

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 12<sup>th</sup> day of March, 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, **Adrian Bellis** – Planning Board Member, and **Bill Davis** – MRB Group

Also present by telephone/video conferencing were: **Michael Phillips** – resident

**PUBLIC HEARINGS: None.**

**APPROVAL OF MINUTES:**

A motion was made by **Councilman Bowerman** and seconded by **Councilman Casale** that the minutes of the February 27, 2024, Town Board Meeting, and previously given to members for review, be approved. All Voting “Aye” (Holtz, Herendeen, Casale, Bowerman, and Ingalsbe). Motion **CARRIED**.

**PRIVILEGE OF THE FLOOR:**

**PUBLIC CONCERNS: Tom Cary – 6006 Amber Drive**

Mr. Cary shared his concern for speeding and people not stopping at the STOP sign on Amber Drive. He asked the Board what they can do to curbe this behavior. He added that other people in the neighborhood have talked about doing a petition to lower the speed limit to 20 mph through the development and possibly 15 mph around the park. He talked about possibly putting speed bumps in or additional signage in the area. He was not sure which direction to approach. Supervisor Ingalsbe thanked him for his comments. Supervisor Ingalsbe stated that back when Ivory Drive opened up they were blowing the STOP sign at Amber so he had the Sheriff’s sit there and they ticketed six people in one day. He stated that he can ask the Sheriff’s Office to come back out again. He added that the town also has speed reduction signs that flash and they can put one out at Amber and Ivory Drives for 30 days and see if that helps. Supervisor Ingalsbe stated that speed bumps are a no-no, and the Highway Superintendent is also against them. Supervisor Ingalsbe stated that the former Supervisor had a few complaints, one was Hickory Rise, and they had the Sheriff’s Office run radar there, and they ticketed the person who filed the complaint. He added that sometimes people thinking others are speeding and they are not.

Supervisor Ingalsbe stated that unfortunately NYS Town Law only allows villages and cities to set the speed limits and they have tried twice on Hook Road, once on Townline Road, and possibly once on Hickory Rise to get a speed reduction and every time the town has requested a reduction, they have been denied. Tim Ford, Highway Superintendent, agreed that 30 mph in a subdivision is too fast and trying to get it changed is nearly impossible. He added that he remembered one time when they did get approval to reduce speed and that was on Hook Road, just over the railroad tracks, the curve heading north, was reduced from 55 mph to 40 mph. He stated that this is an issue with a lot of towns. He stated that the signs might help a little, but the biggest things would be to put the Sheriff’s back out there, but they cannot be there all the time either. Supervisor Ingalsbe stated that people running STOP signs has gotten worse since covid. He added that the town does contract with the Sheriff’s Office for about \$15,000 per year, mostly retired deputies, spend about 20 hours a week on speed enforcement, and then if there is money left the town checks to see if any full-time deputies want some overtime. Councilman Bowerman stated that they can put a Sheriff in there but what they will find is that all the neighbors will get ticketed because it is not just people driving through the development. He added that if they are walking and a car drive past them doing 30 mph it will certainly feel like the car is going faster than what it is. Supervisor Ingalsbe stated that he will reach out to the Sheriff’s Office and asked them look at the speeding and running through STOP signs in that development and the Highway Superintendent will place the flashing STOP signs back on Amber and Ivory.

**REPORTS OF STANDING COMMITTEES:**

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

1. Flash Mixer will be ordered by the end of the month.
2. Muni-Link software is operational and can now read 291 meters remotely.
3. Discussed Plant security options.
4. Low flow motor installed in first building as you enter the plant.
5. Discussed roof repairs.
6. Primary clarifier #4 is back online.
7. UV shafts have been installed.
8. Discussed belt press.
9. Discussed PS-4 work on Loomis Road, waiting on parts to come in.
10. Flash mixer is scheduled to be shipped out on April 17<sup>th</sup>.
11. Discussed Digester #1- gas tube blockage.
12. Discussed resolutions on agenda.

**Highway & Parks:**

1. Highway- equipment maintenance, plowing and salting roads, cleaned up trees from windstorm on the 29<sup>th</sup>, finished cutting trees at Calm Lake, working on clean up, and working on sidewalks on Canandaigua-Farmington Townline Road.
2. Parks- plowing and salting parking lots and sidewalks, servicing summer equipment, repairing and painting picnic tables and benches, and repainted Town Hall sign and installed new posts.

