

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 12th day of September, 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, **August Gordner** – Code Enforcement Officer, **Ron Brand** – Director of Planning and Development, **Bill Davis** – MRB Group, **Adrian Bellis** – Planning Board Member, **Ed Hemminger** – Planning Board Chairman, **Tonia Ettinger**- resident, **Sue Bauer** – resident, and **Megan Webster** – Ontario County Soil & Water Conservation District

Also present by telephone/video conferencing were: **Michael Phillips** – resident, **Matt Tomlinson**, and **John Piper**

PUBLIC HEARINGS: None.

APPROVAL OF MINUTES:

A motion was made by **Councilman Casale** and seconded by **Councilman Holtz** that the minutes of the August 22, 2023, Town Board Meeting and given to members for review, be approved. All Voting “Aye”. (Casale, Holtz, Herendeen, Bowerman, and Ingalsbe). Motion Carried.

PRIVILEGE OF THE FLOOR: Megan Webster – Ontario County Soil and Water Conservation District – Septic Systems Inspections

Ms. Wester stated that this topic recently came about with Code Enforcement Officers. She stated that there are two (2) programs: the Canandaigua Lake Watershed Inspection Program and the Universal Procedures Program (UPP). She added that the UPP Septic System Inspection happens normally at the time of property deed transfer but also dependent on Town Code it might be adopted as part of a local law for rental properties or for an inspection of every five years or so for home type of things.

Ms. Wester stated that septic systems are something they do not like to think about and do not like to put a lot of money towards as homeowners, but they are vital, not only for the functionality of our homes but for water quality. She added that when they have a poorly functioning septic system, and they have the possibility of some type of failure it could lead to human health concerns and that is the major thing that they are looking at is protection of human health and water quality. She added that the district gets involved in it from that aspect to make sure they have functioning septic systems that are meeting the requirements.

Ms. Wester stated that every town is different, she referred to a handout which showed how each town handles it, every town code is different. She added that after speaking with Dan Delproire, the town does not have specific septic system town code. She stated that what usually happens upon property deed transfer, most town codes call for either a professional engineer or code enforcement officer, the district or any OTN (On-Site Treatment Network) registered inspector to conduct a septic system inspection. She included an example cover letter when someone asks for an inspection, and she provide a copy of an inspection report. She stated that what she has seen in towns that do not have a septic system law for inspection and then adopt a law, they have found that upwards to 30+% of systems are not functioning. She stated from her perspective it is very important to have these inspections. She referenced an interactive map that the district uses to show homeowners, realtors, and to prospective buyers what the process is for that town based on the towns town code and who is required to do the inspection. The second map shows the database that the district has that tracts all the systems that they have. Ms. Wester stated that the district is the lowest fee for inspections. Ms. Wester stressed to the Board the need for some type of local law. Supervisor Ingalsbe thanked Ms. Wester for her time.

PUBLIC CONCERNS: None.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Holtz reported:

1. Discussed Digester #2 cleaning -MRB has submitted bid proposal.
2. Discussed vendor for water quality sampling.
3. Discussed flow meter – in manhole V-2749, southwest of 6437 Murphy Drive had been retrieved.
4. PS #7 is in service, paving and landscaping is completed.
5. Manhole inspection in Cobblestone, four were located.
6. Discussed inspection at Hathaway Corners, notice to contractor to locate and expose all curb stops.
7. I & I inspection at DoeHaven was completed. Video of the sanitary sewer on Fallow Lane and Fawn Meadow has been reviewed.
8. Discussed resolutions on agenda.

Highway & Parks:

1. Highway- equipment maintenance, roadside mowing, working on gutters, catch basins, and drainage pipe on Clovermeadow, repaired sidewalk at Marion Way and Onyx Drive, signalized crosswalk sign was delivered, and they

are working on assembling the sign for Auburn Trail at Mertensia Road, cleaned ditch in Farmbrook and Cornfield Circle, trucks continue to help Victor pave and Phelps with milling, and put new signs up in Monarch Manor.

2. Parks- mowing, field striping and grooming, painting stop lines and crosswalks, and drilled core holes in Farmington Grove Park.
3. Swap Shop – JD Rogers Electrical will try to pull new wire thru conduit.
4. Discussed resolutions for meeting.

Town Operations Committee: Councilman Bowerman reported:

1. Discussed resolutions on agenda.
2. TAP Sidewalk Grant proceeding on schedule.
3. Ag Advisory meeting will be September 21st, at 6:30 p.m., at the Town Hall.
4. Discussed amending Site Design and Criteria – specifications changes.
5. Working on Chapter 9 text amendments to Town Code for Boards, Committees, and Commission’s duties and responsibilities.
6. Chapter 38 Town Code updates for Records Management and Access to Public Records.

Town Finance Committee: Supervisor Ingalsbe reported: None.

Town Public Safety Committee: Councilman Holtz reported: None.

REPORTS OF TOWN OFFICIALS:

Supervisor Peter Ingalsbe reported:

1. The 2024 Tentative budget was given to the Town Board in the last few days The General and Highway budgets tax rate is down approximately 30.18%, the drainage district budget down 19.45% and the fire district budget down approximately 22%. After budget workshops are completed, I intend on having the Preliminary budget in early October, set the public hearing on October 10th for October 24th then a budget vote by the Town Board can be held after a public hearing on October 24th or on November 14th if necessary.
2. Fall Clean Up – October 13 & 14th.
3. Compost Kits still available for residents, \$25.00 and can be picked up at the Town Hall. Contact Marcy Daniels if interested.
4. Ontario County- had four public comment sessions on their housing study. On September 14th at the County Safety Training Facility there will be a public discussion on a Hazard Mitigation Plan Update, residents can participate in the planning process.

Highway & Parks Superintendent Tim Ford reported:

1. Received an email from VanBortel Ford – F550 truck will be in on Thursday, last of the vehicles ordered for 2022.
2. Boom Tractor came in last week. Only piece of equipment he lacks now is the loader and he has not heard any word on that.
3. This weekend is the Hazardous Waste Collection at the Highway Facility. Must register for this.

Town Clerk Michelle Finley reported: None.

Water & Sewer Superintendent Dave Conti reported:

1. Discussed issues with water sample analysis – as a public water supply, they are required to analysis the water and report those results to Department of Health monthly and yearly and annually water quality reports. He stated that at this time it is his observation that our current vendor is unable to provide our results in a timely manner, which can create a violation with the DOH and the EPA. He investigated the company that is currently testing our wastewater samples and they have agreed to provide that service for the town, they will begin October 1st.
2. Discussed video work that they have been doing in the sanitary sewers in Doe Haven and they are waiting for some new flow meters so they can get that program going.
3. Discussed Muni-Link program- 650 signed up for auto payments.

Supervisor Ingalsbe referred back to the lab reports and stated that every quarter the town has to do a water sampling report for the THM’s and as of this morning the town had still not received the report. He asked when did the town complete those samplings. Mr. Conti replied that the town has four (4) sampling site, and they are required to be sampled every quarter, they were last sampled on August 8th, and the town still does not have the results from it. He added this is a consistent problem that they have with the current vendor.

