

Resolution No. _____ of 2024

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

Names	Ayes	Nays	Abstain	Absent
Supervisor Mr. Ingalsbe				
Councilman Dr. Casale				
Councilman Mr. Holtz				
Councilman Mr. Herendeen				
Councilman Mr. Bowerman				
Total				

The following was presented

By _____

Sec'd by _____

Date of Adoption:

**RESOLUTION SETTING A PUBLIC HEARING FOR THE 2025
TOWN BUDGET**

WHEREAS, the Farmington Town Board has completed the budget workshops and has filed the 2025 Preliminary Budget with the Town Clerk, therefore be it

RESOLVED, the Farmington Town Board sets the Public Hearing for the 2025 Town Budget for November 12, 2023, at 7:00 p.m. at the Farmington Town Hall, 1000 County Road 8, Farmington, NY 14425, and further be it

RESOLVED, that the Town Clerk submit legal notice to the Daily Messenger.

RESOLVED, that the Town Clerk provide copies of this resolution to the Accountant I and the Confidential Secretary.

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

Names	Ayes	Nays	Abstain	Absent
Supervisor Peter Ingalsbe				
Councilman Michael Casale				
Councilman Steven Holtz				
Councilman Ronald Herendeen				
Councilman Nathan Bowerman				

**RESOLUTION SETTING A PUBLIC HEARING FOR THE 2025-2027 FIRE
CONTRACTS: SHORTSVILLE**

WHEREAS, the Town Board has met with the Shortsville Fire Department to discuss the 2025 budget, and

WHEREAS, the contract is set to expire on December 31, 2024, therefore be it

RESOLVED, the Farmington Town Board sets the Public Hearing for the 2025-2027 Fire Contract for November 12th, at 7:02 p.m. at the Farmington Town Hall, and further be it

RESOLVED, that the Town Clerk post the Notice of Public Hearing in the Daily Messenger, and further be it

RESOLVED, that the Town Clerk forward a copy of this resolution to the Farmington, and Manchester Fire Departments, Supervisor's Office and the Accountant I.

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

Names	Ayes	Nays	Abstain	Absent
Supervisor Mr. Ingalsbe				
Councilman Mr. Holtz				
Councilman Dr. Casale				
Councilman Mr. Herendeen				
Councilman Mr. Bowerman				
Total				

The following was presented

By _____

Sec'd by _____

Date of Adoption: October 22, 2024

RE: Acceptance of a recommendation from the Town Planning Board and authorizing the second partial release of funds [Release Number 2] for the Farmbrook Subdivision Phases 7A & 7B-2 Project, in the total amount of \$601,625.06.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a resolution from the Town Planning Board (hereinafter referred to as Planning Board), dated October 16, 2024, recommending the Town Board take action to approve the first partial release of funds, in the total amount of \$601,625.06 from a Letter of Credit that has been established for the above referenced project; and

WHEREAS, the Planning Board’s recommendation is based upon their review and acceptance of the recommendations received from the Town Director of Planning & Development, the Town Construction Inspector and the Town’s Engineers following their review of the Applicant’s Estimate of Value for the approved site improvements located in Phases 7A & 7B of the above referenced Project that are to be dedicated to the Town; and

WHEREAS, Town Staff have completed their reviews and have signed-off on this requested partial release of funds as evidenced by Appendix Forms G-1.1 [Letter of Credit/Surety – Partial Release] and G-2.0 [Letter of Credit – Release Form] dated 10/08/24.

WHEREAS, the Town Clerk has verified the above referenced amount to be released and the balance remaining in the Letter of Credit through Release #2 are correct.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby accepts the Planning Board’s recommendation and approves of the partial release of funds [Release Number 2] from the above referenced surety in the total amount of \$601,625.06.

BE IT FURTHER RESOLVED that with this second partial release of funds there will remain a balance of \$617,011.02 remaining in the Letter of Credit to ensure satisfactory completion of the development to be dedicated to the Town in Phases 7A & 7B of the above referenced Project.

