

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 26th day of December, 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, **Robin MacDonald** – Acting Water & Sewer Superintendent, **Dan Delpriore** – Code Enforcement Officer, **Hal Adams**, Conservation Board Chairman, **Letishia Whitney** - resident

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

PUBLIC HEARINGS: LETISHIA WHITNEY-REQUEST FOR AREA VARIANCE FOR A 6' FENCE IN FRONT YARD AT 5999 ONYX DRIVE

Mr. Delpriore stated that the property is in an incentive zoning district, so any variances in this area have to come to the Town Board as the ruling board. He added that she is submitting an application for a 54-inch-tall fence to be constructed in the front yard, referring to a map he pointed out that it is located on a corner lot so the side yard along Clovertrail is actually considered a front yard and this being taller than a 4 ft fence requires a variance. Mr. Delpriore stated that the applicant also has some medical concerns for her child and provided the board with that documentation. Ms. Whitney introduced her son, who is autistic, and stated that he is a climber and has climbed out the second story window in the early morning hours and a 4 ft fence would not keep him in the yard. She is hoping that a taller fence would give her a chance to catch him should he get out of the house and that they are currently locked in their home and have a combination to get and out of the house. Councilman Bowerman questioned why the resolution states a 54-inch-tall fence, Mr. Delpriore stated that is what was on the application. Ms. Whitney stated that the State will only give her a 6 ft tall fence. Mr. Delpriore stated that he does have documentation recommending that the fence be 6 ft tall, he added that the Board can amend the resolution. Councilman Holtz stated that they could amend the resolution to state up to 6 feet. Mr. Delpriore added that he can amend the application as well.

Supervisor Ingalsbe asked if anyone wanted to speak for or against this public hearing. Mr. Delpriore added that a legal notice was published in the newspaper and the property was posted with a public hearing sign. Town Clerk Finley stated that the notice was also sent to homes within 500 feet of the property. Supervisor Ingalsbe closed the public hearing.

APPROVAL OF MINUTES:

A motion was made by **Councilman Bowerman** and seconded by **Councilman Casale** that the minutes of the December 12, 2023, Town Board Meeting, were given to members for review, be approved. All Voting "Aye" (Holtz, Herendeen, Bowerman, Casale, and Ingalsbe). Motion **CARRIED**.

PRIVILEGE OF THE FLOOR:

PUBLIC CONCERNS: None.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Herendeen reported:

1. Getting quotes to repair or replace Flash Mixer.
2. New belts for the Belt Press have been ordered.
3. One new flow meter was installed in manhole #V-2761, seconded meter was installed in manhole #V-1968.
4. Manhole inspections in Cobblestone, twenty buried manholes have been located.
5. Video of the sanitary sewer on Fallow Lane and Fawn Meadow have been reviewed.
6. Heater replacement at Plaster Mill pump station generator is not needed.
7. Valve turner, specifications for the equipment have been received and put out to bid.
8. Requesting bids for heater replacement at the Plaster Mill pump station generator building.
9. Service line information is available for the L/C survey in records at the WWTP.
10. Discussed WWTP paving and drainage work.
11. Discussed resolutions on agenda.

Highway & Parks:

1. Highway- equipment maintenance, loading woodchip pile at Transfer Station, salted and plowed roads, and cut trees at Highway Campus.
2. Parks- plowing and salting parking lots, cleaning up and servicing summer equipment, updated SDS, and replaced some emergency lighting in Court House and Mertensia Lodge.
3. Generator at Town Hall has been replaced.
4. Discussed resolution for meeting.

Town Operations Committee: Councilman Bowerman reported:

1. Discussed resolutions on agenda.
2. Nothing new on Farmington Market Center.
3. Discussed Paddock Landing (Power's Incentive Zoning) project.
4. Recreation Advisory Committee and Parks/Recreation have been working on the Town Wide Survey, distributed early next year.
5. Building Department working on different code updates.
6. Discussed scanning grant and applying for another grant.
7. TAP project on schedule-work is limited due to cost of materials.
8. Next meeting for Ag Advisory Committee will be January 11th.

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

1. Organizational Meeting will be held on January 9th at 6 p.m.
2. Special Hearing will be held on January 23rd at 6:15 p.m.
3. Need to set up a workshop with Whitestone Development – either January 16th or 30th after 4 p.m.

Highway& Parks Superintendent Tim Ford reported:

1. Located brake shoes, should be here this week.

Town Clerk Michelle Finley reported:

1. Received Town and County Taxes.

Acting Water & Sewer Superintendent Robin MacDonald reported:

1. Discussed log cabin on Rt. 332.
2. Discussed manhole repairs in Cobblestone.

Code Enforcement Officer Dan Delpriore reported:

1. Working on Site Design Specs for approval.
2. Discussed new Stormwater Management DEC permit process.

Director of Planning and Development Ron Brand reported: None.

1. Town Operations Report available on website and filed with the Town Clerk.

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

1. Update on the rebidding of the Digester Cleaning project.
2. Update on Brickyard Road Tank project- sent out budgetary information to board.