Code Enforcement Officer August Gordner reported:

1. 92 total permits for August, 211 permit inspections, 25 fire inspections, 10 Stormwater/MS4 inspections, and 55 zoning inspections.
2. Fire calls - gas leak at Urbano Burrito (AutoZone Plaza), and a false alarm at Pintail Crossing (faulty detector).
3. In-person drone training completed.

Director of Planning and Development Ron Brand reported:

1. Town Operations Report available on website and filed with the Town Clerk.
2. The Environmental Notice bulletin did publish the negative declaration for the North Road Water Tank and Farmington Market Center projects.

3. Planning Board met last week with the property owners of GLN Farmington Realty. They had asked for a partial release of funds on a letter of credit and the Planning Board made it very clear to the applicant that they were not happy with the way in which the site had not been maintained and with the lack of progress on their project and directed certain things to be done prior to the Planning Boards consideration for the release of funds on the letter of credit. A letter was sent to the applicant reminding them of that and they await seeing something positive on that site.
4. Farmington Market Center – still waiting to finalize their concerns, hopefully next week.
5. Solar project on Commercial Drive – is coming along, they are aware of the town’s desires and they have voiced their concerns.
6. Staff continues working with the Town Engineers, Code Enforcement Officer, Fire Marshall and others on amendments to Chapters 144 and 165. Discussed Accessory Dwelling Units – at the State level – trying to promote a rural housing communities’ program which if you meet certain goals for providing new dwelling units then you are eligible for grant funding for program areas.

Assessor Donna LaPlant reported: None.

Town Engineer Bill Davis reported:

1. Update on various projects – will be providing the town with the bidding schedule for the Brickyard Road Water Tank project and will be bidding that in the next month or so, Cline and Brownsville Road is coming to completion and close out documents will be provided for the next town board meeting, pavilion project is ongoing and sticking with original design (will have an updated schedule soon), North Road is wrapping up on some water services so they should be coming up on completion very soon.

Fire Chief reported: None.

Planning Board Chairman Ed Hemminger reported:

1. Next meeting – September 20th, three lot subdivision on Rt. 96 and Payne road and Hidden Treasurer.

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. State Farm Fire and Casualty Company Additional Insured Notice of Coverage. Re: Spray in Place Solutions, LLC.
2. Letter the Town Supervisor from Robin Johnson of Ontario County Real Property Tax Services. Re: 2024 Tax Levy Process.
3. NYSEG/RG&E Natural Gas Pipeline Safety.
4. Letter to Frank Affronti of 104 Contractors and Chris McClurg of The Dolomite Group from the Town Supervisor. Re: Ivory Drive, Auburn Meadows, Sections 7N & 8N, reconstruction.
5. Letter to the Town Supervisor from Erin Reese and Kaitlyn Carhart of Mercy Flight Central. Re: Appreciation of support.
6. Ontario County Board of Supervisors Resolution No. 453-2023 Erroneous and Refunded Taxes to be Charged to Certain Towns and Special Districts.
7. Ontario County Board of Supervisors Resolution No. 454-2023 Amendment to Resolution No. 596-2011 Manner of Collection of Town & City Charges.
8. Dryden Mutual Insurance Company Notice of Cancellation. Re: Kenneth F. Miller dba Green Acres.
9. Letter to various residents on Ivory and Amber Drives. Re: Pending road repairs to portions of Ivory and Amber Drives.
10. FEMA Consultation Coordination Officer Presentation August 17, 2023.
11. Media Release – Ontario County Hosing Needs Assessment community meetings.
12. Memo to the Town Board from the Town Supervisor. Re: Tentative Budget for 2024.
13. Budget meetings schedule.
14. Letter to John LeFrois from the Town Supervisor. Re: GLN Farmington Realty Property – Partial Letter of Credit Release.
15. Ontario County Department of Sustainability & Solid Waste Management Special Collection Programs Overview.
16. Certificates of Liability Insurance from: Heberle Plumbing, Inc.; American Equipment, LLC; Ontario Exteriors, Inc.; Pride Mark Homes, Inc.; DGA Builders, LLC; Chrisantha Construction Corp.; Iversen Construction Corp.;
17. Certificates of Workers’ Compensation Insurance from: Delaware North Finger Lakes Racing Association, Inc.; Heberle Plumbing, Inc.

REPORTS & MINUTES:

1. Planning Board Meeting Minutes – August 2, 2023.
2. Planning Board Meeting Minutes – July 19, 2023.
3. Victor Fire Department Chief's Report – August 2023.
4. Farmington Senior Citizens Meeting Minutes – August 7, 2023.
5. Agricultural Advisory Committee Meeting Minutes – August 17, 2023.
6. Ontario County Consultation Coordination Officer (CCO) Meeting Summary Report – August 17, 2023.
7. Monthly Report – Judge Gligora – August 2023.
8. ZBA Meeting Minutes – July 24, 2023.
9. Monthly Report – Judge Lew – August 2023.
10. Farmington Volunteer Fire Association, Inc. Chief's Report – September 2023.
11. Building Department – Permit Report by Type – August 2023.
12. Building Department – Inspection Schedule – August 2023.
13. Building Department – Inspections Report – Gordner – August 2023.
14. Conservation Board Meeting Minutes – August 28, 2023.

ORDER OF BUSINESS:**RESOLUTION 318-2023:**

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

RESOLUTION ACCEPTING A TWO (2) YEAR MAINTENANCE BOND FROM MEYER'S FINGER LAKES RV, INC., FOR NEWLY CONSTRUCTED SITE IMPROVEMENT ITEMS DEDICATED TO THE TOWN, IN THE TOTAL AMOUNT OF \$1,800.00

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from the Town Clerk a Maintenance Bond, identified as Bond No. 1269228-2142, issued by Lexington National Insurance Corporation, for sidewalk construction along portions of State Route 96 and Mertensia Road, that have been dedicated to the Town, in the total amount of \$1,800.00; and

WHEREAS, the Town Board understands that said Maintenance Bond is to be used for making repairs or replacement of any defects that may be found during the specified two year period in material and/or workmanship relating to the dedicated items.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby accepts the two (2) year Maintenance Bond, in the total amount specified above herein, for the above referenced project which has been completed as part of approved site improvements for Meyer's Finger Lakes RV, Inc., Project, located at the northeast corner of State Route 96 and Mertensia Road.

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; Edward Hemminger, Town Planning Board Chairperson; 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 Meyer, Meyer's Finger Lakes RV, Inc., 6200 State Route 96, Farmington, New York 14425.