BE IT FURTHER RESOLVED that the Town Supervisor is hereby authorized to sign and date the Town’s Appendix Form G-2.0.

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to notify tomorrow, by U.S. Mailing, certified copies of this resolution to: Brian Mahoney, Partner, Canandaigua Development Company, LLC, 83 South Main Street, Canandaigua, NY 14424; and Robert Brenner, Partner, Canandaigua Development Company, LLC, 83 South Main Street, Canandaigua, NY 14424.

BE IT FINALLY RESOLVED that certified electronic copies of this resolution are to be provided to the Town Highway & Parks Superintendent, the Acting Town Water & Sewer Superintendent, the Town Code Enforcement Officer, the Town Director of Planning and Development, the Town Construction Inspectors, David Orians and Matthew Heilmann, and the Town Engineer, Lance S. Brabant, CPESC, MRB Group.

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

Names	Ayes	Nays	Abstain	Absent
Supervisor Mr. Ingalsbe				
Councilman Mr. Holtz				
Councilman Dr. Casale				
Councilman Mr. Herendeen				
Councilman Mr. Bowerman				
Total				

The following was presented

By _____

Sec'd by _____

Date of Adoption: October 22, 2024

RE: Resolution Accepting a two (2) year form of surety, a Letter of Credit from CountryMax for watermain and sidewalk site improvements installed, in the total amount of \$8,827.00.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from the Town Director of Planning & Development, a memo dated October 10, 2024, and a letter dated October 9, 2024, from Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineering Firm, both recommending establishing a two-year form of surety, a Letter of Credit, from CountryMax, in the total amount of \$8,827.00, prior to closing out the Letter of Credit associated with this project’s site improvements to be dedicated; and

WHEREAS, the Town Board understands that said Letter of Credit is to be used for making repairs or replacement of any defects in material and/or workmanship, relating to the installation of the above cited watermain and sidewalk that may be found during the specified two year period of the Surety; and

WHEREAS, Chapter 144, Article IV, Section 33 C. requires an acceptable form of surety, a Letter of Credit, to be in the amount of ten percent (10%) of the final construction cost for the dedicated items.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby accept the above referenced recommendations to establish a two-year Letter of Credit for the identified site improvements and directs the applicant to file said surety, in the amount specified herein, with the Town Clerk’s Office prior to the Town Board taking action to approve a request for the final release of funds from the Letter of Credit for site improvements to be dedicated, which is on file for this project.

BE IT FURTHER RESOLVED that the Town Clerk is to provide certified copies of this resolution to: Matt Heilmann and David Orians, Town Construction Inspectors; Tim Ford, Town Highway & Parks Superintendent; Robin MacDonald, Acting Town Water & Sewer Superintendent; Lance S. Brabant, CPESC, Director of Planning Services, MRB Group, D.P.C., the Town’s Engineers; 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 owner, Mr. Donald Payne, CountryMax c/o Farmington Lawn Care, Inc., 6290 State Route 96, Farmington, New York 14425.

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

	Names	Ayes	Nays	Abstain	Absent
The following was presented	Supervisor Peter Ingalsbe				
By _____	Councilman Steven Holtz				
Sec'd by _____	Councilman Michael Casale				
Date of Adoption _____	Councilman Nathan Bowerman				
	Councilman Ronald Herendeen				

**RESOLUTION APPROVING CHANGE ORDER TANK-01 TO
MODIFY THE CONTRACT DOCUMENTS TO COMPLY WITH
THE GRANT FUNDING REQUIREMENTS ADMINISTERED
THROUGH USDA RURAL DEVELOPMENT**

WHEREAS, in order to comply with the grant funding requirements administered through USDA Rural Development, the following contract documents were amended:

- Adopt RUS Bulletin 1780-26 (2023) except for any references to domestic preference. All SIS and or BABA requirements have been waived
- The following EJCDC forms will be used going forward in place of the 2013 versions in the contract:
 - o Payment Application – EJCDC C-620 (2018)
 - o Change Order – EJCDC-941 (2018)
 - o Substantial Completion – EJCDC 2018 C-625 (2018)

NOW, THEREFORE BE IT RESOLVED, the Town Supervisor sign the change order, and be it

FULLY RESOLVED, a copy of the resolution, change order and all attachments be sent to Bill Davis, MRB group, Thomas Becker, USDA Rural Development, 415 W. Morris St, Bath, NY 14810, and a copy of the resolution and change order be sent to the Accountant I.

