

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 9th day of July, 2024, 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: **Robin MacDonald** – Acting Water & Sewer Superintendent, **August Gordner** – Deputy Code Enforcement Officer, **Ron Brand** – Director of Planning & Development, **Bill Davis** – MRB Group, **Ed Hemminger** – Planning Board Chairman, **Adrian Bellis** – Planning Board Member, and **Mark Cain** – Recreation Director

Also present by telephone/video conferencing was: **Michael Phillips** – resident, and **John Piper** – HR Consultant

PUBLIC HEARINGS: Whitestone Incentive Zoning

Supervisor Ingalsbe opened the public hearing and asked if anyone online or in person wanted to speak for or against the project, no one wished to speak. Supervisor Ingalsbe then announced that the Board would be continuing the public hearing to the July 23rd meeting.

APPROVAL OF MINUTES:

A motion was made by **Councilman Casale** and seconded by **Councilman Holtz** that the minutes of the June 26, 2024, Town Board Meeting, that were previously given to members for review, be approved. Four Voting “Aye” (Holtz, Herendeen, Casale, Bowerman, and Ingalsbe). Motion **CARRIED**.

PRIVILEGE OF THE FLOOR: None.

PUBLIC CONCERNS: None.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Holtz reported:

Water & Sewer:

1. Discussed North Final Clarifiers Panel Replacements.
2. Discussed roof repair.
3. Discussed Digester #1- gas tube blockage.
4. Looking for quotes to replace sand and rehab sand filter.
5. Final Pumps have blown their seal-quotes for full replacement and rebuilds have been emailed.
6. Discussed plans to clean out PAC chemical tank to remove settled out solids.
7. Working on 5-year budget plan.
8. Discussed Lift Stations – routine maintenance.
9. Discussed Muni-link software – can now read 493 meters remotely.
10. Started lead and copper excavating in Farmbrook.
11. Country Max waterline has been installed.
12. Fixed a leaking service on Turner Road last week.
13. Discussed resolutions on agenda.

Highway & Parks:

1. Highway- equipment maintenance, roadside mowing, sweeping oil & stoned roads, working on topsoil and grass seed on CFTL Road sidewalks, cut up tree branch that fell at the Grange, 4 trucks helped Victor with millings, installed new driveway pipe on Crowley Road, and assisted Park Department with July 3rd Fireworks Celebration setup and cleanup.
2. Parks- mowing parks and trails, striping ball fields, grooming ball fields, opened Town Park Pavilion and put picnic tables out, and set-up and cleaned up for July 3rd Fireworks Celebration.
3. Buildings- Court parking lot sealed & striped.
4. Discussed resolutions on agenda.

Town Operations Committee: Councilman Casale reported:

1. Discussed resolutions on agenda.
2. Work continues on the Town’s TAP Sidewalk Grant Project, mostly preparing the base for the new sections of sidewalk. The contractor still needs to provide the town with the design for the new pedestrian/bicycle bridge crossing of Beaver Creek.
3. The Town’s Agricultural Advisory Committee continues to discuss a draft local law that amends portions of the A-80 Agricultural District, a part of Chapter 165 of the Town Code.
4. Update on Whitestone Incentive Zoning project – the Town has received a list of proposed uses to be allowed as part of the proposed Whitestone Incentive Rezoning Application along with a timeline when the site amenities are to be

installed. The public hearing continued to the July 9th meeting to allow staff to time to prepare drafts of Parts 2 & 3 of the Full Environmental Assessment Form.

5. The first meeting of the Parks & Recreation Update Committee is scheduled for July 8th, starting at 6:30 p.m.

Town Finance Committee: Supervisor Ingalsbe reported:

1. Meeting on July 16th at 8:30 a.m.

Town Public Safety Committee: Councilman Holtz reported: None.

REPORTS OF TOWN OFFICIALS:

Supervisor Peter Ingalsbe reported:

1. July 3rd Fire Celebration – had a great crowd, band played for two hours, thanked the Farmington Chamber of Commerce for their donation of \$1,500 to go towards the cost of the fireworks.
2. 2025 Budget: departments have received their five-year Capital Equipment/Facility list and budget worksheets will go out soon to department heads. On or about September 6, 2024, he will file the tentative budget for the town board's consideration.
3. Update on County meetings – attended a day long discussion on the County Landfill, discussed the closure in 2028 and what would be the options for Cities, Towns and Villages. The closure of the landfill could double resident's costs for disposal of garbage and recyclables.
4. Acknowledged Town Clerk Michelle Finley for receiving her recertification as a Registered Municipal Clerk with the New York State Town Clerks Association.