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

1. Discussed resolutions on agenda.
2. The Parks and Recreation Survey of town residents is closed. 474 surveys have been completed.
3. Update on TAP Grant project.
4. Ag Advisory Committee has requested a preliminary draft of the overlay district regulations to be discussed at their meeting on March 21<sup>st</sup>.
5. Agricultural Advisory Committee is reviewing 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. Recreation Survey Master Plan – asked two questions -one on having access to Boughton Hill Park and one on sharing Recreation Center with the Town of Victor – over 80% were in favor of both.

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

1. Attended Advocacy Day last week- last year they asked for million dollars and got it, this year they asked for 80 million in extra CHIPS money, and it didn't sound good and sounded like the State wanted to lower the CHIPS money to 40 million dollars.

**Town Clerk Michelle Finley reported:**

1. Water shut-off is tomorrow.

**Acting Water & Sewer Superintendent Robin MacDonald reported:**

1. 25 on water shut-off list.
2. Update on Brickyard Road Water Tank – met with contractor and engineers, cut back trees and excavating next week.

**Code Enforcement Officer Dan Delpriore reported:**

1. Permits for February – 37, inspections completed for February -103, fire inspections for February – 4, and Stormwater/Zoning inspections for February – 19.

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

1. Town Operations Report available on website and filed with the Town Clerk.
2. TAP Sidewalk Grant- hoping to award at the next meeting.

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

1. Update on projects: 3<sup>rd</sup> records management was submitted, Digester #2 project will begin around the end of April and completed in May, Town Park Pavilion-pouring concrete in another week or so and starting the pavilion in April and completed in May, Mertensia/Collett Roads water has been submitted to DOH.
2. Conceptual plans for the Farmington Volunteer Fire Department.

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

1. Next meeting – final site plan for Union Crossing and two Letters of Credit.

**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. Letter to the Assessor from the NYS Department of Taxation and Finance Office of Real Property Tax Services. Re: 2024 Tentative Special Franchise Full Values.
2. Letter to the Assessor from the NYS Department of Taxation and Finance Office of Real Property Tax Services. Re: 2024 Tentative Telecommunications Ceilings – Roll Section 6.
3. Letter to the Town from MRB Group. Re: Billing system updates and delivery method.
4. Brickyard Road Tank & Transmission Main Notice to Proceed.
5. Letter to the Town Supervisor from Ontario County Cornell Cooperative Extension. Re: Ontario County Agriculture Appreciation Banquet.
6. NYS Education Department Proposed Budget for a Federal or State Project FS-10. Re: Local Government Records Management Improvement Fund.
7. Letter to Town of Victor Supervisor Jack Marren from the Town Supervisor. Re: SCADA system.
8. Letter to the Town Supervisor from R. Daniel Mackay from NYS Parks, Recreation and Historic Preservation. Re: South Friends Cemetery & Meetinghouse Park being listed on the National Register of Historic Places.
9. Letter to Dimitri Stefanou of C. Stefanou Relators, LLC from the Town Supervisor. Re: Terrace Apartments/Farmington Manor.
10. Important Notice from the Code Enforcement Officer. Re: Required inspections of existing residential septic systems.
11. Email to the Confidential Secretary from the US Department of Justice. Re: US v. Shydequan C. Wynn (Case #2020R00623, Court Docket #23-CR-06161).
12. Ontario County Board of Supervisors Proclamation for March as Agriculture Month.
13. Email to Darlene Shepherd from the Town Supervisor. Re: ALS Quarterly TTHM and weekly Lab Results.
14. Letter to Scott Elkovitch from the Town Supervisor. Re: Final payment due, 1008 Gypsum Mills Street.
15. Certificate of Liability Insurance from: SWBR Architecture; MRI Contractors of NY, Inc.; Alpco Recycling, Inc.; Four Winds Masonry & Chimney, LLC; Pettis Pools, Inc.; Randsco Pipeline, Inc.; Empire Fence Co., Inc.; Personal Energy Co., LLC; Genesee Construction Service, Inc.
16. Certificate of Workers' Compensation Insurance from: Sturdi Built Sheds, LLC; Four Winds Masonry & Chimney, LLC; SWBR Architecture; MRI Contractors of NY, Inc.; Rochester Glass, Inc.

