

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 28th day of June, 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 Delpriore** – Code Enforcement Officer, **Ron Brand** – Director of Planning and Development, **Bill Davis** – MRB Group, **Adrian Bellis** – Planning Board Member, **Ed Hemminger** – Planning Board Chairman, **Hal Adams** – Agricultural Advisory Chairman, **Kerry Adams** – resident, **Donna LaPlant** – Assessor, **Christopher LaPlant** - resident, **Ryan Destro** – BME Associates, **Rob Brenner** and **Brian Mahoney**– Canandaigua Development Company, and **Andrew Lokken**-Boy Scout – resident, and **Sarah Lokken** – resident

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

PUBLIC HEARINGS:

Powers Incentive Zoning Project – Mr. Destro, BME Associates, gave a brief description of the project and a recap of recent changes that were made. He stated that there were substantial changes made with the project, the first being they increased the lot width from 70 ft to 80 ft for all the lots, which resulted in the loss of 30 lots, from 216 to 186 lots, second the rear setback has been increased from 10ft to 30 ft, and the side setbacks increased from 10 ft on both sides to 10 and 15 ft for a 25 ft combined side setback. He added that the Concept Plan had a proposed pedestrian pathway through the open space field on the northern end of the property and that since then has been switch to a concrete sidewalk, which results in about a quarter mile of sidewalk.

Mr. Destro stated that on May 17, 2023, they did appear before the Planning Board and at that meeting the Planning Board did recommend to the Town Board to proceed with the rezoning of this project. He added that the Planning Board resolution also stated that the updated incentive zoning concept plan will have a positive impact on this project and therefore on the Town of Farmington as well. Mr. Destro stated that they also appeared before the Ontario County Planning Board and at that meeting the Board voted unanimously in support of the incentive zoning project. He thanked the Town Board for all their input throughout this process and that they are looking forward to transitioning to the site plan design for this project.

Supervisor Ingalsbe stated that there was input last week from the Highway Superintendent as he did not want the one trail going to the north to be stone dust so they will work with the developer on it and turn it into a concrete sidewalk.

Supervisor Ingalsbe asked if the board or staff had any comments or questions, hearing none, he asked if anyone from the public had any comments or questions, Mr. Adams, Kyte Road, stated that as one of the vanishingly small percentage of residents that make their living in agriculture, he must express his dismay at this conversion of active farmland into development. He stated that he called the town today and asked if this proposal conformed to the Comprehensive Plan and he was assured that it is. He stated that when you look at the plan you see that in the future use map, this land was envisioned to still be farmland, it is also included in the strategic farmland protection map. He stated that this land has been inactive. He stated that it appears that this land will be converted despite those supposed protections. Mr. Adams stated that what seems to be driving this, is a new tool called incentive zoning and having seen the proposed amenities that are included in the proposal, it strikes him that all those amenities are features to facilitate getting this project done, sidewalks and such. He is struggling to find the larger community benefit of this proposal as it is being proposed as incentive zoning. Mr. Adams asked the Board Members why they are zoning if every time a development proposal comes along, we now set aside the existing zoning and rezone it as an incentive zone, which what strikes him as being an outsider, is just a one pot deal to get a project done, the guidance for this is pretty loose once it is designated as incentive zoning. He stated that he would love to hear from anyone on the Board what their philosophy is for this tool to be used more and more throughout development projects within the town. He asked if this was the future.

Supervisor Ingalsbe corrected Mr. Adams about the Ag exemption by stating that there are two parcels, one owned by DiFelice and the other was owned by the Power's family, the DiFelice property has not been in the Ag exemption for years. Supervisor Ingalsbe stated that the parcel is not zoned Ag it is zoned LI (light industrial) and RS-25. Mr. Adams stated are they not being consistent with the farmland protection portion of it. Mr. Brand stated that Mr. Adams is referring to the strategic map that is part of the Farmland Protection Plan and one of the things that he has been trying to accomplish with the Ag Advisory Board is taking a hard and serious look at land use regulations that other communities have adopted and have found to be very protected of their ag lands but to date nothing has come forth from that committee. Mr. Adams stated to be fair they are working towards that consideration. Mr. Brand stated that the Ag Advisory Board has been working towards it for the last three years. Mr. Brand stated that the issue is that the incentive zoning has benefited the town by saving the taxpayers in this town millions of dollars to improve utilities, highways, and trails, which have created the sense of community here. Mr. Brand stated that this area is identified in the Comprehensive Plan to be evaluated as the continued use for Limited Industrial no longer makes sense now that sewers and water improvement are in the area so there is a clear benefit to the community associated with the incentive zoning approach and that is why the state legislature created it and the town has followed it for the benefit of the development in the community.

Supervisor Ingalsbe stated that any subdivision that the Planning Board approves whether it is incentive zoning or not, there are always streetlights at intersections, sidewalks, water and sewer, and road(s) are put in by the developer, there is not cost to the town. He added that on incentive zoning projects such as this one that is being proposed, the developer is giving the town \$150,000 (\$50,000 towards a sewer study for PS-1 near Finger Lakes Gaming and Racing) and \$100,000 towards a future sewer project that they know is coming down the pike, and any balance will go towards future sidewalks to connect areas that are not connected now. He added that its above and beyond what the developer has to put in for those 186 lots. Mr. Davis stated that the sewer capacity issue addresses an issue that they have with the DEC now to alleviate any bottlenecks. Councilman Holtz stated that a lot of times they are using the incentive zoning with zoning districts that overlap property lines, it is already zoned for residential purposes, so they are not changing to something drastic, this is a way of lumping the project as a whole. Councilman

Bowerman added that they had discussions earlier on what could have gone on the parcel under the current zoning which was something like a small-scale industrial park with some residential behind it, which they developer could have done under the current zoning. Supervisor Ingalsbe stated that the frontage along Rt. 96 will stay for commercial capacities.

Mr. Destro referenced the Town's Comprehensive Plan and how this project meets the goals of the plan, one section specifically refers to this property and he quoted "The Town may want to consider rezoning the area east of Fairdale to a lower density residential use which would be more consistent with the existing land use pattern". He added that they have covered in previous meets how this project is comparable to the lands to the west and now with the recent changes they are even greater in lot size than the comparable lands to the west.