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

RESOLUTION #319-2023:

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

APPROVAL TO AWARD LOWEST QUOTE FOR CRACK FILL, SEALCOAT, & RE-STRIPE ROADWAYS & PARK AREA'S AT THE SEWER TREATMENT PLANT

WHEREAS, the Town of Farmington Water & Sewer Superintendent received two quotes for sealcoating at the Sewer Treatment Plant located at 1216 McMahan Road, Victor, NY 14564; and

WHEREAS, the Water and Sewer Superintendent has received quotes from two vendors. Super Seal Sealcoating LLC for \$9,450.00 and Devine Sealcoating Inc. for \$6,150.00; and

WHEREAS, the Water and Sewer Superintendent seeks to award the quote from Devine Sealcoating, 39 Deep Rock Rd. Rochester NY 14624 in the amount of \$ 6,150.00 from account code SS8130.464; now therefore

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

RESOLUTION 320-2023:

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

RESOLUTION RECALLING AND AMENDING RESOLUTION #213 OF 2023 THE BID FOR PURCHASE OF (1) 5 HP TORNADO AERATOR WITH 460V, 3PH 60HZ MOTOR

WHEREAS, a written quote dated March 21, 2023 in the amount of \$5,824.00 did not include shipping cost of \$231.00; now therefore

BE IT RESOLVED, that this resolution recalls Resolution # 213 of 2023 and amends the authorized payment amount as being \$6,055.00 under budget line SS8130.4; and

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

RESOLUTION #321-2023:

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

APPROVAL OF THE FINAL RELEASE OF FUNDS IN A LETTER OF CREDIT FOR THE AUTO WASH 6, LLC, PROJECT – IN THE TOTAL AMOUNT OF \$23,754.53

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a memo, dated September 6, 2023, from Edward Hemminger, Town Planning Board Chairperson and a copy of the Planning Board's resolution (File #PB 0704-21) recommending the final release of funds in the Letter of Credit, from Lyons National Bank, in the total amount of \$23,754.53; and

WHEREAS, the quantities and unit prices identified in the Applicant's Engineer's Estimate of Values were found to be consistent with the approved site plan improvements and the private contractor pricing respectively; and

WHEREAS, the Town Clerk has verified the total amount of funds contained in the above referenced Letter of Credit is correct.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby accepts the Planning Board's recommendation and approves the final release of funds from the above referenced letter of credit for this project, in the total amount of \$23,754.53.

BE IT FURTHER RESOLVED, that the Town Clerk, is to be provided copies of this resolution to: Matt Heilmann, Town Construction Inspector; Tim Ford, Town Highway & Parks Superintendent; David Conti, Superintendent, Town Water & Sewer; 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, Alex Amering, P.E., Costich Engineers, D.P.C., 217 Lake Avenue, Rochester, New York 14608; and the Applicant, Robert Marchense.

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

RESOLUTION #322-2023:

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

RESOLUTION ACCEPTING A TWO (2) YEAR MAINTENANCE BOND FOR NEWLY CONSTRUCTED SITE IMPROVEMENT ITEMS, LOCATED WITHIN SECTION 2 MONARCH MANOR INCENTIVE ZONING PROJECT THAT HAVE BEEN DEDICATED TO THE TOWN, IN THE TOTAL AMOUNT OF \$53,387.95

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from the Town Clerk a Maintenance Bond, identified as Bond No.72580113, issued by Western Surety Company, for street construction, water line, fire hydrants, sewer line, streetlights and sidewalk construction along portions of Monarch Drive and Brimstone Drive that have been dedicated to the Town, in the total amount of \$53,387.95; and

WHEREAS, the Town Board understands that said Maintenance Bond is to be used for making repairs or replacement of any defects that may be found during the specified two year period in material and/or workmanship relating to the dedicated items.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby accepts the two (2) year Maintenance Bond, in the total amount specified above herein, for the above referenced project which has been completed as part of approved site improvements for the Monarch Manor Incentive Zoning Project, Section 2.

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; Edward Hemminger, Town Planning Board Chairperson; 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, Anthony DiPrima, A&D Real Estate Development Corporation, 7 Beauclaire Drive, Fairport, New York 14450; Applicant's Contractor, Carini Excavation, Inc., 584 W. Whitney Road, Fairport, New York 14450; Gary Albert Cardinale, Attorney-in-fact, Western Surety Company, 101 s. Reid St., Suite 307, Sioux Falls, South Dakota 57103; and Walter Baker, Project Manager, D.S.B. Engineers & Architects, 2394 Ridgeway Avenue, Rochester, New York 14626.

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

RESOLUTION #323-2023:

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN THE PROPOSAL FOR PROFESSIONAL SERVICES FROM MRB FOR THE WATERMAIN REPLACEMENT PROJECTS AT COLLETT AND RT 332 AND AS WELL AS MERTENSIA ROAD NORTH

WHEREAS, MRB has submitted a proposal for professional services for the design and construction phase services for the replacement of the watermains at Collett and Rt 332 as well as Mertensia Road North,

WHEREAS, the proposal from MRB lists a total compensation for engineering design and bidding services and construction administration and observation at a cost not to exceed \$42,650 for Collett and Rt 332 and \$33,600 for Mertensia Road North,

WHEREAS, funding in the 2023 budget has been allocated to these projects including ARPA funds and reallocation from the Cranberry Drive project, and additional funding for the Collett and Rt 332 project is allocated in the proposed 2024 budget,

WHEREAS, two capital projects will be created to track expenditures, now therefore

BE IT RESOLVED, that the following budget amendments be approved:

SW1-8340.23 Mertensia Waterline	\$125,000	
SW1-9950.9 Transfer to Captial Project		\$125,000
SW1-8340.22 Cranberry Waterline	\$125,000	
SW1-9950.9 Transfer to Capital Project		\$125,000
HV5031 Mert Waterline Interfund Tran-ARPA	\$150,000	
HV 5031 Mert Waterline Interfund Tran	\$125,000	
HV1440.2 Mertensia Waterline Eng		\$33,600
HV8340.2 Mertensia Waterline		\$241,400
HY 5031 Rt 332 & Collett Interfund Tran-ARPA	\$188,000	
HY 5031 Rt 332 & Collett Interfund Tran	\$125,000	
HY 1440.2 Rt 332 & Collett Engineering		\$42,650
HY 8340.2 Rt 332 & Collett Waterline		\$270,350

BE IT FURTHER RESOLVED, that the Town Supervisor signs the MRB proposal,

BE IT FULLY RESOLVED, that the Town Clerk forwards a copy of the signed proposal to Bill Davis, MRB Group, and provides a copy of the resolution and the proposal to the Accountant I and the Water and Sewer Department.

