

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 28<sup>th</sup> day of February, 2023, at 7:00 PM, there were:

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

Also present in person: **Tim Ford** – Highway and Parks Superintendent, **Dave Conti** – Water & Sewer Superintendent, **Dan Delproire** – Code Enforcement Officer, **Ron Brand** – Director of Planning and Development, and **Bill Davis** – MRB Group, **Ed Hemminger** – Planning Board Chairman, **Adrian Bellis** – Planning Board Member, **Larry and Jenny Potter** – residents, **Henry Adams** – Ag Advisory Chairman, and **Tonia Ettinger** - resident

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

### **PUBLIC HEARINGS:**

#### **APPROVAL OF MINUTES:**

A motion was made by **Councilman Bowerman** and seconded by **Councilman Casale**, that the minutes of the February 14, 2023, Town Board Meeting and given to members for review, be approved. All Voting “Aye”. ( Herendeen, Casale, Holtz, Bowerman, and Ingalsbe). Motion Carried.

**PRIVILEGE OF THE FLOOR: None.**

**PUBLIC CONCERNS: None.**

### **REPORTS OF STANDING COMMITTEES:**

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

1. Discussed Low Lift Pump VFD cooling fans need to be replaced.
2. Discussed Digester #1 -has been filled and leaks around base will be repaired by Ontario Tap.
3. Generator has been tested under load and is not set to do so every Tuesday.
4. Discussed removal of the excavation spoils at the WWTP continues.
5. Discussed watermain replacement at the intersection of Rt. 332 and Rt. 96.
6. Discussed flow meters being installed in three manholes.
7. Discussed PS #7 project is progressing.
8. Maintenance personnel have been raising manhole covers is Victor and Farmington to eliminate I & I.
9. Discussed resolutions on agenda.

#### **Highway & Parks:**

1. Highway- equipment maintenance, picking up from storm damage, vehicle GPS installed, salting and plowing of roads, installing drainage pipe for the Mertensia Park playground, grinding tree and brush pile, and filling in potholes around town.
2. Parks- Building and Park Maintenance, repairing picnic tables and benches, and salting and plowing sidewalks and parking lots.
3. Painting completed at Town Hall.
4. Discussed resolutions for meeting.

#### **Town Operations Committee: Councilman Casale reported:**

1. Discussed various projects – the “No Standing” signs are finally up on Rt. 332, structure fire on Herendeen Road, and three no shows for interviews in the Building Department.
2. Received letter from the Ag Advisory Committee regarding support for Ontario County implementing The Ganargua Creek, Beaver Creek, and Black Brook Creek Intermunicipal Drainage report.

**Town Finance Committee: Supervisor Ingalsbe reported: None.**

**Town Public Safety Committee: Councilman Holtz reported: None.**

### **REPORTS OF TOWN OFFICIALS:**

#### **Supervisor Peter Ingalsbe reported:**

1. Meetings attended: County Public Works and Ways and Means Committee.
2. Discussed progress on new billing software (Muni-Link) and Invoice Cloud payment services.
3. Upcoming meetings with the City of Canandaigua on March 7<sup>th</sup> to discuss water IMA and THM’s and with the Town of Canandaigua on March 9<sup>th</sup> to discuss CFWD finances.
4. Met with Victor Farmington Library along with Supervisor Marren from the Town of Victor to discuss future finances.

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

1. Discussed salt usage – he orders the salt in August on what they anticipate what they will use for the year, which was 5,000 tons of salt, which goes for the 2022-2023 season. They are required to take 70% of what they ordered which is 3,500 tons and they have to take by August 31<sup>st</sup>, or they have to pay a storage fee on it which is \$3.60 per ton to store it. Mr. Ford stated that with the mild winter, as of Monday they were at 1200 ton and he just ordered another 600 ton which will be here by the end of the week, so they will have 1800 ton, and at this time last year they were at 2400 ton, so they are about 600 ton behind right now. He added that last year they ended up taking 77% of the 5000 tons which ended up being about 3800 ton of salt. Councilman Holtz asked with the 600 ton will that fill the barn? Mr. Ford replied that they can only stack it so high with the loader, and there is a line on the salt barn that you're not allowed to go over, or it will spill out. He added that if worse came to worse they can rent a stacker and pile it all in the middle. He's not sure how much the barn can hold but he believed it was 2000 tons.