Mr. Brenner stated that he gives the Town Board and staff credit, they have been at this for almost two and half years and they came in with a proposal that was twice as dense as the current proposal. He added that he appreciates Mr. Adams comment about the farmland protection program but at the end of the day it is privately held land, it is light industrial zoning for the first 70-75% of the property off of Rt. 96 and they do not intend to farm it, and he did a favor for Bob Bowe this year and allowed him to farm it because he is family friend. He added that they could come in with a plan tomorrow and have an Amazon warehouse, for example, and they would have thousands and thousands of trucks in and out every day, and there is nothing the town could say about it, other than talk about landscaping and lighting. This is a much more compatible project.

Supervisor Ingalsbe asked if there were any other comments, hearing none, he closed the public hearing at 7:18 p.m.

APPROVAL OF MINUTES:

A motion was made by **Councilman Casale** and seconded by **Councilman Holtz** that the minutes of the June 13, 2023, and the June 20, 2023, Town Board Meetings and given to members for review, be approved. All Voting "Aye". (Casale, Holtz, Herendeen, and Ingalsbe), One Abstention on June 20, 2023, minutes. (Bowerman). Motion Carried.

PRIVILEGE OF THE FLOOR:

PUBLIC CONCERNS: None.

REPORTS OF STANDING COMMITTEES:**Public Works Committee: Councilman Herendeen reported:**

1. Discussed Digester #1 -is filled and heated.
2. Discussed UV system is now operational.
3. Discussed basin aerator.
4. Colacino is awarded the upgrade project for the 5 outdated sludge pump timer controls. Timers are installed. Software upgrades are currently being developed. HMI installed. System is functioning as expected.
5. Discussed flow meter – to be installed in manhole V-2749, southwest of 6437 Murphy Drive on May 12th.
6. Discussed smoke testing the sanitary sewer for I & I at Doe Haven was completed on May 3rd. Fallow Lane and Fawn Meadows video capture has been reviewed.
7. Discussed repair of the electrical service at Nettlecreek PRV vault is in progress.
8. Pump Station run time data is now recorded in a cloud-based excel file. Data from Jan-May has been entered.
9. Discussed resolutions on agenda.

Highway & Parks:

1. Highway- equipment maintenance, roadside mowing, trucks helping Village of Victor, working on Fallow Lane (gutters are in), sweeping up chip seal stone, patched road crossing on Elizabeth Way and Holland Drive, and detour signs for Cline/Brownsville Road ready to be installed.
2. Parks- Building and Park Maintenance, mowing parks, striping ball fields, painting crosswalks, and tennis and basketball courts are done at Mertensia Park. Parking lot at the Grange in now completed.
3. Discussed resolutions for meeting.

Town Operations Committee: Councilman Casale reported:

1. Discussed resolutions on agenda.
2. Permits for food trucks have been issued for the July 3rd Fireworks.
3. Town staff with new developers and their engineers regarding a new project on the former waterpark site (Rt. 332 and County Road 41).
4. Discussed the TAP grant sidewalks schedule.
5. Environmental Conservation Board- held their first meeting last Monday night.

Town Finance Committee: Supervisor Ingalsbe reported: None.

Town Public Safety Committee: Councilman Holtz reported: None.

REPORTS OF TOWN OFFICIALS:**Supervisor Peter Ingalsbe reported:**

1. Attended Sherman Manchester's retirement party.
2. Meeting on the North Road preconstruction waterline. Contractor wishes to start in two to three weeks.
3. Meeting with Supervisors' from Canandaigua and Manchester – Ontario County Humane Society progress for their new capital plan on property that they purchased on Yerkes Road.

4. Newsletter is out.
5. Water and Sewer bills were mailed out – new format, people will be able to sign up to get their bills electronically, view their account, and many ways to pay.
6. 2024 budget – department heads received their 5-year capital plans to review and return. The 2024 budget guidance will be out either Friday or Monday.

Highway& Parks Superintendent Tim Ford reported:

1. Fallow Lane is scheduled to get paved on July 17th (weather permitting).
2. Mower broke.
3. 2023 Ford Pickup came in.

Town Clerk Michelle Finley reported: None.**Water & Sewer Superintendent Dave Conti reported:**

1. Basin aerator arrived today, was expected at the end of the month.
2. Eye on Water – more information on website – see meter usage.

Code Enforcement Officer Dan Delproire reported:

1. Working with Highway and Parks on July 3rd Fireworks event.
2. Discussed 3rd round of scanning – start Assessor Department.
3. New Truck will be delivered Thursday.

Director of Planning and Development Ron Brand reported:

1. Town Operations Report available on website and filed with the Town Clerk.
2. Town Board was designated as lead agency for SEQR for the public hearing subject tonight.
3. TAP Grant for sidewalks– looking at cost estimates.
4. Reviewing Chapter 9 of the Town Code, duties of Boards, Committees, and Commissions. Public Hearing and adoption later this summer.

Assessor Donna LaPlant reported:

1. Received notification from the State that the Town received a 100% equalization rate despite all the bumps along the way. Sales are still very strong; people are probably expecting a decrease, but she does not see that coming. She added that chances are they will probably not be at 100% but there is nothing else they can do. The assessed value from 2022 to 2023 is 392 million. The Board of Assessment Review did a great job. Prior to Grievance Day they did 213 stipulations with a total amount of \$11,519,030.00. Of the 213 stipulations only two were commercial properties, the rest were residential or farm owners. The Board had 147 grievance applications and lowered 83 of them, the rest remained unchanged. She thanked everyone for their support. Supervisor Ingalsbe stated that Paula, her assistant, did a great job prior to her coming back. Mrs. LaPlant agreed and added that Paula was the glue that held everything together. Mr. Hemminger stated that the reason they were able to do what they did was because of Paula.

Town Engineer Bill Davis reported:

1. Resolution awarding Town Pavilion project.
2. Currently applying for the WIIA grant for the sewer capacity.
3. Working on GIGP grant- help town with meter reader replacement.
4. Working on Brickyard Road tank design and County Road 8 Water.
5. Pre-Con was held today for North Road Watermain Replacement.
6. Closing out Beaver Creek Park and Rt. 332 and Rt. 96 Watermain (with the exception of a small final payment).

