

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 14th day of November, 2023, at 7:00 PM, there were:

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

Also present in person: **Tim Ford** – Highway and Parks Superintendent, **Dave Conti** – Water & Sewer Superintendent, **Dan Delpriore** – Code Enforcement Officer, **Ron Brand** – Director of Planning and Development, **Adrian Bellis** – Planning Board Member, **Ed Hemminger** – Planning Board Chairman, **Sue Bauer** – resident, and **Frank DiFelice**, and **Matt Tomlinson**-Marathon Engineering

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

PUBLIC HEARINGS:

LOCAL LAW NO. 10 OF 2023, FOR AMENDING LOCAL LAW NO. 5 OF 2015, INVOLVING THE REDESIGN OF THE REMAINING LANDS LOCATED WITHIN PORTIONS OF PHASE 3 OF THE REDFIELD GROVE INCENTIVE REZONING PROJECT AND FURTHER INVOLVING LANDS FRONTING ALONG THE NORTH SIDE OF STATE ROUTE 96 AND THE EAST SIDE OF COMMERCIAL DRIVE

Supervisor Ingalsbe continued the public hearing from the October 24, 2023, Town Board Meeting. Mr. Tomlinson, Marathon Engineering, along with Mr. DiFelice, applicant, appeared for this public hearing. Mr. Tomlinson stated that this was previously presented to the Town Board and they were referred to the Planning Board for their review and recommendations. He stated that the Planning Board had some comments relating to the sidewalk, some pocket park areas, some of the amenities required by the Overlay Districts and those have been updated and reflected within the revised plan that was submitted. In addition, they also modified and reduced the driveway cuts up to Commercial Drive, which was one of the recommendations from the Planning Board. He added that they were also referred to the County Planning Board and it was his understanding that they had some clarification questions and thinks that has been taken care of at this point, but it his understanding that they are still waiting for their official recommendation from their meeting last week. Mr. Tomlinson stated that they are back before the board to answer any questions they might have. He added that the only other change was the listing for classifications for allowable uses within lot 1, which is the existing building located there, for smaller commercial uses and trying to define those with town staff in order to ensure that any use that would be permitted within that building would be such they fit within the footprint and also utilize the amount of parking spaces that are possible because it is relatively limited from the square footage of the lot size, primarily smaller commercial uses such as salon, a small doctor's office type of things where there would be a limited number of employees and/or visitors at any one time.

Mr. Brand confirmed that everything Mr. Tomlinson stated was accurate. He added that County Planning reviewed this application again last Wednesday, but we have not received their recommendations yet, so they are going to close the public hearing and continue deliberations until the next meeting to allow for the County Planning recommendations to come back and to see if there are any changes, they need to make to the resolution to approve the amendment. Councilman Bowerman asked if Lot 1 is still going to maintain its own driveway onto Route 96 and not be connected into the property. Mr. Brand replied yes and originally the state DOT was not very excited about it. Councilman Bowerman asked if the DOT was alright with the driveway there, Mr. Brand replied yes.

Supervisor Ingalsbe asked if there were any further comments, hearing none, he closed the public hearing at 7:05 p.m.

APPROVAL OF MINUTES:

A motion was made by **Councilman Bowerman** and seconded by **Councilman Holtz** that the minutes of the October 24, 2023, Town Board Meeting, were given to members for review, be approved. All Voting "Aye" on the Town Board Meeting minutes (Holtz, Herendeen, Bowerman, Casale, and Ingalsbe). Motion **CARRIED**.

PRIVILEGE OF THE FLOOR: None.

PUBLIC CONCERNS: None.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Holtz reported:

1. Discussed quotes for Digester 3 sludge mixing pump VFD have been requested.
2. Discussed Digester 2 cleaning – bid opening is scheduled for November 3, 2023.
3. Discussed sanitary sewer on Fallow Lane and Fawn Meadow, and Doe Haven – video has been reviewed.
4. OSHA compliant ships ladder for 5150 North Road has been installed. Vaults for 5250 North Road and County Roads 41 & 28 have been measured for ladders.
5. Service line information is available for the Lead and Copper Survey in records at the WWTP.
6. Discussed resolutions on agenda.

Highway & Parks:

1. Highway- equipment maintenance, finished up shoulder work, milled and patched potholes, installed plow frames and wings on trucks, swept roads, hauling stone for next year's chip sealing, installing plow marker stakes, and repaired the stone dust trail at Tweed Circle.
2. Parks- last mowing has been done, winterizing bathroom, new playground at Farmbrook Park has been installed, put sanders on trucks, and marking sidewalks.
3. Squirrels have been trapped at the Grange and holes have been patched.
4. Generator inspections have been completed and tested.
5. Discussed resolution for meeting.