**Town Clerk Michelle Finley reported:**

1. Meeting next Wednesday with the County Clerk's Association. A representative from NYS Retirement will give a presentation and answer questions.
2. Today was last day to pay Town and County Taxes with the 1% added, tomorrow starts adding the 2%.

**Water & Sewer Superintendent Dave Conti reported:**

1. Discussed new billing software. May 30<sup>th</sup> is the goal to have it totally implemented.

**Code Enforcement Officer Dan Delpriore reported:**

1. State Report 1203 has been submitted and will be correspondence for next town board meeting.
2. Busy with projects as the come in.

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

1. Report available on website and filed with the Town Clerk.
2. Met with Fishers Associates on the sidewalks. They will look at the initial layout where they could possibly go under this grant program.
3. Discussed Letter of Credits on the agenda.
4. Discussed letters remarking Federal Funding projects.

**Assessor Paul Arndt reported: None.****Town Engineer Bill Davis reported:**

1. Local Record Management grant was submitted.
2. Pre-bid meeting scheduled for March 8<sup>th</sup> for the Cline Road and Brownsville Road project.
3. Assisting town with EPA correspondence relative to the water system.
4. Proposal for Pavilion is on agenda for tonight.

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

1. Next Meeting – single family dwelling on the westside of New Michigan Road, final site plan for Button property on Ellsworth Road.

**Zoning Board of Appeals reported: None.****Recreation Advisory Committee 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:**

1. Unanimous decision from the committee to send a letter to the Town Board to encourage the County to move forward with the county wide drainage study. He added it's been about 30 years since they have had a referendum in the town to extend the drainage district town wide, periodically it comes back up for discussion and expanding the town drainage district is part of the Master Plan. They need a coordinated effort at the county level if they are going to do drainage improvements, he believes that is part of the reason that the proposal to expand the district failed some years ago. The first step is to get a coordinated study done of how it would work from source to implementing.

**COMMUNICATIONS:**

1. Email to John Gabriele from the Director of Development. Re: 6162 State Route 96 – Mobil Home Encroachment.
2. Letter to the Town Supervisor from Xerox Financial Services. Re: Upgrade to technology suite.
3. Church Mutual Insurance Company Common Policy Declarations. Re: Country Bible Baptist Church.
4. Letter to the Town Supervisor from Cornell Cooperative Extension. Re: Ontario County Agriculture Appreciation Banquet.
5. Letter to the Town Supervisor from Hal Adams, Chairperson of the Agricultural Advisory Committee: Re: Support for Ontario County implementing the Ganargua Creek, Beaver Creek and Black Brook Creek Inter-Municipal Drainage Report.
6. Letter to the New York Planning Federation from the Town Supervisor. Re: Nomination of Edward Hemminger for the 2023 John O. Cross Award for Planning Board Chairperson.
7. Letter to the New York Planning Federation from the Town Supervisor. Re: Nomination of 2021 Edition of the Town of Farmington Comprehensive Plan for the 2023 NYPF Comprehensive Plan Award.
8. Email from the Town Supervisor to Katie Ferguson. Re: Boughton Park.
9. Email from the Town Supervisor to John Ohlerich. Re: Boughton Park.
10. Letter to Mengel Metzger Barr & Co., LLP from Sheila Chalifoux. Re: Tax Certiorari Matters.
11. Email to Chris Riegle of Fingerlakes Gaming & Racetrack from the Town Supervisor. Re: Letter of support for Congressional Earmark Request.
12. Email to Town of Manchester Supervisor Phillips and Village of Manchester Mayor Buttaccio from the Town Supervisor. Re: Letter of support for Congressional Earmark Request.
13. Certificates of Liability Insurance from: Harvey Strassner Contracting, LLC.