### REPORTS & MINUTES:

1. ZBA Meeting Minutes – January 22, 2024.
2. Recreation Board Meeting Minutes – November 14, 2023.
3. Recreation Board Meeting Minutes – October 17, 2023.
4. Recreation Board Meeting Minutes – August 15, 2023.
5. Recreation Board Meeting Minutes – July 11, 2023.
6. Historic Preservation Meeting Minutes – February 8, 2024.
7. Historic Preservation Meeting Minutes – November 9, 2023.
8. Historic Preservation Meeting Minutes – June 8, 2023.
9. Historic Preservation Meeting Minutes – May 11, 2023.
10. Historic Preservation Meeting Minutes – March 9, 2023.
11. Building Department – Permit Report by Type – February 2024.
12. Building Department – Inspection Schedule – February 2024.
13. Building Department – Inspection Report – February 2024.
14. Monthly Report – Judge Thomas – February 2024.
15. Farmington Senior Citizens Meeting Minutes – February 19, 2024.
16. Farmington Volunteer Fire Association Chief's Report – March 2024.
17. Victor Fire Department Chief's Report – February 2024.
18. Manchester Fire Department Incident Run Log – February 2024.
19. Planning Board Meeting Minutes – February 21, 2024.
20. Monthly Report – Judge Lew – February 2024.

### ORDER OF BUSINESS:

#### RESOLUTION #114-2024:

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

**CONFIRMING RESOLUTION ACKNOWLEDGING THE RECEIPT AND ACCEPTANCE OF A NOTICE TO WAIVE THE 30-DAY PERIOD FOR A LIQUOR LICENSE FOR TORITOS CANTINA MEXICANA (5988 RTE 96, FARMINGTON)**

**WHEREAS**, Toritos Cantina Mexicana submitted a 30-Day Liquor License Application and to speed up getting approval for the license, they are requesting a waiver for the 30-Day notice requirement, and

**WHEREAS**, the next Town Board meeting is March 12<sup>th</sup>, so as to not hold up the process, the Town Supervisor approved a confirming resolution so a letter granting the waiver could be sent beforehand, therefore be it

**RESOLVED**, the Farmington Town Board acknowledges the receipt of the notice and is in favor of granting the waiver to Toritos Cantina Mexicana.

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

**RESOLUTION #115-2024:**

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

**RESOLUTION TO RECALL AND AMEND RESOLUTION # 80 OF 2024 ACCEPTING THE QUOTE FOR PURCHASE OF (1) VFD FOR SLUDGE PUMP #1**

**WHEREAS**, Resolution #80 of 2024 accepted a quote for the purchase of one (1) VFD for Sludge Pump #1 but the written quote dated January 19, 2024, in the amount of \$5,000.00 did not include shipping and expedite cost of \$565.00; now therefore

**BE IT RESOLVED**, that this resolution recalls Resolution # 80 of 2024 and amends the authorized payment amount as being \$5,565.00 under budget line SS8130.4; and

**BE IT FURTHER 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 116-2024:**

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

**RESOLUTION TO RECALL AND AMEND RESOLUTION #74 OF 2024 ACCEPTING THE QUOTE FOR PURCHASE OF (1) VFD FOR SLUDGE PUMP #2**

**WHEREAS**, Resolution #74 of 2024 accepted a quote for the purchase of one (1) VFD for Sludge Pump #2 but the written quote dated January 19, 2024, in the amount of \$5,000.00 did not include the expedite cost of \$65.00; now therefore

**BE IT RESOLVED**, that this resolution recalls Resolution #74 of 2024 and amends the authorized payment amount as being \$5,065.00 under budget line SS8130.4; and

**BE IT FURTHER 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, Herendeen, Bowerman, and Casale), the Resolution was **CARRIED**.

