

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 13th day of May, 2025, 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 & Parks Superintendent, **Dan Delproire** - Code Enforcement Officer, **Aaron Bissell** – Water & Sewer Superintendent, **Ron Brand** – Director of Planning and Development, **Adrian Bellis** – Planning Board Member, **Bill Davis** – MRB Group, **Mark Cain** – Recreation Director, and **Nadine and Rod DeRoo** – Cdga-Farmington Townline Road residents, and **Christine Griffin**-Victor Central Schools, **Tim Terranova** – Victor Central Schools Superintendent, and **Tim DeLucia** – Victor Central Schools Board Member

Also present by telephone/video conferencing was: **Michael Phillips**- resident, **John Piper**- Consultant, **Alan Lamparella** - resident

PUBLIC HEARINGS: None.

APPROVAL OF MINUTES:

A motion was made by **Councilman Holtz** and seconded by **Councilman Casale** that the minutes of the April 8, 2025, Special Town Board Meeting and the April 22, 2025, Town Board Meeting, that were previously given to members for review, be approved. All Voting “Aye” (Casale, Herendeen, Bowerman, Holtz and Ingalsbe). Motion **CARRIED**.

PRIVILEGE OF THE FLOOR: School Budget Presentation by Tim Terranova, Superintendent of Victor Central Schools

Mr. Terranova gave a presentation on the 2025-2026 Budget. He stated that the goals of the budget were to enhance a comprehensive education that the community expects, to improve the alignment of resources toward the district’s strategic plan, to maintain the stabilization of reserves, to maximize the use of every dollar spent, to maximize the ability to generate aid for future years, and transparency. He talked about enrollment versus State Aid growth. He stated that during the time that enrollment was increasing, the state aid was relatively flat year to year, so the district did not have the revenue to keep up with the staffing for the enrollment so ultimately even though the enrollment had not increased since 2013, somewhat had stabilized between 4450 to 4300 during the past 12 years, and because they were unable to add staff during the enrollment increase, they became significantly understaffed as a district and in fact in one point in 2020 they had they were the third lowest per pupil expenditure of any public school district in the State of New York. He added that between 2021 and 2024, State Aid finally increased at a rate that was commensurate with their enrollment, in other words, they started getting State Aid at the level of enrollment with what they actually had for the first time. He stated that they added staff between 2021 and 2024 to better have a staff to student ratio to better support the kids throughout the district and they did that strategically knowingly that typically State Aid is usually a revenue that they can count on with cost-of-living increases year to year. He stated that they did not receive an increase in foundation aid between last school year and this year so now it went back to being flat and they now have to figure out how to maintain the existing staff that they already have in a way that does not drain their reserves and doesn’t put undue pressures on the taxpayers. That is their situation right now. Mr. Terranova stated that they are not increasing staff next year nor are there any reductions in programming. He stated that they are in a nice spot where they do not have to add staff or reduce staff however, they are trying to be as efficient as possible so they might have gaps in certain areas, for example, 6th grade next year, or special education where they need more staffing but they’re going to save money and pull staffing from other areas where they might have a reduction, like in 2nd and 3rd grade enrollment next year, so they are able to manage that which ends up being a net change of zero in their staffing.

Ms. Griffin spoke on the expenditures. She commented that overall, their budget for next year will be \$109,771,405, which is an increase of \$6,546,486 or 6.34% higher. She stated that the bulk of their expenditures is staffing, which represents about 76% of their budget. She added that the Contractual line is another big expense, which is their contracts for transportation because of staffing issues, need more bus drivers also the utility expenses are going up as well. Ms. Griffin stated that one of the great things about the Victor Central School District is that the district is one of the lowest per pupil expenditure in comparison to neighboring counties. She added that the revenues are very similar to prior years. She stated that they needed to adopt the budget on April 10th despite uncertain State Aid numbers and they were pretty close to what they predicted. Ms. Griffin stated that the property taxes represent about 60% of their budget and is going up 3.04%, that is at the tax cap, the State Sources, which is their State Aid revenue is increasing by a Million dollars, which is 2.67%. She added that they are using Fund Balance from this year’s budget to help balance next year’s budget, which is not a long-term solution for them so they will be looking at their expenses next year and aligning their long term financial plan to make sure that this is not something they have to do every year. She added the budget to budget is a 6.34% change, levy to levy is a 3.04% change, and rate to rate is going from \$12.83 to \$13.06, and \$.23 increase or 1.79% change. She noted that the projected true tax rate could be higher or lower depending on the final assessment rolls which are not established until June 30, 2025, and the final tax rate will be set at the August Board of Education meeting, therefore the projected rate is subject to change as it relies upon the property assessments not finalized until July. She reviewed the tax rate history.

Ms. Griffin stated that there will be a proposition on the ballot for bus purchases, they replace a couple each year. This year they will purchase 6 large diesel buses at \$213,139 each, and 2 small gasoline buses at \$124,175 each, an estimated cost of \$1,527,304. She added that they do BANs so they can pay for them over time. Transportation aid is about 76%. Mr. Terranova stated that the other piece of the ballot will be the Board of Education Elections, they have three open seats, each for a three-year period, three incumbents are running (Lisa Kostecki, Timothy DeLucia, and Elizabeth Mitchell). Review of the budget calendar, vote will take place on May 20th, 2025, at the Early Childhood Center Boardroom from 6 a.m. to 9 p.m. Mr. Terranova added that if anyone wanted more information to visit their website or email him directly.

Questions: Supervisor Ingalsbe commented that he is not in favor of electric buses but asked what the Director of Transportation think of them down the road. Mr. Terranova replied that under the leadership of the Board of Education, they have been conservative on the purchase of electric busses and that is why there are no purchases for electric buses for this budget. He added that the reason why is that they do not have the money to pay for them (they are double the price- \$450,000 to \$500,000) and they also do not believe that they have the infrastructure to have electric buses in an efficient way and to charge them. He stated that they see paying for something that in three/four years they might not be using anymore and would rather use the money on their resources.

PUBLIC CONCERNS: Mr. DeRoo – Canandaigua-Farmington Townline Road resident regarding sewer

Mr. DeRoo asked if the town has looked into his situation. Supervisor Ingalsbe replied that there have been emails back and forth with Greg Hotelling from MRB Group who represents Canandaigua. Mr. Bissell commented that they have been communicating with DEC regarding insulation of a small extension to the sewer district, just figuring what they can and can not do. Mr. DeRoo stated that he spoken with the DEC as well. Mr. Davis stated that one of the cheaper solutions that they are looking at was the low-pressure sewer system. They are looking at who is the homeowner of the district and how it gets split up and to keep the cost down for the residents.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Holtz reported:

Water & Sewer:

1. The new digester heat exchanger installation is complete.
2. Flushed Trickling Filter #2.
3. Moved effluent sampler from the Sand Filter building to the UV building.
4. Lift Stations- routine maintenance and repairs.
5. CP Ward has mobilized to PS-5 (Gypsum Mills).
6. Obtaining quotes for WWTP roof top air conditioning unit.
7. Letter of support for Town of Victor grant application for CR-9 forcemain replacement.
8. Watermain break/repair on Beanpole Circle.
9. Reviewed repair of CR 8 and Townline Rd intersection with Highway Superintendent and determined the entire west intersection needs to be replaced from apron to apron. Coordinate with Ontario County Highway.
10. Water service replacement at 1438 Coral Drive.
11. Cleaned up, topsoiled, and seeded 26 locations from Fall, Winter, and early Spring excavations.
12. Discussed resolutions on Agenda.