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

1. Next meeting – January 3rd will be their Organizational Meeting.

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. Supervisor Comments – December 12, 2023.
2. Letter to Farmington Town Operations from the Clerk of the Boards. Re: Planning Board Report and Recommendation to the Town Operations Committee: Formal Amendment to the adopted 2021 Edition of the Town of Farmington Comprehensive Plan, Appendix #6.
3. Letter to the Town Supervisor from Crystelyn Laske, Town Clerk, Town of Canandaigua. Re: Water Services Agreement with the City of Canandaigua.
4. Certificates of Liability Insurance from: Power & Construction Group, Inc.; David L. Genecco; Reid Petroleum Corp.
5. Certificates of Workers' Compensation Insurance from: Reid Petroleum Corp.; MRI Contractors of NY, Inc.

REPORTS & MINUTES:

1. Farmington Volunteer Fire Association Chief's Report – December 2023.
2. ZBA Meeting Minutes – November 27, 2023.
3. Project Review Committee Meeting Minutes – December 7, 2023.
4. Historic Preservation Meeting Minutes (Corrected) – October 12, 2023.
5. Victor-Farmington Volunteer Ambulance Call Log – Year to Date 2023.

ORDER OF BUSINESS:**RESOLUTION #456-2023:**

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN A PROPOSAL FOR PROFESSIONAL SERVICES FROM MRB GROUP FOR GRANT WRITING SERVICES FOR LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND APPLICATION

WHEREAS, MRB Group has submitted a Proposal for Professional Services for Local Government Records Management Improvement Fund Application at a cost not to exceed \$5,800.00, and

WHEREAS, this competitive grant program provides funds to help local governments enhance records management programs, a priority for the Town of Farmington, which will assume primary responsibility for the ongoing implementation of the improved records management program on a long-term continuing basis, and

WHEREAS, the Town of Farmington utilizes and has formally adopted Records Retention and Disposition Schedule MU-1, and

WHEREAS, the Town of Farmington has since formally adopted Records Retention and Disposition Schedule LGS-1 on August 12, 2020, and

WHEREAS, the Town, if awarded funding, will contract with a consultant to perform a scanning and indexing of paper records and integration of those records into existing online records management systems, as well as to develop and documents records management policies and procedures for the Town, now therefore be it

RESOLVED, that the Town Board of the Town of Farmington authorizes the Town Supervisor so sign the Proposal for Professional Services for grant writing for Local Government Records Management Improvement Fund Application at a cost not to exceed \$5,800.00, and

BE IT FURTHER RESOLVED, that the Town Board recognizes and fully supports the submission of a Local Government Records Management Improvement Fund grant application, and

BE IT FINALLY RESOLVED, that copies of this resolution be submitted by the Town Clerk to the Accountant I, Code Enforcement Officer Dan Delpriore and Laurie Fox, Grant Administrator MRB Group 145 Culver Road Suite 160 Rochester, NY 14620.

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

RESOLUTION #457-2023:

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

RESOLUTION DESIGNATING RONALD BRAND, DIRECTOR OF DEVELOPMENT AS VOTING DELEGATE TO THE ASSOCIATION OF TOWNS FOR 2024

WHEREAS, the Association of Towns is having their 2024 Training School and Annual Meeting February 18-21, 2023, and

WHEREAS, the Town of Farmington must first adopt a resolution designating its delegate to vote on our behalf, now therefore be it

RESOLVED that the Town Board hereby designates Ronald Brand, Director of Development as Voting Delegate to the Association of Towns for 2024, and

BE IT FURTHER RESOLVED, that the Town Clerk provides copies of this resolution and the Certificate of Designation to the Supervisor's Secretary and the Association of Towns.

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

RESOLUTION #458-2023:

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

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN CONTRACT WITH WILLIAMSON LAW BOOK CO. FOR 2024

WHEREAS, the Williamson Law Book Co. of Victor has forwarded the Town a contract for 2024 for software support for the Municipal Accounting program used by the Accountant I, and

WHEREAS, the contract costs \$1,434.00 for the year and includes support as well as notice of all program enhancements and state mandated changes, now therefore

BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to sign the contract, and

BE IT FURTHER RESOLVED, that the Town Clerk give a copy of this resolution to the Accountant I and mail the signed copy to Williamson Law Book Co at 790 Canning Parkway, Victor, NY 14564 with the check for payment.

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

RESOLUTION #459-2023:

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

RESOLUTION AUTHORIZING WAIVING THE MERTENSIA LODGE FEES FOR THE COBBLESTONE ARTS CENTER ART CLASSES FOR ADULTS WITH DISABILITIES

WHEREAS, Emily Kilkenny of Cobblestone Arts Center has requested the use of the Mertensia Lodge on various dates in 2024 for art classes for adults with disabilities, and

WHEREAS, Emily 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 Mertensia Lodge various dates in 2024 for the Cobblestone Arts Center art classes for adults with disabilities; and be it.

FURTHER RESOLVED that the Town Clerk provide a copy of this resolution to Emily Kilkenny of Cobblestone Arts Center at emily.cobblestonearts@gmail.com and the Accountant I.