**RESOLUTION #117-2024:**

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

**CONFIRMING RESOLUTION TO ACCEPT A QUOTE FROM COLACINO INDUSTRIES, 126 HARRISON ST. NEWARK NY 14513**

**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 #3 VFD at the Sewer Treatment Plant 1216 McMahan Rd Victor NY 14564; and

**WHEREAS**, the Acting Water and Sewer Superintendent has received one quote for this project from Colacino Industries at a cost not to exceed \$5,065.00. No other vendors Quoted this project.; and

**WHEREAS**, this expenditure will be disbursed from 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.

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

**RESOLUTION #118-2024:**

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

**RESOLUTION ACKNOWLEDGING THE TRANSFER OF CERTAIN COURT RECORDS THAT HAVE MET THEIR RETENTION PERIOD BY NYS OFFICE OF COURT ADMINISTRATION**

**WHEREAS**, the Town Clerk's Office has declared certain court records as obsolete as they have met their retention period, and

**WHEREAS**, the Town Court has requested to take ownership of the following records:

Civil 1996-1997	3 boxes
Criminal Felony & Misdemeanors 1995 - 1998	12 boxes
Civil – Small Claims 1992	1 box

**THEREFORE BE IT RESOLVED**, that the Farmington Town Board acknowledges the transfer of certain court records from the Town Clerk records to the Town Court as they have met their retention and are no longer required to be kept.

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

**RESOLUTION #119-2024:**

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

**RESOLUTION CLASSIFYING, UNDER THE PROVISIONS OF THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA), THE PROPOSED ACTION ENTITLED “ROUTE 332/COLLETT ROAD/MERTENSIA ROAD WATER LINE REPLACEMENT PROJECT,” TO BE A TYPE II ACTION**

**WHEREAS**, the Town of Farmington Town Board (hereinafter referred to as Town Board) has determined that due to the age and the increasing frequency of repairs in the existing watermains located within the above referenced area, that it is in the best interests of the health, safety and welfare of the community to replace the existing watermains at the intersection of State Route 332 and West Collett Road with approximately 2,000 lineal feet of new 14-inch and 12-inch watermain at said intersection; to replace new 12-inch watermain west along Collett Road; and new 8-inch watermain north along the east side of State Route 332; and

**WHEREAS**, said watermains are shown on the drawings prepared by MRB Group, D.P.C., the Town’s Engineers, entitled “Plan – NYS RT 332 & Collett Road, Sheets No. G-1, 6 of 14 and G-2, 7 of 14,” which are hereby attached to and made a part of this resolution, are located mostly within easements outside of the New York State Department of Transportation rights-of-way in this area; and

**WHEREAS**, said Project also includes replacing approximately 700 lineal feet of the existing watermain shown on the drawing prepared by MRB Group, D.P.C., the Town’s Engineers, entitled “Plan Mertensia Road, Sheet No. G-4, 9 of 14,” which is hereby attached to and made a part of this resolution and which is further located along the west side of Mertensia Road in proximity to the intersection of Mertensia Road with Elizabeth Way, for the same reasons listed above herein; and

**WHEREAS**, SEQRA requires the Town Board first comply with the requirements of article 8 of the New York State Environmental Conservation Law by classifying the proposed Action and then determining the significance thereon in compliance with said Act, before authorizing any further approvals, or funding.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board does hereby classify the proposed Action as being a Type II Action, as further defined under Part 617.5 (c) (2), (6) and (21) of the State Environmental Quality Review (SEQR) Regulations, a part of article 8 of the New York State Environmental Conservation Law (ECL).

**BE IT FURTHER RESOLVED** that Type II Actions are not subject to review under Part 617, as these classes of actions have been determined by the State Legislature not to have a significant impact on the environment or are otherwise precluded from environmental review under the ECL.

**BE IT FURTHER RESOLVED** that the Town Board in making this determination has satisfied the procedural requirements identified under SEQRA for the above-described Action.

**BE IT FINALLY RESOLVED** that a certified copy of the resolution is to be provided to the Acting Water and Sewer Superintendent; the Town Highway Superintendent; the Town Engineers, MRB Group, D.P.C., Attn: Dave Herman; and the Town Accountant I.