Highway & Parks:

1. Highway- equipment maintenance, replaced three driveways' pipes, 827 Hook Rd, 352 Sheldon Rd, and 953 Crowley Rd., cut up and removed a number of trees that fell in road, Spring Clean Up, Roadside mowing, sweeping roads, Truck 1 and new telehandler were delivered, and two trucks are helping the Town Manchester oil and stone.
2. Parks- mowing parks and trails, striping ballfields, grooming ballfields, Spring Clean Up, and Building fire inspections.
3. Buildings – fire alarm inspections at the Town Hall, Secor repaired lead on the Highway Garage roof, and Kenedy repaired sprinkler pipe connection that was leaking at the Highway High Bay.
3. Discussed resolutions on agenda.

Town Operations Committee: Councilman Bowerman reported:

1. Three resolutions on agenda.
2. Local Laws No. 3 - Individual On-site Wastewater Treatment System, and No.4- Park-n-ride lot Regulations were filed with the State. Draft local law No.5 which is entitled Short-term residential rentals will be adopted tonight.
3. Staff continues to work of Chapter 144 - Land Subdivisions, and Chapter165 – Zoning Laws of the Town Code.
4. Parks and Recreation Master Plan – will be presented to the Ontario County Planning Board tomorrow for a referral.
5. New proposal for Whitestone Incentive Zoning – will be submitting a revised concept plan.

Town Finance Committee: Supervisor Ingalsbe reported: None.

Town Public Safety Committee: Councilman Holtz reported: None.

REPORTS OF TOWN OFFICIALS:

Supervisor Peter Ingalsbe reported:

1. Met with, along with the Highway/Parks Superintendent, Victor Little League for a second meeting discuss improvements to two baseball fields (Farmington Grove and Farmbrook). We will not be charging them for use of the fields.
2. Discussed at Public Works- look at grants to do a drainage study on Running Brook Road and other areas in the Farmbrook development.
3. Asked the County to provide the 2024 job numbers for Farmington commercial properties that are under the PILOT agreements. 7 companies have reported a total of 244 jobs created since their individual PILOT's began. Fed Ex reported 140 jobs. One company reported that they were down three positions.
4. Ontario County Sheriff's Enhancement Law Enforcement report for April – 32 citations issued on County Road 28, Rt. 96, County Road 8, Hook Road, County Road 4, Allen Padgham Road, Beaver Creek Road, and Collett Road. Two people were cited for going 90-mph in a 55-mph zone.
5. NYS DOT – received letter – completed safety survey for the Rt. 96 and Rt. 332 intersection. Supervisor Ingalsbe read letter; letter is available in the Town Clerk's Office.

Highway& Parks Superintendent Tim Ford reported:

1. Update – Spring Clean Up – 522 households, shredding -39 people, electronics were way down from previous year, 51 tires, and 50 freon units.
2. Update on new trucks.

Town Clerk Michelle Finley reported:

1. Meeting at Town of Victor to look at new tax software.
2. OCMCA meeting on May 28th, here at the Town Hall, Office of the Aging will be giving a presentation.
3. Officiating three marriages next week and the week after.

Water & Sewer Superintendent Aaron Bissell reported:

1. Annual Water Quality Report has been posted to the website, it has also been posted at the Town Hall and Victor-Farmington Library. There will also be a link on the next billing that will take you to it.
2. Along with the topsoil restorations, they are preparing and coordinating concrete repairs from all the water repairs.
3. All staff attending a safety refresher class at Ontario County.
4. Made some personnel changes to utilize their skill sets in better ways, in addition to a new hire.
5. All the pressure reducing vault devices in their water system have been serviced.
6. Working on a rewrite of their water regulations, Chapter 159.
7. Coordinating the past few weeks with the Town of Victor, pumpstations, County 9 force main repair.

Code Enforcement Officer Dan Delpriore reported:

1. Permits for the month of April – 137, total permit inspections – 380, total fire inspections – 11.
2. Update on iWorQ System – moving forward with it, a few people have used it, going live at the end of the month.

Director of Planning and Development Ron Brand reported:

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

Assessor Donna LaPlant reported: None.

Supervisor Ingalsbe stated that the Assessor has met with 300 residents regarding their assessments.

Town Engineer Bill Davis reported:

1. Updates: looking at the Stormwater Engineering grant, Cranberry Drive, WWTP SEQR, Route 332 watermain.

Fire Chief reported: None.**Planning Board Member Adrian Bellis reported:**

1. Next Meeting- public hearing on a single family home on Curran Road, two-lot subdivision on Sandhill Road-Gerlock, a bunch of applications that they need to deem as completed so they can move ahead, subdivision on Ellsworth Road, and solar on Payne Road.

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

1. Update of Summer Recreation registration. Beaver Creek Park is at capacity already. All other parks have open enrollment.
2. Finishing up on hiring. Staff meeting is June 7th. Program starts June 30th.
3. July 3rd Fireworks Celebration – will have new vendor along with the normal ones. Working on getting music still.

Ontario County Planning Board Member reported: None.**Conservation Board Chairperson reported: None.****Town Historian Donna Herendeen reported: None.****Swap Shop Update: Supervisor Ingalsbe reported: None.****Agricultural Advisory Committee Chairman Hal Adams: None.****COMMUNICATIONS:**

1. Letter to the Town Supervisor from the United States Bankruptcy Court for the District of Delaware re: Akoustis Technologies, Inc.
2. Letter to the Town Supervisor from the NYS DEC. Re: Municipal Zero-emission Vehicle Infrastructure Grant Program, CFA Application(s) #146237, 146226 & 146250 – Project Type: Level 2.
3. Workshop on Electrical Hazard Awareness on May 1, 2025 at the Italian Community Center.

4. Petition for Town Sewer from Rod DeRoo, Brandon Mott, Scott Richardson, Mary LaTourette.
5. Letter to Congressman Joseph Morelle, US House New York District 25 from Peter Ingalsbe re: support for Town of Victor application for grant award through the EPA STAG program.
6. Grant award paperwork from the State Education Department re: Local Gov Records Management.
7. Letter to the Town Supervisor from Christopher Reeve of the NYS DOT. Re: Safety Review for intersection of Route 96 and Route 332.
8. Certificate of Liability Insurance from: Building Innovation Group Inc, Besroi Roofing & Siding; Expert Environmental & Construction Group; LLC, Colonial Fire Protection Systems, Inc; Lauramar LLC, DBA AP Plumbing; Isaac Heating and Air Conditioning Inc; Five Star Improvements, Inc.; Finger Lakes Roofing Co., Inc.; DRM Builders; FSI Acoustical Systems, LLC.
9. Certificate of NYS Worker's Compensation Insurance Coverage from: Building Innovation Group Inc; Besroi Roofing & Siding Co Inc; Lauramar LLC, DBA AP Plumbing; Isaac Heating and Air Conditioning Inc.; FSI Acoustical Systems, LLC.