Resolution No. _____ of 2024

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

Names	Ayes	Nays	Abstain	Absent
Supervisor Peter Ingalsbe				
Councilman Steven Holtz				
Councilman Michael Casale				
Councilman Nathan Bowerman				
Councilman Ronald Herendeen				

The following was presented
By _____
Sec'd by _____
Date of Adoption _____

**RESOLUTION FOR THE SUPERVISOR TO SIGN THE FILEBOUND
SOFTWARE SUPPORT AGREEMENT DATED 5/1/24-4/30/25**

WHEREAS, Instream has provided the Filebound Software support agreement for year two of the three-year agreement for the cloud 55K document management subscription for files that have been scanned as part of the records management grant, now therefore

BE IT RESOLVED, that the Town Supervisor sign the support agreement in an amount not to exceed \$9678, and

BE IT FULLY RESOLVED, that the signed agreement be sent to InStream, LLC, 1201 Indian Church Rd, Buffalo, NY 14224 and a copy of the resolution be sent to the Town of Farmington Accountant I.

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

	Names	Ayes	Nays	Abstain	Absent
The following was presented	Supervisor Peter Ingalsbe				
By _____	Councilman Steven Holtz				
Sec'd by _____	Councilman Michael Casale				
Date of Adoption _____	Councilman Nathan Bowerman				
	Councilman Ronald Herendeen				

RESOLUTION FOR THE SUPERVISOR TO SIGN THE PROFESSIONAL SERVICES AGREEMENT FROM SWBR FOR CONSTRUCTION ADMINISTRATION SERVICES FOR THE RENOVATIONS IN THE LOWER LEVEL OF THE TOWN HALL

WHEREAS, SWBR has provided a proposal for professional services for the Construction Administration of the Town Hall lower level including a maximum of five field meetings/site visits, a review of shop drawing submittals, response to requests for information as well as conducting a punch list inspection, and

WHEREAS, the proposal is for a cost not to exceed \$9,950, now therefore

BE IT RESOLVED, that the Town Board approves the Supervisor to sign the professional services agreement which will be expended from the Capital Project with the following budget amendment:

Debit: HT1620.2 Building Upgrades	\$9,950
Credit: HT1440.2 Engineering	\$9,950

BE IT FULLY RESOLVED, that the Town Clerk forwards a copy of the resolution and signed proposal to Michael Brown, Project Manager, SWBR, 387 East Main St, Rochester, NY 14604, the Accountant I, and the Building Department.

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

Names	Ayes	Nays	Abstain	Absent
Supervisor Mr. Ingalsbe				
Councilman Mr. Holtz				
Councilman Dr. Casale				
Councilman Mr. Herendeen				
Councilman Mr. Bowerman				
Total				

The following was presented

By _____

Sec'd by _____

Date of Adoption: October 22, 2024

RE: Adoption of Ontario County Hazard Mitigation Action Plan.

