

Resolution No. _____ of 2024

**THE TOWN OF FARMINGTON
TOWN BOARD**

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

Names	Ayes	Nays	Abstain	Absent
Supervisor Peter Ingalsbe				
Councilman Ron Herendeen				
Councilman Nathan Bowerman				
Councilman Steven Holtz				
Councilman Michael J. Casale				
Total				

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN
PROCLAMATION WITH THE INTERNATIONAL CODE COUNCIL DECLARING
THE MONTH OF MAY 2024 AS BUILDING SAFETY MONTH**

WHEREAS, the Town of Farmington is committed to recognizing that our growth and strength depends on the safety and essential role our homes, buildings and infrastructure play, both in everyday life and when disasters strike, and

WHEREAS, the Town’s confidence in the resilience of these buildings that make up our community is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers, plumbers and others in the construction industry—who work year-round to ensure the safe construction of buildings, and

WHEREAS, these guardians are dedicated members of the International Code Council, a nonprofit that brings together local, state, territorial, tribal and federal officials who are experts in the built environment to create and implement the highest-quality codes to protect us in the buildings where we live, learn, work and play, and

WHEREAS, these modern building codes include safeguards to protect the public from hazards such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquakes, and;

WHEREAS, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities’ largely unknown protectors of public safety—our local code officials—who assure us of safe, sustainable and affordable buildings that are essential to our prosperity, and

WHEREAS, “Mission Possible,” the theme for Building Safety Month 2024, encourages us all to raise awareness about building safety on a personal, local, and global scale, and

WHEREAS, each year, in observance of Building Safety Month, people all over the world are asked to consider the commitment to improve building safety, resilience and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property, now therefore

BE IT RESOLVED, the Town Board authorize Supervisor Ingalsbe to sign the proclamation that the month of May 2024 to be Building Safety Month and to encourage our citizens to join with their communities in participation in Building Safety Month activities., and

BE IT FURTHER RESOLVED, that copies of this resolution to be submitted by the Town Clerk to the Confidential Secretary and that the Town Clerk provide the original signed Proclamation to the Building Department for submission to the ICC.

Resolution No. _____ of 2024

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

Names	Ayes	Nays	Abstain	Absent
Supervisor Peter Ingalsbe				
Councilman Steven Holtz				
Councilman Michael Casale				
Councilman Ronald Herendeen				
Councilman Nathan Bowerman				

RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE MONTHLY REPORT OF THE SUPERVISOR FOR DECEMBER 2023

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 December 2023 to the Town Supervisor on January 3, 2024, and

WHEREAS, the Town Supervisor approved and executed the Monthly Report of the Supervisor for December 2023 on January 3, 2024,

WHEREAS, the Town Supervisor submitted said Monthly Report to the Town Board for approval via email,

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby accepts the Monthly Report of the Supervisor for December 2023, and be it further

RESOLVED that the Town Clerk give a copy of this resolution to the Accountant I.

Resolution No. _____ of 2024

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

Names Ayes Nays Abstain Absent

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

October 28, 2021

Names	Ayes	Nays	Abstain	Absent
Supervisor Peter Ingalsbe				
Councilman Steven Holtz				
Councilman Ronald Herendeen				
Councilman Michael Casale				
Councilman Nate Bowerman				

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN A LEASE
EXTENSION WITH COUNTRY BIBLE BAPTIST CHURCH**

WHEREAS, the Town of Farmington is the sole owner of 130 Hook Road in the Town of Farmington, Ontario County, New York State (the "Premises"), which consists of approximately 0.273 acre of land with a building located thereon, and

WHEREAS, the current Lease expired on December 31, 2023 and Country Bible Baptist Church has asked for another extension of the lease, now therefore

BE IT RESOLVED, that the Town Board of the Town of Farmington has determined that the Town has no present municipal need for the Premises and that the Premises is still available for leasing, and

BE IT FURTHER RESOLVED, that the Town Board finds the rent, terms and consideration set forth in the Lease extension represent fair and adequate consideration for the rental of the Premises, and

BE IT FURTHER RESOLVED, that the Town Board approves the Lease extension for a term from January 1, 2024 through December 31, 2024, and

BE IT FINALLY RESOLVED, that the Supervisor is hereby authorized and directed to execute the Lease extension on behalf of the Town of Farmington and the Town Board and that a copy of the Resolution and Lease extension be sent to Pastor Drake, County Bible Baptist Church, 130 Hook Road, and the Accountant I.