Town Operations Committee: Councilman Casale reported:

1. Discussed resolutions on agenda.
2. Town Staff will be evaluating construction cost estimates for the TAP Grant Sidewalk/Trail Connection Project.
3. Nothing to report for the Farmington Market Center project.
4. Paddock Landing Incentive Zoning Project, formerly Power Incentive Zoning Project, has submitted Preliminary Overall Subdivision Plat and Site Plan Maps and documents which will be introduced to the Planning Board in early December.

Town Finance Committee: Supervisor Ingalsbe reported: None.**Town Public Safety Committee: Councilman Holtz reported: None.****REPORTS OF TOWN OFFICIALS:****Supervisor Peter Ingalsbe reported:**

1. Congratulated Ron Herendeen and Nate Bowerman on being re-elected.
2. Attended Ontario County Economic Development Committee Meeting.

Highway& Parks Superintendent Tim Ford reported:

1. Night man has started this week, Sunday – Friday, 10 p.m. to 6:30 a.m.

Town Clerk Michelle Finley reported:

1. Ontario County Tax Collectors meeting on Wednesday, November 15th.
2. Quilt will be going back up in the hallway within the next week.
3. Officiating a wedding on Saturday afternoon at the Town Hall.
4. Took webinar from Association of Towns on Tax Collection.

Water & Sewer Superintendent Dave Conti reported:

1. Two watermain breaks-County Road 8 and Dalton Drive.

Supervisor Ingalsbe thanked Mr. Conti and wished him good luck in his new position.

Code Enforcement Officer Dan Delpriore reported:

1. October -59 total permits, 188 permit inspections, 3 fire inspections, 8 Stormwater/MS4 inspections, and 12 zoning inspections.

Director of Planning and Development Ron Brand reported:

1. Town Operations Report available on website and filed with the Town Clerk.
2. Update on the TAP Project – will be meeting to look at the cost estimates received from the engineers.
3. Last Thursday FEMA, DEC, and Ontario County held an open house to talk about the remapping that FEMA has been working on, they have 88 properties here in Farmington that have now been blessed flood hazard zone delineations, and several Farmington residents showed up to the meeting, and he has received phone calls. He will continue to guide them the best they can. Councilman Holtz clarified that all the owners have received letters, Mr. Brand replied yes, they have.
4. Tonight, he delivered the draft survey for the update to the Parks and Recreation Master Plan to the towns Recreation Advisory Committee, then the survey will go out to residents after the 1st of the year.
5. Update on the County Hazard Plan – they have some projects that they have identified for the plan update. He is waiting to get a report from the fire department on incident records that they are working on.
6. Discussed Paddock Landing (formerly Power Incentive Zoning Project). Received the preliminary subdivision plat and overall site plan, will be introduced to the Planning Board at their December 6th meeting.
7. Received a letter from Canandaigua Development Corp. – signed contract for Sections 7 A & B in Farmbrook.

Assessor Donna LaPlant reported: None.

Town Engineer Dave Herman reported:

1. Update on Rt. 332 and Collett Road Watermain project– working on design.
2. Update on the Brickyard Road Water Tank – bid opening Nov. 30th.

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

1. Next meeting – Whitestone Incentive Zoning project, open space index.

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 Town Supervisor from Debby Kinsella of American Tower. Re: Tower Lease.
2. Letter to various residents from the Town Supervisor. Re: Federal Emergency Management Agency's (FEMA) Flood Risk and Insurance Mapping Project.
3. Letter to Ram Datta from Patricia Verbridge of the NYS Supreme and County Courts. Re: Small Claims Assessment Review for 318 Stonefield Lane, Farmington.
4. Letter to Raymond Gonzalez from Patricia Verbridge of the NYS Supreme and County Courts. Re: Small Claims Assessment Review for 1717 Marion Way, Farmington.
5. Letter to Louis DiFrancesco from Patricia Verbridge of the NYS Supreme and County Courts. Re: Small Claims Assessment Review for 6256 Pheasant Crossing, Farmington.
6. Letter to the Town Supervisor from Judge Lew. Re: Office of Court Administration Internal Audit Services.
7. Letter to the Town Supervisor from Peter Vars of BME Associates. Re: GLN Farmington Property Letter of Credit Release.
8. Certificates of Liability Insurance from: North Eastern Pools, Inc.; Empire Fence Co., Inc.; McKenna Builders, Inc.; MRI Contractors of NY, Inc.
9. Certificates of Workers' Compensation Insurance from: Empire Fence Co., Inc.
10. Reinstatement of Insurance Notice: Spray in Place Solutions, LLC.
11. Cancellation of Insurance Rescind Notice: Serenity Pool and Spa, LLC.