Highway & Parks Superintendent Tim Ford reported: None.

Town Clerk Michelle Finley reported: None.

Acting Water & Sewer Superintendent Robin MacDonald reported:

1. Received the Valve Exerciser Vacuum and Trailer.

Deputy Code Enforcement Officer August Gordner reported:

1. Currently have an administrative position
2. June stats – 107 total permits and 259 inspections.
3. Discussed statistics for ongoing projects around town.
4. New hire starts tomorrow to fill an administrative roll.
5. Records for Highway and Assessor have been returned and all 93 boxes are at the Courthouse.

Director of Planning and Development Ron Brand reported:

1. Town Operations Report available on website and filed with the Town Clerk.
2. Sidewalk project update – discovered that there are some trees in the alignment on Mertensia Road that they are going to have to chip out due to a risk of digging them out because of the proximity to the gas line. They started pouring concrete on County Road 41 between the Marano Homes model and west to almost the red barn. They still do not have the design specifications for the pedestrian bridge crossing and the lead time on that looks like it will take them past the October 31st completion date.

Assessor Donna LaPlant reported: None.

Supervisor Ingalsbe reported that the Final Assessment Roll was posted on the Town's website today.

Town Engineer Bill Davis reported:

1. Updated on the following projects: Brickyard Road Tank project is progressing, Digester Cleaning close out is on the agenda tonight, Collett Road and Mertensia Road watermain replacement project pre-bid is scheduled for July 22nd and opening is on July 31st, and working on design for Cranberry Drive.

Fire Chief reported: None.

Planning Board Chairman Ed Hemminger reported:

1. Next Meeting (July 17th) – Fowler Family Trust, 5 lot DeHollander project, Pintail Crossing LOC, 1816 Quaker Meeting House project, and Sky Solar application.

Zoning Board of Appeals, Thomas Yourch reported: None.

Recreation Advisory Board, Bryan Meck reported: None.

Recreation Director Mark Cain reported:

1. 1st week we average about 265 campers, up about 30 from last year.
2. July 3rd Fireworks Celebration was a great success- vendors did well, they were busy all night.

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 Hal Adams: None.

COMMUNICATIONS:

1. NYS Department of Taxation and Finance Office of Real Property Tax Services Certificate of Final Telecommunications Ceiling.
2. Letter to the Town Supervisor from Karen Kostera of Teamsters Local Union No. 118. Re: Collective Bargaining Agreement expiration.
3. Letter to the Town Supervisor from Daniel Wickham of Keuka Appraisal Services, Inc. Re: Residential and Commercial Real Property Appraisals.
4. Letter to Mark Bacco of Lyons National Bank from the Deputy Code Enforcement Officer/Fire Marshal. Re: Renewal of Letter of Credit for Monarch Manor Section 2.
5. Letter to the Town Supervisor from Brian Murray of USDA. Re: Grant Approval by Rural Development for the Water System Improvement Project.
6. Email communications between W&S Department and Jackie Mertens, Resident. Re: Quarterly Meter Fee.
7. Letter to Diane Kulijof, Resident, from the W&S Department. Re: Request to waive fee.
8. Letter to Stella Florist from the Town Supervisor. Re: Explanation of high bill for Service Address 5586 Purdy Road.
9. Letter to Lisa Reed from the Town Supervisor. Re: Explanation of high bill for Service Address 4465 Fox Road.
10. Letter to the Town Supervisor from Eve Fisher of the NYS Town Clerk's Association. Re: Michelle Finley, Town Clerk, recertification as Registered Municipal Clerk.
11. Letter to the Town Board from Elvira Boonstra, Resident. Request to waive penalty.
12. Letter to the Town Supervisor from Susan Rowe. Re: Chemical spraying in field by Pintail Apartments.
13. Certificate of Liability Insurance from: Master Peace Painting, LLC; RG&E; Diehlux, LLC; Schumann Construction, Inc.; Backyard Products, LLC; Verizon Wireless, LLC; Cellco Partnership.
14. Certificate of Workers Compensation Insurance from: Upstate Cellular Network; Backyard Products, LLC.