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

RESOLUTION #460-2023:

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

RESOLUTION AUTHORIZING PUBLIC BIDDING FOR ONE (1) NEW AND UNUSED VACUUM TRAILER WITH VALVE EXERCISER

WHEREAS, the Acting Superintendent for the Town of Farmington Water and Sewer Department has identified the need to purchase said Vacuum Trailer with Valve Exerciser to maintain the towns water infrastructure; and

WHEREAS, there is a need to exercise water hydrants and water main valves on a yearly basis and the Acting Water and Sewer Superintendent says this will streamline the process; now therefore

BE IT RESOLVED, that the Town Board of the Town of Farmington authorizes the Advertisement of Public Bidding for the Vacuum Trailer with Valve Exerciser and that bids will be received until 10:00 AM on Tuesday, January 9, 2024, at the office of the Farmington Town Clerk, 1000 County Road 8, Farmington, New York 14425; and

BE IT FURTHER RESOLVED, that funding for the Project will be from the 2024 Water and Sewer Budget; and

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

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

RESOLUTION #461-2023:

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

RESOLUTION GRANTING AN AREA VARIANCE TO ALLOW AN ACCESSORY STRUCTURE, UP TO A 72-INCH TALL FENCE TO BE CONSTRUCTED WITHIN THE FRONT YARD PORTION OF A CORNER LOT LOCATED, AT 5999 ONYX DRIVE, AT THE SOUTHEAST CORNER OF CLOVERTRAIL DRIVE AND ONYX DRIVE, WITHIN THE AUBURN MEADOWS INCENTIVE ZONING PROJECT

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has opened tonight a public hearing upon the above referenced area variance application (hereinafter referred to as Action); and

WHEREAS, the Town Board has received public testimony at tonight's public hearing regarding the proposed Action; and

WHEREAS, the Town Board has reviewed the Town's files on the proposed Action; and

WHEREAS, the Town Board, as provided for under New York State Town Law, §261 B and Chapter 165-34.1 of the Farmington Town Code, is the only body to grant an area variance on property located within a mapped Auburn Meadows IZ Incentive Zoning District.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby classify the proposed Action as being a Type II Action as is further classified under 6NYCRR, Part 617.5 (16) and (17) of the State Environmental Quality Review Act (SEQRA), a part of article 8 of the New York State Environmental Conservation Law (ECL).

BE IT FURTHER RESOLVED that Type II Actions are not subject to review under Part 617.5, as these Actions have been determined by the State Legislature 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 finds that there is a documented clinical need for this fence based upon the March 30, 2023, letter from Amanda K. Stroh, M.S., BCBA, LBA, 1449 37th Street, Suite 100, Brooklyn, New York 11218, which cites Nikolas Whitney, [who now resides at 5999 Onyx Drive, Farmington, New York] emits high frequency elopement behaviors, and that due to his unpredictable elopement behavior, family members are often unable to engage in outdoor activities together.

BE IT FURTHER RESOLVED that Ms. Stroh's clinical recommendation is that Nikolas receive an outdoor environmental modification such as a fence to keep him safe and promote socialization with peers and siblings. Specifically, a six-foot tall fence around the entire back (rear) yard area of their lot. It is based upon her professional evaluation that the fence, considered to be an environmental modification, will enable behavior analytic strategies such as requesting to go to other outdoor locations within the yard and responding to "stop."

BE IT FURTHER RESOLVED that the Town Board is satisfied with the above referenced documentation provided by Amanda K. Stroh which identifies Mikolas' special need, and the Town Board finds that the totality of such evidence identifies the need for installation of a fence surrounding the Front and Rear Yard portions of the corner lot located at 5999 Onyx Drive, where Nikolas resides, is recommended for his well-being.

BE IT FURTHER RESOLVED that the Front Setback from the right-of-way line for Clovertrail Drive to the proposed fence line is 13 feet.

BE IT FURTHER RESOLVED that the Front Setback from the right-of-way line for Onyx Drive to the proposed fence line is 85 feet.

BE IT FURTHER RESOLVED that the Town Board does hereby grant the requested area variance request and approves of the installation of a solid fence within the Front Yard portion of the property fronting along only Clovertrail Drive and having an address of 5999 Onyx Drive and located on the lot at the southeast corner of Onyx Drive and Clovertrail Drive, with the following conditions:

This variance is granted upon the following findings made by the Town Board:

- a. granting the area variance for the portion of the lot fronting along Clovertrail Drive is based solely upon the above reference professional evaluation of need that is intended to help improve the quality of life for one of the residents at 5999 Onyx Drive; and
- b. granting the variance with the conditions set forth below herein will not create an undesirable change in the character of the neighborhood or create a detriment to nearby properties; and
- c. the benefit sought by the Applicant can not be achieved by a feasible alternative to the requested area variance; and
- d. the area variance being granted is substantial in that it involves an over-sized accessory structure located within the Front Yard portion of the property where such size is not permitted by Town Code; and
- e. the alleged difficulty was not self-created.