REPORTS & MINUTES:

1. Victor-Farmington Volunteer Ambulance Monthly Report – October 1, 2023.
2. Building Department – Inspection Schedule – October 2023.
3. Building Department – Permit Report by Type – October 2023.
4. Building Department – Inspections Report – October 2023.
5. Miscellaneous Cash Report – Safety Inspection Fees – October 2023.
6. Farmington Volunteer Fire Association, Inc. Chief's Report – November 2023.
7. Planning Board Meeting Minutes – October 4, 2023.
8. Victor Fire Department Chief's Report – October 2023.
9. Victor-Farmington Volunteer Ambulance Monthly Report – November 1, 2023.
10. Monthly Report – Judge Lew – October 2023.

ORDER OF BUSINESS:**RESOLUTION 399-2023:**

Councilmen Holtz, Bowerman, Casale, Herendeen, and Supervisor Ingalsbe offered the following Resolution, seconded by **Councilmen Bowerman, Casale, Holtz, Herendeen and Supervisor Ingalsbe:**

RESOLUTION OF SYMPATHY FOR THE FAFINSKI FAMILY

WHEREAS, the Town Board was deeply saddened to learn of the untimely passing of Rosalie Fafinski, on October 26th, 2023; and

WHEREAS, Rosalie supported the Town of Farmington as the Republican Committee Chair for several terms as well as serving time on the Town's Recreation Advisory Committee, the Board of Assessment Review and the Ethics Committee; and

WHEREAS, Rosalie was also the wife of former Town Supervisor Ted Fafinski, and a longtime resident of the Town of Farmington;

NOW THEREFORE BE IT RESOLVED, that the Town Board adopts this resolution extending its sincere sympathy to the Fafinski family and spreading her memory upon the minutes of this board meeting, and be it

FURTHER RESOLVED, that the Town Clerk forward a copy of this resolution to Rosalie's husband, Ted Fafinski, her son, Daniel Fafinski, and her daughter, Rebecca Feistel and their families at 1724 Swallowtail Drive, Farmington, NY 14425.

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

RESOLUTION #400-2023:

Councilmen Holtz, Bowerman, Casale, Herendeen, and Supervisor Ingalsbe offered the following Resolution, seconded by Councilmen Bowerman, Casale, Holtz, Herendeen and Supervisor Ingalsbe:

RESOLUTION OF SYMPATHY FOR THE SHAFER FAMILY

WHEREAS, the Town Board was deeply saddened to learn of the untimely passing of Dr. John Ross Shafer, on October 28th, 2023; and

WHEREAS, John was the father-in-law of Highway employee, Susie Shafer;

NOW THEREFORE BE IT RESOLVED, that the Town Board adopts this resolution extending its sincere sympathy to the Shafer family and spreading his memory upon the minutes of this board meeting, and be it

FURTHER RESOLVED, that the Town Clerk forward a copy of this resolution to John's son and daughter-in-law, John and Susie Shafer and their family at 183 W. Gibson Street, Canandaigua, NY 14424.

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

RESOLUTION 401-2023:

Councilmen Holtz, Bowerman, Casale, Herendeen, and Supervisor Ingalsbe offered the following Resolution, seconded by Councilmen Bowerman, Casale, Holtz, Herendeen and Supervisor Ingalsbe:

RESOLUTION OF SYMPATHY FOR THE GOODELL FAMILY

WHEREAS, the Town Board was deeply saddened to learn of the untimely passing of Margaret Goodell, on November 3rd, 2023; and

WHEREAS, Margaret was the mother-in-law of Water & Sewer employee Jennifer Goodell;

NOW THEREFORE BE IT RESOLVED, that the Town Board adopts this resolution extending its sincere sympathy to the Goodell family and spreading her memory upon the minutes of this board meeting, and be it

FURTHER RESOLVED, that the Town Clerk forward a copy of this resolution to Margaret's son and daughter-in-law, Thomas and Jennifer Goodell and their families at 335 Hook Road, Farmington, NY 14425.