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

**RESOLUTION #120-2024:**

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

**RESOLUTION ACKNOWLEDGING THE ATTENDANCE OF THE TOWN CLERK TO THE NEW YORK STATE TOWN CLERKS ASSOCIATION CONFERENCE**

**WHEREAS**, the New York State Town Clerks Association conference will take place in Albany from April 21-24, 2024, and

**WHEREAS**, the registration cost is \$175.00, and the hotel cost is \$765.00, totaling \$940.00, therefore be it

**RESOLVED**, the Farmington Town Board acknowledges the attendance of the Town Clerk to the NYSTCA conference in Albany from April 21<sup>st</sup> – 24<sup>th</sup>, 2024, at a cost not to exceed \$940.00 for hotel and registration.

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

**RESOLUTION #121-2024:**

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

**RESOLUTION AUTHORIZING BID AWARDS FOR THE ANNUAL CANANDAIGUA- FARMINGTON WATER DISTRICT’S 2024 WATER AND SEWER, SUPPLIES AND PARTS**

**WHEREAS**, the Water and Sewer Department had budgeted in the Approved 2024 Water and Sewer Budget for the annual purchase of water and sewer supplies within the SS 8120.4 (Sanitary Sewer CE), SS 8120.4V (Sanitary Sewer CE – Victor) and the SW1 8340.4 (Transmission & Distribution CE), and

**WHEREAS**, the public bidding was advertised in the Town’s Officials newspaper and three (3) bids were received which were received and opened on March 1, 2024 at 10:00 AM at the office of the Farmington Town Clerk, 1000 County Road 8, Farmington, New York, and

**WHEREAS**, the three bids were reviewed and accepted by the Acting Water and Sewer Supt. with the total combined cost being \$69,658.28 (see attached Summary & Bid tabulation), now therefore

**BE IT RESOLVED**, that the Town Board of the Town of Farmington acting on behalf of the Canandaigua-Farmington Water District hereby authorizes the Acting Water and Sewer Superintendent to award the water supply bid items to the lowest bidder per unit price/items based on availability and compatible department components requirements as follows:

1. Blair Supply for Items #5,6,8,20,21,22,23, and #25 for a total amount being \$28,783.80.
2. Core & Main for Items #1,4,6,9,10,17,18,24,26,and #27 for the total amount being \$27,771.50.
3. Ferguson Waterworks. for Items # 12,3,7,11,12,13,14,15,16, and #19 for a total amount being \$13,102.98.

**BE IT FURTHER RESOLVED**, that funding for these purchases has been budgeted in 2024 in the water and sewer budget as follows: \$58,898.28 SW1-8340.4 (Transmission and Distribution-Contractual), and Items # 26 and 27 \$10,760.00 SS8120.4 (Sanitary Sewer CE) and SS8120.4V (Sainitary Sewer CE – Victor); and

**BE FINALLY 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, Herendeen, Bowerman, and Casale), the Resolution was **CARRIED**.

**RESOLUTION #122-2024:**

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

**RESOLUTION AUTHORIZING PAYMENT OF PUBLICATION COSTS OF THE HISTORY BOOK TITLED “THEY FOUGHT FOR INDEPENDENCE – REVOLUTIONARY WAR VETERANS AND THEIR IMPACT ON FARMINGTON, NEW YORK”**

**WHEREAS**, the Historian requested quotes for the printing of the history book titled “They Fought for Independence – Revolutionary War Veterans and Their Impact on Farmington, New York; and

**WHEREAS**, the Historian received three quotes with Mercury Print Productions being the lowest at \$6.65 per book plus shipping; now therefore

**BE IT RESOLVED**, that the Town Board of the Town of Farmington hereby authorizes the Historian to order 100 of the books at a cost not to exceed \$665.00 plus shipping; and

**BE IT FURTHER RESOVLED**, that the Town Clerk provide copies of this Resolution to the Historian and the Accountant I.

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

**RESOLUTION #123-2024:**

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

**RESOLUTION AUTHORIZING WAIVING THE MERTENSIA LODGE FEES FOR THE ONTARIO COUNTY OFFICE FOR THE AGING AND ONTARIO COUNTY SHERIFF’S BIKE RIDING GROUP KICKOFF MEETING**

**WHEREAS**, the Ontario County Office for the Aging and Ontario County Sheriff’s Office would like to promote bike safety for Ontario County residents that are 60+ years of age; and

**WHEREAS**, they would like to have a kickoff meeting at Mertensia Lodge on May 22<sup>nd</sup>, 2024 followed by a group ride; and

**WHEREAS**, the Ontario County Office of the Aging and Ontario County Sheriff’s Office 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 Mertensia Lodge on May 22<sup>nd</sup>, 2024 for the Ontario County Office of the Aging and Ontario County Sheriff’s bike riding group kickoff meeting; and be it

**FURTHER RESOLVED**, that the Town Clerk provide a copy of this resolution to Chelsea Carey at the Ontario County Office of the Aging at 2019 County Complex Drive, Canandaigua, NY 14424 and the Accountant I.