BE IT FURTHER RESOLVED that based upon the above findings, the Town Board does hereby determine that the benefit to the Applicant does outweigh any known detriment to the community or neighborhood; and, therefore, the requested area variance to allow a fence within the Front Yard Portion of the property located at 5999 Onyx Drive along only the Clovertrail Drive frontage of said property is APPROVED with the following conditions:

1. No portion of the proposed fence shall be allowed to encroach upon the existing sanitary sewer easement that is located along the east side of Clovertrail Drive and that runs across the Clovertrail Drive frontage of the subject property.
2. There is no portion of said fence authorized to be constructed along the south property line between the proposed double gate and the street line as shown on the survey map submitted.
3. The fence material is to be uniform.
4. The fence material is to match, to the extent practical, the existing principal building located on the property.
5. The fence is to be maintained by the property owner and remain in a good safe condition.
6. Any light fixtures to be installed as part of the fence project shall comply with the Town's lighting regulations contained in Chapter 165 of the Town Code.
7. There shall be no messages or banners placed on the exterior portions of the proposed fence.
8. All gates proposed as part of this fence project are to remain closed.
9. A Building Permit shall be issued for the construction of said fence.
10. A Certificate of Compliance shall be required for said fence.
11. There shall be no outdoor storage of vehicles, equipment or other personal items outside the proposed fence and between the adjacent street line for Clovertrail Drive.
12. The fence may remain on the property located at 5999 Onyx Drive, as long as it has not been determined unsafe to remain by the Town Code Enforcement Officer.
13. Should the fence located upon the property at 5999 Onyx Drive be determined to be unsafe by the Town Code Enforcement Officer, the Town shall have the right to bring legal action to enforce the removal of the fence by the owner of 5999 Onyx Drive.

BE IT FURTHER RESOLVED that the Board finds approval of the requested area variance with the conditions imposed above herein provides the minimum relief necessary to the Applicant.

BE IT FINALLY RESOLVED that; and a certified copy of this resolution is to be provided to the Applicant, the Town Code Enforcement Officer, the Town Director of Planning and Development and the Town Development Office for placing in the property file.

Councilman Holtz made a motion to amend the resolution to state up to a 72 in tall fence instead of a 54 in tall fence, Councilman Herendeen seconded the motion, motion CARRIED.

On the resolution as amended, all Voting "Aye" (Ingalsbe, Holtz, Herendeen, Casale, and Bowerman), the Resolution was CARRIED.

RESOLUTION #462-2023:

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

RESOLUTION AUTHORIZING ADVERTISEMENT OF BIDS FOR PRIMARY DIGESTER #2 CLEANING PROJECT (REBID)

WHEREAS, Primary Digester #2 is in need of cleaning to remove sludge, rags, debris, rainwater, etc.; and

WHEREAS, MRB Group has prepared the Advertisement for Bids as well as a draft bidding schedule; now

THEREFORE BE IT RESOLVED, that the Town Board authorizes to go to bid for the Farmington Town Park Pavilion with a bid opening at the Town Hall on February 2, 2024 at 2 p.m.; and be it further

RESOLVED, that the Town Clerk have the Advertisement to Bid published in the local newspaper and forward the copies of this Resolution to the Acting Water & Sewer Superintendent, Bill Davis and Mark Bailey of MRB Group, and the Accountant I.

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

RESOLUTION #463-2023:

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

AUTHORIZATION TO ROLL OVER VACATION TIME INTO 2024 FOR JENNIFER GOODELL, ACCOUNT CLERK TYPIST, SHERYL SMITH, FINANCE CLERK II KENNETH PARROTT, WWTP -2

WHEREAS, vacation has to be exhausted by the end of the year per the Employee Policy, and

WHEREAS, Jennifer Goodell, Sheryl Smith and Kenneth Parrott are asking the Supervisor and Town Board to allow them to roll unused vacation days into 2024 with the understanding that the time be used before March 31, 2023 because it would prove a hardship for the time to be used before the end of 2023:

- Jennifer Goodell, 5.5 Hours
- Sheryl Smith, One (1) day
- Kenneth Parrott, Two (2) days

NOW THEREFORE, BE IT RESOLVED, that the Farmington Town Board hereby authorizes the above Water and Sewer employees to roll over their vacation time to be used no later than March 31, 2024, and

BE IT FURTHER RESOLVED, that the Town Clerk provides a copy of this resolution to the Acting Water and Sewer Superintendent, the Accountant I, and the Supervisor's Confidential Secretary.

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

RESOLUTION #464-2023:

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

RESOLUTION CLASSIFYING THE PROPOSED ACTION INVOLVING SITE IMPROVEMENTS AT THE GROVE PARK AS AN UNLISTED ACTION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA); ACCEPTING PARTS 1, 2 AND 3 OF THE SHORT ENVIRONMENTAL ASSESSMENT FORM (SEAF) FOR THE ACTION; AND THE EVALUATION AND FINDINGS BY THE TOWN BOARD FOR MAKING A DETERMINATION OF NON-SIGNIFICANCE UPON THE PROPOSED ACTION; AND MAKING A DETERMINATION OF NON-SIGNIFICANCE UPON THE PROPOSED ACTION

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board), based upon its review of the Criteria contained in 6NYCRR Part §617.2 (a), Article 8, New York State Environmental Conservation Law (ECL), has found the above referenced Action to be Classified as an Unlisted Action; and

WHEREAS, the Town Board has reviewed the completed Part 1 of the Short Environmental Assessment Form; and

WHEREAS, the Town Board has completed Parts 2 and 3 of the Short Environmental Assessment Form.