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

1. Next Meeting – July 5th- single family residence on Yellow Mills Road, Rochester Gas & Electric amendment, and LOC's.

Zoning Board of Appeals reported: None.**Recreation Advisory Committee Bryan Meck reported: None.****Recreation Director Mark Cain reported: None.**

Supervisor Ingalsbe reported 225 kids for the first week of summer recreation.

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. Letters to RG&E from Justin Raybeck of Troy & Banks, Inc. Re: Account analysis.
2. Letter to various residents of Emma Lane and Fraser Way from the Code Enforcement Officer. Re: Litter/yard debris in stormwater ponds.
3. Letter to the Town Supervisor from David Bloodgood of NYMIR. Re: Property losses.
4. Letter to Richard Ball, Commissioner of NYS Department of Agriculture and Markets, from Thomas Harvey, Director of Ontario County Planning Department. Re: Planning Official letter regarding development pressure on the Hickory Lane Farm parcels in the Town of Farmington for NYSDAM Round 19 Farmland Implementation Grants Program – Genesee Land Trust.
5. Letter to Anthony DiPrima from the Director of Development. Re: Dedication of site improvements – Monarch Manor, Section 2.
6. Letter to the Town from Erie Insurance Company of New York. Re: Rescind Notice – Serenity Pool and Spa, LLC.
7. Letter to the Town Board from Kendall Larsen of the NYS DOH. Re: Public Water Supply – CFWD – Partial approval – completed works, Hathaway Corners.
8. Letter to the Town from Kevin House, Chief Safety Officer, of National Fuel. Re: Sewer cross bore safety.
9. Town of Canandaigua Resolution No. 2023 – 150. Re: Approving a revised cost estimate for increases and improvements of facilities to the Canandaigua-Farmington consolidated Water District (CFWD).
10. Town of Canandaigua Resolution No. 2023-157. Re: Acknowledgment of referral from Town of Farmington for new single-family home on Canandaigua-Farmington Townline Road.
11. Town of Canandaigua Resolution No. 2023-158. Re: Acknowledgement of Town of Farmington Resolution #196-2023 to award the bid for the North Road Watermain replacement, Phase 4 & 5.
12. Letter to Judge Gligora from Jennifer DiLallo of the NYS Unified Court System. Re: Continuing Judicial Education Certificate of Completion for 2023.
13. Letter to the Town Supervisor from NYS Department of Taxation and Finance. Re: 2023 Final Special Franchise Full Values.
14. Certificate of Liability Insurance from: RG&E; Decks Unlimited of Western NY, Inc.

REPORTS & MINUTES:

1. Fishers Fire Department Incident Run Log – May 2023.
2. Manchester Fire Department Incident Run Log – May 2023.
3. Project Review Committee Meeting Minutes – June 1, 2023.
4. Agricultural Advisory Committee Meeting Minutes – June 15, 2023.

ORDER OF BUSINESS:

RESOLUTION 247-2023:

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

STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) CLASSIFICATION OF A PROPOSED ACTION IDENTIFIED AS 2023 TOWN OF FARMINGTON GREEN INNOVATION GRANT PROGRAM (GIGP) WATER EFFICIENCY APPLICATION FOR WATER METER UPGRADES

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) is proposing installation of new water meters and upgrades to existing water meters for their residents to deliver better services accurately measuring water use which it is felt would decrease water use and to protect water sources for the future (hereinafter referred to as Action); and

WHEREAS, the Town Board has completed its' review of the classified actions contained in Part 617.5 NYCRR, a part of article 8 of the New York State Environmental Conservation Law.

NOW, THEREFORE, BE IT RESOLVED THAT, the Town Board does hereby classify the above referenced Action to be a Type II Action under Section 617.5 (c) (3), (6), and (9) of the State Environmental Quality Review (SEQR) Regulations; and

BE IT FURTHER RESOLVED THAT, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

BE IT FURTHER RESOLVED THAT, the Town Board in making this classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action; and

BE IT FINALLY RESOLVE THAT, the Town Clerk provides a certified copy to Laurie Fox of MRB Group at Laurie.Fox@mrbgroup.com.

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

RESOLUTION #248-2023:

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

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE PARKLAND RESERVE ACCOUNT ONCE THE PERMISSIVE REFERENDUM PERIOD IS COMPLETE

WHEREAS, \$250,000 was allocated in the 2023 budget to be transferred to the Town Park Improvements Capital Project,

Now therefore be it RESOLVED, that the Town Clerk publish the public notice for the withdrawal from the Parkland reserve, and be it

Further RESOLVED, that the Accountant I, of the Town of Farmington, is hereby authorized and directed to transfer the funding from the reserve fund once the permissive referendum period is complete, and be it

Finally RESOLVED, that the Town Clerk, of the Town of Farmington, is to forward a copy of this resolution as well as the public notice to the Accountant I.

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

RESOLUTION 249-2023:

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

RESOLUTION TO AWARD THE BID FOR THE TOWN PARK PAVILLION

WHEREAS, a total of two bids were received on June 1, 2023 at 10 am at the Town of Farmington Town Hall for the above referenced project, and

WHEREAS, the low bidder was Loyal 9 Development with a total bid of \$229,920, and

WHEREAS, MRB has confirmed that Loyal 9 Development understands the intent of the project and has recommended the Town of Farmington sign the Notice of Award, and

WHEREAS, funding for this watermain has been allocated in the capital project titled Town Park Improvements, now therefore

BE IT FURTHER RESOLVED , that the Supervisor sign the Notice of Award to Loyal 9 Development, and be it

FULLY RESOLVED, the original Notice of Award be returned to Jeremy Gworek, MRB Group, and that a copy of the resolution and Notice of Award be supplied to the Highway department, and Accountant I.