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

RESOLUTION #402-2023:

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

APPROVING A PARTIAL RELEASE OF FUNDS (RELEASE NO. 1) FROM THE LETTER OF CREDIT FOR WORK WITHIN PHASE 2A OF THE HATHAWAY'S CORNERS PROJECT, IN THE TOTAL AMOUNT OF \$1,374,131.76

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has been informed by the Planning Board Chairperson, that the Town Planning Board (hereinafter referred to as Planning Board) has taken Action, at their November 1, 2023, meeting, to recommend approval of a partial release of funds (Release No.1) from the Letter of Credit for the above referenced project, in the total amount of \$ 1,374,131.76; and

WHEREAS, the Town Board has also been provided a copy of the Town Engineer's letter dated October 24, 2023, which includes the completed Forms G-1.1 and G-2.0, the Letter of Credit/Surety Release Forms, in the amount specified above herein and the Applicant's Engineer's (BME Associates) Estimate of Value for site improvements that have been completed; and

WHEREAS, the Town Clerk has completed her review of the dollar amounts specified herein for the partial release (Release No. 1) finding them to be accurate.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby acknowledges the above specified Planning Board's recommendation for a partial release of funds (Release No. 1), from the established Letter of Credit for said project, in the total amount of \$ 1,374,131.76 and recommends approval thereof.

BE IT FURTHER RESOLVED, that the Town Clerk, having verified the total amount for this Letter of Credit is \$ 1,981,320.31, with \$607,188.55 remaining after partial release No. 1, to complete the project.

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; David Conti, Town Water & Sewer Superintendent; Lance S. Brabant, CPESC, Director of Planning Services, MRB Group, D.P.C.; Dan Delpriore, Town Code Enforcement Officer; and Ronald L. Brand, Town Director of Planning and Development.

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

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

RESOLUTION #403-2023:

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

APPROVING A PARTIAL RELEASE OF FUNDS (RELEASE NO. 1) FROM THE LETTER OF CREDIT FOR WORK WITHIN PHASE 2B APARTMENTS OF THE HATHAWAY'S CORNERS PROJECT, IN THE TOTAL AMOUNT OF \$177,318.62

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has been informed by the Planning Board Chairperson, that the Town Planning Board (hereinafter referred to as Planning Board) has taken Action, at their November 1, 2023, meeting, to recommend approval of a partial release of funds (Release No.1) from the Letter of Credit for the above referenced project, in the total amount of \$ 177,318.62; and

WHEREAS, the Town Board has also been provided a copy of the Town Engineer's letter dated October 24, 2023, which includes the completed Forms G-1.1 and G-2.0, the Letter of Credit/Surety Release Forms, in the amount specified above herein and the Applicant's Engineer's (BME Associates) Estimate of Value for site improvements that have been completed; and

WHEREAS, the Town Clerk has completed her review of the dollar amounts specified herein for the partial release (Release No. 1) finding them to be accurate.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby acknowledge the above specified Planning Board's recommendation for a partial release of funds (Release No. 1), from the established Letter of Credit for said project, in the total amount of \$ 177,318.62 and recommends approval thereof.

BE IT FURTHER RESOLVED, that the Town Clerk, having verified the total amount for this Letter of Credit is \$ 537,641.91, with \$360,323.29 remaining after partial release No. 1, to complete the project.

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; David Conti, Town Water & Sewer Superintendent; Lance S. Brabant, CPESC, Director of Planning Services, MRB Group, D.P.C.; Dan Delpriore, Town Code Enforcement Officer; and Ronald L. Brand, Town Director of Planning and Development.

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

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

RESOLUTION #404-2023:

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

RESOLUTION TO PAY J.D. ROGERS ELECTRICAL/MECHANICAL FOR INSTALLING ELECTRIC SERVICE FOR PRV-8 AT INTERSECTION OF CO.RD.41 AND SAVALLA BLVD.

WHEREAS, the Water and Sewer Superintendent has identified the need for an Electric Service for PRV-8 at the intersection of County Road 41 and Savalla Blvd.; and

WHEREAS, the Water and Sewer Superintendent has received a bill for said Electric Service in the amount of \$6,525.26; now therefore

BE IT RESOLVED, that the Farmington Town Board authorizes the Water and Sewer Superintendent to pay this bill for parts and labor at cost not to exceed \$6,525.26 from 2023 account code SWI-8340.42; and

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

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

RESOLUTION #405-2023:

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

RESOLUTION TO REPLACE SLUDGE PUMP #3 VFD

WHEREAS, The Water and Sewer Superintendent has identified the need to Replace said VFD; and

WHEREAS, The Water and Sewer Superintendent has received 1 quote from Colacino Industries as a sole source provider for ABB 30HP ACH580 Series VFD at a cost of \$4,865.00 that does not include freight; now therefore

BE IT RESOLVED, that the Farmington Town Board authorizes the Water and Sewer Superintendent to purchase said VFD for a cost not to exceed \$5,000.00 from 2023 account codes SS8130.4; and

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

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

RESOLUTION #406-2023:

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN THE PROFESSIONAL SERVICES AGREEMENT FOR HOSTED SERVICES WITH INTEGRATED SYSTEMS FOR THE WATER AND SEWER DEPT.