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

**RESOLUTION #124-2024:**

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

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE MONTHLY REPORT OF THE SUPERVISOR FOR FEBRUARY 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 February 2024 to the Town Supervisor on March 1, 2024, and

**WHEREAS**, the Town Supervisor approved and executed the Monthly Report of the Supervisor for February 2024 on March 1, 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 February 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 #125-2024:**

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

**RESOLUTION CLASSIFYING, UNDER THE PROVISIONS OF THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA), THE PROPOSED ACTION ENTITLED “REZONING OF LAND FROM PD PLANNED DEVELOPMENT TO IZ INCENTIVE ZONE AND MTOD MAJOR THOROUGHFARE OVERLAY DISTRICT FOR THE WHITESTONE INCENTIVE ZONING PROJECT,” AS AN UNLISTED ACTION**

**WHEREAS**, the Town of Farmington Town Board (hereinafter referred to as Town Board) has previously determined (Resolution 111 of 2024) to accept the most recent incentive zoning concept plan for the above referenced Project, to create a Local Law to authorize the Town Clerk to amend the Town’s Official Zoning Map (once certain approvals have been granted by the Town Planning Board, as provided for in Chapter 165, Article IV, Section 34.1 of the Farmington Town Code) and to submit a referral to the Ontario County Planning Board (hereinafter referred to as OCPB) upon said Action; and

**WHEREAS**, SEQRA requires the Town Board first comply with the requirements of article 8 of the New York State Environmental Conservation Law by classifying the proposed Action and then determining the significance thereon in compliance with said Act, before authorizing any further approvals.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board does hereby classify the proposed Action as being an Unlisted Action, as further defined based upon its’ review of the criteria under 6NYCRR Parts 617.4 and 617.5 of article 8 of the New York State Environmental Conservation Law (ECL).

**BE IT FURTHER RESOLVED** that the adoption of a Local Law to rezone the subject parcels from PD Planned Development for the former “Glacier Lakes Water Park Mixed Use Site” to IZ Incentive Zoning for the “Whitestone Incentive Zoning Mixed Use Project” does not change the allowable mixed uses of commercial, limited industrial, or residential that are now in effect for the subject parcels.

**BE IT FURTHER RESOLVED** that the Action involves only a legislative decision by the Town Board to authorize a future amendment to be made to the Town’s Official Zoning Map, once all conditions of the incentive rezoning process have been satisfied.

**BE IT FURTHER RESOLVED** that the incentive zoning process established by the Town Board provides for the division of the environmental review of any incentive rezoning action such that various activities or stages are addressed under 6NYCRR, Part 617.1 (ah) as though they were independent, unrelated activities, needing individual determinations of significance such as that associated with obtaining overall preliminary subdivision plat approval and/or preliminary overall site plan approvals, and that such review is warranted by the Town’s incentive zoning process and is no less protective of the environment.

**BE IT FURTHER RESOLVED** that the Town Board’s Action alone does not commit to or provide for actions that will affect the physical conditions of the environment, such as construction or other activities that may affect the environment by changing the use, appearance or condition of any natural resource or structure.

**BE IT FURTHER RESOLVED** that Unlisted Actions are subject to review under Part 617, requiring a determination of environmental significance to be made before acting upon the proposed rezoning, the adoption of the proposed local law and the future amendment of the Town’s Official Zoning Map.

**BE IT FURTHER RESOLVED** that the Town Board in making this determination has satisfied the procedural requirements identified under SEQRA for classifying the above-described Action.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution is to be provided tomorrow by the Town Clerk to Linda Phillips, Senior Planner, Ontario County Planning Department, for attachment to the packet of information associated with the Town’s referral to the Ontario County Planning Board for its review and recommendation at the March 13, 2024, meeting.