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

RESOLUTION #324-2023:

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

RESOLUTION ACCEPTING THE TOWN PLANNING BOARD’S REPORT AND RECOMMENDATION, DATED SEPTEMBER 6, 2023, ON THE PROPOSED AMENDMENTS TO PHASE 3 OF THE REDFIELD GROVE INCENTIVE ZONING PROJECT; DIRECTING THE SUBMISSION OF A REVISED PHASE 3 CONCEPT DRAWING AND AN AMENDED FULL ENVIRONMENTAL ASSESSMENT FORM PART 1, BASED UPON THE PLANNING BOARD’S REPORT; DIRECTING THE DRAFTING OF A LOCAL LAW FOR THE PROPOSED AMENDMENT TO PHASE 3 OF THE REDFIELD GROVE INCENTIVE ZONING PROJECT; DIRECTING SUBMISSION OF SAID DRAFT LOCAL LAW TO THE TOWN BOARD FOR ITS’ ACCEPTANCE AND THEN REFERRAL TO THE ONTARIO COUNTY PLANNING BOARD FOR ITS’ OCTOBER 11, 2023 MEETING; CLASSIFYING THE ACTION UNDER THE PROVISIONS OF 6NYCRR PART 617. 5, OF ARTICLE 8 OF THE STATE ENVIRONMENTAL CONSERVATION LAW (ECL), AS A CLASS II ACTION; SCHEDULING A PUBLIC HEARING UPON SAID PROPOSED LOCAL LAW FOR TUESDAY, OCTOBER 24, 2023; AND DIRECTING THE PUBLISHING OF A LEGAL NOTICE AND POSTING IN ACCORDANCE WITH THE TOWN’S PROCEDURES

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) tonight received from the Town Planning Board a Report and Recommendation, dated September 6, 2023, in response to Town Board Resolution No. 294-2023; and

WHEREAS, said report has been considered by the Town Board; and

WHEREAS, the proposed amendment is to Phase 3 of the Overall Site Plan for the Redfield Grove Incentive Zoning Project which necessitates a formal zoning amendment by the Town Board, revised Phase 3 drawings, an amended Full Environmental Assessment Form (FEAF) Part 1, preparation of a local law amending Local Law No. 5 of 2015, a referral to the Ontario County Planning Board, scheduling a public hearing upon this action and directing the publishing and posting of a legal notice; and

WHEREAS, the Town Board has also reviewed the criteria for classifying Actions under the provisions of 6NYCRR, Part 617.5, of article 8 of the State Environmental Conservation Law (ECL).

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby accept the above referenced Planning Board report, dated September 6, 2023.

BE IT FURTHER RESOLVED, that the Town Board does hereby direct the applicant to make a formal application for the requested incentive zoning amendment for Phase 3 of the Overall Redfield Grove Incentive Zoning Project providing all required drawings, supporting documents and the completed SEQR Form (FEAF Part 1), identifying the Planning Board’s recommendations contained in the above referenced report.

BE IT FURTHER RESOLVED, that the Town Board does hereby classify the proposed Action as being a Type II Action, under the provisions of NYCRR Part 617.5 (26), (33) of the State ECL.

BE IT FURTHER RESOLVED, that the Town Board in making this classification determines Type II Action are not subject to review under Part 617.5 as they have been determined not to have a significant impact upon the environment or are otherwise precluded from environmental review under the ECL.

BE IT FURTHER RESOLVED, that the Town Board directs the preparation of a draft local law for amending Local Law No. 5 of 2015, the Redfield Grove Incentive Zoning Project, to be received and accepted by the Town Board on Tuesday, September 26, 2023.

BE IT FURTHER RESOLVED, that the Town Board directs the submission of said draft local law and attachments thereto to the Ontario County Planning Board, under the provisions of Sections 239-l and -m of the New York State General Municipal Law, for their review and recommendation at their October 11, 2023, meeting.

BE IT FURTHER RESOLVED, that the Town Board does hereby schedule a public hearing to be held upon said draft local law commencing at 7:00 p.m., on Tuesday October 24, 2023, in the Farmington Town Hall, 1000 County Road 8, Farmington, New York 14425 to receive public comments upon the proposed Local Law and its adoption.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to publish a legal notice in the Town's Official Newspaper and to post a copy of said legal notice on the Town Hall Bulletin Board, and to post a copy of said draft local law on the Town's Official Website in accordance with adopted procedures.

BE IT FURTHER RESOLVED, that certified copies of this resolution are to be provided to the Applicant, Frank DiFelice, DiFelice Development Corporation; Matthew Tomlinson, Project Manager, Marathon Engineering; and the Town Director of Planning and Development.

BE IT FINALLY RESOLVED, that a copy of said application, all supporting documents and the draft local law shall be made available to the public for review at the Town Clerk's Office during normal business hours, Monday through Friday, commencing on Wednesday, September 26, 2023.

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

RESOLUTION #325-2023:

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

RESOLUTION ACCEPTING A DRAFT OF LOCAL LAW NO. 3 OF 2023, ESTABLISHING A NEW CHAPTER 38 OF THE TOWN CODE OF THE TOWN OF FARMINGTON, ONTARIO COUNTY, NEW YORK, ENTITLED "RECORDS MANAGEMENT AND PUBLIC RECORDS ACCESS;" CLASSIFYING THE ACTION UNDER THE PROVISIONS OF 6NYCRR PART 617. 5, OF ARTICLE 8 OF THE STATE ENVIRONMENTAL CONSERVATION LAW (ECL), AS A CLASS II ACTION; SCHEDULING A PUBLIC HEARING UPON SAID PROPOSED LOCAL LAW FOR TUESDAY, SEPTEMBER 26, 2023; AND DIRECTING THE PUBLISHING OF A LEGAL NOTICE AND POSTING UPON THE TOWN'S WEBSITE

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) tonight received from the Town Clerk a draft local law (hereinafter referred to as Action) to be known as Chapter 38, entitled "Town of Farmington Records Management and Public Records Access;" and

WHEREAS, the Town Board has reviewed the criteria for classifying Actions under the provisions of 6NYCRR, Part 617.5, of article 8 of the State Environmental Conservation Law (ECL); and

WHEREAS, said draft Local Law was reviewed by The Town Clerk, the Town Code Enforcement Officer, the Town Court Clerk and the Town Director of Planning and Development, all finding the contents of the draft document dated September 12, 2023, to be complete.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby accepts the draft Local Law No. 3 of 2023, dated September 12, 2023.

BE IT FURTHER RESOLVED, that the Town Board does hereby classify the proposed Action as being a Type II Action, under the provisions of NYCRR Part 617.5 (26), (33) of the State ECL.

BE IT FURTHER RESOLVED, that the Town Board in making this classification determines Type II Action are not subject to review under Part 617.5 as they have been determined not to have a significant impact upon the environment or are otherwise precluded from environmental review under the ECL.

BE IT FURTHER RESOLVED, that the Town Board does hereby schedule a public hearing to be held upon said draft local law commencing at 7:00 p.m., on Tuesday September 26, 2023, in the Farmington Town Hall, 1000 County Road 8, Farmington, New York 14425 to receive public comments upon the proposed Local Law and its adoption.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to publish a legal notice in the Town's Official Newspaper and to post a copy of said Local Law on the Town's Official Website in accordance with adopted procedures.

BE IT FINALLY RESOLVED, that a copy of said Local Law shall be made available to the public for review at the Town Clerk's Office during normal business hours, Monday through Friday, commencing on Wednesday, September 13, 2023.