REPORTS & MINUTES:

1. Justice Lew Monthly Report – April 2025
2. Justice Thomas Monthly Report – April 2025
3. Planning Board Meeting Minutes – April 16, 2025
4. Monthly Water Reports – April 2025
5. Victor Fire Department Monthly Report – April 2025
6. Victor-Farmington Volunteer Ambulance Monthly Report – April 2025
7. Farmington Senior Citizens Meeting Minutes – April 21, 2025
8. Camden Group WWTP Report – April 2025
9. Conservation Board Meeting Minutes – April 28, 2025
10. Historic Preservation Meeting Minutes – April 10, 2025
11. Ontario County Sheriff Monthly Report – April 2025
12. Building Department – Permit Report by Type – April 2025
13. Building Department – Inspection Schedule – April 2025
14. Building Department – Inspection Search Report – April 2025
15. Municipal Shelter Inspection Report – May 1, 2025

ORDER OF BUSINESS:

RESOLUTION #174-2025:

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

RESOLUTION DECLARING MISCELLANEOUS EQUIPMENT FROM VARIOUS OFFICES AS SURPLUS SO IT MAY BE DISPOSED OF AND/OR DISCARDED

WHEREAS, the Town Supervisor's Office has asked that the following items be declared surplus so that they may be disposed of and/or discarded

One (1) Nexlink Computer
One (1) Nexlink Server Tower

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes that miscellaneous equipment from various offices be declared surplus and disposed of and/or discarded, and

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

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

RESOLUTION #175-2025:

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

RESOLUTION RESCHEDULING THE MAY 27TH TOWN BOARD MEETING TO MAY 28TH

WHEREAS, there is a conflict in scheduling with the May 27th Town Board Meeting due to Grievance Day; and

WHEREAS, Grievance Day will be held on a normally scheduled Town Board meeting date, May 27th, 2025 and the Assessor and Board of Assessment Review have requested the used of the Board Room for the grievance meetings; now therefore

BE IT RESOLVED, that the meeting of May 27th, 2025 at the Town Hall is rescheduled to Wednesday, May 28th, 2025 at the same location and time; and

BE IT FINALLY RESOLVED, that the Town Clerk provide copies of this resolution to Town Department Heads the Town's legal newspaper.

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

RESOLUTION #176-2025:

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

RESOLUTION TO RECALL & AMEND RESOLUTION 143 OF 2025 REFURBISHMENTS TO THE BASEBALL/SOFTBALL FIELDS

WHEREAS, resolution 143-2025 approved the purchase of 35 Ton of DuraEdge Classic Infield Mix at \$119/Ton, delivered, totaling \$4,165.00, and

WHEREAS, additional charges of \$201.11 were incurred because DuraEdge is a topsoil mixture and loaded via an excavator, now therefore

BE IT RESOLVED, the Town Board authorize recalling and amending Resolution #143-2025 and approve payment of invoice 43600 to Batavia Turf in the amount of \$4,366.11 to be expended from the A-7110.4 Parks – Contractual line, 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” (Herendeen, Casale, Bowerman, Holtz, and Ingalsbe), the Resolution was **CARRIED**.

RESOLUTION #177-2025:

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

RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE MONTHLY REPORT OF THE SUPERVISOR FOR APRIL 2025

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 April 2025 to the Town Supervisor on April 1, 2025,

WHEREAS, the Town Supervisor approved and executed the Monthly Report of the Supervisor for April 2025 on May 2, 2025,

WHEREAS, the Monthly Report has been submitted 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 April 2025, and

BE IT FULLY RESOLVED, that the Town Clerk give a copy of this resolution to the Accountant I.

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

RESOLUTION #178-2025:

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

ACCEPTANCE OF THE RECOMMENDATION FROM THE PLANNING BOARD AND AUTHORIZING THE FIRST PARTIAL RELEASE OF FUNDS (RELEASE #1) FROM THE LETTER OF CREDIT FOR SITE IMPROVEMENTS CREEKWOOD TOWNHOME PROJECT – PHASE 2, IN THE TOTAL AMOUNT OF \$61,160.89

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from the Town Director of Planning and Development (hereinafter referred to as Director), a draft resolution recommending the Town Board accept the above referenced partial release of funds (Release #1) from the Letter of Credit for approved site improvements within the Creekwood Townhome Project – Phase 2, located along Pintail Crossing, in the total amount of \$61,160.89; and

WHEREAS, the Town Construction Inspector, Town Engineer and Town Department Heads have all reviewed and accepted the quantities and unit prices identified in the Applicant’s Engineer’s Letter of Credit Estimate; and

WHEREAS, the above referenced Town Officials have all signed the attached Appendix Forms G-1.1 [Letter of Credit/Surety – Partial Release Form, dated 4/30/25] and G-2.0 [Letter of Credit Release, dated 4/30/25]; and

WHEREAS, the Town Clerk has verified the total amount contained in the filed Letter of Credit agrees with the amount being requested to be released; and

WHEREAS, with this first partial release of funds there will be a remaining balance in this Letter of Credit of \$576,238.11.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the first partial release of funds from the above referenced Letter of Credit, in the total amount of \$61,160.89.

BE IT FURTHER REQUESTED, that the Town Board does hereby authorize the Town Supervisor to sign and date Appendix Form G-2.0.

BE IT FURTHER RESOLVED, that the Town Board does hereby direct the Town Clerk to provide certified copies of this resolution to: Creekwood Extension, LLC, 21 Crossbow Drive, Penfield, New York 14526; and to Matthew Tomlinson, Project Manager, Marathon Engineering, 39 Cascade Drive, Rochester, New York 14614.

BE IT FINALLY RESOLVED, that the Town Clerk is hereby directed to provide electronic copies of this resolution to the Town Planning Board Chairperson; the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; the Town Code Enforcement Officer; the Town Construction Inspector; the Town Engineer; the Town Director of Planning & Development; and John Robortella, Clerk of the Planning Board.

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

RESOLUTION #179-2025:

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

RESOLUTION ACCEPTING THE FINAL 2024 AUDIT REPORTS FROM MMB & CO FOR THE TOWN OF FARMINGTON, THE CANANDAIGUA/FARMINGTON WATER FUND AND THE SINGLE AUDIT

WHEREAS, final reports for year end 2024 which include, Basic Financial Statements and Communicating Internal Control Related Matters Identified in an Audit have been received by the Town; now therefore

BE IT RESOLVED, that the Town Board of Farmington accepts the reports and files them with the Town Clerk; and

BE IT FULLY RESOLVED, that a copy of the resolution be forwarded to the Accountant I.

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

RESOLUTION #180-2025:

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

JACOB SMITH CHANGE IN TITLE FROM MEO LIGHT TO MEO

WHEREAS, Jacob Smith was hired by the Town of Farmington with a start date of April 24, 2024 as an MEO Light and has successfully completed the required training at Canandaigua Driving School to obtain his Class B Driver License, and

WHEREAS, Jacob has completed the application and been approved by Ontario County Department of HR as an MEO, now therefore be it

RESOLVED, that the Town Board hereby grants Jacob Smith the change in title from MEO Light to MEO along with a \$3.00 per hour wage increase to \$24.00 per hour to be effective beginning with Payroll #11 (May 11, 2025), and

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

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

RESOLUTION #181-2025:

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

RESOLUTION TO APPROVE PLATE TAMPER FOR EXCAVATOR

WHEREAS, The Water and Sewer Superintendent has identified the need for a Plate Tamper for the Excavator, and

WHEREAS, The Water and Sewer Superintendent has one quote from the manufacturers’ representative, Monroe Tractor in the amount of \$4057.18, now

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Farmington authorizes The Water and Sewer Superintendent to purchase said Plate Tamper at a delivered cost of \$4057.18 from Monroe Tractor, for small equipment SW1-8340.20 and SS8130.20, 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 Account I.

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

RESOLUTION #182-2025:

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

RESOLUTION TO APPROVE PLUG VALVE REPLACEMENT FOR DIGESTER NEW HEAT EXCHANGER

WHEREAS, The Water and Sewer Superintendent has identified the need for Plug Valve Replacement for Digester/Isolation valves for new heat exchanger, and

WHEREAS, The Water and Sewer Superintendent has received 2 (Two) Quotes, one from DeZurik in the amount of \$5040.00 and one from Core & Main in the amount of \$4190.00, now

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Farmington authorizes The Water and Sewer Superintendent to purchase said Plug Valve and connections at a delivered cost of \$4190.00 from Core & Main, 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” (Herendeen, Casale, Bowerman, Holtz, and Ingalsbe), the Resolution was **CARRIED**.

