1/9/2024</u>	
<i>FUND CODE</i>	<i>FUND NAME</i>	<i>TOTAL FOR EACH FUND</i>	<i>VOUCHER NUMBERS</i>
A	GENERAL FUND	19,833.14	2521,2522,2525-2532,2534-2548, 2556-2560,2565
DA	HIGHWAY FUND	12,678.05	2527,2532,2536,2537,2546,2549-2555
HG	CTY RD 8 WATERLINE		
HN	NORTH RD CAPITAL PROJ		
HP	TOWN PARK IMPR.		
HQ	LED STREET LIGHTING		
HV	MERTENSIA WATERLINE		
HW	WATER TANK REPAIR	199.00	2523
HY	RT. 332 & COLLETT		
SD	STORM DRAINAGE		
SL1	LIGHTING DISTRICT		
SS	SEWER DISTRICT	56,502.44	2497-2517,2524,2532,2533,2546, 2547,2561-2564
SW1	WATER DISTRICT	493,660.61	2497-2499,2509,2512,2516,2518-2530,2523,2532,2533,2546,2547, 2561-2564,2567
TA200	PAYROLL DEDUCTIONS	5.22	2542
	TOTAL ABSTRACT	\$ 582,878.46	

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

RESOLUTION #57-2024:

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

Abstract 1 – 2024

TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS

TO: MARCY DANIELS

FROM: J. MARCIANO

ABSTRACT NUMBER		<u>1</u>		VOUCHER NUMBERS
DATE OF BOARD MEETING		<u>1/9/2024</u>		
FUND CODE	FUND NAME	TOTAL FOR EACH FUND		
A	GENERAL FUND	74,900.76		1-31
DA	HIGHWAY FUND	27,674.12		23,28
SD	STORM DRAINAGE	5,902.10		23,27,35
SM	SIDEWALKS	2,261.25		27
SS	SEWER DISTRICT	23,380.06		23,28,31-356
SW1	WATER DISTRICT	22,424.70		23,28,31,32,34-36
	TOTAL ABSTRACT	\$ 156,542.99		

All Voting "Aye" (Ingalsbe, Holtz, Herendeen, Casale, and Bowerman), 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 Bowerman** offered a motion to adjourn the meeting at 7:20 p.m., seconded by **Councilman Casale**. Motion **CARRIED**.

Michelle A. Finley, MMC, RMC -Town Clerk