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

RESOLUTION #250-2023:

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

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN THE CERTIFICATE OF SUBSTANTIAL COMPLETION FOR THE SITE WORK AT BEAVER CREEK PARK AND APPROVING THE FINAL PAYMENT APPLICATION TO MRI

WHEREAS, MRB has provided the Town with the final payment application for this project as well as the certificate of substantial completion, the correction period letter, the bond letter, debts and claims form, release of lien, consent of surety and fence warranty, now therefore

BE IT RESOLVED, that the Town Board of Farmington hereby authorizes the final payment to MRI Contractors of NY, Inc, and

FULLY RESOLVED, that the Town Clerk returns the certificate of substantial completion to MRB Group, and forwards a copy of this resolution and the certificate of substantial completion to the Accountant I and the Water and Sewer department.

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

RESOLUTION #251-2023:

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

RESOLUTION APPROVING CHANGE ORDER GC-01 TO ROCHESTER PIPELINE CONTRACTORS FOR THE 332 & 96 WATERMAIN REPLACEMENT

WHEREAS, change order GC-01 was submitted by MRB for an increase in contract price of \$12,362 for Rochester Pipeline, Inc due to project quantity overages, now therefore

BE IT RESOLVED, that additional funds be added to the capital project from the Water Fund with the following budget amendments:

HH5031 Interfund Transfer	\$12,500	
HH8340.2 Waterline		\$12,500
SW1-599 Appropriated Fund Bal	\$12,500	
SW1-9950.9 Transfer to Capital Funds		\$12,500

AND BE IT FURTHER RESOLVED, that the Town Clerk returns the signed change order to MRB group and forwards a copy of the resolution and change order to the Water and Sewer Department and the Accountant I.

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

RESOLUTION #252-2023:

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

MERRICK BADGER SUCCESSFUL COMPLETION OF PROBATIONARY PERIOD

WHEREAS, Merrick Badger was hired by the W&S Superintendent with a start date of January 2, 2023 and on July 2, 2023 he will have successfully completed the required six-month probationary period, and

WHEREAS, Merrick Badger has shown that he possesses the required knowledge base and per employee policy, upon the successful completion of a probationary period, the hourly employee may be granted a wage adjustment, and

WHEREAS, the current W&S Superintendent believes that Merrick has displayed satisfactory job performance, now therefore be it

RESOLVED, that the Town Board hereby grants Merrick Badger a \$.50 per hour wage increase rate to be effective beginning with Payroll #15 (July 9, 2023), and

BE IT FURTHER RESOLVED, that the Town Clerk provides copies of this resolution to the W&S Department, the Supervisor’s Confidential Secretary and Accountant I.

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

RESOLUTION #253-2023:

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

RESOLUTION AUTHORIZING TIM FORD TO ATTEND 2023 FALL HIGHWAY CONFERENCE SPONSORED BY NEW YORK ASSOCIATION OF TOWNS HIGHWAY SUPERINTENDENTS

WHEREAS, the Highway/Parks Superintendent, Tim Ford, will be attending the 2023 Annual Fall Highway Conference to be held at Turning Stone Resort and Casino in Verona, NY from September 26 – September 29, 2023, and

WHEREAS, the charges will be expended from code A-5010.4 (Highway Admin - Contractual) **at a cost not to exceed \$1,500**, and

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes Tim Ford to attend the Fall Highway Conference, and be it further

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

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

RESOLUTION #254-2023:

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

RESOLUTION TO PURCHASE REPLACEMENT PARTS FOR UV SYSTEM FROM TROJAN TECHNOLOGIES

WHEREAS, The Water and Sewer Superintendent has identified the need to purchase said parts for UV System, and

WHEREAS, The Water and Sewer Superintendent has received quotes for said parts. The only quote received was from Trojan Technologies being a sole source provider, now therefore

BE IT RESOLVED, that the Farmington Town Board authorizes the Water and Sewer Superintendent to purchase said parts for a cost not to exceed \$15,000.00 from 2023 account code SS8130.47 with the following budget amendment

SS8130.461	\$6,500.00
SS8130.47	\$6,500.00

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 #255-2023:

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

CONFIRMING RESOLUTION TO PURCHASE 1 ROTATING ELEMENT T4A3SB FOR PS-17 IN VICTOR NEW YORK

WHEREAS, The Water and Sewer Superintendent has identified the need to emergency purchase said Rotating Element to keep the pump station operating properly, and

WHEREAS, The Water and Sewer Superintendent has purchased from Siewert Equipment a sole source supplier at a cost of \$3,765.81, and

NOW, THEREFORE BE IT RESOLVED, that the Farmington Town Board authorizes the Water and Sewer Superintendent to purchase at cost not to exceed, \$3,765.81. from 2023 account code SS8120.4V, and

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

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

RESOLUTION #256-2023:

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

ACCEPTING PARTS 2 AND 3 OF THE AMENDED FULL ENVIRONMENTAL ASSESSMENT FORMS; AND MAKING FINDINGS AND A DETERMINATION OF NON-SIGNIFICANCE, UNDER THE PROVISIONS OF THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) REGULATIONS, FOR THE REZONING OF LAND (TAX

MAP ACCOUNT NUMBERS 29.00-02-13.1 [52.5 ACRES] AND 29.00-02-14.0 [93.3 ACRES] FROM RS-25 RESIDENTIAL SUBURBAN AND LI LIMITED INDUSTRIAL WITH MTOD MAJOR THOROUGHFARE OVERLAY DISTRICT TO IZ INCENTIVE ZONING WITH MTOD MAJOR THOROUGHFARE OVERLAY DISTRICT FOR THE POWER'S INCENTIVE ZONING PROJECT

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has determined the proposed Action referenced above to be classified as a Type I Action (hereinafter referred to as Action) under Part 617 of the State Environmental Quality Review Act (SEQR) Regulations; and

WHEREAS, the Town Board has conducted a referral under the provisions of Sections 239-l and -m of the New York State General Municipal Law with the Ontario County Planning Board (Referral # 97 of 2023) and has closed the public hearing (on Wednesday, June 28, 2023) upon said Action; and

WHEREAS, the Town Board is the designated Lead Agency under the provisions contained within NYCRR, Part 617 of the State Environmental Quality Review Act (SEQRA) for making a required determination of significance upon the above referenced 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 June 20, 2023, prepared by the Town Director of Planning and Development; and

WHEREAS, the Town Board has given consideration to the public comments that have been entered into the public record on this Action; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby accept the amended Parts 2 and 3 of the FEAF for the above referenced Action dated June 20, 2023.