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board), has on September 24, 2024, received from Stevie-Ann Hodgson-O'Donnell, Mitigation Outreach Coordinator, H2O Partners, the County's Planning Consultant for preparing the 2024 Edition of the Ontario County Hazard Mitigation Action Plan (hereinafter referred to as the Plan), a memorandum requesting each municipality in Ontario County to adopt the Plan; and

WHEREAS, the adoption of the Plan, a comprehensive resource management plan, is hereby classified by the Town Board as a Type II Action under the provisions of 6NYCRR, Part 617.5 (c) (24), (27) and (34), a part of article 8 of the New York State Environmental Conservation Law (ECL); and

WHEREAS, Type II Actions have been determined not to have a significant impact on the environment or are otherwise precluded from environmental review under the ECL; and

WHEREAS, the Town Board recognizes the threat that natural hazards pose to people and property within the Town of Farmington, Ontario County; and

WHEREAS, the County of Ontario has prepared a multi-hazard mitigation plan, known as Ontario County Hazard Mitigation Plan in accordance with the Federal Disaster Mitigation Act of 2000; and

WHEREAS, the Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the Town of Farmington from the impacts of future hazards and disasters; and

WHEREAS, adoption by the Town Board demonstrates their commitment to hazard mitigation and achieving the goals outlined in the Plan.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby adopt the Plan in its' entirety.

BE IT FURTHER RESOLVED that the adopted Plan may be edited or amended after submission for review but will not require the Town Board to re-adopt any further iterations.

BE IT FURTHER RESOLVED that this Action applies only to this specific Plan and does not absolve the Town from participating in the updating of the Plan in five years (2029).

BE IT FINALLY RESOLVED that the Town Clerk is directed to provide certified electronic copies of this resolution to Thomas Harvey, Ontario County Director of Planning, Thomas.Harvey@co.ontario.ny.us, Stevie Ann Hodgson-O'Donnell, H2O Partners, sodonnell@h2opartnerusa.com and Ronald Brand, Town of Farmington Director of Planning and Development, rlbplans@gmail.com.

Resolution No. ____ of 2024

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

Names	Ayes	Nays	Abstain	Absent
Supervisor Mr. Ingalsbe				
Councilman Mr. Holtz				
Councilman Dr. Casale				
Councilman Mr. Herendeen				
Councilman Mr. Bowerman				
Total				

The following was presented

By _____

Sec'd by _____

Date of Adoption: October 22, 2024

**RESOLUTION ACKNOWLEDGING THE ADDITION OF A NEW MEMBER TO
THE FARMINGTON VOLUNTEER FIRE ASSOCIATION**

WHEREAS, John Inglis recently became an active member of the Farmington Volunteer Fire Association, therefore be it

RESOLVED, that the Farmington Town Board acknowledges and approves of the new membership, and further be it

RESOLVED, that a certified copy of this resolution be sent to the Farmington Volunteer Fire Association, PO Box 25117, Farmington, NY 14425, for their records and to John Inglis, 6191 Suede Circle, Farmington, NY 14425.

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

Names	Ayes	Nays	Abstain	Absent
Supervisor Mr. Ingalsbe				
Councilman Mr. Holtz				
Councilman Dr. Casale				
Councilman Mr. Herendeen				
Councilman Mr. Bowerman				
Total				

The following was presented

By _____

Sec'd by _____

Date of Adoption: October 22, 2024

**RESOLUTION AUTHORIZING FILLING A VACANCY IN THE W&S
DEPARTMENT**

WHEREAS, Susie Shafer resigned effective October 11, 2024; and

WHEREAS, Sheryl Smith from the W&S Department expressed her interest in the position; and

WHEREAS, the Town received several applications from qualified candidates and the candidates have been interviewed; now therefore

BE IT RESOLVED, that the Town Board of Farmington hereby authorizes the transfer of Sheryl Smith from the W&S Department to the Highway Department; and

BE IT FURTHER RESOLVED, that the Town Board of Farmington hereby authorizes the hiring of Karen Freeland effective on or about October 22nd, 2024 at a rate of \$23.50 per hour; and

BE IT FINALLY RESOLVED, that copies of this resolution be submitted by the Town Clerk to the Supervisor's Secretary, W&S Department, Accountant I, Highway Department, and Karen Freeland at 1612 Cornfield Circle, Farmington, NY 14425.