Resolution No. _____ of 2024

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

The following was presented
By _____
Sec'd by _____
Date of Adoption _____
October 28, 2021

Names	Ayes	Nays	Abstain	Absent
Supervisor Peter Ingalsbe				
Councilman Steven Holtz				
Councilman Ronald Herendeen				
Councilman Michael Casale				
Councilman Nate Bowerman				

**RESOLUTION AUTHORIZING SETTLEMENT OF PENDING TAX CERTIORARI ACTION
BY RECOVERY SOLAR 1 LLC AND
GREEN MOUNTAIN ELECTRIC SUPPLY, INC.**

WHEREAS, a tax certiorari proceeding was commenced by Recovery Solar 1 LLC and Green Mountain Electric Supply, Inc. (“Petitioners”) regarding property located at 6025 Denny Drive in the Town of Farmington (“Property”) challenging Petitioners’ assessment on the final tax assessment roll filed in 2023 and the action is currently pending in Ontario County Supreme Court (Index Number: 136596-2023) (“Pending Action”), and

WHEREAS, New York State recently mandated Towns apply a valuation model approved by the State to determine the value of solar energy facilities and this model results in values that are significantly lower than those computed based on the valuation methods previously utilized by assessors; and

WHEREAS, based on the lower value resulting from the application of the State’s models, negotiations for settlement were entered into regarding the Pending Action, Petitioners have agreed to a proposed disposition and the attorney for the Town in this matter and the Assessor have recommended the settlement, finding that the proposed settlement is in the best interests of the Town, and now, therefore, it is

RESOLVED, that the Town Board authorizes a settlement with Petitioners that reduces the 2023 assessment from \$1,296,000 to \$168,000, that waives the application of RPTL §727 and that states that Petitioner agrees not to challenge the 2024 – 2026 assessments if the 2024 assessment does not exceed \$158,000, the 2025 assessment does not exceed \$148,000 and the 2026 assessment does not exceed \$138,000, and that entitles Petitioners to any and all refunds and interest that would have been paid on the original 2023 assessment; and it is further

RESOLVED that the proposed settlement is in the best interests of the Town; and it is further

RESOLVED, that the Town Supervisor and the attorney for the Town are authorized to prepare and execute all documents necessary to finalize the settlement; and it is further

RESOLVED, that the Town Clerk forward copies of this Resolution to Sheila M. Chalifoux, Esq., Chalifoux Law, PC, the Assessor’s Office, and the Accountant I.

Resolution No. ____ of 2024

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

Names	Ayes	Nays	Abstain	Absent
Supervisor Mr. Ingalsbe				
Councilman Mr. Holtz				
Councilman Dr. Casale				
Councilman Mr. Herendeen				
Councilman Mr. Bowerman				
Total				

The following was presented

By _____

Sec'd by _____

Date of Adoption: January 13, 2024

RE: Resolution authorizing advertisement of bids for construction of the authorized 2021-2022 Federal Highway Administration (FHA)/New York State Department of Transportation(NYSDOT)/Town of Farmington Transportation Alternative Project (TAP) known as The Town of Farmington Sidewalk/Trail Connection and Bike Lane Capital Project, Phase 1, PIN 4761.41.

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board), has been awarded FHA grant funds and has previously committed to and authorized town matching funds for the above referenced TAP; and

WHEREAS, the Town of Farmington officials have identified both priority subareas and alternative subareas for the construction of this TAP; and

WHEREAS, the Town Board has been informed of the Regional Director, Region 4, January 4, 2024, letter of acceptance of the Town of Farmington’s certification of the plans, specifications, and estimate for this locally administered Federal Aid project.

WHEREAS, the Town Board has been informed by the Town’s TAP Manager that there is pending notification, within the next week from the DOT, authorizing the advertising of the project for letting; and

WHEREAS, General Municipal Law (Section 103) requires that the Town Board advertise for bids and award the bid to the lowest responsible bidder(s) meeting New York State statutory requirements and the requirements set forth in the Town’s bidding documents; and

WHEREAS, the Town Board desires to keep this TAP on schedule by authorizing the advertisement of bids for construction of the Project this year.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Farmington does hereby authorize and directs Fisher Associates, the TAP Engineers, upon receipt of acceptance from the Albany Office of the NSYDOT, to prepare and publish an advertisement for bids for the construction of the above referenced TAP, in the Town's Official Newspaper and other related publications.

BE IT FURTHER RESOLVED that the Town Clerk is hereby authorized and directed to publicly open all bids received, read the same aloud and record the bids as is customarily done and to present the bids at either a regular or special scheduled meeting of the Town Board for making an award.

BE IT FINALLY RESOLVED that certified copies of this resolution are to be provided to Ronald Brand, Director of Planning & Development, the Town's TAP Project Manager, Jon Harman, Local Project Liaison, Region 4 Office, NYSDOT, 1530 Jefferson Road, Rochester, New York, 14623; and Emily Smith, P.E., Fisher Associates, the Town's Project Engineers, 180 Charlotte Street, Rochester, New York 14607.

STATE OF NEW YORK
COUNTY OF ONTARIO SS:

I, Michelle Finley, Clerk of the Town of Farmington, New York, do hereby certify that I have compared the foregoing copy of this Resolution with the original on file in my office, and that the same is a true and correct transcript of said original Resolution and of the whole thereof, as duly adopted by said Town Board at a meeting duly called and held at the Farmington Town Hall, 1000 County Road 8, Farmington, New York 14425 on the 9th day of January, 2024 by the required and necessary vote of the members to approve the Resolution.

WITNESS My Hand and the Official Seal of the Town of Farmington, New York, this 14th day of January, 2024.

(seal)

Michelle Finley, Town Clerk
Town of Farmington, Ontario County, New York