WHEREAS, the Town Board is the only involved agency with said Actions and, therefore, is the designated lead agency for making the required determination of significance under the provisions of the State Environmental Quality Review Act (SEQRA).

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby classify the above referenced Action as being an Unlisted Action under SEQRA.

BE IT FURTHER RESOLVED that the Town Board has reviewed and does hereby accept the findings contained in Parts 1, 2 and 3 of the Short EAF and directs the Town Supervisor to sign and date the SEAF Part 3.

BE IT FURTHER RESOLVED that the Town Board reasonably concludes the following impacts are expected to result from the proposed Actions, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed action; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on the site;
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed action;
- (iv) the overall density of the sites is consistent with the Town's Comprehensive Plan land use recommendations;
- (v) there are no known important historical, archeological, architectural, or aesthetic resources on the site, or will the proposed action impair the existing community or neighborhood character;
- (vi) there will not be a major change in the use of either the quantity or type of energy resulting from the proposed action;
- (vii) there will not be any hazard created to human health;
- (viii) there will not be a substantial change in the use, or intensity of use, of land including open space or recreational resources, or in its capacity to support existing uses;
- (ix) there will not be a large number of persons attracted to the site for more than a few days when compared to the number of persons who would come to such a place absent the action;
- (x) there will not be created a material demand for other actions that would result in one of the above consequences;
- (xi) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xii) there are not two or more related actions which would have a significant impact upon the environment.

BE IT FURTHER RESOLVED that based upon the information and analysis above and the supporting documentation, the Board determines that the proposed action WILL NOT result in any significant adverse environmental impacts.

BE IT FURTHER RESOLVED that the Board does hereby make a Determination of Non-Significance upon the proposed Action in accordance with the provisions contained under SEQRA.

BE IT FINALLY RESOLVED that the Board directs that copies of this determination be filed with the project files, the Town Engineers, the Town Highway and Parks Superintendent and the Director of Planning and Development, as provided for under the SEQR Regulations.

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

RESOLUTION #465-2023:

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

RESOLUTION TO ADOPT THE VARIOUS AMENDMENTS TO SECTIONS OF THE TOWN OF FARMINGTON SITE DESIGN AND DEVELOPMENT CRITERIA MANUAL AS SET FORTH HEREIN; ESTABLISHING THE EFFECTIVE DATE OF SAID AMENDMENTS; DIRECTING COPIES OF SAID AMENDED SECTIONS TO BE PROVIDED TO TOWN STAFF; AND DIRECTING THE POSTING OF THE UPDATED MANUAL UPON THE TOWN'S OFFICIAL WEBSITE

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has reviewed the following proposed amendments to the Town of Farmington Site Design and Development Criteria Manual (hereinafter referred to as the Manual) which was last amended on February 28, 2023, by Town Board Resolution #115 of 2023:

1. Updated section 1.03, Building Permits
2. Updated section 2.05, Driveway Design Requirements
3. Updated section 3.02.F, Sewer lateral Pipe for Gravity Sewer
4. Updated section 3.06, Water Mains
5. Updated section 4.09, Compaction
6. Updated section 4.10.E.2, Disinfection
7. Updated section 5.09, Certificates of Occupancy
8. Updated section 5.10, As-Built Requirements
9. Added detail G-14.0, Required Inspections List
10. Revised detail H-6.0, Concrete Gutter
11. Added detail H-18.0, Crosswalk Detail
12. Revised detail S-6.0, Sanitary Sewer Outside Drop Connection
13. Revised detail ST-9.0, Stormwater Maintenance Agreement
14. Revised detail W-1.2, End of Main Hydrant Unit
15. Revised detail W-3.0, Disinfection, Sampling Tap, Blow-Off Detail
16. Deleted detail W-8.0, Meter Pit Detail
17. Added detail W-8.0, Watermain Chlorination Detail
18. Revised detail W-10.0, Watermain Pressure Test
19. Revised detail W-13.0, Trench Detail

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby accept the amendments referenced above herein; and further directs said amendments are to be made to the revised Town of Farmington Site Design and Development Criteria Manual; and finally directs that said amendments take effect on Monday, January 1, 2024.

BE IT FURTHER RESOLVED that the Cover Page of said Manual is to be changed by adding a new revision date of December 26, 2023; by adding the reference number of this Resolution and including the Effective Date of January 1, 2024.

BE IT FURTHER RESOLVED that the Town Board does hereby direct the Town's Engineering Firm, MRB Group, D.P.C., (hereinafter referred to as Town Engineer) to prepare copies only of these amendments to the Manual and to deliver them to all Town Departments and Agencies currently in possession of said Manual.

BE IT FURTHER RESOLVED that the Town Board hereby directs all Town Departments and Agencies currently in possession of said Manual to insert these amended pages into their copy.

BE IT FURTHER RESOLVED that the Town Board does hereby direct the Town Engineer to prepare a copy of these amendments and to deliver them to the Town Clerk's Office which are to be inserted in their office copy of the Manual along with a compact disc of said amended Manual, for public review and inspection.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be provided to all Town Officials in possession of said Manual which is to be inserted in the front pocket of said bound Manual.