RESOLUTION #183-2025:

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

RESOLUTION AUTHORIZING THE W&S SUPERINTENDENT TO HIRE AN MEO

WHEREAS, the W&S Department has a vacancy for MEO, and

WHEREAS, Jordan Dutcher has applied for the position and been approved through Ontario County, now therefore

BE IT RESOLVED, that the Town Board of Farmington hereby authorizes the W&S Superintendent to hire Jordan Dutcher as MEO effective on or about May 19, 2025 at a rate of \$24.00 per hour, and

BE IT FURTHER RESOLVED, that the Town Clerk provide copies of this resolution to the W&S Superintendent, the Accountant I and the Confidential Secretary.

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

RESOLUTION #184-2025:

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

TOWN BOARD AUTHORIZES HIGHWAY PARKS SUPERINTENDENT TO PURCHASE PLAYGROUND EQUIPMENT AND RUBBER MULCH FOR FARMBROOK PARK UNDER OMNIA CONTRACTS #2017001134 and #10-04

WHEREAS, the Farmbrook Park playground equipment needs to be replaced and the cost has been included in the 2025 Budget; and

WHEREAS, the Highway/Parks Superintendent received quotes from GameTime PT11922 Prime Time Swoosh **(\$49,404.25)** via Omnia Pricing Contract #2017001134 and Rubber Recycle Color Mulch **(\$8,780.00)** via Omnia Pricing Contract #10-04, now therefore it be

RESOLVED, that the Town Board authorizes Town Supervisor to sign the attached 2 (two) agreements to be purchased via Omnia Contracts and to be purchase from Parks Playground A-7110.4VLT (\$58,184.25) at a cost not to exceed \$59,000.00, and be it further

RESOLVED, that the Town Clerk forward the originals with signatures copies of this Resolution to the Highway/Parks Department and Accountant I.

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

RESOLUTION #185-2025:

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

TOWN BOARD AUTHORIZES HIGHWAY PARKS SUPERINTENDENT TO PURCHASE PLAYGROUND EQUIPMENT AND RUBBER MULCH FOR FARMINGTON GROVE PARK UNDER OMNIA CONTRACTS #2017001134 and #10-04

WHEREAS, the Farmington Grove playground equipment needs to be replaced and the cost has been included in the 2025 Budget, and

WHEREAS, the Highway/Parks Superintendent received quotes from GameTime PT18018 Alchemy 5-12 Play System **(\$79,637.45)** via Omnia Pricing Contract #2017001134 and Rubber Recycle Color Mulch **(\$10,215.00)** via Omnia Pricing Contract #10-04, now therefore it be

RESOLVED, that the Town Board authorizes Town Supervisor to sign the attached 2 (two) agreements to be purchased via Omnia Contracts and to be purchase from Parks Playground A-7110.4 (\$89,852.45) and the price will not exceed \$90,000, and be it further

RESOLVED, that the Town Clerk forward the originals with signatures copies of this Resolution to the Highway/Parks Department and Accountant I.

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

RESOLUTION #186-2025:

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

DESIGNATING LEAD AGENCY STATUS, UNDER THE PROVISIONS OF ARTICLE 8 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW, PART 617, STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) REGULATIONS, FOR THE TOWN OF FARMINGTON WASTEWATER TREATMENT PLANT - 2025 REHAB PROJECT, DESIGNATING LEAD AGENCY STATUS, DIRECTING THE PREPARATION OF PARTS 2 AND 3 OF THE FULL ENVIRONMENTAL ASSESSMENT FORMS FOR THE TOWN BOARD’S REVIEW AND ACCEPTANCE, AND DIRECTING THE PREPARATION OF A DRAFT RESOLUTION FOR THE TOWN BOARD’S REVIEW AND ACCEPTANCE FOR MAKING A DETERMINATION OF SIGNIFICANCE THEREON

WHEREAS the Town of Farmington Town Board (hereinafter referred to as Board) did on Tuesday, April 8, 2025, classify the above referenced Action as being a Type I Action, subject to a coordinated review with Involved and Interested Agencies under the provisions of Parts 617.4 and 617.5 of 6 NYCRR, a part of Article 8 of the New York State Environmental Conservation Law (ECL); and

WHEREAS the Board did establish and conducted a coordinated review with Involved and Interested Agencies, and a public review and comment period upon said Action which began on Wednesday, April 9, 2025, and ended at noon on Friday, May 9, 2025; and

WHEREAS the Board did on Tuesday, April 8, 2025, declare its intent to be designated Lead Agency, at its meeting on Tuesday, May 13, 2025, for making the required Determination of Significance upon the above referenced Action; and

WHEREAS the Board tonight did receive testimony from the Town’s Director of Planning and Development attesting to the above referenced coordinated review and 30-day public comment period being completed upon the above referenced Action.

NOW, THEREFORE, BE IT RESOLVED, that there are no other Involved Agencies [New York State Department of Environmental Conservation, U.S. Army Corps of Engineers, Town of Farmington Water & Sewer Superintendent, New York State Environmental Facilities Corporation and the U.S. Department of Interior] objecting to the Board being designated as the Lead Agency in accordance with the provisions of Part 617.6 of the above referenced provisions of the ECL; and

BE IT FURTHER RESOLVED, that the Board does hereby designate itself as the Lead Agency for making the required Findings and a Determination of Significance in accordance with the provisions of Part 617.7 of the above referenced ECL.

BE IT FURTHER RESOLVED, that the Board does hereby instruct the Town Director of Planning and Development and the Town Engineers, MRB Group, D.P.C., to prepare drafts of Parts 2 and 3 of the Full Environmental Assessment Form, and a draft resolution of findings and a determination of significance for the Board’s review and acceptance at their May 28, 2025, meeting.

BE IT FINALLY RESOLVED, that certified copies of this resolution are to be provided in electronic format to the identified Involved Agencies, the Town Director of Planning and Development and the Town Engineers, MRB Group, D.P.C..

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

RESOLUTION #187-2025:
Councilman Casale offered the following Resolution, seconded by **Councilman Herendeen**:

Abstract 9 – 2025			
<u>TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS</u>			
TO: MARCY DANIELS		FROM: J. MARCIANO	
ABSTRACT NUMBER		8	
DATE OF BOARD MEETING		5/13/2025	
FUND CODE	FUND NAME	TOTAL FOR EACH FUND	VOUCHER NUMBERS
A	GENERAL FUND	215,853.57	754-781,783-788,790-798,800-802, 804,805,808-813,816-826,887-889
DA	HIGHWAY FUND	251,470.41	776,788,793,794,796-800,805,817, 821,823,827-842
HC	CRANBERRY DR WATERLINE	3,799.00	794
HCC	CRANBERRY DR ROAD	3,799.00	794
HK	SIDEWALK CAP PROJECT	890.39	782
HT	TOWN HALL CAP PROJECT	2,107.00	814
SL1	LIGHTING DISTRICT	889.68	803,806
SD	STORM DRAINAGE	3,435.50	789,794,834,874
HW	WATER TANK REPAIR	21,038.85	794
SS	SEWER DISTRICT	93,158.30	758,763,770,787,793,794,796,823, 824,843-876
SW1	WATER DISTRICT	83,284.10	758,763,770,787,793,794,796,823, 824,844-847,852,855,856,858,859, 861,863-866,868,874,877-886
TA200	PAYROLL DEDUCTIONS(TA85UNI,TA20,TA20D,TA86)	18.34	820
	TOTAL ABSTRACT	\$ 679,744.14	

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

WAIVER OF THE RULE: NO OBJECTIONS

RESOLUTION #188-2025:
Councilman Casale offered the following Resolution, seconded by **Councilman Holtz**:

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

WHEREAS, Collin O’Malley and Timothy Stryker recently became an active members of the Farmington Volunteer Fire Association, therefore be it

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

RESOLVED, that a certified copy of this resolution be sent to the Farmington Volunteer Fire Association, PO Box 25117, Farmington, NY 14425, for their records and to Collin O’Malley, 1310 Courtney Drive, Victor, NY 14564, and to Timothy Stryker, 4485 Latting Road, Canandaigua, NY 14424.