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

RESOLUTION #326-2023:

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

RESOLUTION ACCEPTING A DRAFT OF LOCAL LAW NO. 4 OF 2023, REPEALING LOCAL LAW NO. 6 OF 1995 IN ITS ENTIRETY AND ESTABLISHING A NEW CHAPTER 9, ARTICLE II, AGRICULTURAL ADVISORY COMMITTEE, DUTIES AND RESPONSIBILITIES; CLASSIFYING THE ACTION UNDER THE PROVISIONS OF 6NYCRR PART 617. 5, OF ARTICLE 8 OF THE STATE ENVIRONMENTAL CONSERVATION LAW (ECL), AS A CLASS II ACTION; SCHEDULING A PUBLIC HEARING UPON SAID PROPOSED LOCAL LAW FOR TUESDAY, SEPTEMBER 26, 2023; AND DIRECTING THE PUBLISHING OF A LEGAL NOTICE AND POSTING UPON THE TOWN'S WEBSITE

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) tonight received from the Town Clerk a draft local law (hereinafter referred to as Action) to be known as Chapter 9, Boards, Committees and Commissions, Article II, Sections 9-7 through 9-16 and entitled "Town of Farmington Agricultural Advisory Committee (AAC), Duties and Responsibilities."

WHEREAS, the Town Board has reviewed the criteria for classifying Actions under the provisions of 6NYCRR, Part 617.5, of article 8 of the State Environmental Conservation Law (ECL); and

WHEREAS, said draft Local Law was reviewed by members of the Town of Farmington Agricultural Advisory Committee and accepted by said Committee at its meeting on June 15, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby accept the draft Local Law No. 4 of 2023, dated September 12, 2023.

BE IT FURTHER RESOLVED, that the Town Board does hereby classify the proposed Action as being a Type II Action, under the provisions of NYCRR Part 617.5 (26), (33) of the State ECL.

BE IT FURTHER RESOLVED, that the Town Board in making this classification determines Type II Action are not subject to review under Part 617.5 as they have been determined not to have a significant impact upon the environment or are otherwise precluded from environmental review under the ECL.

BE IT FURTHER RESOLVED, that the Town Board does hereby schedule a public hearing to be held upon said draft local law commencing at 7:01 p.m., on Tuesday September 26, 2023, in the Farmington Town Hall, 1000 County Road 8, Farmington, New York 14425 to receive public comments upon the proposed Local Law and its adoption.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to publish a legal notice in the Town's Official Newspaper and to post a copy of said Local Law on the Town's Official Website in accordance with adopted procedures.

BE IT FINALLY RESOLVED, that a copy of said Local Law shall be made available to the public for review at the Town Clerk's Office during normal business hours, Monday through Friday, commencing on Wednesday, September 13, 2023.

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

RESOLUTION #327-2023:

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

RESOLUTION ACCEPTING A DRAFT OF LOCAL LAW NO. 5 OF 2023, ESTABLISHING A NEW CHAPTER 9, ARTICLE III, ENVIRONMENTAL CONSERVATION BOARD (ECB), DUTIES AND RESPONSIBILITIES; AMENDING CHAPTER 165 OF THE TOWN CODE OF THE TOWN OF FARMINGTON, ONTARIO COUNTY, NEW YORK, ENTITLED "ZONING," ARTICLE II, SECTION 9, WORD USAGE; ADMINISTRATIVE TERMS AND SECTION 10, DEFINITIONS; SECTION 96, ENTITLED "APPOINTMENT OF ENVIRONMENTAL CONSERVATION BOARD; POWERS AND DUTIES;" CLASSIFYING THE ACTION UNDER THE PROVISIONS OF 6NYCRR PART 617. 5, OF ARTICLE 8 OF THE STATE ENVIRONMENTAL CONSERVATION LAW (ECL), AS A CLASS II ACTION; SCHEDULING A PUBLIC HEARING UPON SAID PROPOSED LOCAL LAW FOR TUESDAY, SEPTEMBER 26, 2023; AND DIRECTING THE PUBLISHING OF A LEGAL NOTICE AND POSTING UPON THE TOWN'S WEBSITE

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) tonight received from the Town Clerk a draft local law (hereinafter referred to as Action) to be known as Chapter 9, Boards, Committees and Commissions, Article III, Sections 9-17 through 9-27 and entitled "Town of Farmington Environmental Conservation Board (ECB), Duties and Responsibilities;" Amending Chapter 165 of the Town Code of the Town of Farmington, Ontario County, New York, entitled "Zoning," Article II, Section 9, Word usage; administrative terms and Section 10, Definitions, and Section 96, entitled "Appointment of Environmental Conservation Board; powers and duties;" and

WHEREAS, the Town Board has reviewed the criteria for classifying Actions under the provisions of 6NYCRR, Part 617.5, of article 8 of the State Environmental Conservation Law (ECL); and

WHEREAS, said draft Local Law was reviewed by members of the Town of Farmington Environmental Conservation Board and accepted by said Board at its meeting on June 26, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby accept the draft Local Law No. 5 of 2023, dated September 12, 2023.

BE IT FURTHER RESOLVED, that the Town Board does hereby classify the proposed Action as being a Type II Action, under the provisions of NYCRR Part 617.5 (26), (33) of the State ECL.

BE IT FURTHER RESOLVED, that the Town Board in making this classification determines Type II Action are not subject to review under Part 617.5 as they have been determined not to have a significant impact upon the environment or are otherwise precluded from environmental review under the ECL.

BE IT FURTHER RESOLVED, that the Town Board does hereby schedule a public hearing to be held upon said draft local law commencing at 7:02 p.m., in the Farmington Town Hall, 1000 County Road 8, Farmington, New York 14425 to receive public comments upon the proposed Local Law and its adoption.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to publish a legal notice in the Town's Official Newspaper and to post a copy of said Local Law on the Town's Official Website in accordance with adopted procedures.

BE IT FINALLY RESOLVED, that a copy of said Local Law shall be made available to the public for review at the Town Clerk's Office during normal business hours, Monday through Friday, commencing on Wednesday, September 13, 2023.

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

RESOLUTION #328-2023:

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

RESOLUTION ACCEPTING A DRAFT OF LOCAL LAW NO. 6 OF 2023, ESTABLISHING A NEW CHAPTER 9, ARTICLE IV, RECREATION ADVISORY BOARD, DUTIES AND RESPONSIBILITIES; CLASSIFYING THE ACTION UNDER THE PROVISIONS OF 6NYCRR PART 617. 5 OF ARTICLE 8 OF THE STATE ENVIRONMENTAL CONSERVATION LAW (ECL), AS A CLASS II ACTION; SCHEDULING A PUBLIC HEARING

UPON SAID PROPOSED LOCAL LAW FOR TUESDAY, SEPTEMBER 26, 2023; AND DIRECTING THE PUBLISHING OF A LEGAL NOTICE AND POSTING UPON THE TOWN'S WEBSITE

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) tonight received from the Town Clerk a draft local law (hereinafter referred to as Action) to be known as Chapter 9, Boards, Committees and Commissions, Article IV, Sections 9-28 through 9-41 and entitled "Town of Farmington Recreation Advisory Board (RAB), Duties and Responsibilities."