BE IT FURTHER 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 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) Letter dated June 8, 2017 (File 17PR03555), 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 with the Applicants: Robert J. Brenner and Brian W. Mahoney, Partners Canandaigua Development Company, LLC, 83 South Main Street, Canandaigua, New

York 14424; the Applicant’s Engineer, Ryan Destro, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, New York 14450; Town Staff and to place a copy of this determination of non-significance in the rezoning file upon the above referenced Action.

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

RESOLUTION #257-2023:

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

ADOPTION OF LOCAL LAW NO. 2 OF 2023, AUTHORIZING THE AMENDMENT OF THE TOWN’S OFFICIAL ZONING MAP, FOR THE REZONING OF LAND (TAX MAP ACCOUNT NUMBERS 29.00-02-13.1 [52.5 ACRES] AND 29.00-02-14.0 [93.3 ACRES] FROM RS-25 RESIDENTIAL SUBURBAN AND LI LIMITED INDUSTRIAL WITH MTOD MAJOR THOROUGHFARE OVERLAY DISTRICT TO IZ INCENTIVE ZONING WITH MTOD MAJOR THOROUGHFARE OVERLAY DISTRICT FOR THE POWER’S INCENTIVE ZONING PROJECT; ADOPTION OF THE IZ DEVELOPMENT CRITERIA FOR SAID PROJECT; AND ACCEPTANCE OF THE AMENITIES WITH CONDITIONS FOR SAID PROJECT

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has completed its review of the public hearing record and has made a determination of non-significance, under separate resolution, upon the proposed Type I Action [under 6NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA) Regulations].

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby adopt Local Law No. 2 of 2023, dated June 28, 2023.

BE IT FURTHER RESOLVED, that the Town Board does hereby adopt the following development criteria, to be known as zoning incentives, for the Power’s Incentive Zoning Project:

1. The maximum number of single-family detached units authorized for the designated Residential Incentive Zoning area of the project shall not exceed 186 dwelling units to be located on +/- 116.7 acres of land. Additionally, a maximum of 50,000 S.F. of building area for the uses delineated in Section 3 below, is authorized for the designated LI/GB Incentive Zoning area to be located on +/- 29.1 acres of land with frontage along NYS Route 96 (Refer to Section 3 below for allowable uses).
2. The Bulk Lot Requirements for the Power’s Incentive Zoning Project shall be as follows:

	<u>Single-Family Lots</u>	<u>All Other Lots</u>
Minimum Lot Size -	13,600 S.F.	25,000 S.F.
Minimum Lot Width –	80 feet at setback	100 feet at highway setback
Minimum Lot Depth –	170 feet	250 feet
Setbacks:		
Front	35 feet	50 feet Town Road 70 feet Route 96
Rear	30 feet	30 feet
Side	10 feet & 15 feet (25 feet combined per lot)	30 feet
Maximum Building Cover	30%	35%
Maximum Building Height	35 feet	50 feet
Maximum No. Stories	2-1/2 stories	3 stories

3. With respect to the reserved parcels identified in Section 7 below, the following uses are permitted uses within the originally mapped LI Limited Industrial District portion of the Overall Concept Plan as shown on the drawing prepared by BME Associates, entitled “Power Property – Route 96 Incentive Zoning Concept Plan, drawing number 01, Project number 2812, having the latest revision date 5/5/23. These permitted uses are subject to final site plan approval by the Town Planning Board and are restricted to the identified developable areas for Parcels “A,” “B” and “C:”
 - a. Business, professional and executive offices, including but not limited to offices for attorneys, architects, engineers, surveyors and accountants, real estate and insurance agents and salespersons, but not including retail sales, manufacturing or servicing of merchandise of any kind on the premises.
 - b. Uses for the treatment and care of human beings, including but not limited to medical and dental offices and clinics for physicians, osteopaths, dentists, chiropractors, chiropodists, podiatrists, opticians, optometrists, and ophthalmologists, all excluding any overnight occupancy or overnight care.
 - c. Banks and lending institutions. Banks are permitted to have drive-in tellers if at least five (5) reservoir spaces are provided for each drive-in teller’s window.
 - d. Artists of performing arts studio, photography studio, including the sale or rental of photographic supplies or equipment.
 - e. Public or private membership clubs, lodges or fraternal organizations, neighborhood or community centers, YMCA or YWCA.
 - f. Barbershops, beauty shops, hair salons and other personal service shops or uses.
 - g. Nursery schools or day-care centers or similar uses.
 - h. Bakery, confectionery, delicatessen and the like, provided that products prepared or processed on the premises shall be sold only at retail and only at the premises.
 - i. Drugstore.
 - j. Restaurants, including fast-food with drive through service.
 - k. Boutiques and specialty retail shops, including but not limited to bookstores, florists, card or gift shops, candy stores, secondhand-clothing stores, stationery stores and arts and crafts stores.
 - l. Convenience-type food stores, including self-service energy sources (e.g., electric charging stations and/or petroleum stations, excluding motor vehicle repairs and services.

- m. Laundry and dry-cleaning establishments, including self-service.
- n. Liquor stores.
- o. Custom dressmaking, millinery, hemstitching, pleating, weaving or mending services, shoe repair and tailor shops.
- p. Retail sales, including but not limited to drugstores and pharmacies, clothing and shoe stores, hardware stores, furniture and home appliance stores
- q. Furniture repair shops and upholstery shops.
- r. Tennis or racquetball clubs, health clubs, or indoor sports facilities (e.g., golf simulators, bowling alleys, gymnastics facilities, etc.).
- s. Car washes, provided that no entrance or exit drive shall be located within 100 feet of any street intersection, and provided that there are at least 15 reservoir spaces as defined herein for the first wash rack or wash lane and 10 reservoir spaces for each additional wash rack or wash lane, with a maximum number of reservoir spaces needed not to exceed 40 spaces.
- t. Commercial greenhouse or plant nursery or similar commercial agricultural uses.
- u. Mini-warehouse structures, subject further to the provisions of § [165-84.1](#) of this chapter.
- v. Research and development laboratories.
- w. Commercial Plaza

4. Accessory Structures/Buildings/Storage of Vehicles.

One Accessory Structure/Building may be permitted per lot, to be located only within the Side or Rear Yard portions of the lot and setback not less than five (5) feet from a property line.