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

RESOLUTION #189-2025:
Councilman Holtz offered the following Resolution, seconded by **Councilman Herendeen**:

RESOLUTION TO AWARD THE CONTRACT FOR THE CRANBERRY DRIVE ROAD RECONSTRUCTION AND WATERMAIN REPLACMENT

WHEREAS, six bids were received on April 15, 2025 for the Cranberry Drive road reconstruction and waterline replacement, and

WHEREAS, the low bidder was JMR Excavation, LLC with a total bid price of \$1,570,380.48, and

WHEREAS, MRB Group has reviewed all of the bidding documentation and recommends that the Town of Farmington sign the Notice of Award, and

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

BE IT RESOLVED, that the Supervisor sign the Notice of Award, and

BE IT FULLY RESOLVED, the original Notice of Award be returned to David Herman, MRB Group, and that a copy of the resolution and Notice of Award be emailed to Melissa Liberatore (Melissa.Liberatore@mrbgroup.com), and also be supplied to the Water and Sewer department, the Highway department, and the Accountant I.
All Voting “Aye” (Herendeen, Casale, Bowerman, Holtz, and Ingalsbe), the Resolution was **CARRIED**.

RESOLUTION #190-2025:
Councilman Holtz offered the following Resolution, seconded by **Councilman Casale**:

A RESOLUTION ADOPTING LOCAL LAW NO. 5 OF 2025 (ACTION), ADOPTING A NEW CHAPTER 115, OF THE CODE OF THE TOWN OF FARMINGTON, ENTITLED “SHORT-TERM RESIDENTIAL RENTALS REGULATIONS.”

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board), on Tuesday, April 22, 2025, closed the public hearing upon the above referenced proposed Action; and

WHEREAS, the Town Board and the Town Clerk have received on April 23, 2025, the final draft of the above referenced Local Law No. 5 of 2025 (hereinafter referred to as Action); and

WHEREAS, the Town Board, by separate resolution adopted previously has classified the proposed Action as being a Type II Action under the provisions of the New York State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town Board has reviewed County Planning Board Referral Number 59-2025, and has made an amendment to reference the appropriate county registry short-term rentals; and

WHEREAS, the Town Board, after due deliberation, finds it in the best interest of the Town of Farmington to adopt said Local Law.

Now, therefore, be it RESOLVED, that the Town Board hereby adopts said Local Law No. 5 of 2025, entitled “A Local Law creating Chapter 115, of the Town of Farmington Town Code, Short-Term Residential Rental Regulations, a copy of which is attached hereto and made a part hereof.

Be it further RESOLVED, that the Town Clerk is directed to complete the Secretary of State’s new Cover Page and Certification Pages of said Local Law and to file said local law with the Secretary of State of New York, and to enter a Certified Copy thereof in the Local Law Book of the Town of Farmington.

Be it further RESOLVED, that said Local Law to take effect immediately upon filing with the Secretary of State.

Be it finally RESOLVED, that the Town Clerk, upon receipt of the filing of this Local Law with the Secretary of State of New York, is to request to notify General Code Publishers of the need to update the Town Code accordingly.

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

Local Law no. 5 of the year 2025

A local law creating: Chapter 115, of the Farmington Town Code entitled “Short-Term Residential Rentals Regulations.”

Be it enacted by the Town Board of the

Town of Farmington as follows:

Section 1: The Town of Farmington Town Code is hereby amended by adding a new Chapter 115 to read as follows:

Chapter 115

Short-Term Residential Rentals Regulations

§ 115-1 Title.

This Chapter shall be known and may be cited as the “Town of Farmington Short-Term Residential Rentals Regulations.”

§115-2 Findings.

The Town finds that extensive short-term residential rentals have the potential to compromise the residential character of neighborhoods and the community, drive up limited affordable housing supply, and may cause disruption to the peace, quiet and enjoyment of neighboring residents. Accordingly, to respect the rights and interests of all residents of the Town, this chapter seeks to thoroughly monitor and regulate those who offer their homes as short-term residential rental properties in order to minimize any potential detrimental impact this commercial enterprise may have upon the residential character of Farmington’s neighborhoods.

§115-3 Purpose.

The purpose of this Chapter is to regulate the business involving the short-term rental of residential properties to ensure such rentals do not create public safety hazards nor become disruptive to the quality of life for other residents in the neighborhood where the Short-Term Residential Rental property is located.

§115-4 Authority

- A. This Chapter is adopted pursuant to §10 of the New York State Municipal Home Rule Law, which empowers the Town of Farmington Town Board to adopt local laws relating to the government, protection, order, conduct, safety, health and well-being of persons or property within the Town, to include the power to adopt local laws providing for the regulation or licensing of occupations or businesses, which such power includes the power to adopt a local law regulating the use of buildings for short-term rentals.
- B. Section 130 of the New York State Town Law and, specifically, the police powers set forth therein paragraph 3-a (to adopt housing code regulations), paragraph 11 (to adopt regulations preserving the peace, good order and safety), paragraph 15 (to adopt regulations promoting the public health, safety, morals and general welfare, including the protection and preservation of the property of the Town and its inhabitants) and paragraph 19 (to adopt regulations prohibiting trespass and preserving peace and good order).

§115-5 Definitions

For purposes of this Chapter the following words and phrases shall have the definitions and meanings set forth below. If any words or phrases are defined elsewhere in this code the definitions set forth in this section shall control for the purposes of this Chapter.

APPLICATION – the application process for obtaining a Short-Term Residential Rental Permit.

AUTHORIZATION FORM – the form provided by the Town of Farmington when executed by an Owner, notarized, and filed with an application for a Short-Term Residential Rental Permit.

BOOKING SERVICE - A person or entity who, directly or indirectly: Provides one or more online, computer or application-based platforms that individually or collectively can be used to:

- (1) List or advertise offers for short-term rentals; and
- (2) Either accept such offers, or reserve or pay for such rentals; and charges, collects or receives a fee for the use of such a platform or for provision of any service in connection with a short-term residential rental.

SHORT-TERM RESIDENTIAL RENTAL UNIT - An entire dwelling unit, or a room, group of rooms, other living or sleeping space, or any other space within a dwelling, made available for rent by guests for one month or less, where the unit is offered for tourist or transient use by the short-term rental host of the residential unit. For this chapter, the term "short-term residential rental unit" shall not include motels, hotels, resorts, inns, a bed-and-breakfast, boarding/lodging house, campground, or ongoing month-to-month tenancies. The renewable rental of a dwelling unit to one or more persons who expect to occupy such unit more or less continuously on a month-to-month basis shall not be considered a Short-Term Residential Rental Unit under this Chapter.

SHORT-TERM RESIDENTIAL RENTAL PERMIT APPLICATION FEE - The fee established each year by the Farmington Town Board, as part of the Annual Town of Farmington Permit Fee Schedule, for the review and determination by the Town Code Enforcement Officer or Town Fire Marshal of an application for a Short-Term Residential Rental Permit to be issued in accordance with the provisions contained within Chapter 115 of the Farmington Town Code.