WHEREAS, Integrated Systems has submitted an updated hosted services agreement for a contract period of 3 years; and

WHEREAS, there is no proposed increase monthly pricing; now therefore

BE IT RESOLVED, that the Town Supervisor signs the Professional Services agreement; and

BE IT FULLY RESOLVED, that the Town Clerk forwards a copy of the agreement to David O'Hare, Integrated Systems, PO Box 53, 50 Victor Heights Parkway, Victor, NY 14564 and provides a copy of the resolution and the agreement to the Accountant I and the Water and Sewer Department.

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

RESOLUTION #407-2023:

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

RESOLUTION CLOSING THE PUBLIC HEARING UPON LOCAL LAW NO. 10 OF 2023, THE PROPOSED AMENDMENT TO PORTIONS OF PHASE 3 OF THE REDFIELD GROVE INCENTIVE ZONING DISTRICT PROJECT; AND CONTINUING BOARD DELIBERATIONS THEREON TO TUESDAY EVENING, NOVEMBER 28, 2023

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has tonight continued the public hearing upon Local Law No. 10 of 2023, from the October 24, 2023, meeting; and

WHEREAS, the Town Board has received and reviewed the Ontario County Planning Board's referral number 215-2023, dated November 8, 2023; and

WHEREAS, the Town Board tonight has received additional public comments upon the proposed Local Law No. 10 of 2023, including comments on the proposed amendments to Lots #1 through #5 of Phase 3 of the Redfield Grove Incentive Zoning Project; and

WHEREAS, the Town's Director of Planning and Development has tonight, requested additional time to consider the County Referral and the types of proposed land use to be considered for proposed Lot #1, before drafting a Town Board Resolution for adopting Local Law No. 10 of 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby close the public hearing upon Local Law No. 10 of 2023 and moves to continue deliberations to the November 28, 2023, meeting to allow time for a draft resolution adopting Local Law No. 10 of 2023 to be adopted with conditions.

BE IT FURTHER RESOLVED, that the Town Board does hereby request the Town Director of Planning and Development to work with the Town Code Enforcement Officer, the Town Engineer; the Applicant and the Applicant's Engineer to prepare a list of permitted uses, site coverage and Main Street Overlay District (MSOD) improvements for proposed Lot #1.

BE IT FURTHER RESOLVED, that the Town Board respectfully requests that said draft resolution be submitted for its consideration at the November 28, 2023, Town Board meeting.

BE IT FINALLY RESOLVED, that the Town Clerk is hereby directed to provide certified copies of this resolution to the following: Town Code Enforcement Officer; Town Director of Planning and Development; Town Engineer; the Applicant, Frank DiFelice, DiFelice Development, 91 Victor Heights Parkway, Victor, New York 14564; and Matthew Tomlinson, Project Manager, Marathon Engineering, 39 Cascade Drive, Rochester, New York 14614.

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

RESOLUTION #408-2023:

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN THE WATER SALES AGREEMENT WITH THE TOWNS OF CANANDAIGUA, FARMINGTON, HOPEWELL AND THE CITY OF CANANDAIGUA

WHEREAS, the Town Board of the Town of Farmington acting on behalf of said Town and the Canandaigua-Farmington Water District (CFWD) has in the past authorized an agreement whereby the City of Canandaigua supplies treated water to the Town and the District; and

WHEREAS, said agreement is scheduled to expire on December 31, 2023; and

WHEREAS, the Town Supervisor, along with his counterparts in the Towns of Canandaigua, Hopewell and the City of Canandaigua, has been negotiating the terms of a new agreement to take effect upon the expiration of the aforementioned agreement; and

WHEREAS, the aforementioned municipalities and the Town and District desire to continue to purchase water from the City on a long-term basis; and

WHEREAS, the City desires to continue to supply water to the Town and District on a long-term basis; and