REPORTS & MINUTES:

1. Monthly Report – Judge Lew – June 2024.
2. NYS Inter Agency Fire Safety Working Group Fire Code Recommendations.
3. Planning Board Meeting Minutes – June 5, 2024.
4. Agricultural Advisory Committee Meeting Minutes – April 28, 2024.
5. Farmington Senior Citizens Meeting Minutes – June 17, 2024.
6. Drinking Water Sample Report – June 2024.
7. Chief's Report – Victor Fire Department – June 2024.
8. Ontario County Sheriff Traffic Report – June 2024.
9. Camden Group – WWTP Monthly Report – June 2024.
10. Monthly Report – Victor – Farmington Volunteer Ambulance – June 2024.

ORDER OF BUSINESS:**RESOLUTION #248-2024:**

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

RESOLUTION AUTHORIZING TRACEY CURRY, COURT CLERK, TO ATTEND THE NYSAMCC'S 44TH ANNUAL CONFERENCE

WHEREAS, the Court Clerk is required 6 credits for continuing education annually; and

WHEREAS, the NYSAMCC's 44th Annual Conference would fulfill the annual continuing education requirement; now therefore

BE IT RESOLVED, that the Town Board authorizes Tracey Curry, Court Clerk, to attend the NYSAMCC's 44th Annual Conference September 29th through October 3rd, 2024 at the Sheraton Niagara Falls at a cost not to exceed \$790.00 to include registration fee, lodging and meals; and

BE IT FULLY RESOLVED, that copies of this resolution be submitted by the Town Clerk to the Accountant I, the Confidential Secretary, and Tracey Curry, Court Clerk.

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

RESOLUTION #249-2024:

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

RESOLUTION AUTHORIZING THE SUPERVISOR TO ACCEPT A PROPOSAL WITH PUBLIC SECTOR HR CONSULTANTS FOR EMPLOYEE HANDBOOK UPDATES

WHEREAS, the Employee Handbook was last updated in October 2022; and

WHEREAS, Public Sector HR Consultants has provided a Proposal for Employee Handbook updates in order to comply with both state and federal regulations at a cost not to exceed \$2,250.00; now therefore

BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to accept the Proposal for Employee Handbook updates with Public Sector HR Consultants LLC of Glenville, NY; and

BE IT FURTHER RESOLVED, that the Town Clerk provide copies of this resolution to the Supervisor’s Secretary and the Accountant I.

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

RESOLUTION 250-2024:

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

RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE MONTHLY REPORT OF THE SUPERVISOR FOR JUNE 2024

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 June 2024 to the Town Supervisor on July 1, 2024, and

WHEREAS, the Town Supervisor approved and executed the Monthly Report of the Supervisor for June 2024 on July 1, 2024,

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 June 2024, 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 #251-2024:

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

RESOLUTION AUTHORIZING THE TOWN BOARD TO APPROVE THE CLOSEOUT PAPERWORK FOR THE WASTE WATER TREATMENT PLANT DIGESTER #2 CLEANING PROJECT

WHEREAS, change order GC-01 has been submitted from the contractor for the transportation and disposal of the additional quantity of sludge from digester #2 for an increase of \$134,498.92 to the original contract price for a total contact of \$246,742.82, and

WHEREAS, MRB has provided the Town with the final payment application to P&H Senesac, Inc, as well as the closeout documentation including AIA G706, 706A, 707, contractor acknowledgement and warranty, now therefore

BE IT RESOLVED, that the Town Board of Farmington hereby authorizes change order GC-01, the final payment application and the closeout of the project,

BE IT FURTHER RESOLVED, that the following budget amendment be approved

| | | |
|--|-----------|-----------|
| Debit: SS599 Appropriated Fund Balance | \$200,000 | |
| Credit: SS8130.4 Plant Contractual | | \$200,000 |

BE IT FULLY RESOLVED, that the Town Clerk forwards a copy of the signed change and resolution to Robin Palmer and Mark Bailey, MRB Group, the Accountant I, and the Water and Sewer department.