**BE IT FINALLY RESOLVED** that certified copies of this resolution are to be provided to: the Town Planning Board; the Town Director of Planning & Development; the Town Code Enforcement Officers; the Town Department Heads; the Town Assessor; the Town Engineers, MRB Group, D.P.C.; the Applicants – Whitestone Development Partners, LLC, Attn: Justin Mirando, 1170 Pittsford Victor Road, Suite 260, Pittsford, New York 14534; the Applicants Engineers – Passero Associates, Attn: Jess Sudol, President, 242 West Main Street, Suite 100, Rochester, New York 14614; and the Applicants Attorneys, Woods Oviatt Gilman, Attn: Betsy D. Brugg, 1900 Bausch and Lomb Place, Rochester, New York 14604.

Four Voting “Aye” (Ingalsbe, Herendeen, Bowerman, and Casale), One voting “Nay” (Holtz), the Resolution was **CARRIED**.

**RESOLUTION #126-2024:**

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

**CADIN LLOYD SUCCESSFUL COMPLETION OF PROBATIONARY PERIOD**

**WHEREAS**, Cadin Lloyd was hired by the Town of Farmington with a start date of September 5, 2023 and on March 5, 2024 he has successfully completed the required six-month probationary period, and

**WHEREAS**, Cadin Lloyd has shown that he possesses the required knowledge base and per employee policy, upon the successful completion of a probationary period, the hourly employee may be granted a wage adjustment, and

**WHEREAS**, the Building/Code Department Head believes that Cadin has displayed satisfactory job performance, now therefore be it

**RESOLVED**, that the Town Board hereby grants Cadin Lloyd a \$1.00 per hour wage increase to \$24.00 per hour to be effective beginning with Payroll #7 (March 17, 2024), and

**BE IT FURTHER RESOLVED**, that the Town Clerk provides copies of this resolution to the Building Department, the Supervisor’s Confidential Secretary and Accountant I.

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

**RESOLUTION #127-2024:**

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

**RESOLUTION ACCEPTING A TWO (2) YEAR MAINTENANCE BOND FROM S.B. ASHLEY MANAGEMENT CORPORATION, FOR NEWLY CONSTRUCTED SITE IMPROVEMENTS WITHIN PHASE 2A OF THE HATHAWAY’S CORNERS INCENTIVE ZONING PROJECT, IN THE TOTAL AMOUNT OF \$118,906.50**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) has received from Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineers, a letter dated February 13, 2024, recommending a two (2) year Maintenance Bond, for newly constructed improvements (e.g., dedicating the roadway, storm sewers, sanitary sewer and watermain) within Phase 2A, be provided and accepted in the total amount of \$118,906.50; and

**WHEREAS**, the Town Board has previously received, as part of the dedication of these roadways, the signed Dedication Checklist Form G-3.0, Dedication Form G-3.1 and the partially signed Dedication Form G-3.2, and the signed Final Inspection Form G-11.0 with conditions; and

**WHEREAS**, the Town Board understands that a two-year Maintenance Bond, in the amount specified herein, is to be posted with the Town Clerk prior to authorizing the final release of funds from the letter of credit for site improvements within the Phase 2A portion of the Hathaway’s Corners Incentive Zoning Project; and

**WHEREAS**, said surety is to be used for making repairs or replacement for the above identified newly constructed improvements of any defects that may be found, during a specified two (2) year period, in material and/or workmanship relating to the dedicated items,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby accept and directs the filing of the above referenced two-year Maintenance Bond with the Town Clerk’s Office, in the total amount specified above herein, for the above referenced project improvements,

**BE IT FURTHER RESOLVED**, that said maintenance bond shall be in effect starting within 30 days of today’s date and ending two years from said date,

**BE IT FURTHER RESOLVED**, that the partially completed Dedication Form G-3.2, is to be signed and dated by the Town Planning Board Chairperson and the Town Engineer, prior to the Town Clerk providing the Applicant a Certified Copy of this resolution,

**BE IT FURTHER RESOLVED**, that the Town Clerk is to provide certified copies of this resolution to: Matt Heilmann, Town Construction Inspector; Tim Ford, Town Highway & Parks Superintendent; Robin MacDonald, Acting Superintendent, Town Water & Sewer Department; Lance S. Brabant, CPESC, Director of Planning Services, MRB Group, D.P.C.; Dan Delpriore, Town Code Enforcement Officer; Edward Hemminger, Town Planning Board Chairperson; and Ronald L. Brand, Town Director of Planning and Development,

**BE IT FINALLY RESOLVED**, that a certified copy of this resolution is to be issued to the Applicant, Mark Stevens, S.B. Ashley Management Corporation, 16 West Main Street, Suite 700, Rochester, New York 14614; Tom Danks, Project Manager, BME Associates, 10 Lift Bridge Lane East, Fairport, New York 14450.