WHEREAS, the Town Board has reviewed the criteria for classifying Actions under the provisions of 6NYCRR, Part 617.5, of article 8 of the State Environmental Conservation Law (ECL); and

WHEREAS, said draft Local Law was reviewed by members of the Town of Farmington Recreation Advisory Board (RAB) and accepted by said Board at its meeting on August 15, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby accepts the draft Local Law No. 6 of 2023, dated September 12, 2023.

BE IT FURTHER RESOLVED, that the Town Board does hereby classify the proposed Action as being a Type II Action, under the provisions of NYCRR Part 617.5 (26), (33) of the State ECL.

BE IT FURTHER RESOLVED, that the Town Board in making this classification determines Type II Action are not subject to review under Part 617.5 as they have been determined not to have a significant impact upon the environment or are otherwise precluded from environmental review under the ECL.

BE IT FURTHER RESOLVED, that the Town Board does hereby schedule a public hearing to be held upon said draft local law commencing at 7:03 p.m., on Tuesday September 26, 2023, in the Farmington Town Hall, 1000 County Road 8, Farmington, New York 14425 to receive public comments upon the proposed Local Law and its adoption.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to publish a legal notice in the Town's Official Newspaper and to post a copy of said Local Law on the Town's Official Website in accordance with adopted procedures.

BE IT FINALLY RESOLVED, that a copy of said Local Law shall be made available to the public for review at the Town Clerk's Office during normal business hours, Monday through Friday, commencing on Wednesday, September 13, 2023.

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

RESOLUTION #329-2023:

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

RESOLUTION ACCEPTING A DRAFT OF LOCAL LAW NO. 7 OF 2023, ESTABLISHING A NEW CHAPTER 9, ARTICLE V, PLANNING BOARD, DUTIES AND RESPONSIBILITIES; CLASSIFYING THE ACTION UNDER THE PROVISIONS OF 6NYCRR PART 617. 5, OF ARTICLE 8 OF THE STATE ENVIRONMENTAL CONSERVATION LAW (ECL), AS A CLASS II ACTION; SCHEDULING A PUBLIC HEARING UPON SAID PROPOSED LOCAL LAW FOR TUESDAY, SEPTEMBER 26, 2023; AND DIRECTING THE PUBLISHING OF A LEGAL NOTICE AND POSTING UPON THE TOWN'S WEBSITE

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) tonight received from the Town Clerk a draft local law (hereinafter referred to as Action) to be known as Chapter 9, Boards, Committees and Commissions, Article V, Sections 9-42 through 9-53 and entitled "Town of Farmington Planning Board (PB), Duties and Responsibilities;" and

WHEREAS, the Town Board has reviewed the criteria for classifying Actions under the provisions of 6NYCRR, Part 617.5, of article 8 of the State Environmental Conservation Law (ECL); and

WHEREAS, said draft Local Law was reviewed by members of the Town of Farmington Planning Board and accepted by said Board at its meeting on September 6, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby accepts the draft Local Law No. 7 of 2023, dated September 12, 2023.

BE IT FURTHER RESOLVED, that the Town Board does hereby classify the proposed Action as being a Type II Action, under the provisions of NYCRR Part 617.5 (26), (33) of the State ECL.

BE IT FURTHER RESOLVED, that the Town Board in making this classification determines Type II Action are not subject to review under Part 617.5 as they have been determined not to have a significant impact upon the environment or are otherwise precluded from environmental review under the ECL.

BE IT FURTHER RESOLVED, that the Town Board does hereby schedule a public hearing to be held upon said draft local law commencing at 7:04 p.m., in the Farmington Town Hall, 1000 County Road 8, Farmington, New York 14425 to receive public comments upon the proposed Local Law and its adoption.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to publish a legal notice in the Town's Official Newspaper and to post a copy of said Local Law on the Town's Official Website in accordance with adopted procedures.

BE IT FINALLY RESOLVED, that a copy of said Local Law shall be made available to the public for review at the Town Clerk's Office during normal business hours, Monday through Friday, commencing on Wednesday, September 13, 2023.

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

RESOLUTION #330-2023:

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

RESOLUTION ACCEPTING A DRAFT LOCAL LAW NO. 8 OF 2023, ESTABLISHING A NEW CHAPTER 9, ARTICLE VI, ZONING BOARD OF APPEALS, DUTIES AND RESPONSIBILITIES; AMENDING CHAPTER 165 OF THE TOWN CODE OF THE TOWN OF FARMINGTON, ONTARIO COUNTY, NEW YORK, ENTITLED “ZONING,” ARTICLE II, SECTION 9, WORD USAGE; ADMINISTRATIVE TERMS AND SECTION 10, DEFINITIONS; CLASSIFYING THE ACTION UNDER THE PROVISIONS OF 6NYCRR PART 617.5 OF ARTICLE 8 OF THE STATE ENVIRONMENTAL CONSERVATION LAW (ECL) AS A CLASS II ACTION; SCHEDULING A PUBLIC HEARING UPON SAID PROPOSED LOCAL LAW FOR TUESDAY, SEPTEMBER 26, 2023; AND DIRECTING THE PUBLISHING AND POSTING OF A LEGAL NOTICE AND POSTING OF SAID LOCAL LAW ON THE TOWN’S WEBSITE

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) tonight received from the Town Clerk a draft local law (hereinafter referred to as Action) to be known as Chapter 9, Boards, Committees and Commissions, Article VI, Sections 9-54 through 9-65 and entitled “Town of Farmington Zoning Board of Appeals (ZBA), Duties and Responsibilities;” Amending Chapter 165 of the Town Code of the Town of Farmington, Ontario County, New York, entitled “Zoning” Article II, Section 9, Word usage; administrative terms and Section 10, Definitions; and

WHEREAS, the Town Board has reviewed the criteria for classifying Actions under the provisions of 6NYCRR, Part 617.5, of article 8 of the State Environmental Conservation Law (ECL); and

WHEREAS, said draft Local Law was reviewed by the members of The Town of Farmington Zoning Board of Appeals and accepted by said Board at its meeting on July 24, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby accept the draft Local Law No. 8 of 2023, dated September 12, 2023.

BE IT FURTHER RESOLVED, that the Town Board does hereby classify the proposed Action as being a Type II Action, under the provisions of NYCRR Part 617.5 (26), (33) of the State ECL.

BE IT FURTHER RESOLVED, that the Town Board in making this classification determines Type II Action are not subject to review under Part 617.5 as they have been determined not to have a significant impact upon the environment or are otherwise precluded from environmental review under the ECL.

BE IT FURTHER RESOLVED, that the Town Board does hereby schedule a public hearing to be held upon said draft local law commencing at 7:05 p.m., in the Farmington Town Hall, 1000 County Road 8, Farmington, New York 14425 to receive public comments upon the proposed Local Law and its adoption.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to publish a legal notice in the Town’s Official Newspaper and to post a copy thereof on the Town Hall Bulletin Board, and to post a copy of said Local Law on the Town’s Official Website in accordance with adopted procedures.