BE IT FINALLY RESOLVED that the Board directs that the Town Website be updated to include a copy of the amended Manual, along with the Manual's Cover Sheet identifying the Effective Date of these revisions, for the public's information and use.

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

RESOLUTION #466-2023:

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

RESOLUTION TO CONTINUE THE PURCHASE OF BADGER METERS, ENDPOINTS, ENCODERS AND BEACON SOFTWARE

WHEREAS, resolution 153-2023 approved the purchase of Badger meters, endpoints, encoders and the beacon software utilizing funding from the 2023 budget in an amount not to exceed \$65,000, and

WHEREAS, an additional \$55,000 worth of meters and endpoints has been received by the water and sewer department in December of 2023 to be utilized in the meter replacement program, now therefore

BE IT RESOLVED, the Water and Sewer department is authorized to expend funding for the additional 2023 purchases, and

BE IT FURTHER RESOLVED, that an order be placed for 2024 meter purchases in an amount not to exceed \$145,000, and

BE IT FULLY RESOLVED, that the Town Clerk provides a copy of the resolution to the Accountant I and the Water and Sewer Department.

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

RESOLUTION #467-2023:

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

RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN THE WATER FUND AND A TRANSFER TO THE WATER TANK CAPITAL PROJECT

WHEREAS, due to delays in the water tank capital project, the \$400,000 allocated to BAN interest in the 2023 water budget was not expended, now therefore

BE IT RESOLVED, that the Town Board of Farmington hereby authorizes that the funding be moved to the Water Tank Capital Project with the following budget amendments:

Credit:	SW1-9730.7 Ban Interest	\$400,000	
Debit:	SW1-9950.9 Transfer to Capital Project		\$400,000
Credit:	HW5031 Interfund Transfer	\$400,000	
Debit:	HW8340.2 Tank Contractual		\$400,000

BE IT RESOLVED, that the Town Clerk submits one copy of the resolution to the Accountant I and the Water and Sewer Department.

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

RESOLUTION #468-2023:

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

RESOLUTION AUTHORIZING YEAR END BUDGET AMENDMENTS

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	\$17,000	
Credit: A8020.47	Zoning Code Update	\$757.78	
Credit: A8020.48	AG Zoning Amendments	\$4,387.05	
Debit: A8020.41	Planning & Development		\$11,144.83
Debit: A1620.4	Buildings Contractual		\$5,000
Debit: A5132.4	HW Contractual		\$1,500
Debit: A1680.4	Central Processing Contractual		\$1,000
Debit: A1430.4	Personnel		\$3,500
Credit: A1355.12	Assessor OT	\$9,000	
Debit: A1355.1	Assessor Personnel		\$9,000
Credit: SL1-599	Appropriated Fund Balance	\$5,088	
Debit: SL1-5182.431	Farmbrook pole repairs		\$4,810
Debit: SL1-5182.551	Mercier Repairs		\$278
Debit: SL1-5182.52	Auburn Meadow	\$302	
Credit: SL1-5182.521	Auburn Meadow Repair		\$302
Debit: SL1-5182.57	Hickory Rise	\$278	
Credit: SL1-5182.571	Hickory Rise Repair		\$278
Debit: SL1-5182.61	Hathaway	\$79	
Credit: SL1-5182.611	Hathaway Repair		\$79
Credit: SS8120.41V	Utilities Victor	\$5,000	
Debit: SS8120.45V	Scada Victor		\$5,000
Credit: SS8130.45	Scada	\$10,000	
Credit: SS8130.41	Utilities	\$10,000	
Debit: SS8130.42	Chemicals		\$20,000
Credit: SS9060.8	Insurance	\$2,500	
Debit: SS8110.4	Contractual		\$2,500
Credit: SW1-8340.282	Meter Pit	\$55,000	
Debit: SW1-8340.41	Meters		\$55,000
Credit: SW1-8340.47	Engineering	\$20,500	
Credit: SW1-9060.8	Insurance	\$20,000	
Debit: SW1-8340.1	Personnel		\$35,000
Debit: SW1-8310.4	Contractual		\$2,500
Debit: SW1-8340.42	PRV		\$1,000
Debit: SW1-8340.43	Testing		\$2,000
Credit: SW1-599	Appropriated Fund Balance	\$300,000	
Debit: SW1-8320.4	Source of Supply		\$300,000

FURTHER RESOLVED, that copies of this resolution be submitted by the Town Clerk to the Accountant I and the Water and Sewer Department.