**REPORTS & MINUTES:**

1. Historian Annual Report – 2022.
2. Planning Board Meeting Minutes – February 1, 2023.
3. Project Review Committee Meeting Minutes – February 2, 2023.
4. Farmington Senior Citizens Meeting Minutes – February 6, 2023.
5. NYS Agriculture and Markets Municipal Shelter Report – February 10, 2023.

**ORDER OF BUSINESS:****RESOLUTION 110-2023:**

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

**RESOLUTION WAIVING THE MERTENSIA LODGE RESERVATION FEE FOR THE SOUTH FARMINGTON FRIENDS CEMETERY FOUNDATION**

**WHEREAS**, the South Farmington Friends Cemetery Foundation has requested use of the Mertensia Lodge to hold their Pancake Breakfast Fundraiser on Saturday, March 25, 2023, and requested that the reservation fee be waived, now therefore be it

**RESOLVED**, the Farmington Town Board authorizes the waiving of the reservation fee for the use of the Mertensia Lodge on Saturday, March 25, 2023, for the South Farmington Friends Cemetery Foundation Pancake Breakfast Fundraiser, and further be it

**RESOLVED**, that a copy of this resolution be given to the foundation for their records.

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

**RESOLUTION #111-2023:**

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

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

**WHEREAS**, Curt Zepkowski and Emily Hinkle recently became active members of the Farmington Volunteer Fire Association, therefore be it

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

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

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

**RESOLUTION 112-2023:**

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

**CONFIRMING RESOLUTION APPOINTING PAULA RUTHVEN AS ACTING ASSESSOR**

**WHEREAS**, New York State Real Property Tax Law §310 required that the Town appoint an Assessor to assess real property for the purpose of taxation; and

**WHEREAS**, The Town’s Assessor submitted his resignation effective February 21, 2023 therefore making it necessary to appoint an Acting Assessor to fulfill the job responsibilities of the Assessor; and

**WHEREAS**, in accordance with New York State Real Property Tax Law §314 an Acting Assessor may be appointed until such time that an Assessor is able to resume the position; and

**WHEREAS**, the Town would like to appoint Paula Ruthven, who has worked in the Assessor’s Office since December 20, 2021, as Acting Assessor effective February 27, 2023, and pay a stipend of \$400 per week for the additional work and responsibilities of the position; now therefore

**BE IT RESOLVED**, that the Town Board approves the appointment of Paula Ruthven as Acting Assessor effective February 27, 2023 with a stipend of \$400 per week; and be it

**FURTHER RESOLVED**, that the Town Clerk forward a copy of this resolution to the Assessor’s Office, the Accountant I, and the Supervisor’s Secretary.

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

**RESOLUTION #113-2023:**

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

**RESOLUTION AUTHORIZING TRAINING OVER \$100.00 FOR KENNETH PARROTT FOR BASIC OPERATIONS COURSE, MATTHEW THOMPSON GRADE 4 MANAGEMENT COURSE, CAMERON KNORR AND CHRISTOPHER VANORDEN FOR GRADE D WATER COURSE**

**WHEREAS**, Kenneth Parrott currently is a Plant Operator Trainee, Matthew Thompson is a Grade 2 Plant Operator in the Sewer Department, and Cameron Knorr and Christopher Van Orden are in the Water Department

**WHEREAS**, training is needed so that they can advance in their departments, and

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board, authorizes the Farmington Water and Sewer Superintendent to pay for this training in the amounts of \$1,275.00 for lodging at the Brae Loch Inn, \$79.50 for a study book, and \$450.00 for the Grade 4 Management Course and \$650.00 for the Grade D Water course at SUNY Morrisville plus 22 day of meals at \$45.00 per day \$990.00 total, at a Total amount not to exceed \$3444.50:

Break Downs

- Kenneth Parrott: July 10-21, 10 days lodging \$750.00, Basic Operations Course was paid for 03/09/22, Meal allowance 12 days at \$45.00 per day: \$540.00, Total: \$1290
- Matthew Thompson: July 26-28, 3 days lodging \$225.00, Grade 4 Management Course \$450.00, Meal allowance 4 days at \$45.00 per day: \$180.00, book \$79.50, Total: \$934.5
- Cameron Knorr: April 6-7, 2 days lodging \$150.00 Grade D Water Course \$325.00, Meal allowance 3 days at \$45.00 per day: \$135.00, Total: \$610
- Christopher VanOrden: April 6-7 2 days lodging \$150.00 Grade D Water Course \$325.00, Meal allowance 3 days at \$45.00 per day: \$135.00, Total: \$610