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

RESOLUTION #252-2024:

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

RESOLUTION AUTHORIZING THE RENEWAL OF OPERATING PERMITS FOR FARMINGTON MANUFACTURED HOME COMMUNITY

WHEREAS, as outlined in the Town of Farmington Code, Chapter 165, Article VI, 165-76, the renewal of the operating permits for the Farmington Manufactured Home Community and as required by Section 165-76A(3), when violations have been cited the application shall appear before the Town Board for a decision on said application; and

WHEREAS, this operating permit shall be issued with the following conditions:

1. After the 1st notice of violations has been sent out and prior to the issuance of an operating permit, one meeting must be arranged with the Code/Zoning Enforcement Officer and a representative of the mobile home park to cover any concerns/issues
2. Any remaining open complaints/violations must be completed prior to the next years inspection.

WHEREAS, violations, cited in our recent inspections, have been corrected and the Code/Zoning Officer is recommending approval of the renewal application,

NOW THEREFORE BE IT RESOLVED, the Farmington Town Board authorizes the Code/Zoning Officer to issue the renewal of the Operating Permit for the Farmington Manufactured Home community for a period of one year from the date of this resolution

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Building Department, the Accountant I, the Confidential Secretary, and Farmington Manufactured Home Community Rochester MHP Portfolio, LLC 90 Airpark Dr Ste 400, Rochester, NY 14624 with a certified copy of this resolution.

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

RESOLUTION #253-2024:

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

RESOLUTION AUTHORIZING THE RENEWAL OF OPERATING PERMITS FOR WOODLAWN COURT MANUFACTURED HOME COMMUNITY

WHEREAS, as outlined in the Town of Farmington Code, Chapter 165, Article VI, 165-76, the renewal of the operating permits for the Woodlawn Court Manufactured Home Community and as required by Section 165-76A (3), when violations have been cited the application shall appear before the Town Board for a decision on said application; and

WHEREAS, this operating permit shall be issued with the following conditions:

1. After the 1st notice of violations has been sent out and prior to the issuance of an operating permit, one meeting must be arranged with the Code/Zoning Enforcement Officer and a representative of the mobile home park to cover any concerns/issues
2. Any remaining open complaints/violations must be completed prior to the next years inspection.

WHEREAS, violations, cited in our recent inspections, have been corrected and the Code/Zoning Officer is recommending approval of the renewal application,

NOW THEREFORE BE IT RESOLVED, the Farmington Town Board authorizes the Code/Zoning Officer to issue the renewal of the Operating Permit for the Woodlawn Court Manufactured Home community for a period of one year from the date of this resolution

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Building Department, the Accountant I, the Confidential Secretary, and Woodlawn Court Manufactured Home Community, Woodlawn Mobile Home Park LLC, 90 Airpark Dr, Ste 400, Rochester, NY 14624 with a certified copy of this resolution.

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

RESOLUTION #254-2024:

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

RESOLUTION AUTHORIZING THE RENEWAL OF OPERATING PERMITS FOR HUNT'S MANUFACTURED HOME COMMUNITY

WHEREAS, as outlined in the Town of Farmington Code, Chapter 165, Article VI, 165-76, the renewal of the operating permits for the Hunt's Manufactured Home Community and as required by Section 165-76A (3), when violations have been cited the application shall appear before the Town Board for a decision on said application; and

WHEREAS, this operating permit shall be issued with the following conditions:

1. After the 1st notice of violations has been sent out and prior to the issuance of an operating permit, one meeting must be arranged with the Code/Zoning Enforcement Officer and a representative of the mobile home park to cover any concerns/issues
2. Any remaining open complaints/violations must be completed prior to the next years inspection.

WHEREAS, violations, cited in our recent inspections, have been corrected and the Code/Zoning Officer is recommending approval of the renewal application,

NOW THEREFORE BE IT RESOLVED, the Farmington Town Board authorizes the Code/Zoning Officer to issue the renewal of the Operating Permit for the Hunt's Manufactured Home community for a period of one year from the date of this resolution

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Building Department, the Accountant I, the Confidential Secretary, and Hunt's MHC 2138 Espey Court, Ste 1, Crofton, MD 21114 with a certified copy of this resolution.