No vehicle shall be parked, at any time, in such a manner as to block pedestrian use of a sidewalk across the property.

No Accessory Structure/Building shall be used for housing of occupants or guests. Recreational vehicles may be used for housing guests for a period not to exceed seven (7) consecutive days.

- 5. There shall be no Open Space Area dedicated to the Town of Farmington to maintain, other than the three (3) Rights-of-Way Reservation Areas A, B & C, shown on the drawing prepared by BME Associates, entitled "Power Property – Route 96 Incentive Zoning Concept Plan, drawing number 01, Project number 2812, having the latest revision date 5/5/23.
- 6. There shall be a maximum of four (4) open space areas owned by and maintained by the Applicants for this Project. These Open Space Areas are identified as Open Space "A" (5.55 acres), "B" (9.27 acres), "C" (3.05 acres) and "D" (20.17 acres), as shown on the drawing prepared by BME Associates, entitled "Power Property – Route 96 Incentive Zoning Concept Plan, drawing number 01, Project number 2812, having the latest revision date 5/5/23. The Town agrees to provide maintenance of the approved stormwater facilities upon the filing of the Notice of Termination (NOT).
- 7. Approximately 29.2 acres are proposed for LI/GB uses within the currently zoned LI Limited Industrial District and MTOD Major Thoroughfare Overlay District, which are currently identified on the above referenced concept plan as Parcel "A" (11.2 acres), Parcel "B" (13.5 acres) and Parcel "C" (4.5 acres). Access to these parcels shall be provided from Proposed Dedicated Road A and/or Proposed Dedicated Road B. There shall be no direct access from these parcels directly to/from New York State Route 96. The maximum lot coverage shall be that specified above herein, and all uses delineated in Section 3 above shall be permitted as of right.
- 8. Any request for a variance to these regulations shall be made to the Town Board.
- 9. A concrete sidewalk is to be installed within the first phase of the residential portion of this Project prior to the Town Board's acceptance of the proposed Road A. At the time of the issuance of a Building Permit for the first dwelling unit after one-half the total number of dwelling units to be located within the first phase, the applicant shall then install a sidewalk connection between proposed Lots #3 and #4 south along one side of the "Proposed Dedicated Road A" to the point where said sidewalk connects to the sidewalk that is to be constructed as part of Phase 1 and extending from the west property line of the "LI (Limited Industrial Parcel 'A' (shown on the above referenced concept plan).

BE IT FURTHER RESOLVED, that the Town Board does hereby accept the following amenities with conditions for the Power's Incentive Zoning Project:

- 1. There is to be a one-time cash payment to the Town of Farmington of \$100,000.00 for the Beaver Creek Sanitary Sewer Force Main Construction Project; and
- 2. There is to be a one-time cash payment to the Town of Farmington of \$50,000.00 for the Town Engineer's Study and Report for Pump Station No. 1 capacity and long-term needs; and
- 3. These two payments are due within 30 days from the date the Planning Board Chair signs the Preliminary Overall Subdivision and Site Plans.

BE IT FURTHER RESOLVED, that the Town Board does hereby accept the applicants proposal to have their engineers, BME Associates, design the approximately 1,500 lineal feet of five-foot-wide concrete sidewalks connecting to and located between the sidewalk within the Fairdale Glen Townhouse Project and the sidewalk to be installed by the applicants across the frontage of Parcel A as identified on the drawing entitled "Power Property – Route 96, Incentive Zoning Concept Plan," dated October 4, 2022, identified as Project No. 2812, Drawing No. 01. Said design is to be coordinated with the New York State Department of Transportation, Region 4 Office, to identify whether the sidewalk will be allowed within the State's Route 96 right-of-way or across the frontages of all properties located between the above-described points. Finally, in the event the sidewalk is to be located across private property, then BME Associates will prepare the necessary easement descriptions and maps for the Town to obtain sidewalk easements from the affected property owners for the Town Board's acceptance and filing within the Ontario County Clerk's Office. The filing costs for all required easements shall be borne by the Town.

BE IT FURTHER RESOLVED, that the Town Board does hereby accept the following amenities with conditions for the Power's Incentive Zoning Project:

1. There is to be a total of five (5) payments of \$ 60,954.00 each to the Town, for the Town's Sidewalk/Trail/Bike Lane Capital Project. These payments are to be made on or before December 31, 2024, 2025, 2026, 2027 and 2028. At the end of this period a total amount of this amenity paid to the Town will be \$304,770.00.
2. If desired, the Town Board agrees to pay the Applicant for the pass-through costs for installing the sidewalk connection along the north side of State Route 96, between Fairdale Glen Townhomes site and the west property line for the above describe Parcel "A," using the same contractor that the applicants use for constructing sidewalks between the first section of the residential portion of the project and the west property line for the above-described LI (Limited Industrial) Parcel "A." Prior to commencement of the work, the Applicant and the Town shall enter into a mutually agreeable indemnification agreement, if required by either the Applicant or the Town's insurer.

BE IT FURTHER RESOLVED, that the applicants are to show a separate lot to be dedicated to and owned by the Town for the ongoing operation and maintenance of the dedicated sanitary sewer pump station which is to be constructed to the standards contained in the latest adopted Town of Farmington Site Design & Development Criteria Manual.

BE IT FURTHER RESOLVED, that prior to the issuance of any Certificate of Occupancy, any site that drains to a stormwater detention facility shown on the Approved MS4 Stormwater Plan for this project, shall provide evidence of a filed easement granted to the Town for inspections under the State's MS4 Program requirements.

BE IT FURTHER RESOLVED, that a ten-foot-wide pedestrian easement is to be granted to the Town within Open Space Area "D," shown on the 5/5/23 Concept Plan for this Project, along with a five-foot-wide concrete sidewalk that is to be constructed between two proposed Lots 37 and 38, extending from the right-of-way for Proposed Dedicated Road A and connecting to a sidewalk section that is to be installed by the applicant adjacent to the pavement of West Collett Road near the current railroad crossing. Said sidewalk is to be constructed at the time of dedication of the portion of the Proposed Dedicated Road A to the Town as shown on the above referenced 5/5/23 Concept Plan. Said sidewalk is to be maintained by the Town as part of a sidewalk district to be established for this Project.