**BE IT FURTHER RESOLVED**, that funding for the training for Parrot and Thompson be expensed in budget code SS8130.4, and the training for Knorr and Vanorden under code SW1-8340.4

**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 #114-2023:**

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

**RESOLUTION AUTHORIZING ACCEPTANCE OF A PROPOSAL FROM MRB GROUP FOR NEW PAVILION AT FARMINGTON TOWN PARK**

**WHEREAS**, the Town Park is in need of a new pavilion; and

**WHEREAS**, MRB Group has submitted a Proposal for Engineering Services to provide design, bidding, and construction phase services for the proposed pavilion at Farmington Town Park at an amount not to exceed \$19,600.00; and

**WHEREAS**, expenditures will be paid out of the Town Park Improvement Capital Project with the following budget amendment:

HP7110.2 Park Improvements	\$20,500.00	
HP1440.2 Engineering		\$20,500.00

**NOW THEREFORE BE IT RESOLVED**, that the Town Board authorizes the Town Supervisor to sign the Proposal for Engineering Services from MRB Group for design, bidding, and construction phase services for the proposed pavilion at Farmington Town Park at a total amount not to exceed \$19,600.00; and

**BE IT FURTHER RESOLVED**, that the Town Clerk provide copies of this resolution to the Highway/Parks Superintendent, the Accountant I, and provide the signed proposal along with a copy of the resolution to Bill Davis of MRB Group.

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

**RESOLUTION #115-2023:**

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

**RESOLUTION TO ADOPT THE VARIOUS AMENDMENTS TO SECTIONS OF THE TOWN OF FARMINGTON SITE DESIGN AND DEVELOPMENT CRITERIA MANUAL AS SET FORTH HEREIN; DIRECTING COPIES OF SAID AMENDED SECTIONS TO BE PROVIDED TO TOWN STAFF; AND DIRECTING THE POSTING OF THE ABOVE REFERENCED 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 April 12, 2022, by Town Board Resolution #167 of 2022:

1. Draft Redline Amendments Summary Pages; and
2. Appendix S-12.0 entitled "Inside Drop Sewer Manhole;" and
3. Appendix S-13.0 entitled "Dog-House Sewer Manhole;" and
4. Appendix ST-12.0 entitled "Storm Lateral Detail;" and
5. Appendix W-13.0 entitled "Trench Detail;" and
6. Appendix W-16.0 entitled "Pipe Casing;" and
7. Appendix H-17.0 entitled "Stabilized Construction Entrance;" and
8. Appendix G-9.0 entitled "Public Safety Sign Detail."

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby accept said amendments referenced above herein, which are hereby made as attachments to this resolution, and further directs said amendments are to be made to the revised Town of Farmington Site Design and Development Criteria Manual.

**BE IT FURTHER RESOLVED**, that the Cover Page of said Manual is to be changed by adding a new revision date of February 28, 2023; and also by adding the reference number of this Resolution.

**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 date of last revision, for the public's information and use.

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

**RESOLUTION #116-2023:**

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

**CONFIRMING RESOLUTION AUTHORIZING THE HIRING OF A LABORER**

**WHEREAS**, the Water and Sewer Department has a vacancy for a Laborer, and

**WHEREAS**, Merrick Badger has applied for the position and been approved through Ontario County, now therefore

**BE IT RESOLVED**, that the Town Board of Farmington acting on behalf of the Water and Sewer Districts, hereby authorizes the Water and Sewer Superintendent to hire Merrick Badger as a Laborer effective January 3, 2023 at a rate of \$18.00 per hour, and

**BE IT FURTHER RESOLVED**, that the Town Clerk provide copies of this resolution to the Water and Sewer Superintendent, the Accountant I and the Confidential Secretary.