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

RESOLUTION #255-2024:

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

RESOLUTION ESTABLISHING THE PENALTY DATE FOR ALL UNPAID 2024 SECOND QUARTER ACCOUNTS LOCATED WITHIN THE CANANDAIGUA-FARMINGTON (CFWD) WATER AND VICTOR SEWER DISTRICTS

WHEREAS, payment for the 2nd Quarter 2024 CFWD water and sewer bills and Victor Sewer District sewer bills are due on Wednesday, July 31, 2024; now therefore

BE IT RESOLVED, that the Town Board of Farmington acting on behalf of the Canandaigua-Farmington Water and Victor Sewer Districts hereby authorizes those payments must be received at the Town Clerk's office prior to 8 AM Thursday, August 1, 2024. Payments with US mail postmarks as of Thursday, August 1, 2024 will be accepted without penalty, and

BE IT FURTHER RESOLVED, a 10% late fee will be applied to the water and sewer portion of unpaid residential and commercial bills on Thursday, August 1, 2024 with a shutoff date of Wednesday, September 4, 2024 established for this quarter with the administration fee also being added, and

BE IT FURTHER RESOLVED, that the On-Line payment option is also available for water and sewer payments which will be accepted up until midnight on Wednesday, July 31, 2024 without the 10% penalty being applied; and

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

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

RESOLUTION #256-2024:

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

ACCEPTING PARTS 2 & 3 OF THE FULL ENVIRONMENTAL ASSESSMENT FORM (FEAF) FOR THE WHITESTONE INCENTIVE REZONING ACTION

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board), is the established Lead Agency under the provisions of 6NYCRR Parts 617.4 and 617. of article 8 of the New York State Environmental Conservation Law; and

WHEREAS, the Town Board has previously instructed the Town Director of Planning and Development to prepare drafts of Parts 2 & 3 of the FEAF for this rezoning Action; and

WHEREAS, the Town Board has received and did review the drafts of Parts 2 & 3 of the FEAF for this rezoning action.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby accept the drafts of the Parts 2 & 3 FEAF cited above herein and directs they be place in the public record on this proposed Action.

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

RESOLUTION #257-2024:

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

DETERMINATION OF SIGNIFICANCE, UNDER THE PROVISIONS OF THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) REGULATIONS, FOR THE REZONING OF LAND (TAX MAP ACCOUNT NUMBERS 41.07-1-28.3 [36.3 ACRES] AND 41.07-1-28.21 [28.8 ACRES] FROM PD PLANNED DEVELOPMENT [GLACIER LAKES WATER PARK PLANNED DEVELOPMENT PROJECT] AND MTOD MAJOR THOROUGHFARE OVERLAY DISTRICT TO IZ INCENTIVE ZONING {WHITESTONE PROJECT] AND MTOD MAJOR THOROUGHFARE OVERLAY DISTRICT

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has determined the proposed Action referenced above to be classified as an Unlisted Action (hereinafter referred to as Action) under Parts 617.4 and 617.5 of the State Environmental Quality Review Act (SEQRA) Regulations; and

WHEREAS, the Town Board is the only involved agency and, therefore, is designated as the lead agency under SEQRA Regulations for making the required determination of significance upon said legislative Action; and

WHEREAS, the Town Board has conducted a referral under the provisions of Sections 239-1 and -m of the New York State General Municipal Law with the Ontario County Planning Board (Referral # 53 of 2024) and has given consideration to the referral comments upon said Action; and

WHEREAS, the Town Board, has received and reviewed the Parts 2 and 3 of the Full Environmental Assessment Forms for said Action, dated July 3, 2024, prepared by the Town Director of Planning and Development; and

WHEREAS, the Town Board has given consideration to the public comments provided during the public hearing upon said rezoning Action; and

WHEREAS, the Town Board has given consideration to the criteria for determining significance as set forth in Section 617.7 (c) (1) of the SEQRA Regulations and the information contained within Parts 1, 2 and 3 of the (FEAF), along with the public hearing record, the supporting documentation and maps, photos and traffic study submitted with this application.

NOW, THEREFORE, BE IT RESOLVED that the Town Board having reviewed the public record upon the above referenced Action does hereby conclude the following impacts are expected to result from the proposed legislative Action, 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; and
- (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; and
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action; and
- (iv) the overall density of the site is consistent with the Town's Comprehensive Plan land use recommendations; and
- (v) there are no known important historical, archeological, architectural, or aesthetic resources on the site according to the State Office of Parks, Recreation and Historic Preservation (SHPO), 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 resulting from the proposed Action;
- (viii) there will not be a change in the use of current active agricultural land resulting from the proposed Action;
- (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 on the environment.

