

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 27th day of September, 2022, at 7:00 PM, there were:

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

Also present in person: **Tim Ford** – Highway and Parks Superintendent, **Dan Delpriore**– Code Enforcement Officer, **Dave Conti** – Water & Sewer Superintendent, **Ron Brand** – Director of Planning and Development, **Ed Hemminger** – Planning Board Chairman, **Adrian Bellis** – Planning Board Member, and **Tim Hannan**- Conservation Board Member, **Bill Davis** – MRB Group, **John Hotto** – Land Tech, **Ed Samoel**- Loomis Road Storage, **Larry Potter** – resident, and **Tonia Ettinger** – resident.

Also present by telephone/video conferencing were: **John Piper** – HR Consultant, **Nicole Lake** – Fishers Associates

PUBLIC HEARINGS: FARMINGTON MARKET CENTER REZONING

This public hearing is a continuation from the September 13, 2022, meeting. Supervisor Ingalsbe stated there was no new information and that there is a resolution on the agenda extending the hearing to the next meeting. Mr. Brand stated that he heard from Mr. Montalto and what has happened is that the traffic engineer that they have retained from SRF Associates was sold to Passero Associates and the transition over to Passero has interfered with them finishing the new traffic information. Mr. Montalto told Mr. Brand that he expects to have the report next week when it comes available.

Supervisor Ingalsbe asked if anyone was online or in person that wanted to make a comment, hearing none, the Public Hearing was continued to the October 11, 2022, Town Board Meeting.

PROPOSED REZONING OF LAND LOCATED AT THE SOUTHWEST CORNER OF PLASTERMILL AND LOOMIS ROADS AND ALONG THE EAST SIDE OF NYS RT. 332 FROM GB GENERAL BUSINESS TO GI GENERAL INDUSTRIAL

Supervisor Ingalsbe opened the public hearing at 7:01 p.m. The Town Clerk read the legal notice. Mr. Brand stated that this matter was referred to the Town Planning Board last month for a report of recommendation last month, which came back favorable, the Town Board decided to submit the application to the County, and it was reviewed this month and they also recommend favorably on the rezoning application. The owner and his engineer were in the audience tonight, they thanked the town for supporting the project.

Supervisor Ingalsbe asked if anyone wanted to speak for or against, hearing none, he closed the public hearing at 7:04 p.m.

APPROVAL OF MINUTES:

A motion was made by **Councilman Holtz** and seconded by **Councilman Bowerman**, that the minutes of the September 13, 2022, Town Board Meetings, the special meeting held on September 13, 2022, and given to members for review, be approved. All Voting "Aye". (Holtz, Bowerman, Herendeen, and Ingalsbe). Motion Carried.

PRIVILEGE OF THE FLOOR: None.

PUBLIC CONCERNS: None.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Holtz reported:

1. Discussed clay valve for influent building has been installed.
2. Discussed Bio Screw pilot has been transferred to the NW Facility in Monroe County. Sludge cake was delivered to NW Facility.
3. Discussed Low Left Pump VFD cooling fans need to be replaced.
4. The Bell and Gossett pump has been delivered and ready to be installed.
5. Discussed replacement parts for the UV Disinfection system.
6. Discussed quotes from Cook Iron for new fall arrest equipment.
7. Discussed watermain replacement at the intersection of Rt. 332 and Rt. 96.
8. Discussed watermain replacement at Townline Road.
9. Watermain breaks – 0.
10. Discussed Flow Testing.
11. Discussed Wangum Road Pumpstation– waiting for parts.
12. Discussed Dakksco – waiting for parts for Wangum Rd PS-25.
13. Discussed manhole restoration – completed 9/29/2022.
14. Discussed resolution for meeting.

Highway & Parks:

1. Highway- equipment maintenance, roadside mowing, trucks hauling for Victor/Phelps, plant trees in Beaver Creek Park, drumlin signs have been put up at Hickory Rise.
2. Parks- Building and Park Maintenance, mowing parks and trails, repair trails at Beaver Creek Park, and fertilizer at Beaver Creek park.
3. Discussed: As built Town Line Road Elmwood/Park Land- removal of personal property, Mud Creek Log jam.
4. Discussed resolutions for meeting.

Town Operations Committee: Councilman Bowerman reported:

1. Discussed various projects-TAP Grant, Farmington Market Center Traffic Study, issue at Auburn Meadows, Delaware River Solar, and Short-Term rentals.
2. Report filed with Town Clerk and posted on website.

Town Finance Committee: Supervisor Ingalsbe reported: None.**Town Public Safety Committee: Councilman Holtz reported: None.****REPORTS OF TOWN OFFICIALS:****Supervisor Peter Ingalsbe reported:**

1. Finished reviewing all departments budgets for 2023. Preliminary to Town Clerk on or about October 7th, earliest they would vote would be the second meeting in October, alternate would be the first meeting in November.
2. Spent 5 ½ hours at the County going over department budgets. Biggest department that they have no control over is Department of Social Services and Office of the Aging. On any given day there are 130 individuals that are homeless in Ontario County, including 15 families.
3. Child trafficking is in Ontario County.

Highway& Parks Superintendent Tim Ford reported:

1. Reported that crews were out on the roads that are to be stoned and oiled next year, cleaning inlets and outlets in the culvert pipes in preparation for next year.

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

1. Discussed software for tracking meters. Looking at meter suppliers.

Code Enforcement Officer Dan Delproire reported:

1. Alarm issues at Pintail Crossing Apartments.
2. Concrete issues – lack of drivers.
3. Reminders – Treat and Trunk at the Town Park will be noon-2 p.m. on October 22, and the Pumpkin Walk at Beaver Creek Park will be later in the day on October 22nd.