WHEREAS, the term of this agreement shall be for 25 years, ending on December 31, 2048, except as to payment for stranded costs, which may continue for another 15 years after the expiration of this Water Sales Agreement and shall end on December 31, 2063; and

WHEREAS, the Town Board deems it to be in the best interest of the residents of the Town of Farmington and the CFWD to enter into an agreement among the aforementioned municipalities providing for the terms and conditions of the sale and purchase of water; now therefore

BE IT RESOLVED, that the Town Board, on behalf of the Canandaigua-Farmington Water District, does hereby authorized the Town Supervisor to sign the Water Sales Agreement attached hereto; and

BE IT FULLY RESOLVED, that the Town Clerk forwards the original signed agreement to John D. Goodwin, Canandaigua City Manager and provides a copy of the resolution and the agreement to the Town of Canandaigua, Town of Hopewell, Accountant I, Bill Davis of MRB Group, and the Water and Sewer Department.

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

RESOLUTION #409-2023:

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

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN AMBULANCE AGREEMENT

WHEREAS, the Farmington Town Board budget monies for general ambulance services for 2024, therefore be it

RESOLVED, the Farmington Town Board authorizes the Supervisor to sign the Ambulance Agreement with Victor-Farmington Volunteer Ambulance Corps. at a cost not to exceed \$250,000.00, and further be it

RESOLVED, that the Town Clerk forward a copy of the agreement to the Ambulance Corps. at 1321 East Victor Road, Victor, NY 14564 and to the Accountant I.

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

RESOLUTION #410-2023:

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

APPROVING THE FINAL RELEASE OF FUNDS (RELEASE NO. 7) FROM THE LETTER OF CREDIT FOR WORK WITHIN PHASE 1 OF THE HATHAWAY'S CORNERS INCENTIVE ZONING PROJECT, IN THE TOTAL AMOUNT OF \$754,194.35

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has been informed by the Town Director of Planning and Development, that the above referenced request has been inspected by the Town's Construction Inspector, David Orians and Lance S. Brabant, Town Engineer and, in a letter dated November 8, 2023, recommends the final release of funds; and

WHEREAS, attached to the Town Engineers Letter are copies of the signed and completed Forms G-1.1, G-11.0 and G-2.0, the Letter of Credit/Surety Release Forms, which specify the amount contained in the Applicant's Engineer's (BME Associates) Estimate of Value for site improvements that have been completed; and

WHEREAS, the Town Clerk has completed her review of the dollar amount specified herein for the final release (Release No. 7) finding it to be accurate; and

WHEREAS, the Town Board has tonight received testimony from the Town Planning Board Chairperson that the Planning Board does have this request on tomorrow night's meeting agenda and that the Board will be making a recommendation of approval for the final release of these surety funds.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby acknowledges the above specified Planning Board's recommendation for the final release of funds (Release No. 7), from the established Letter of Credit for said project, in the total amount of \$ 754,194.35 and recommends approval thereof with the condition that said release from the Town Clerk not be acted upon until she receives the filed Planning Board Resolution that will be dated November 15, 2023.

BE IT FURTHER RESOLVED, that the Town Clerk, having verified the total amount for this Letter of Credit is \$ 4,860,086.66, with \$754,194.35 remaining to allow the final release of funds in the amount specified above herein.

BE IT FURTHER RESOLVED, that the Town Clerk, is to provide certified copies of this resolution to: David Orians, Town Construction Inspector; Tim Ford, Town Highway & Parks Superintendent; Robin MacDonald, Town's Working Supervisor, Water & Sewer Department; Lance S. Brabant, CPESC, Director of Planning Services, MRB Group, D.P.C.; Dan Delpriore, Town Code Enforcement Officer; and Ronald L. Brand, Town Director of Planning and Development.

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

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

RESOLUTION #411-2023:

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

RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE MONTHLY REPORT OF THE SUPERVISOR FOR OCTOBER 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 October 2023 to the Town Supervisor on November 7, 2023, and

WHEREAS, the Town Supervisor approved and executed the Monthly Report of the Supervisor for October 2023 on November 7, 2023,

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 October 2023, and be it further

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

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

RESOLUTION #412-2023:

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

RESOLUTION FOR ALL WAY STOP AT INTERSECTION OF ACKERMAN WAY AND MARION WAY

WHEREAS, the Highway Superintendent has identified a need to add two (2) stop signs at the intersection of Ackerman Way and Marion Way; and

WHEREAS, the stop signs will serve the purpose of traffic control through the subdivision as well as crosswalk safety; now therefore