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

**RESOLUTION #117-2023:**

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

**RESOLUTION CLASSIFYING THE ACTION KNOWN AS THE "POWER'S INCENTIVE REZONING PROJECT," UNDER THE PROVISIONS OF PART 617, NYCRR, A PART OF ARTICLE 8 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW (ECL), THE STATE'S ENVIRONMENTAL QUALITY REVIEW (SEQR) REGULATIONS, INVOLVING THE REZONING OF APPROXIMATELY 145 ACRES OF LAND CURRENTLY ZONED RS-25 RESIDENTIAL SUBURBAN AND LI LIMITED INDUSTRIAL TO IZ INCENTIVE ZONING; AND ESTABLISHING A COORDINATED REVIEW AND PUBLIC REVIEW AND COMMENT PERIOD, DIRECTING NOTIFICATION THEREOF BE PROVIDED TO THE INVOLVED AGENCIES AND THE GENERAL PUBLIC OF THIS REVIEW AND COMMENT PERIOD, AND DECLARING TOWN BOARD INTENT TO BE DESIGNATED LEAD AGENCY AT THE TOWN BOARD MEETING SCHEDULED FOR TUESDAY, MARCH 28, 2023**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) has received an application for the above referenced rezoning of land that is to be classified as an Action under the provisions of the above referenced ECL; and

**WHEREAS**, the Town Board has closed, on February 14, 2023, a public hearing held on the above referenced rezoning Action; and

**WHEREAS**, the Town Board has given consideration to the classifications for the above referenced Action in accordance with the provisions contained within Part 617. 4 and 5, NYCRR, a part of the ECL.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby classify the above referenced rezoning Action to

be a Type I Action based upon the following findings:

1. Part 617.4 (b) (2) [Type I Actions] establishes the adoption of changes in the allowable uses within any zoning district, affecting 25 or more acres of the district, if directly approved by the Town Board is classified as a Type I Action; and
2. Part 617.4 (b) (8) [Type I Actions] any Unlisted action that includes a nonagricultural use occurring wholly or partially within an agricultural district [in this instance the Ontario County Consolidated Agricultural District #1] (certified pursuant to Agriculture and Markets Law, article 25-AA, sections 303 and 304) and exceeds 25 percent of any threshold established in said Part 617.4.

**BE IT FURTHER RESOLVED**, that the Town Board having now classified the proposed Action as a Type I Action must give notice of the proposed Action to other involved agencies, and give notice to and provide for a public review and comment period.

**BE IT FURTHER RESOLVED**, that the Town Board does hereby declare that a coordinated review is to now occur with other identified involved agencies and that a public review and comment period is to be established for said Action.

**BE IT FURTHER RESOLVED**, that the Town Board identifies that the involved agencies for this coordinated review shall include the New York State Department of Transportation, the New York State Department of Health, the New York State Department of Environmental Conservation, the Town of Farmington Water & Sewer Superintendent and the Town of Farmington Highway Superintendent.

**BE IT FURTHER RESOLVED**, that there is hereby established a coordinated review period and a public review and comment period that is to commence on Wednesday, March 1, 2023, and end at noon on Friday, March 24, 2023.

**BE IT FURTHER RESOLVED**, that the Town Board does hereby declare its intent to be designated the lead agency, in accordance with the provisions contained in Part 6 NYCRR, §617.6, of the ECL for the above referenced coordinated review period at its meeting on Tuesday, March 28, 2023.

**BE IT FURTHER RESOLVED**, that the Director of Planning and Development is to provide copies of the Applicant's Incentive Rezoning documents and maps, including the completed Part 1 of the Full Environmental Assessment Form, the Ontario County Planning Board's Referral # 221-2022, the Town Board public hearing minutes dated January 10, 2023, and February 13, 2023, the Town's SEQR Project Notification Review Letter (PNRL), and the SEQR PNRL Response Form are to be provided to the above identified involved agencies and a copy of all documents filed with the Town Clerk's Office for public review and comment commencing on Wednesday, March 1, 2023.

**BE IT FURTHER RESOLVED**, that the Town Clerk is to provide public notice of said public review and comment period in the Town's Official Newspaper, post notice thereof on the Town Hall's Bulletin Board and on the Town's Website, informing the public that a copy of this Action is on file in the Town Clerk's Office for public review during normal business hours.