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption: October 22, 2024

Names	Ayes	Nays	Abstain	Absent
Supervisor Mr. Ingalsbe				
Councilman Mr. Holtz				
Councilman Dr. Casale				
Councilman Mr. Herendeen				
Councilman Mr. Bowerman				
Total				

RE: Resolution Accepting the dedication of a section of watermain and a section of sidewalk as part of the completed CountryMax Final Site Plan Project.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from the Town Director of Planning & Development, a memo dated October 21, 2024, and a letter dated October 21, 2024, from Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineering Firm, both recommending the Town Board’s acceptance and dedication of the above referenced site improvements associated with this project; and

WHEREAS, the Town Board has also received the completed Dedication Forms Appendices: G-3.0, G-3.1, G-3.2 and G-11.0 relating to the installation of the above referenced watermain and sidewalk; and

WHEREAS, the Town Engineers, MRB Group, D.P.C., in a letter to the Town Director of Planning and Development, dated October 21, 2024, has identified that the dedication checklist is now complete; and

WHEREAS, Chapter 144, Article IV, Section 33 C. requires an acceptable form of surety, a Letter of Credit, to be in the amount of ten percent (10%) of the final construction cost for the dedicated items to be filed with the Town Clerk; and

WHEREAS, the Applicant has filed with the Town Clerk, a two-year Irrevocable Letter of Credit, dated October 16, 2024, from ESL Federal Credit Union, identified as Letter of Credit Number 10162020A having an expiration date of October 16, 2026, for the above referenced dedication items; and

WHEREAS, the Town Board has reviewed the documents which comprise the proposed dedication and believe the dedication to be in the best interests of the people of the Town of Farmington to accept the dedication as attached hereto.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby accept the above referenced recommendations for dedication of the above identified site improvements for the CountryMax Project with the condition that the New York State Department of Health provide a letter of acceptance of the latest water sampling.

BE IT FURTHER RESOLVED that the Town Clerk is to provide certified copies of this resolution to: Matt Heilmann and David Orians, Town Construction Inspectors; Tim Ford, Town Highway & Parks Superintendent; Robin MacDonald, Acting Town Water & Sewer Superintendent; Lance S. Brabant, CPESC, Director of Planning Services, MRB Group, D.P.C., the Town’s Engineers; 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 owner, Mr. Donald Payne, CountryMax c/o Farmington Lawn Care, Inc., 6290 State Route 96, Farmington, New York 14425; and Wendy Meagher, P.E., President, Meagher Engineers, 2024 W. Henrietta Road, Suite 2C, Rochester, New York 14623.

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

Names	Ayes	Nays	Abstain	Absent
Supervisor Mr. Ingalsbe				
Councilman Mr. Holtz				
Councilman Dr. Casale				
Councilman Mr. Herendeen				
Councilman Mr. Bowerman				
Total				

The following was presented

By _____

Sec'd by _____

**RESOLUTION AUTHORIZING THE HIGHWAY/PARKS SUPERINTENDENT TO
REDUCE THE WEIGHT LIMIT OF THE WOOD DRIVE BRIDGE TO 10 TONS**

WHEREAS, the NYS DOT has flagged the Wood Drive Bridge as yellow status; and

WHEREAS, the Highway/Parks Superintendent wishes to reduce the weight limit of the Wood Drive Bridge to 10 tons; now therefore

BE IT RESOLVED, that the Town Board of Farmington hereby authorizes the Highway/Parks Superintendent to reduce the weight limit of the Wood Drive Bridge to 10 tons; and

BE IT FURTHER RESOLVED, that the Town Board of Farmington hereby authorizes the Highway/Parks Superintendent to reduce traffic to one way on the Wood Drive Bridge if required; and

BE IT FURTHER RESOLVED, that the bridge is schedule for replacement late 2025 or early 2026 which will require the Wood Drive Bridge to be closed during construction; and

BE IT FINALLY RESOLVED, that copies of this resolution be submitted by the Town Clerk to the Highway/Parks Department, Emily Smith of Fisher Associates, Christopher Day of Ontario County DPW, and the Accountant I.