BE IT RESOLVED, that the Town Board authorizes the Highway Superintendent to place the necessary signage in Auburn Meadows; and

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

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

RESOLUTION #413-2023:

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

APPROVING THE ESTABLISHMENT AND FILING OF A LETTER OF CREDIT FOR THE CONSTRUCTION OF JETMAN DRIVE, UTILITY IMPROVEMENTS AND LOT #4 SITE IMPROVEMENTS, ALL PART OF THE LOOMIS ROAD INDUSTRIAL PARK SITE, IN THE TOTAL AMOUNT OF \$1,150,617.64

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has been informed by the Town Director of Planning and Development, that the above referenced request has been reviewed and recommended by the Town's Construction Inspector, Matthew Heilmann and Lance S. Brabant, Town Engineer and, in a letter dated November 8, 2023 have accepted the Applicant's Engineer's Estimate of Values; and

WHEREAS, the Town Board has tonight received testimony from the Town Planning Board Chairperson that the Planning Board does have this request on tomorrow night's meeting agenda and that the Board will be making a recommendation of approval for the establishment of these surety funds, in the amount specified herein.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby acknowledge the above referenced Planning Board Chairperson's declared intent for the Planning Board to accept and to recommend to the Town Board establishing surety for this project, in the amount specified herein.

BE IT FURTHER RESOLVED, that in the interest of governmental efficiency, the Town Board does hereby waive established surety procedures and approves of the proposed surety, in the amount specified above herein, for improvements required by the Planning Board's Final Site Plan Resolution (PB#0506-23) involving the construction of Jetman Drive, Utility Site Improvements and Site Improvements to Lot #4 of the Loomis Road Industrial Park Project.

BE IT FURTHER RESOLVED, that the Applicant is hereby directed to file surety, in the amount of \$1,150,617.64 with the Farmington Town Clerk's Office within 30 days of the date of this resolution.

BE IT FURTHER RESOLVED, that the Town Code Enforcement Officer, upon acknowledgement from the Town Clerk that said surety has been filed in accordance with the provisions of this resolution, shall schedule a pre-construction meeting with all involved parties following which a notice to proceed with site development may be issued.

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

FINALLY BE IT RESOLVED, that a certified copy of this resolution is to be issued to the Applicant, Loomis Road Industrial Park, LLC, Attn: Matthew Indiano, 498 Manitou Beach Rod, Hilton, New York 14468; and the Applicant's Engineer, Sean Condon, P.E., DDS Companies, 45 Hendrix Road, West Henrietta, New York 14586

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

RESOLUTION #414-2023:

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

APPROVING THE REQUEST FOR FINAL RELEASE OF FUNDS FROM THE LETTER OF CREDIT, PHASE 1, - RG&E STATION 127, IN THE TOTAL AMOUNT OF \$111,168.34

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has been informed by the Town Director of Planning and Development, that the above referenced request has been reviewed and recommended by the Town's Construction Inspector, David Orians and Lance S. Brabant, Town Engineer and, in a letter dated November 8, 2023 have accepted the Applicant's Engineer's Estimate of Values; and

WHEREAS, the Town Board has tonight received testimony from the Town Planning Board Chairperson that the Planning Board does have this request on tomorrow night’s meeting agenda and that the Board will be making a recommendation of approval for the final release of these surety funds, in the amount specified herein.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby acknowledge the above referenced Planning Board Chairperson’s declared intent for the Planning Board to accept and to recommend to the Town Board the release of surety funds for this project, in the amount specified herein.

BE IT FURTHER RESOLVED, that in the interest of governmental efficiency, the Town Board does hereby waive established surety procedures and approves of the final release of surety, in the amount specified above herein, for improvements required by the Planning Board’s Final Site Plan Resolution (PB#0306-20).

BE IT FURTHER RESOLVED, that the Town Clerk, is to provide certified copies of this resolution to: David Orians, Town Construction Inspector; Tim Ford, Town Highway & Parks Superintendent; Robin MacDonald, Town’s Working Supervisor, Water & Sewer Department; Lance S. Brabant, CPESC, Director of Planning Services, MRB Group, D.P.C.; Dan Delpriore, Town Code Enforcement Officer; and Ronald L. Brand, Town Director of Planning and Development.

FINALLY BE IT RESOLVED, that a certified copy of this resolution is to be issued to the Applicant’s Engineer, Mary Steblein, P.E., LaBella Associates, 300 State Street, Suite #201, Rochester, New York 14614.