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

RESOLUTION #469-2023:

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

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A DONATION

WHEREAS, a donation was received the Chamber of Commerce for the 2023 July 3rd celebration in the amount of \$1500, now therefore

BE IT RESOLVED, that the Town Board of Farmington accepts the donation, and

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

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

RESOLUTION #470-2023:

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

RESOLUTION AUTHORIZING THE HIGHWAY SUPERINTENDENT TO HIRE THE PRECISION GROUP, TO SLIP LINE TWO (2) PIPES AT 4775 AND 4776 RUSHMORE ROAD

WHEREAS, The Precision Group has an Onondaga County Contract, and

WHEREAS, The Farmington Highway has reached out to The Precision Group with the intent to slip line the following two (2) pipes on: 4775 Rushmore Road and 4776 Rushmore Road, and

WHEREAS, the Highway Superintendent is requesting approval from the Town Board to hire The Precision Group to move forward with the slip lining project at a cost, not to exceed \$28,000 to be paid between two codes (50/50 Split) from SD-8540.4 (Storm Drainage – Contractual) and DA-5110.4 (Highway – General Road), now therefore be it

RESOLVED, that the Town Clerk forward original back to Highway Department to distribute and copies of this Resolution to the Accountant I.

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

RESOLUTION #471-2023:

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN A CONTRACT WITH ESO SYSTEMS FOR NEW FIRE INSPECTION SOFTWARE

WHEREAS, the Farmington Volunteer Fire Department uses ESO Systems for logging and reporting NFIRS Reports to the State, and

WHEREAS, ESO Systems offers fire inspection reporting that is integrated to assist the Fire Department with pre-planning and providing pertinent real-time information, and

WHEREAS, the current IPS inspection module does not allow sharing of real-time information and does not allow integration to allow sharing of information to the Fire Department, and

WHEREAS, ESO Systems has given us a quote of \$2675.00 which includes the inspection and properties module which would incorporate the International Fire Code for New York State, the most current NFPA Codes, set up and online training sessions, and

WHEREAS, the unused funds from account A3620.2 Safety Inspection Equipment can be allocated to cover the purchase of this software, now therefore

BE IT RESOLVED, that the Town Board of the Town of Farmington authorizes the Town Supervisor to sign the contract with ESO Systems at a cost not to exceed \$2675.00, and

MAY IT BE FURTHER RESOLVED, that the original contract be sent to the Code Enforcement Officer, Dan Delpriore for distribution and copies of this resolution be submitted by the Town Clerk to the Accountant I.

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

RESOLUTION #472-2023:

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

RESOLUTION TO AWARD THE FOUR PRIME CONTRACTS INCLUDING GENERAL, TANK, ELECTRICAL AND HVAC FOR THE BRICKYARD TANK AND TRANSMISSION LINE PROJECT

WHEREAS, six bids were received for the General Contract #1, and

WHEREAS, the low bidder was Randsco Pipeline with a total bid price of \$2,585,845 which includes all base bid, conditional and alternate items, and

WHEREAS, two bids were received for the Tank Contract #2, and

WHEREAS, the low bidder was Landmark Structures with a total bid price of \$9,672,000 which includes the base bid plus allowance, and

WHEREAS, five bids were received for the Electrical Contract #3, and

WHEREAS, the low bidder was MW Controls Service, with a total bid price of \$396,477 which includes the base bid plus allowance, and

WHEREAS, one bid was received for the HVAC Contract #4 in the amount of \$68,338 which includes the base bid plus allowance, and

WHEREAS, MRB Group has reviewed all of the bidding documentation and recommends that the Town of Farmington sign the Notice of Awards for the Canandaigua Farmington Water District, and

WHEREAS, funding for this project will be disbursed from the established capital project, now therefore

BE IT RESOLVED, that the Supervisor sign the four Notice of Awards, and

BE IT FULLY RESOLVED, the original Notice of Awards be returned to David Herman, MRB Group, and that a copy of the resolution and Notice of Awards be supplied to the Water and Sewer department, Accountant I and the Town of Canandaigua.

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

RESOLUTION #473-2023:

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

RESOLUTION TO ADOPT THE UPDATED 2024 STORM WATER MANAGEMENT PROGRAM PLAN (SWMP) AS THE OFFICIAL TOWN OF FARMINGTON STORM WATER MANAGEMENT PROGRAM PLAN

WHEREAS, the Town of Farmington Town Board (Hereinafter referred to as "Town Board") has received an updated version of the 2019 Town of Farmington Stormwater Management Program Plan prepared by MRB Group, D.P.C, the Town Engineering Firm, entitled "Town of Farmington Stormwater Management Program (SWMP) Plan, dated January 2024; and

WHEREAS, the Stormwater Management Program (SWMP) Plan's stated intent is part of the Town's ongoing effort to reduce the discharge of pollutants to the maximum extent possible and practicable by better management of the Town's Municipal Separate Storm Sewer System (MS4), and is required under the MS4 General Permit.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby move to adopt the January 2024 document described above herein as the official Town of Farmington Storm Water Management Program Plan.

BE IT FURTHER RESOLVED, that the Town Board does hereby direct the Town's MS4 Officer to prepare reports, every six (6) months, to the Town Board on the contents of said Plan, identifying what, if any changes or amendments thereto may be necessary to sustain the Town's compliance with the State's MS4 General Permit, or other State mandated MS4 Legislation.

BE IT FURTHER RESOLVED, that copies of the SWMP Plan document are to be prepared and kept on file in the Town Building & Codes Department and the Town Engineers Office.

BE IT FURTHER RESOLVED, that the bi-annual reports from the Town's MS4 Officer to the Town Board are also to be placed in an Appendix to the SWMP Plan.