BE IT FURTHER RESOLVED that based upon the information and analysis above and the supporting documentation referenced above, the proposed Action WILL NOT result in any significant [Moderate to Large] adverse environmental impacts.

BE IT FURTHER RESOLVED that the Town Board does hereby make a Determination of Non-Significance upon said Action and directs the Town Supervisor to sign and date Part 3 of the Full Environmental Assessment Form, the State's Negative Declaration Form.

BE IT FINALLY RESOLVED that the Town Clerk is to file certified copies of the environmental record, Parts 1, 2 and 3 of the Full Environmental Assessment Forms, and this Determination of Non-Significance Resolution, and to provide certified copies of these documents to the Applicant, the Applicant's Engineer, the Applicant's Attorney and the Town Planning Board, the Town Development Staff and the Town Engineer; and to place of copy of this determination of non-significance in the rezoning file upon the above referenced Action.

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

RESOLUTION #258-2024:

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

CONTINUING THE PUBLIC HEARING UPON THE WHITESTONE INCENTIVE REZONING ACTION TO TUESDAY, JULY 23, 2024

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

WHEREAS, the Town Board has, under separate resolution, received and accepted the Parts 2 and 3 of the Full Environmental Assessment Forms for said Action; and

WHEREAS, the Town Board has, under separate resolution, made a determination of non-significance upon said Action in accordance with the provisions contained in 6NYCRR, Part 617, article 8, New York State Environmental Conservation Law; and

WHEREAS, the Town Board now desires to have Town Staff prepare final drafts of a Town Board resolution adopting with conditions, Local Law No. 4 of 2024, entitled Whitestone Incentive Rezoning Project; and a resolution adopting Local Law No. 4 of 2024, for the Town Board's consideration at their meeting on July 23, 2024.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby move to continue this public hearing to Tuesday evening, July 23, 2024, starting at 7:00 p.m., in the main meeting room at the Farmington Town Hall, to provide time for the Town

Board and the public to review a final draft of Local Law No. 4 of 2024 and a draft resolution approving with conditions the rezoning of land for the Whitestone Incentive Rezoning Project.

BE IT FURTHER RESOLVED, that the Town Board does hereby direct Town Staff to prepare a final draft of Local Law No. 4 of 2024; and a draft resolution adopting said local law with conditions for the rezoning of land to IZ Incentive Zoning for the Whitestone Incentive Zoning Project, in accordance with the provisions contained in Chapter 165, Article IV, Section 34.1, of the Farmington Town Code.

BE IT FINALLY RESOLVED, that certified copies of this resolution are to be provided to the Applicant, the Applicant's Attorney, the Applicant's Engineers, the Town Director of Planning and Development, and the Town Code Enforcement Officer.

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

RESOLUTION #259-2024:

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

RESOLUTION AUTHORIZING BUDGET AMENDMENTS FOR GENERAL REPAIRS – PS – DA-5110.1

WHEREAS, a budget transfer for the Highway Department is needed to fund DA-5110.1 General Repairs PS, after a light winter at the beginning of 2024, and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington acting on behalf of the Farmington Highway/Parks Department hereby authorizes the following budget amendments:

| | | | |
|-------|------------|------------------------------|--------------|
| From: | DA-5110.11 | HWY – GEN REP- PS – SEASONAL | \$ 13,900.00 |
| To: | DA-5110.1 | HWY – GENERAL REPAIRS - PS | \$ 13,900.00 |
| From: | DA-5142.1 | HWY – SNOW REMOVAL - PS | \$ 75,000 |
| To: | DA-5110.1 | HWY – GENERAL REPAIRS - PS | \$ 75,000 |

BE IT FURTHER RESOLVED, that the Accountant I transfers money from the above-mentioned accounts, and

BE IT FINALLY RESOLVED, that copies of this resolution be submitted by the Town Clerk, to the Accountant I and the Highway/Parks Superintendent.