SHORT-TERM RESIDENTIAL RENTAL UNIT CERTIFICATE & FEE – The document issued by the Town of Farmington Code Enforcement Officer or Fire Marshal confirming that all regulations and guidelines established in this Chapter have been met by the property owner. Said document shall be valid for a two-year period, subject further to a fire and safety inspection fee paid to the Town Clerk's Office and in the amount established for the year issued and identified as part of the Town of Farmington Permit Fee Schedule. Said Fee Schedule is posted on the Town's Website www.townoffarmingtonny.org.

SHORT-TERM RESIDENTIAL RENTAL HOST - A person or entity in lawful possession of a short-term residential rental unit who rents such unit to guests in accordance with this chapter.

SHORT-TERM RESIDENTIAL RENTER – An individual, family, group of individuals, business, or other entity that rents or proposes to rent a Dwelling Unit in the Town for one month or less generally for a vacation with no intention of renting the unit for an additional consecutive Short-Term Residential Rental Period.

SLEEPING AREA – Any room in a dwelling that has a bed, bunk beds, daybed, or other furniture for sleeping, including, and without limitations, pull out couch or futon or any area advertised for sleeping. To be a valid sleeping area the sleeping area shall meet the requirements of a habitable area as defined by the most current version of the New York State Fire Prevention and Building Code.

LAND USE APPROVAL – The land use approval process contained in Chapter 165, Zoning Law, of the Code of the Town of Farmington; provided, however, if there are any conflicts, contradictions, or differences between the process and requirements set out in said Code and the process and requirements set out in this Chapter, the terms and conditions in this Short-Term Residential Rental Local Law shall control.

§115-6 Presumption of dwelling unit used as short-term residential rental property.

It shall be presumed that a dwelling unit is being used as a Short-Term Residential Rental Property, when:

- A. The presence of the following shall create a presumption that all or a part of the property is being used for a short-term residential rental: all or a part of the property is offered for lease for a period of one month or less through any form of advertising, including a short-term rental booking service; and
- B. The foregoing presumptions may be rebutted by evidence presented to the Code Enforcement Officer or Fire Marshal that the premises is not operated as a short-term residential rental.

§115-7 Required permit.

- A. Owners shall not use their property as a short-term residential rental without obtaining a revocable short-term residential rental permit from the Town of Farmington and a completed registration with Ontario County.
- B. A short-term residential rental unit permit shall be valid for a period of two (2) calendar years from the date of issuance and must be renewed at least thirty (30) days prior to expiration of the current permit if the premises is to continue to operate as a short-term rental unit.
- C. The short-term residential rental unit permit is not transferable to a new owner. The new owner of the property intending to use it as a short-term residential rental unit must file a new permit application and be issued a new permit.
- D. Properties with short-term residential rental unit commitments existing on the date this chapter takes effect shall be permitted to honor existing commitments and continue to make commitments for short-term rentals but must apply for a permit within 180 days of the chapter's effective date for all future short-term rental commitments. In the event such an application is denied, all commitments shall be cancelled.

§115-8 Short-term residential rental unit permit application requirements.

- A. Applications for a short-term residential rental unit permit may be obtained from the Town of Farmington Development Office. A short-term residential rental unit permit application shall be submitted to the Development Office and reviewed by the Town Code Enforcement Officer or Fire Marshal, accompanied by payment of a nonrefundable application fee as determined from time to time by resolution of the Town Board and listed in the Town's Annual Permit Fee Schedule. The application shall include the following:
 - (1) A copy of a valid Ontario County registration as a short-term rental host.
 - (2) The name, address and signature of a person or entity or designated agent that has a majority ownership interest in the short-term rental property.
 - (3) The name, address, email and contact information, including a twenty-four-hour contact phone number for the person at the property management company managing the property; or, if there is no property management company, the

- name, address and contact information, including a twenty-four-hour contact phone number for who may be the owner or owner's agent, and who may be contacted in the event of an emergency.
- (4) A statement authorizing the Code Enforcement Officer or Fire Marshal to inspect the property to ensure compliance with all requirements and standards contained within this chapter of the Farmington Town Code.
 - (5) An acknowledgement of present and ongoing compliance with the short-term residential rental unit standards as defined in this chapter.
 - (6) A floor plan for each level of the dwelling to be occupied, measuring at least 8 - ½ inches by 11 inches, drawn to scale and certified by the applicant. The floor plan will be on file in the Town Development Office as part of the Short-Term Residential Rental Permit Application. The floor plan does not need to be prepared by a professional, but must include the following:
 - (a) The location of all buildings, access to said buildings and required on-site parking.
 - (b) Basement: location of house utilities and all rooms including bedrooms/sleeping area(s), windows, exits, and any heating/cooling units.
 - (c) First floor: all rooms including but not limited to kitchen, bathroom(s), bedrooms/sleeping area(s), windows, exits, and any heating/cooling units.
 - (d) Second floor: all rooms including bedrooms/sleeping area(s), bathrooms, windows, exits, and any heating/cooling units.
 - (e) Attic (if habitable): all rooms including bedrooms/sleeping area(s), bathroom, windows, exits, and any heating/cooling units.
 - (7) A statement that none of the owners of the subject property have had a short-term rental permit and/or Department of State Registration or Ontario County Registration revoked within the previous year for any rental properties owned individually or together with others.

§115-9 Property requirements.

The following property requirements shall be met:

- (1) Property must be located within one of the following residential districts shown on the Town of Farmington Official Zoning Map:
 - [a] RA -80 Rural Agricultural District; and
 - [b] RR -80 Rural Residential District; and
 - [c] RS -25 Residential Suburban District; and
 - [d] R-1-10 Residential District; and
 - [e] R-1-15 Residential District; and
 - [f] R-2 Residential Two-Family District; and
 - [g] IZ Incentive Zoning District; and
 - [h] PD Planned Development District.
- (2) Property must comply with and meet all current NYS Uniform Fire Prevention and Building Codes.
- (3) There shall be one working smoke detector in each bedrooms/sleeping area(s), and one additional smoke detector on each floor. Carbon monoxide detectors shall be installed as required by the New York State Uniform Fire Prevention and Building Codes.
- (4) Evacuation procedures must be posted in the kitchen or living room and in each bedroom/sleeping area(s), to be followed in the event of a fire or smoke condition or upon activation of a fire, smoke-detecting or other alarm device.
- (5) There shall be an ABC-rated fire extinguisher on each floor and in the kitchen. Fire extinguishers shall be inspected no less than monthly by the permit holder(s) to ensure each contains a full charge. A record of the inspection date initialed by the permit holder shall be maintained and made available to the Code Enforcement Officer or Fire Marshal during the permitting process.
- (6) The house number (street address) shall be located both at the road, on a public safety sign as detailed in Appendix G-9.0 of the adopted Site Design & Development Criteria Manual and on the front of the dwelling unit so that the house number is clearly visible from both the road and the driveway.
- (7) Exterior doors shall be operational and all passageways to exterior doors shall be clear and unobstructed.
- (8) Electrical systems shall be in good operating condition, labeled, unobstructed and shall be visible for the Code Enforcement Officer or Fire Marshal during the permitting process. Any defects found shall be noted and corrected prior to permit issuance.