BE IT FINALLY RESOLVED, that a copy of said Local Law shall be made available to the public for review at the Town Clerk’s Office during normal business hours, Monday through Friday, commencing on Wednesday, September 13, 2023.

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

RESOLUTION #331-2023:

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

RESOLUTION ACCEPTING A TWO (2) YEAR MAINTENANCE BOND FROM A SAFE PLACE SELF STORAGE, 6025 DENNY DRIVE, FOR NEWLY CONSTRUCTED WATERMAIN, STORM SEWER AND ROADWAY ITEMS DEDICATED TO THE TOWN, IN THE TOTAL AMOUNT OF \$9,546.90

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 July 11, 2023, recommending the Town Board’s acceptance of a two (2) year Maintenance Bond, for the newly constructed improvements that have been dedicated to the Town, in the total amount of \$9,546.90; and

WHEREAS, the Town Board understands that said Maintenance Bond is to be used for making repairs or replacement of any defects that may be found during the specified two year period in material and/or workmanship relating to the dedicated items; and

WHEREAS, the Town Board further understands that prior to the close out of a condition of approval for the remaining items in the letter of credit for this project, a 2-year maintenance bond is required to be provided to the Town and filed with the Town Clerk.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby accept the dedication of the identified site improvements and directs the Applicant to file with the Town Clerk a two (2) year Maintenance Bond, in the total amount specified above herein, for the above referenced project which has been completed as part of approved site improvements for the A Safe Place Self Storage Project, located at 6025 Denny Drive.

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; Edward Hemminger, Town Planning Board Chairperson; 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, Paul Gillette, A Safe Place Self Storage, 6025 Denny Drive, Farmington, New York 14425.

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

RESOLUTION #332-2023:

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

RESOLUTION ACCEPTING THE INVENTORY OF HIGHWAY MACHINERY, TOOLS AND EQUIPMENT FOR 2023

WHEREAS, the Highway/Parks Superintendent has submitted the Inventory of Highway Machinery, Tools and Equipment as required by Highway Law, Section 142(3), now therefore be it

RESOLVED, the Town Board accepts the Inventory of Highway Machinery, Tools and Equipment, and further be it

RESOLVED, that the Town Clerk forward a copy of this Resolution to the Accountant I and the Highway/Parks Department.

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

RESOLUTION #333-2023:

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

DECLARE EQUIPMENT SURPLUS TO BE DISPOSED OF APPROPRIATELY

WHEREAS, the Highway and Park Departments has equipment that is broken or showing corrosion and rust enabling it to be unsafe for staff use, and

WHEREAS, the Town Highway/Parks Superintendent is asking that the Town Board declare the listed items as surplus so they can be sold at auction; now therefore:

ITEM	EQUIPMENT #	SERIAL/VIN #
International 7600	Hwy #8	1HTGRSJT7DJ176393
Chevy Silverado	Hwy #19	1GC3KZCG6BZ391013
F550 Super Truck	Hwy #24	1FDUF5HT8CEA33438
F350 Super Pickup	Hwy #25	1FDSW34549EB25724
JD Wide Aera Mower	Parks-14	
Bobcat Snow Blower	Hwy-#40A	712703829
Backpack Blower	Parks	
Chevy Silverado	Parks-3	1GC3KZCG5BZ390435

BE IT RESOLVED, that the Town Board hereby authorizes the Highway Superintendent to declare the above equipment as surplus to be sold at auction, and

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

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

RESOLUTION #334-2023:

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

RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE MONTHLY REPORT OF THE SUPERVISOR FOR AUGUST 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 August 2023 to the Town Supervisor on September 1, 2023, and

WHEREAS, the Town Supervisor approved and executed the Monthly Report of the Supervisor for August 2023 on September 1, 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 August 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, Herendeen, Bowerman, and Casale), the Resolution was **CARRIED**.

RESOLUTION #335-2023:

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

CONFIRMING RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO ELECTRONICALLY SIGN THE SNOW CONTRACT WITH ONTARIO COUNTY

WHEREAS, the Highway/Parks Superintendent has reviewed the attached Snow Contract with Ontario County and agrees with the language and rates, and

WHEREAS, he recommends that the Supervisor sign the Snow Contract, now therefore be it

RESOLVED, that the Farmington Town Board authorizes the Supervisor to electronically sign the Snow Contract with Ontario County Public Works and directs the Town Clerk to forward a copy of this Resolution to the Accountant I and the Highway/Parks Superintendent along with a copy of the contract.

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

RESOLUTION #336-2023:

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

RESOLUTION ACCEPTING A TWO (2) YEAR MAINTENANCE BOND FROM FARMINGTON AUTO WASH, 6214 STATE ROUTE 96, FOR SIDEWALK SITE IMPROVEMENTS IN THE TOTAL AMOUNT OF \$1,800.00

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from the Town Clerk a Maintenance Bond in the total amount of \$1,800.00, identified as Bond No. 1269228-2142, issued by Lexington National Insurance Corporation, for sidewalk construction along portions of State Route 96 and Mertensia Road, that have been dedicated to the Town,; and

WHEREAS, the Town Board understands that said Maintenance Bond is to be used for making repairs or replacement of any defects that may be found during the specified two year period of the maintenance bond, in material and/or workmanship, relating to the installation of sidewalks for the Farmington Auto Wash Project; and

WHEREAS, the Town Clerk has verified the amount of the maintenance bond is correct.

NOW, THEREFORE, BE IT **RESOLVED**, that the Town Board does hereby accepts the above referenced two-year maintenance bond filed for the identified site improvements.

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; 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.

FINALLY BE IT **RESOLVED**, that a certified copy of this resolution is to be issued to: Mr. Robert Marchenese, President, Farmington Auto Wash, P.O. Box 451, Canandaigua, New York 14424; and Alex Amering, P.E., Costich Engineers D.P.C., 217 Lake Avenue, Rochester, New York 14608.

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

RESOLUTION #337-2023:

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

RESOLUTION REGARDING THE CONSENT OF THE TOWN BOARD TO DEDICATE CARMEN'S WAY IN HATHAWAY'S CORNERS SUBDIVISION

WHEREAS, Upon reading the dedication of Carmen's Way in Hathaway's Corners Subdivision, dated the 22nd day of June, 2023 and the Release related thereto dated the 22nd day of June, 2023, all in the above entitled matter, wherein the owner of lands described therein have released the same to the Town of Farmington and its Highway Superintendent for highway purposes; now, therefore, be it

RESOLVED, that consent be and the same hereby is given to the Town Superintendent of Highways of the Town of Farmington to make an order laying out the lands described in said dedication, dated the 22nd day of June, 2023, for highway purposes, in accordance with the provisions of the Highway Law and other statutes applicable thereto.