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

RESOLUTION #260-2024:

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

CONFIRMING RESOLUTION AUTHORIZING PAYMENT TO J. D. ROGERS ELECTRIC

WHEREAS, the Town Board hired JD Rogers Electrical/Mechanical to wire the new Town Park Pavilion, and

WHEREAS, the Town Board approved installation of lights, outlets and connection of wiring to power panel in park building, and

WHEREAS, the labor charges of \$3,025 and material charges of \$715.70 brought the total to \$3,740.70 which is over the \$3,500 town threshold, now therefore

BE IT RESOLVED, that the Town Board authorizes the payment to J.D. Rogers Electrical and Mechanical (\$3,740.70) to be funded from the HP-7110.2 (Town Park Pavilion Fund), and

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

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

RESOLUTION #261-2024:

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

RESOLUTION AUTHORIZING THE ACCEPTANCE OF DONATIONS

WHEREAS, donations were made KP Kettle Corn, Zs best food, and cotton candy vendors to the Town of Farmington Recreation Department from the July 3rd celebration in the total amount of \$600; now therefore

BE IT RESOLVED, that the Town Board of Farmington accepts the donations, and be it further

RESOLVED, that the Town Clerk forward copies of this resolution to the Director of Recreation and the Accountant I.

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

RESOLUTION #262-2024:

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

APPROVAL TO ACCEPT A QUOTE FROM COLACINO INDUSTRIES FOR GEARBOX UPGRADES FOR THE BELTPRESS

WHEREAS, the Acting Water and Sewer Superintendent has received two service quotes for gearbox upgrades for the beltpress. No other vendors Quoted this project; and

WHEREAS, the Acting Water and Sewer Superintendent recommends accepting the quote from Colacino Industries at a cost not to exceed \$11,250 in case of overages using cost code SS8130.4; now therefore

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

RESOLUTION #263-2024:

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

| Abstract 13 – 2024 | | | |
|--------------------|--|-----------------|---|
| A | GENERAL FUND | 39,775.07 | 1167-1179,1181-1183,1185-1186,1188-1189,1191-1199,1202-1205,1207-1213,1219,1263,1265,1266 |
| DA | HIGHWAY FUND | 138,962.47 | 1177,1186,1208,1212,1214,1216-1221 |
| HC | CRANBERRY DRIVE WATERLINE | | |
| HK | SIDEWALK CAPITAL PROJECT | 219,622.13 | 1180,1184,1201 |
| HP | TOWN PARK IMPROVEMENTS | 67,285.25 | 1187,1200 |
| HN | NORTH ROAD CAPITAL PROJECT | | |
| HV | MERTENSIA WATERLINE | | |
| HW | WATER TANK REPAIR | | |
| HZ | TOWNLINE CAP PROJECT | 38,361.60 | 1215 |
| SD | STORM DRAINAGE | 208.61 | 1177,1251 |
| SL1 | LIGHTING DISTRICT | | |
| SS | SEWER DISTRICT | 323,202.29 | 1177,1186,1189,1208,1209,1211,1214,1222-1238,1240-1252 |
| SW1 | WATER DISTRICT | 462,375.69 | 1077,1186,1189,1208,1209,1211,1222,1232-1235,1238,1242,1244,1247,1248,1251-1262 |
| TA200 | PAYROLL DEDUCTIONS(TA85UNI,TA20,TA20D,TA86) | 45,407.96 | 1190,1206,1213,1264 |
| | TOTAL ABSTRACT | \$ 1,335,201.07 | |

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

DISCUSSION:

- Request to waive penalty – 5059 Maxwell Road – waiver denied by the Town Board.

WAIVER OF THE RULE: None.

TRAINING AT OR UNDER \$100.00: None.

EXECUTIVE SESSION:

A motion was made by **Councilman Casale** to enter into Executive Session at 7:25 p.m., **Councilman Bowerman** seconded the motion, to discuss the following, all voting yes, motion **CARRIED**:

- To discuss collective negotiations pursuant to article fourteen of the civil service law.
- To discuss the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

A motion was made by **Councilman Holtz** to exit executive session at 8:17 p.m., **Councilman Bowerman** seconded the motion, all voting yes, motion **CARRIED**.

With no further business before the Board, **Councilman Casale** offered a motion to adjourn the meeting at 8:18 p.m., seconded by **Councilman Herendeen**. Motion **CARRIED**.

Michelle A. Finley, MMC, RMC -Town Clerk