- (9) All fireplaces shall comply with all applicable laws and regulations.
- (10) The property must have a minimum of one off-road parking space for every bedroom/sleeping area. The floor plan, included with the permit application, shall identify the location and number of required parking spaces.
- (11) The water supply for the property must meet all state and town requirements.
- (12) See Town Code Chapter 165, Zoning Law, (§§ 165-39 through 165-49) "Article V. Supplementary Regulations" for criteria regarding Commercial Speech Signs.
- (13) Permit holders must provide evidence of property insurance and a certificate of liability insurance identifying that the premises is rated as a short-term rental and such insurance shall remain in effect throughout the term of the short-term rental permit.
- (14) Provisions shall be made for weekly garbage removal during rental periods. The applicant shall submit evidence how garbage is to be removed from the property. The applicant is responsible for all refuse and garbage removal and shall be responsible for either: a) contracting with a refuse company; or b) the owner or property manager shall remove garbage on a weekly basis. If there is a dumpster to be located on the property, the location of the dumpster shall be shown on a sketch plan drawing submitted with the application. Trash containers are required for each Short-Term Residential Rental Unit (STR) and shall always be secured with tight-fitting covers to prevent leakage, spilling or odors, animal trashing, and placed where they are not clearly visible from the road except on established pick-up time. All such units are to be relocated to their approved area on the same day following trash pick-up.
- (15) Occupancies of a short-term rental unit shall be subject to taxes and fees pursuant to articles twenty-eight and twenty-nine of the tox law and applicable local laws.
- (16) Short-term rental hosts shall maintain records related to guest stays for two years following the end of the calendar year in which an individual rental stay occurred, including the date of each stay and number of guests, the cost for each stay, including relevant tax records related to the registration as short-term rental hosts with Ontario County.

§115-10 Permit holders must have a rental contract, which includes the following:

- (1) Maximum occupancy of short-term residential rental units allowed on the property shall be based upon the applicant's compliance with either:
 - [a] the provisions contained in Chapter 125 of the Farmington Town Code, entitled Sewer Use, for rental units allowed connection to publicly owned treatment works of the Farmington Sanitary Sewer District; or
 - [b] for rental units operating upon the on-site wastewater treatment system's design, Chapter 126 of the Farmington Town Code, entitled Individual On-Site Wastewater Treatment Systems and the number of sleeping rooms permitted in the Dwelling Unit.
- (2) The maximum number of people allowed for each short-term residential rental unit shall be the smaller of:
 - [a] The maximum number of people allowed based upon the size of the individual on-site wastewater treatment system design; or
 - [b] The number of people calculated on the basis of two persons per sleeping room (unless the room size is below 100 square feet). For this purpose, a sleeping room is defined as a fully enclosed habitable space of at least 70 square feet for one person and 100 square feet for two persons, with an emergency escape or rescue opening; or
 - [c] Acknowledgement from the Town Water & Sewer Superintendent that the existing lateral connection to the public sewer line is functional and able to accommodate the number of short-term residential rental units.
- (3) Maximum number of on-site parking spaces to be provided.
 - [a] There must be sufficient off-street parking spaces, in compliance with the requirements of Chapter 165, Article V, Section 37 of the Town Code, to accommodate the maximum occupancy of the dwelling unit as a short-term rental.
 - [b] Tenants and their guests shall park in designated off-street parking spaces shown on their drawing and shall not park on any part of the lawn of the property nor on the street.

- (4) A good neighbor statement which includes, but is not limited to acknowledgement that:
- [a] The short-term residential rental unit is located within a residential area in the Town of Farmington; and renters and their guests are to be considerate of neighboring property.
 - [b] Renters and their guests are requested to observe quiet hours Sunday through Thursday from 10:00 p.m. through 7:00 a.m. and Friday and Saturday from 11:00 p.m. through 7:00 a.m.
 - [c] All renters and their guests will be subject to New York Penal Law § 240.20 or any successor statute regarding disorderly conduct.
 - [d] Littering is illegal.
 - [e] Recreational campfires, if permitted by the property owner, must be attended.
 - [f] Dogs must be always on a leash when outdoors, or under verbal control by their owners.

§115-11 Procedure upon filing application:

- A. Short-term residential rental permit applications shall be filed with the Town of Farmington Development Office with all supporting documentation and the nonrefundable application fee. Only completed applications will be accepted by the Town's Code Enforcement Officer or Fire Marshal.
- B. The Code Enforcement Officer or Fire Marshal may decline to accept an application for consideration for any of the following reasons:
 - (1) The application documentation required by this section was not included or the full permit fee was not paid.
 - (2) A previously issued short-term residential rental permit was revoked within the past year and defects and/or violations have not been corrected and inspected by the Code Enforcement Officer or Fire Marshal.
- C. Upon receipt and acceptance of a completed short-term residential rental permit application, nearby property owners located within five hundred feet of the short-term rental property's location will be notified of the application by posting of the property with a public notice sign 30 days in advance of the Code Enforcement Officer or Fire Marshal's determination.
- D. Upon the Code Enforcement Officer's or Fire Marshal's acceptance of the completed permit application, all documents and information required by this section, including the permit fee receipt, will be the basis for the Code Enforcement Officer or Fire Marshal review and determination. The Town Officials identified herein shall have 30 days, from the date of a complete application, to conduct a property inspection to certify and approve that all short-term rental requirements have been met and again at the time of the permit renewal.
- E. Upon approval of the short-term residential rental application by the Code Enforcement Officer or Fire Marshal and payment of the short-term residential rental permit fee, a short-term residential rental unit permit will be issued. Short-term residential rental unit permits issued pursuant to this section shall state the following:
 - (1) The applicant's name and the primary address of the short-term rental property owner, along with proof that all taxes and water and sewer fees have been paid.
 - (2) The address of the short-term rental property, including the tax map identification number.
 - (3) The Ontario County Clerk's Office registration information.
 - (4) The name, address, email and contact information, including a working twenty-four-hour emergency contact phone numbers for the host or person at the property management company managing the property; or, if there is no property management company, the name, address and contact information, including a twenty-four-hour contact phone number for who may be the owner or owner's agent, and who shall be contacted in the event of an emergency. If a property owner does not reside within 30 miles of the property, then they must designate the local manager as an agent and provide contact information.
 - (5) The applicant shall submit a copy of the house rules (See below Subsection 115-11) for required house rules.
 - (6) The maximum occupancy and total number of vehicles for the short-term rental property.
 - (7) Identification of the number of and location of parking spaces available.
 - (8) Any conditions imposed by the Town of Farmington Code Enforcement Officer or Fire Marshal.

§ 115-12 Conformity and display of short-term residential rental permit.

- A. Short-term residential rental permits are subject to continued compliance with the requirements of these regulations in effect at the time of permit issuance and as may be amended from time to time. Should amendment occur, the Town Code Enforcement Officer or Fire Marshal shall notify, via U.S. Mail the permit holder of said change within 30 days of adoption; and include said condition(s) to be provided as part of the permit renewal application.
- B. The Town's Short-Term Residential Rental Certificate, including the maximum occupancy limit, maximum parking, contact form in case of emergency and standards shall be prominently displayed in a conspicuous location inside the short-term residential rental unit.
- C. The short-term residential rental permit holder shall ensure that current and accurate information is provided to the Code Enforcement Officer or Fire Marshal, and that the holder shall notify the Town Development Office immediately of any change in the information displayed on the permit. In the event of such changes, the Code Enforcement Officer or Fire Marshal shall issue an amended Short-Term Rental Certificate, which the permit holder must immediately post the amended permit in a conspicuous location inside the short-term residential rental unit.

§ 115-13 House Rules.

- A. Posting of House Rules.