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

RESOLUTION #415-2023:

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

RESOLUTION AUTHORIZING BUDGET AMENDMENTS FOR THE GENERAL FUND

WHEREAS, budget amendments are needed in contractual expense lines, now therefore

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

Credit: A2725 VLT Funding	\$55,500	
Debit: A1430.4 Personnel Contractual		\$5,000
Debit: A3620.41 Mowing Contractual		\$500
Debit: A7110.4 Parks Contractual		\$45,000
Debit: A9060.8 Health Ins		\$5,000

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

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

RESOLUTION #416-2023:

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN A CONSULTING AND OVERSIGHT SUPPORT CONTRACT WITH CAMDEN GROUP

WHEREAS, The Town has identified a need for a Grade 4 WWTP Chief Operator, and

WHEREAS, Camden Group has submitted a Consulting and Oversight Support Contract to the Town Supervisor, and

WHEREAS, the Town Attorney has reviewed the Consulting and Oversight Support Contract,

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Town Supervisor to sign the Consulting and Oversight Support Contract with Camden Group, and be it further

RESOLVED, that the Town Clerk forward a copy of this resolution to the Acting W&S Superintendent, the Accountant I, and the Supervisor’s Secretary.

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

RESOLUTION #417-2023:

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

RESOLUTION ACKNOWLEDGING THE ADDITION OF NEW MEMBERS TO THE FARMINGTON VOLUNTEER FIRE ASSOCIATION

WHEREAS, Allison Riley and Lucas Lyons recently became active members of the Farmington Volunteer Fire Association, therefore be it

RESOLVED, that the Farmington Town Board acknowledges and approves the new memberships of Allison Riley and Lucas Lyons to the Farmington Volunteer Fire Association, and further be it

RESOLVED, that a certified copy of this resolution be sent to the Farmington Volunteer Fire Association, P.O. Box 25117, Farmington, NY 14425 for their records.

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

RESOLUTION #418-2023:

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

Abstract 21 – 2023

TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS

<i>ABSTRACT NUMBER</i>		<i>21</i>	
<i>DATE OF BOARD MEETING</i>		<i>11/14/2023</i>	
<i>FUND CODE</i>	<i>FUND NAME</i>	<i>TOTAL FOR EACH FUND</i>	<i>VOUCHER NUMBERS</i>
A	GENERAL FUND	110,695.75	2102,2149-2154,2156-2199,2201-2219,2236
DA	HIGHWAY FUND	144,629.67	2178,2183,2188,2190,2215,2220-2235
HV	MERTENSIA WATERLINE	1,060.00	2188
HY	RT 332 & COLLETT WATERLINE	1,035.00	2188
HG	COUNTY RD 8 WATERLINE	3,125.00	2188
HN	NORTH ROAD CAP PROJECT	7,141.02	2188
HB	BEAVER CREEK PARK		
HP	TOWN PARK IMPROVEMENTS	4,548.00	2188
HW	WATER TANK REPAIR	6,398.75	2155,2188
SD	STORM DRAINAGE	133.85	2135
SM	SIDEWALKS		
SL1	LIGHTING DISTRICT	310.96	2161,2200
SS	SEWER DISTRICT	92,240.33	2094-2139,2148,2164,2178,2188,2197,2215-2217,2219
SW1	WATER DISTRICT	31,287.14	2094-2097,2098,2107,2108,2110-2112,2114-2115,2117-2122,2125,2128,2132,2134-2138,2140-2147,2155,2164,2178,2188,2197,2215-2217,2219
TA200	PAYROLL DEDUCTIONS	28.16	2137,2214
	TOTAL ABSTRACT	\$ 402,633.63	

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

TRAINING UNDER \$100:

1. Tom Parker and Dave Orians to attend the Finger Lakes Water Works Conference December Meeting on December 5, 2023 at King’s Catering at a cost not to exceed \$35.00 per person.

DISCUSSION: None.

WAIVER OF THE RULE: None.

EXECUTIVE SESSION:

A motion was made by **Councilman Casale** to enter into Executive Session to discuss the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation at 7:32 p.m., seconded by **Councilman Bowerman**. Motion **CARRIED**.

A motion was made by **Councilman Bowerman** to exit Executive Session at 8:11 p.m., seconded by **Councilman Herendeen**. Motion **CARRIED**.

With no further business before the Board, **Councilman Herendeen** offered a motion to adjourn the meeting at 8:12 p.m., seconded by **Councilman Casale**. Motion **CARRIED**.

Michelle A. Finley, MMC, RMC -Town Clerk