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

**RESOLUTION #128-2024:**

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

Abstract 5 – 2024

**TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS**

ABSTRACT NUMBER		5	
DATE OF BOARD MEETING		3/12/2024	
FUND CODE	FUND NAME	TOTAL FOR EACH FUND	VOUCHER NUMBERS
A	GENERAL FUND	89,138.30	356-360,362-374,376-381,383-404
DA	HIGHWAY FUND	27,925.15	357,380,383,399,402,405-408,410-416
HP	TOWN PARK IMPROVEMENTS		
HK	SIDEWALK CAP PROJECT	826.36	375
HZ	TOWNLINE CAP PROJ.	1,178.06	409
HT	TOWN HALL CAPITAL IMPR.		
HV	MERTENSIA WATERLINE		
HW	WATER TANK REPAIR	2,861.95	361
SL1	LIGHTING DISTRICT		
SD	STORM DRAINAGE	15,132.06	369,414,449
SM	SIDEWALKS		
SS	SEWER DISTRICT	145,789.44	361-363,369,373,380,382,401-404, 417-449
SW1	WATER DISTRICT	29,349.39	362,363,369,380,382,401-404,417-419,429,431,433,434,436,437,441-443,448-449,451-457
TA200	PAYROLL DEDUCTIONS	350.62	362,400
	<b>TOTAL ABSTRACT</b>	<b>\$ 312,551.33</b>	

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

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

**DISCUSSION:** Request to waive late fee – 1440 Tudor Way- Supervisor Ingalsbe will pay the late fee (\$1.85).

**WAIVER OF THE RULE: No Objection**

**RESOLUTION #129-2024:**

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

**CAROL MARVEL SUCCESSFUL COMPLETION OF PROBATIONARY PERIOD**

**WHEREAS,** Carol Marvel was appointed as Receptionist effective May 11, 2023 and has successfully completed the required six-month probationary period, and

**WHEREAS,** Carol has shown that she possesses the required knowledge base and per employee policy, upon the successful completion of a probationary period, the employee may be granted a wage adjustment, and

**WHEREAS,** the Code Enforcement Officer believes that Carol has displayed satisfactory job performance, now therefore be it

**RESOLVED,** that the Town Board hereby authorizes the successful completion of probation and grants Carol Marvel a \$.73 per hour wage increase effective with Payroll #7 (March 17, 2024), and

**BE IT FURTHER RESOLVED,** that the Town Clerk provides copies of this resolution to the Code Enforcement Officer, the Confidential Secretary, and the Accountant I.

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

**RESOLUTION #130-2024:**

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

**RESOLUTION AUTHORIZING THE APPOINTMENT OF THE SECRETARY TO PLANNING AND ZONING**

**WHEREAS,** Sarah Mitchell submitted her resignation as Secretary to Planning and Zoning effective March 13, 2024, and

**WHEREAS,** the Code Enforcement Officer has conducted interviews and has found a qualified candidate to fill the position, now therefore

**BE IT RESOLVED,** that the Town Board hereby authorizes the Code Enforcement Officer to fill the position of Secretary to Planning and Zoning at a rate of \$19.00 per hour effective March 18, 2024, and

**BE IT FINALLY RESOLVED,** that the Town Clerk provide copies of this resolution to the Building Department, the Accountant I, and the Confidential Secretary.

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

**EXECUTIVE SESSION: None.**

With no further business before the Board, **Councilman Casale** offered a motion to adjourn the meeting at 7:31 p.m., seconded by **Councilman Bowerman**. Motion **CARRIED**.

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Michelle A. Finley, MMC, RMC -Town Clerk