All short-term rental properties shall post for renters of each unit or rooms a listing of house rules. House rules shall incorporate, but not be limited to, the following:

- (1) An emergency exit regress plan and map.
- (2) The location of fire extinguishers.
- (3) Identify the property boundary lines and a statement emphasizing that unit occupants may be liable for illegal trespassing.
- (4) Identify the location and procedures for disposal of refuse/garbage.
- (5) If allowed by the property owner, specify outdoor fires shall be made solely within a fireplace or firepit in accordance with all New York State open air burning regulations. If not allowed by the property owner, a statement stating as such.
- (6) If allowed by the property owner, instructions for fires in fireplaces or wood stoves. If not allowed by the property owner, a statement stating as such.
- (7) Short-Term Residential Rental Units shall not be permitted to be used for any commercial use or commercial event space.
- (8) Outdoor camping shall be allowed as identified in the permit application.
- (9) Parking shall be allowed only in the designated parking spaces.
- (10) If the property owner has a swimming pool, pond, hot tub, sauna, or other swimming or bathing appurtenance (hereinafter: "pool"), a clear list of requirements related to use of the pool, including explanation of the use of the required barrier, barrier latches, alarms, and electrical disconnect shall be posted.
- (11) Renters and their guests are requested to observe quiet hours Sunday through Thursday from 10:00 p.m. through 7:00 a.m. and Friday and Saturday from 11:00 p.m. through 7:00 a.m.

§ 115-14 Compliance and penalties.

- A. Violations of this chapter or of any short-term residential rental permit issued pursuant to this chapter shall be subject to enforcement and penalties prescribed in this chapter.
- B. Operating a short-term rental without a permit or valid department of state registration. Any person violating the provisions of this chapter by conducting short-term rental(s) without a valid permit shall be in violation of the Town of Farmington Town Code.

- C. If the Code Enforcement Officer or Fire Marshal has probable cause to believe that the permittee is not in compliance with the provisions of this chapter, the Code Enforcement Officer or Fire Marshal shall make a written request of the owner of the short-term residential rental permit to enter the premises and to conduct an inspection of the short-term rental property for purposes of ensuring compliance with this section. If the property owner refuses to allow the Code Enforcement Officer or Fire Marshal to enter onto the property and to enter the building to inspect the permit conditions, the permit will be automatically revoked, and notification thereof provided in writing to the property owner and permit holder. If an inspection is authorized and conducted, the Code Enforcement Officer or Fire Marshal shall use the results of such inspection in determining whether to revoke the permit.
- D. If the Code Enforcement Officer or Fire Marshal either witnesses or receives a written complaint of an alleged violation of this section or of any short-term residential rental permit issued pursuant to this section, the Code Enforcement Officer or Fire Marshal shall properly record such complaint and immediately investigate the report thereon. If the Code Enforcement Officer or Fire Marshal determines there is a violation of this chapter, the owners shall be notified in writing by first class certified return receipt mail of said violation(s). The Code Enforcement Officer or Fire Marshal may then take any, or all, of the following actions:
- (1) Attach conditions to the existing short-term residential rental permit; and
 - (2) Suspend the short-term residential rental permit. The notice of suspension shall be provided to the property owner, the rental company and a copy filed with the Town Development Office and the Town Clerk's Office; and
 - (3) Require corrective action that remedies the cited violation(s). The corrective action must be completed and approved within 30 days of the date of such notice from the Code Enforcement Officer or Fire Marshal, or the owner may be subject to revocation of the short-term rental permit; and
 - (4) Issue an appearance ticket to Town Court for adjudicating the cited violation of Town Law; and
 - (5) Revoke the Short-term residential rental permit. Should a permit be revoked, all owners of the short-term rental are prohibited from obtaining a short-term residential rental permit on the property for one year from the date of revocation. The Code Enforcement Officer or Fire Marshal shall send notices of revocation to property owners and shall file a copy with the Town Development Office and the Town Clerk's Office.
- E. The Code Enforcement Officer or Fire Marshal may immediately suspend or revoke a Short-term residential rental permit based on any of the following grounds:
- (1) Applicant has falsified or failed to provide information in the application for a permit or the application for a permit renewal.
 - (2) Applicant failed to meet or comply with the requirements of this chapter.
 - (3) The owner is in violation of any provision of the Town Code of the Town of Farmington, New York.
 - (4) The owner has been found guilty of violating any provision of the Penal Code of the State of New York, which violation occurred at, during, or related to the occupancy of the short-term rental.
 - (5) Any conduct on the premises, which disturbs the health, safety, or welfare of the neighborhood or which otherwise creates a public nuisance.
 - (6) Removal or disrepair of any safety devices such as, but not limited to, smoke and carbon monoxide detectors, fire extinguishers and egresses.

§115- 15 Application for renewal of permit.

Renewal permits will be granted for an additional two-year term, commencing from the date of ending of the existing permit, if the following conditions are met:

- A. Application for renewal of the short-term residential rental permit shall be made 30 days prior to expiration of current permit and payment of the application fee for renewal is made.
- B. At the time of application for renewal, the owner or designated agent must present the previous permit for short-term rental.
- C. Any violations must be remedied prior to renewal of a permit for short-term rental.

§ 115-16 Appeals and hearings.

The property owner is entitled to appeal the Code Enforcement Officer or Fire Marshal's determination to the Town of Farmington Town Board when a property owner's application for a short-term residential rental permit or renewal is denied or a short-term residential rental permit is revoked. A notice of appeal shall be filed with the Town Clerk within 60 days of the Code Enforcement Officer or Fire Marshal's filing of the denial or revocation with the Town Clerk's Office.

Section 2: Severability.

In the event any clause, sentence, paragraph, subdivision or part of this chapter or the application thereof to any person, firm, corporation or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined to in its operation to the clause, sentence, paragraph, subdivision or part of this chapter or in its application to the person, individual, firm, corporation or circumstance, directly involved in the controversy in which such order or judgment shall be rendered.

Section 3: Effective Date.

This chapter shall take effect immediately upon its adoption and filing with the Secretary of State.

RESOLUTION #191-2025:

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN INTERMUNICIPAL AGREEMENT REGARDING MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) INSPECTION SERVICES WITH THE TOWN OF CANANDAIGUA

WHEREAS, the Town of Farmington has identified the need for part-time MS4 inspection services in order to comply with the regulatory requirements under the NYSDEC MS4 General Permit; and

WHEREAS, the Town of Canandaigua is willing to assign its designated MS4 employee to perform stormwater inspection duties in the Town of Farmington on a part-time bases in accordance with each municipality's respective Stormwater Management Program Plan (SWMP) under the terms and conditions set forth in the Intermunicipal Agreement (IMA); and

WHEREAS, the IMA provides that the Town of Farmington shall compensate the Town of Canandaigua an amount not to exceed fifty percent (50%) of the total salary of the MS4-designated position, to be paid in equal quarterly installments each calendar year, and prorated for the 2025 calendar year based on the actual start date of shared services; and

WHEREAS, the proposed IMA has been reviewed by the Town Supervisor, the Code Enforcement Officer, the Town Board and the Town Attorney; now therefore

BE IT RESOLVED, that the Town Board of the Town of Farmington authorizes the Town Supervisor to sign an Intermunicipal Agreement regarding MS4 inspections services; and

BE IT FURTHER RESOLVED, that the Town Clerk supply a copy of this resolution and one original executed agreement to Jared Simpson, Canandaigua Town Supervisor, and copies of the resolution and agreement to the Building Department and the Accountant I.

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

DISCUSSION: NONE.

TRAINING AT OR UNDER \$100.00:

1. Dan Delpriore to attend the Land Use Leadership Alliance Training Program on June 18th, 24th, and 25th at the Genesee Community College at no cost.
2. Dan Delpriore and David Orians to attend the Finger Lakes Water Works Conference on June 5th, 2025 at King's Catering at a cost not to exceed \$40.00 per person.

EXECUTIVE SESSION: NONE.

With no further business before the Board, **Councilman Bowerman** offered a motion to adjourn the meeting at 8:01 p.m., seconded by **Councilman Casale**. Motion **CARRIED**.

Michelle A. Finley, MMC, RMC -Town Clerk