**BE IT FINALLY RESOLVED**, that certified copies of this resolution are to be provided to the Town Planning Board, the Town Director of Planning & Development, the Town Code Enforcement Officer, the Applicants: Robert J. Brenner and Brian W. Mahoney, Partners Canandaigua Development Company, LLC, 83 South Main Street, Canandaigua, New York 14424; the Applicants Engineer, Ryan Destro, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, New York 14450.

**Discussion:** Supervisor Ingalsbe read the title of the resolution. Mr. Brand stated that the SEQR regulations identify any change in zoning affecting more than 25 acres of land or any change in use of land within an established agricultural district which exceeds the 25% threshold of 25 acres is automatically classified as a Type I and that requires a coordinated review and notification to the involved agencies which in this case is NYS Dept. of Transportation, NYS Dept. of Health, and NYS Dept. of Environmental Conservation as well the Water and Sewer Superintendent, and the Highway Superintendent. He added that there will be a public review and comment period, documents can be reviewed at the Town Clerk's Office. Mr. Brand stated as the regulations require, there has to be one lead agency and the town is the most appropriate agency since we are the most familiar with the project. Supervisor Ingalsbe stated that he met with Chris Day from Ontario County and they have gone out to the east side and talked with the landowners and the railroad regarding the drainage issues in that area and the railroad has agreed to do the required drainage work that needs to be fixed that some how got changed over the years. He added that the railroad is hoping to fix it in March.

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

#### **RESOLUTION #118-2023:**

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

#### **RESOLUTION TO RENEW THE 2023 TOWN OF FARMINGTON MUNICIPAL INSURANCE POLICY WITH NEW YORK MUNICIPAL INSURANCE RECIPROCAL (NYMIR)**

**WHEREAS**, the 2023 renewal policy (coverage from 3/9/23-3/9/24) supplied by Eastern Shore was reviewed by the Town Board, and

**WHEREAS**, the NYMIR and liberty premiums are up by 5%, plus additional Cyber Coverage,

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of Farmington approves and authorizes the renewal of the Town insurance policy with NYMIR submitted by Eastern Shore Associates, and

**BE IT FURTHER RESOLVED**, that a copy of the resolution be submitted to Jackie Shaffer, Eastern Shore Servicing agent at [JShaffer@ESAINSURANCE.com](mailto:JShaffer@ESAINSURANCE.com) and a hard copy mailed to Eastern Shore Associates, PO Box 480, Fulton, NY 13069.

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

**RESOLUTION #119-2023:**

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

**ESTABLISHMENT AND DIRECTING THE FILING A LETTER OF CREDIT – THE HATHAWAY’S CORNERS INCENTIVE ZONING PROJECT, PHASE 2-A, IN THE TOTAL AMOUNT OF \$ 1,981,320.31**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) has been informed by the Planning Board Chairperson, that the Planning Board has taken Action to recommend approval of accepting a Letter of Credit for the above referenced project in the total amount of \$ 1,981,320.31; and

**WHEREAS**, the Town Board has also been provided a copy of the Town Engineer’s letter dated January 30, 2023, which includes both the Town Engineer’s and Town Construction Inspector’s recommendations for establishing said letter of credit in the amount specified above herein, and the Applicant’s Engineer’s (BME Associates) Estimate of Value, dated January 26, 2023, for site improvements to be dedicated to the Town.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby acknowledge the above specified Planning Board’s recommendation for establishing a letter of credit for said project and further directs the Applicant to file a letter of credit, in the total amount specified above herein, with the Town Clerk’s Office prior to the Town Code Enforcement Officer scheduling a pre-construction meeting and issuing an order to proceed with the project.

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

**FINALLY BE IT RESOLVED**, that a copy of this resolution is to be issued to the Applicant, The Marrano/Marc Equity Corporation, 2730 Transit Road, West Seneca, New York 14224; Mark Stevens, S.B. Ashley Management Corporation, The Powers Building, 16 W. Main Street, Suite 700, Rochester, New York 14614; the Applicant’s Engineer, Ryan Destro, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, New York 14450; and Tom Danks, Project Manager, BME Associates, 10 Lift Bridge Lane East, Fairport, New York 14450.