BE IT FURTHER RESOLVED, that each residential lot shall have a street tree installed prior to the issuance of a Certificate of Occupancy for the principal dwelling. Where there is a Corner Lot (Lots #3, 4, 11, 12, 31, 32, 75, 76, 83, 88, 93, 124 and 170) there shall be a minimum of two (2) street trees installed along the property's frontage of all existing and planned dedicated highways. There is to be a note to this effect placed upon the Final Subdivision Plat Maps for each Section. Finally, Lots Nos. 67, 120, 143, 149 & 165 shall have three (3) street trees planted across their lot frontages prior to the issuance of a Certificate of Occupancy.

BE IT FURTHER RESOLVED, that street trees are to be installed and maintained along the highway entrances to the project (Proposed Dedicated Roads A & B). These street trees are to be spaced sixty (60) feet apart and installed prior to dedication of each of these highways.

BE IT FURTHER RESOLVED, that street trees are required to be installed across the frontage of the proposed stormwater management area located between Lots 47 and 48, at the time of constructing the Proposed Dedicated Road A, or the proposed Stormwater Management Area shown on the above referenced amended Concept Plan dated 5/5/23.

BE IT FURTHER RESOLVED, that evergreen type of street trees are to be installed between the east property line for Lot #1 and extending easterly, spacing to be determined by Planning Board as part of site plan approval, to the property boundary with the adjacent property (N/F Hickory Lane Realty, LLC.), prior to the dedication of Proposed Roads A and B that are to be located within this portion of the site.

BE IT FINALLY RESOLVED, that the Town Clerk is to file certified copies of this resolution and all attachments thereto with the: New York State Department of State, Division of Corporations, State Records and Uniform Commercial Code, in Albany, New York; the involved agencies identified as: the New York State Department of Environmental Conservation, Region 8 Office; the New York State Department of Transportation, Region 4 Office; the New York State Department of Health, Geneva Office; the Town Highway Superintendent; and the Town Water and Sewer Superintendent; and the Town Planning Board, the Applicants, the Applicant's Engineer, Town Staff and Town Engineer, MRB Group, D.P.C. and to place of copy of this resolution in the rezoning file upon the above referenced Action.

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

Local Law No. 2 of the year 2023

A local law amending: Chapter 165, Article III, Establishment and Designation of Districts, Section 165-12 Zoning Map.

Be it enacted by the Town Board of the

Town of Farmington as follows:

Section 1: Chapter 165, Article III, Establishment and Designation of Districts, Section 165-12. C., Zoning Map of the Code of the Town of Farmington, New York, which was last updated on June 23, 2021, is hereby further amended as follows:

Tax Map Accounts 29.00-02-13.100 and 29.00-02-14.000 containing a total of 145.8 acres of land, owned by Canandaigua Development Corporation, LLC, which are currently zoned RS-25 Residential Suburban and LI Limited Industrial Districts, with the MTOD Major Thoroughfare Overlay District are hereby rezoned to IZ Incentive Zoning and MTOD Major Thoroughfare Overlay District for the project known as "Power Incentive Zoning Project, State Route 96," subject to the conditions set forth in Town Board Resolution # 257 of 2023, adopted on Wednesday June 28, 2023; and

Section 2: The Town Clerk, in accordance with the provisions contained in Chapter 165, Article IV, Section 34.1. O. of the Farmington Town Code, and upon the filing in the Town Clerk's Office an Overall Preliminary Site Plan and Preliminary Subdivision Plat that has been approved by the Planning Board, shall affix notice upon the Town's Official Zoning Map that the

development of these two (2) parcels was approved under the Town’s Incentive Zoning provisions, include a reference date to such action taken by the Planning Board; and cause said map amendment to be made upon the Town’s Official Zoning Map.

Section 3: If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgement shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgement shall have been ordered.

Section 4: This local law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION #258-2023:

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

RESOLUTION- STORM SEWER AND UTILITY EASEMENT FOR A SAFE PLACE SELF STORAGE LLC

WHEREAS, a dedication and release, dated the 31st day of October, 2001, of certain lands described therein for highway purposes, being Commercial Drive in the Town of Farmington, have been previously filed with the Town Clerk, and

WHEREAS, physical improvements to Commercial Drive were only partially completed at the time of the above dedication and, therefore, the entirety of Commercial Drive had not been laid out and opened and only the portion of Commercial Drive that had been improved had been laid out and opened; and

WHEREAS, A Safe Place Self Storage LLC (“Owner”) has now completed construction of the necessary road improvements to the remainder of Commercial Drive, as previously dedicated to the Town and as required by the Town of Farmington and has delivered a bill of sale, dated the 22nd day of June, 2023, (Bill of Sale #1) to the Town of Farmington conveying all of its interest to such improvements within Commercial Drive; and

WHEREAS, the Town of Farmington, by its officers or representatives, has also engaged in discussions with Owner regarding the Town’s obtaining a Storm Sewer and Utility Easement (“Easement”) over a portion of Owner’s property located 6025 Denny Drive, as shown on a map prepared by Marathon Engineering, dated May 24, 2023, along with a bill of sale (Bill of Sale #2”) to convey to the Town improvements made by Owner in such easement area; and

WHEREAS, said easement and said improvements have been offered by Owner to the Town of Farmington and the Town Board of the Town of Farmington is desirous of accepting said offered easement and improvements 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 Easement, Bill of Sale #1 and Bill of Sale #2 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, 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, and be it further

RESOLVED, that the Town Board does hereby accept the improvements described in Bill of Sale #1 and Bill of Sale #2, and be it further

RESOLVED, that consent be and the same hereby is given to the Town Superintendent of Highways of the Town of Farmington to make an order laying out the entirety of Commercial Drive for highway purposes, in accordance with the provisions of the Highway Law and other statutes applicable thereto.