BE IT FINALLY RESOLVED, that certified copies of this resolution are to be provided to: the Town Building & Codes Department and Town Engineer (MRB).

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

RESOLUTION #474-2023:

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

AUTHORIZATION TO ROLL OVER VACATION TIME INTO 2024 FOR DAN DELPRIORE, CODE ENFORCEMENT OFFICER AND MATT HEILMANN, CONSTRUCTION INSPECTOR

WHEREAS, vacation has to be exhausted by the end of the year per the Employee Policy, and

WHEREAS, Dan Delpriore and Matt Heilmann are asking the Supervisor and Town Board to allow them to roll unused vacation days into 2024 with the understanding that the time be used before March 31, 2024 because it would prove a hardship for the time to be used before the end of 2023:

- Dan Delpriore (4 days)
- Matt Heilmann (2 days)

NOW THEREFORE, BE IT RESOLVED, that the Farmington Town Board hereby authorizes Dan Delpriore and Matt Heilmann to roll over their vacation time to be used no later than March 31, 2024, and

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

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

RESOLUTION #475-2023:

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

RESOLUTION AUTHORIZING ACCEPTANCE OF AN WATER AND UTILITY EASEMENT FOR PROPERTY LOCATED ON COLLETT ROAD WITH A TAX ACCOUNT PARCERL NUMBER 29.00-2-9.200

WHEREAS, the Town of Farmington, by its officers or representatives, has engaged in discussions with Farmington Lawn Care, Inc ("Owner") regarding the Town's obtaining a water and Utility Easement over portions of its property located on Collett Road with a tax account parcel number 29.00-2-9.200, as shown on a map prepared by MRB Group dated November 2023: and

WHEREAS, Town of Farmington officials have recommended to the Town Board that said Owner grant to the Town the easement over said land of said Owner; and

WHEREAS, said easement has been offered by Owner to the Town of Farmington; and

WHEREAS, the Town Board of the Town of Farmington is desirous of accepting said offered easement on behalf of said Town; and

WHEREAS, the Town Board of the Town of Farmington has examined said instrument and finds the consideration described in said easement to be fair and reasonable.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Farmington does hereby accept the Easement attached hereto as Exhibit 1 from Owner in accordance with the terms and conditions contained in said instrument and directs that the same be recorded in the Office of the Clerk of the County of Ontario by Town Attorney, the fees for said recording to be borne by the Town, and

BE IT FURTHER RESOLVED, that the Town Supervisor shall be and hereby is authorized to take any and all further action necessary to carry forth the intent of this resolution, including but not limited to the execution of all documents necessary to complete the conveyance of the premises referenced herein.

MAY IT BE FURTHER RESOLVED, that copies of this resolution be submitted by the Town Clerk to the Jeff Graff 26 East Main Street Clifton Springs for filing with the County Clerk's Office, Code Officer Dan Delpriore, Confidential Secretary, Lance Brabant with MRB and the property owner Farmington Lawn Care, Inc at 6290 State Route 96, Victor NY 14564.

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

RESOLUTION #476-2023:

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

Abstract 24 – 2023

TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS

<i>ABSTRACT NUMBER</i>		<i>24</i>	
<i>DATE OF BOARD MEETING</i>		<i>12/26/2023</i>	
<i>FUND CODE</i>	<i>FUND NAME</i>	<i>TOTAL FOR EACH FUND</i>	<i>VOUCHER NUMBERS</i>
A	GENERAL FUND	98,150.26	2433,2434,2436,2445,2448-2457, 2459-2462,2464-2467,2469-2483, 2496
DA	HIGHWAY FUND	45,192.09	2434,2447,2459,2464,2465,2467, 2472,2480,2484-2495
HG	CTY RD 8 WATERLINE	7,950.00	2465
HN	NORTH RD CAPITAL PROJ	3,287.75	2465
HP	TOWN PARK IMPR.	760.00	2465
HQ	LED STREET LIGHTING	9,471.15	2468
HV	MERTENSIA WATERLINE	1,855.00	2465
HW	WATER TANK REPAIR	23,027.50	2465
HY	RT. 332 & COLLETT	1,160.00	2465
SD	STORM DRAINAGE	2,865.56	2447,2465-2472
SL1	LIGHTING DISTRICT	2787.65	2442,2473,2496
SS	SEWER DISTRICT	64,638.00	2397-2426,2434,2447,2450,2459, 2465,2467,2470,2472,2480
SW1	WATER DISTRICT	74,961.21	2397,2399,2408,1412,2415-2418, 2420,2421,2425,2427-2432,2434, 2447,2450,2459,2465,2467,2470, 2472,2480
TA200	PAYROLL DEDUCTIONS	8,275.47	2434,2446,2458,2463,2472,2481
	TOTAL ABSTRACT	\$ 344,831.64	

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

TRAINING UNDER \$100:

- August Gordner and Cadin Lloyd to attend Lead Renovator Training at the Ontario County Safety Training Center on February 22nd at no cost.

DISCUSSION: None.

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 7:37 p.m., seconded by **Councilman Bowerman**. Motion **CARRIED**.

Michelle A. Finley, MMC, RMC -Town Clerk