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

**RESOLUTION #120-2023:**

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

**RESOLUTION AUTHORIZING ACCEPTANCE OF EASEMENT AND A STORMWATER CONTROL FACILITY MAINTENANCE AGREEMENT**

**WHEREAS**, the Town of Farmington, by its officers or representatives, has engaged in discussions with Hathaway Apartments, LLC (“Owner”) regarding the Town’s obtaining a Sanitary Sewer and Utility Easement and a Storm Sewer and Utility Easement over portions of Owner’s property located on Savalla Boulevard, as shown on a map prepared by BME Associates dated June 23, 2022; and

**WHEREAS**, Town of Farmington officials have recommended to the Town Board that said Owner grant to the Town the easements over said lands of said Owner;

**WHEREAS**, said easements have 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 easements on behalf of the Town; and

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

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

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

**RESOLUTION #121-2023:**

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

Abstract 4 – 2023

***TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS***

<i>ABSTRACT NUMBER</i>		<u>4</u>	
<i>DATE OF BOARD MEETING</i>		<u>2/28/2023</u>	
<i>FUND CODE</i>	<i>FUND NAME</i>	<i>TOTAL FOR EACH FUND</i>	<i>VOUCHER NUMBERS</i>
A	GENERAL FUND	108,685.70	266-289,291-309,363
DA	HIGHWAY FUND	34,612.55	266,274,276,288,292,298,299,303,307,310,317,363
HN	NORTH ROAD CAPITAL PROJ	4,200.00	295
HM	FUEL STATION CAP PROJECT	2,054.70	318
HP	TOWN PARK IMPROVEMENTS	907.50	295
HW	WATER TANK REPAIR	1,380.00	295
HK	SIDEWALK CAP PROJECT	180.00	290
HZ	TOWNLINE CAP PROJECT	0	
HQ	LED STREET LIGHTING		
SF	FIRE PROTECTION DISTRICT	262,636.17	203,219,233
SL1	LIGHTING DISTRICT		
SD	STORM DRAINAGE	6,036.42	272,274,276,295,303
SS	SEWER DISTRICT	92,012.46	266,271,272,274,288,295,303,309,319,354,363
SW1	WATER DISTRICT	21,868.82	266,271,272,274,288,295,303,309,319-321,329,331-333,335,337,339,344-346,351-354,356-360,363
TA200	PAYROLL DEDUCTIONS	8,242.43	266,274,303,353,361
TA93	LETTER OF CREDIT (CASH)		
	<b>TOTAL ABSTRACT</b>	<b>\$ 282,197.21</b>	

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

**WAIVER OF THE RULE: NO OBJECTIONS**

**RESOLUTION #122-2023:**

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

**LIAM LANGER SUCCESSFUL COMPLETION OF PROBATIONARY PERIOD**

**WHEREAS** Liam Langer was hired by the Highway/Parks Superintendent with a start date of August 25<sup>th</sup>, 2022, and on February 25<sup>th</sup>, 2023 has successfully completed the required six-month probationary period; and

**WHEREAS**, Liam has shown knowledge base and per employee policy, upon the successful completion of a probationary period, may be granted a wage adjustment; and

**WHEREAS**, the Highway/Parks Superintendent deems that Liam has displayed satisfactory job performance; now therefore be it

**RESOLVED** that the Town Board hereby grants a \$.50 per hour wage increase to Liam Langer effective beginning with Payroll # 6 (March 5<sup>th</sup>, 2023); and

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

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

**TRAINING UNDER \$100:**

1. David Conti to attend the NY Rural Water Association Wastewater/Water Training Session (PFAS & Issues Impacting the Wastewater Community) on April 4, 2023 at the Village of Alden at a cost not to exceed \$20.00.

**DISCUSSION: None.**

**EXECUTIVE SESSION: None.**

With no further business before the Board, Councilman Bowerman offered a motion to adjourn the meeting at 7:32 p.m., seconded by Councilman Casale. Motion **CARRIED**.