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

RESOLUTION #259-2023:

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

RESOLUTION OF SUPPORT & AUTHORIZATION FOR THE TOWN OF FARMINGTON 2023 NEW YORK STATE CONSOLIDATED FUNDING APPLICATION GREEN INNOVATION GRANT PROGRAM – WATER EFFICIENCY

WHEREAS, Town of Farmington, Ontario County, supports the submission of a 2023 Consolidated Funding Application (CFA) on behalf of the Town, for the Green Innovation Grant Program (GIGP) to improve water quality and mitigate the effects of climate change through the implementation of a water efficiency project; and

WHEREAS, the New York State Environmental Facilities Corporation (EFC), provides a competitive statewide reimbursement grant program through the Clean Water State Revolving Fund (CWSRF) to purchase and install upgraded water meters; and

WHEREAS, the Town of Farmington meets the GIGP eligibility and is considered a funding priority for upgrades to their water meter infrastructure; and

WHEREAS, if funding is received it will allow the Town of Farmington to upgrade water meters for their residents and deliver better services with less water and protect water sources for the future;

NOW THEREFORE BE IT RESOLVED, the Town Board, on behalf of the Town, identifies the Town Supervisor as the authorized representative for the project, able to execute necessary documents relative to and as required for this application; and

BE IT FURTHER RESOLVED, the Town Board does hereby authorize and obligates local matching funds of the minimum 25% of the total of any grant funding awarded in the form of in-kind services or cash contribution hereby appropriated from the general fund; and

BE IT FURTHER RESOLVED, that the Town of Farmington, recognizes and fully supports the submission of the 2023 grant application by MRB Group on behalf of the Town for a GIGP Water Efficiency Project.

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

RESOLUTION #260-2023:

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

NEW YORK STATE WATER INFRASTRUCTURE IMPROVEMENT ACT RESOLUTION OF SUPPORT & AUTHORIZATION FOR CLEAN WATER GRANT APPLICATION

WHEREAS, the Town of Farmington, Ontario County, supports the submission of a New York State Water Infrastructure Improvement Act (WIIA) application, on behalf of the town for a Sewer System Project, hereinafter referred to as the "project"; and

WHEREAS, the New York State Environmental Facilities Corporation (EFC) administers grants to assist municipalities in funding water quality infrastructure projects that protect public health and improve water quality; and

WHEREAS, an engineering report entitled "Preliminary Engineering Report for the Town of Farmington Sanitary Sewer Capacity Improvements", dated November 2021 and updated July 2022, recommends implementing the project to help improve water quality and protect public health; and

now, therefore be it RESOLVED, the Town of Farmington Board identifies the Town Supervisor as the authorized representative of the town to submit such grant application on behalf of the town and execute all associated documents relative to and as required for the grant application, financial application and funding agreement, as applicable; and

be it further RESOLVED, that the town may be obligated to provide local matching funds totaling at least 75% of the project costs in the form of in-kind services or cash contributions appropriated through State Revolving Fund (SRF) or other approved financing or funds, in accordance with the bond resolution; and

be it further RESOLVED, that the Town Board of the Town of Farmington fully supports the project and submission of the 2023 WIIA Grant Application by MRB Group on behalf of the town to improve water quality and protect public health.

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

RESOLUTION #261-2023:

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

RESOLUTION AUTHORIZING CHANGES TO THE HIGHWAY APPOINTMENTS FOR 2023

WHEREAS, Team Leader, Rick Wolack, retired effective April 24, 2023, leaving a vacancy; and

WHEREAS, Jason Phillips will now be serving as Team Leader; now therefore

BE IT RESOLVED, that the Town Board hereby authorizes the above changes to the Highway appointments effective April 24, 2023, and be it further

RESOLVED, that the Town Clerk forward copies of this Resolution to the Accountant I, the Confidential Secretary, and the Highway Superintendent.

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

RESOLUTION #262-2023:

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

Abstract 12 – 2023

TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS

<i>ABSTRACT NUMBER</i>		<i>12</i>	
<i>DATE OF BOARD MEETING</i>		<i>6/28/2023</i>	
<i>FUND CODE</i>	<i>FUND NAME</i>	<i>TOTAL FOR EACH FUND</i>	<i>VOUCHER NUMBERS</i>
A	GENERAL FUND	226,143.37	1160-1165,1167-1172,1174-1194,1196-1206,1208-1216,1218
DA	HIGHWAY FUND	219,302.71	1160,1174,1187,1194,1203,1204,1209,1219-1226
HK	SIDEWALK CAP PROJECT	210.00	1166
HB	BEAVER CREEK PARK	5,000.00	1195
HG	COUNTY RD 8 WATERLINE	5,350.00	1194
HH	RT 332/96 WATERLINE	66,534.11	1207
HN	NORTH ROAD CAP PROJECT	4,200.00	1194
HP	TOWN PARK IMPROV.	3,320.00	1194
HW	WATER TANK REPAIR	3,990.00	1194
SD	STORM DRAINAGE	6,584.05	1174,1194,1204
SS	SEWER DISTRICT	79,110.63	1114-1145,1160,1174,1184,1185,1187,1194,1200,1204,1218
SW1	WATER DISTRICT	54,382.40	1114,1116,1117,1123,1128-1130,1132,1135,1141,1143,1144,1146,1147-1160,1174,1184,1185,1187,1194,1200,1204,1218,1227
SL1	LIGHTING DISTRICT	1,261.13	1171,1205
TA200	PAYROLL DEDUCTIONS	8,034.09	1144,1160,1173,1174,1204,1211,1217
	TOTAL ABSTRACT	\$ 683,422.49	

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

TRAINING UNDER \$100:

- David Conti to attend NYRWA Sampling, Recordkeeping & Ethics session on July 18, 2023, in Ithaca, NY at not cost.

WAIVER OF THE RULE: None.

DISCUSSION:

- Request to waive late fees for 1325 East Victor Road. Denied.

EXECUTIVE SESSION: None.

With no further business before the Board, **Councilman Casale** offered a motion to adjourn the meeting at 7:48 p.m., seconded by **Councilman Bowerman**. Motion **CARRIED**.

Michelle A. Finley, MMC, RMC -Town Clerk