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

RESOLUTION #338-2023:

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

RESOLUTION AUTHORIZING THE PAYMENT OF THE TOWN'S PORTION OF THE CONSTRUCTION OF CARMEN'S WAY

WHEREAS, prior to the construction of the roadway "Carmen's Way" there was an agreement with the developer that the Town of Farmington would contribute 50% of the storm system, the road from Savalla to the Villa Access Road and the earthwork, and 100% Southern extension road construction, and

WHEREAS, Hathaway Corner, LLC has provided the Town with an invoice totaling \$163,272.52 for these improvements, and

WHEREAS, the road will be dedicated at tonight's board meeting, and

WHEREAS, there was appropriated funding for this project in the 2022 budget which rolled to fund balance, now therefore

BE IT RESOLVED, the Town Board approves paying Hathaway Corner LLC \$163,272.52 out of expense line DA5110.2, and

BE IT FULLY RESOLVED, that a copy of the resolution be forwarded to Mark Stevens, SB Ashley: Markstevenson@ashleyco.com, and the Accountant I.

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

RESOLUTION #339-2023:

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

RESOLUTION TO PURCHASE FALL ARREST SAFETY EQUIPMENT FOR CONFINED SPACE ENTRY

WHEREAS, The Water and Sewer Superintendent has identified the need to purchase Fall Arrest Safety Equipment; and

WHEREAS, The Water and Sewer Superintendent has received quotes for said Fall Arrest Safety Equipment with the low quote being from Saferite Solutions at a cost of \$15,957.24; now therefore

BE IT RESOLVED, that the Farmington Town Board authorizes the Water and Sewer Superintendent to purchase Fall Arrest Safety Equipment for a cost not to exceed \$17,000.00 (to include any shipping/freight charges) with the funding split over account codes 25% SW1-8340.4; 25% SS8120.4, 25% SS8120.4V and 25% 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, Bowerman, and Casale), the Resolution was **CARRIED**.

RESOLUTION #340-2023:

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO TAKE APPROPRIATE ACTION TO SIGN LAWN MOWING CONTRACT AND TO APPLY LAWN MOWING CHARGES TO THE PROPERTY WITHIN THE TOWN, TO THE TAX ROLL

WHEREAS, the Code Enforcement Officer has taken the necessary action to bring property within the Town to compliance per Town Code Chapter 112, and

WHEREAS, the properties have not complied with Town Code Chapter 112, and

WHEREAS, the Code Enforcement Officer has requested bids from several companies for lawn care and award to Bussey Lawn & Landscape quoted \$100.00 per hour but at this time they are unable to complete the work due to preanal reason.

WHEREAS, The Code Enforcement Officer has been contacted by J. Williams and Sons Lawn Care who is covering all accounts for Bussey Lawn & Landscape which are willing to complete the season at the same rate as Bussey Lawn & Landscape.

WHEREAS, J. Williams and Sons Lawn Care submitted a quote for the lawn care compliance actions and has been determined to be the lowest responsible quotes received as follows:

1. 29.11-2-27.000 (Corner of 96 and Glen Carlyn) \$100.00 per hour
Owner address 1268 Pinehill Lane

NOW THEREFORE BE IT RESOLVED, the Farmington Town Board authorizes the Town Supervisor to take appropriate action to apply mowing charges along with a 50% service charge to the above listed properties,

AND, further be it RESOLVED, that a copy of this resolution be forwarded to the Building Department, Accountant I., the Confidential Secretary, and the Town Clerk.

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

RESOLUTION #341-2023:

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN THE PROPOSAL FOR PROFESSIONAL SERVICES FROM MRB FOR THE DIGESTER #2 CLEANING

WHEREAS, MRB has submitted a proposal for professional services for assistance with the bidding documents and construction phase services for the cleaning of Primary Digester #2 due to a build-up of heavy sludge, rags, and debris within the digester; and

WHEREAS, the proposal from MRB lists a total compensation for engineering design and bidding services and construction administration and observation at a cost not to exceed \$11,600; now therefore

BE IT RESOLVED, that the Town Supervisor signs the Proposal from MRB and funding for the services will be expensed from the sewer engineering contractual line SS8130.461; and

BE IT FULLY RESOLVED, that the Town Clerk forwards a copy of the signed proposal to Bill Davis, MRB Group, and provides a copy of the resolution and the proposal to the Accountant I and the Water and Sewer Department.

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

RESOLUTION #342-2023:

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

RESOLUTION AUTHORIZING WAIVING THE BEAVER CREEK PARK FEES FOR THE FARMINGTON CUB SCOUTS PACK 50

WHEREAS, the Farmington Cub Scouts Pack 50 is hosting a recruitment event and pack meeting on Friday, September 15, 2023; and

WHEREAS, the Krista Englert, Committee Chair, Farmington Cub Scouts Pack 50, is requesting the fees be waived, therefore be it

RESOLVED, the Farmington Town Board authorizes the waiving of the fees for the use of the Beaver Creek Park on Friday, September 15, 2023, for the Farmington Cub Scouts Pack 50 recruitment event and pack meeting; and be it

FURTHER RESOLVED,, that the Town Clerk provide a copy of this resolution to Krista Englert at farmingtonnypack50@gmail.com and the Accountant I.

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

RESOLUTION #343-2023:

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

Abstract 17 – 2023

TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS

<i>ABSTRACT NUMBER</i>		<u>17</u>	
<i>DATE OF BOARD MEETING</i>		<u>9/12/2023</u>	
<i>FUND CODE</i>	<i>FUND NAME</i>	<i>TOTAL FOR EACH FUND</i>	<i>VOUCHER NUMBERS</i>
A	GENERAL FUND	182,089.90	1690-1694,1696-1704,1706-1709, 1711-1730,1733-1745
DA	HIGHWAY FUND	288,125.92	1692,1705,1718,1721,1737,1746-1759,1761-1762
HK	SIDEWALK CAP PROJECT	46,370.38	1695,1710
HT	TOWN HALL CAP PROJECT	2,651.00	1760
HN	NORTH ROAD CAP PROJECT		
HB	BEAVER CREEK PARK		
HP	TOWN PARK IMPROVEMENTS		
HW	WATER TANK REPAIR		
SD	STORM DRAINAGE	301.84	1672,1703,1752
SF	FIRE PROTECTION DISTRICT		
SL1	LIGHTING DISTRICT	44.04	1731
SS	SEWER DISTRICT	973,457.23	1638-1678,1703,1718,1720,1741, 1745
SW1	WATER DISTRICT	82,281.85	1638,1639,1641,1644,1647,1652-1654,1656,1657,1662,1664,1671, 1672,1674-1676,1678-1689,1703, 1718,1720,1741,1745
TA200	PAYROLL DEDUCTIONS	46.71	1675,1740
	TOTAL ABSTRACT	\$ 1,575,413.53	

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

TRAINING UNDER \$100: None.

DISCUSSION:

WAIVER OF THE RULE: None.

EXECUTIVE SESSION: None.

With no further business before the Board, **Councilman Casale** offered a motion to adjourn the meeting at 7:35 p.m., seconded by **Councilman Bowerman**. Motion **CARRIED**.

Michelle A. Finley, MMC, RMC -Town Clerk