Director of Planning and Development Ron Brand reported:

1. Report available on website and filed with the Town Clerk.
2. Conservation Board continues to be updating the Open Space Index, working on preparing a report to the Town Board later this year.
3. Adopt a Highway – October 8th.
4. Update on Solar Project – fencing is almost completed, and the underground installation of wiring is almost completed. Will be receiving the first shipment of trees to be planted around the property.
5. Discussed Electric Car Corner.

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

1. Assisting with grading and drainage at the WWTP.
2. List of address needed for the lead service line inventory.
3. Update on Rt. 332 and Rt. 96 project – more than 50% completed.
4. Closing out manhole project -DEC should be happy.

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

1. Next meeting -Electric Car Corner.

Zoning Board of Appeals reported: None.

Recreation Advisory Committee Bryan Meck reported: None.

Recreation Director Mark Cain reported: None.

Supervisor Ingalsbe stated that the town is planning on putting in two new playgrounds, one at Mertensia Park and the other at Farmbrook Park. Asked the Recreation Advisory Committee for their thoughts and recommendations. One is funded in the 2022 budget and the other in the 2023 budget.

Beaver Creek Park – met with contractors last week, 6-10 trees left to put in- at 90% of closing out the project.

Ontario County Planning Board Member reported: None.

Conservation Board Chairman Hilton reported: None.

Town Historian Donna Herendeen reported: None.

Swap Shop Update: Councilman Holtz reported: None.

Agricultural Advisory Committee Chairman Adams: None.

COMMUNICATIONS:

1. Memo to all Town employees from the Town Supervisor. Re: Employee Handbook Update.
2. Contract Status Inquiry. Re: NYS Route 332 & 96 Watermain Replacement.
3. Letter to the Assessor from Rebecca Speno of Speno MacLeod, PLLC. Re: Pintail Crossing, LLC et al v Assessor, Town of Farmington.
4. Easements for Centerpointe, LLC.
5. Letter to the Town Supervisor and Town Board from Kate Whitney, Resident. Re: Wonderful customer service at Town Clerk's Office.
6. Letter to Emily Smith of Fisher Associates from the Director of Development. Re: Town of Farmington Sidewalk/Trail Connection – Phase I Improvement Project – Federal Aid Transportation Alternatives Program (TAP).
7. Letter to Town from undisclosed resident. Re: Barking dogs.
8. Letters to various engineering firms from the Director of Development. Re: Town of Farmington Sidewalk/Trail Connection – Phase I Improvement Project – Federal Aid Transportation Alternatives Program (TAP).
9. Letter from Andrew Biernat and Ethan Fogg of Ontario County Chamber of Commerce. Re: Free membership.
10. Letter to Clifford Weitzel from the Director of Development. Re: Payne Cemetery Land Acquisition.
11. Certificates of Liability Insurance from: JBC Excavation, LLC; Lowe North Construction, Inc.; Betlem Service Corporation dba Emcor Services; Pooler Enterprises, Inc.
12. Certificates of Workers' Compensation Insurance from: JBC Excavation, LLC.
13. Certificate of NYS Disability and Paid Family Leave Benefits Law from: JBC Excavation, LLC.

REPORTS & MINUTES:

1. Victor-Farmington Volunteer Ambulance Call log – August 2022.
2. Manchester Fire Department Incident Run Log – August 2022.
3. Project Review Committee Meeting Minutes – September 1, 2022.
4. Planning Board Meeting Minutes – September 7, 2022.

ORDER OF BUSINESS:

RESOLUTION 369-2022:

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

RESOLUTION FOR CONSENT OF DISCONTINUANCE OF TOMRA TRAIL PURSUANT TO NYS HIGHWAY LAW ARTICLE 8, SECTION 171(2)

WHEREAS, TOMRA NY Recycling, LLC has submitted an application dated September 6, 2022, for the discontinuance of Tomra Trail in the Town of Farmington as described in said application; and

WHEREAS, the real estate bordering Tomra Trail is comprised of two (2) tax map parcels identified as follows:

1. Tax Map No. 17.00-1-25.210, located to the west and south of Tomra Trail, having an address of 5923 Loomis Road, Farmington, New York, and being currently owned by TOMRA NY Recycling, LLC (the "TOMRA Parcel"); and
2. Tax Map No. 17.00-1-25.120, located to the east of Tomra Trail, having an address of 5911 Loomis Road, Farmington, New York, and being currently owned by A & A of New York LLC (the "A & A Parcel"); and

WHEREAS, there is attached to said application a written release from all damages executed by TOMRA NY Recycling, LLC and a written release from all damages executed by A & A of New York LLC, the owners of all of the lands which the highway sought to be discontinued is adjacent and, therefore, affected by such discontinuance; and

WHEREAS, the TOMRA Parcel and the A & A Parcel are the only properties adjacent to Tomra Trail and the A & A Parcel has no access point or curb cut onto Tomra Trail so no other property, other than the TOMRA Parcel relies on Tomra Trail for access; and

WHEREAS, both the TOMRA Parcel and the A & A Parcel have frontage and access on Loomis Road; and

WHEREAS, there are no utilities, including water and sewer, that have improvements or easements on, under or along Tomra Trail so that no property will have their utilities negatively impacted by the discontinuance of Tomra Trail; and

WHEREAS, Tomra Trail is a dead-end road so the public does not use Tomra Trail for any reason; and

WHEREAS, Tomra Trail is of no proper or necessary use by the public and its discontinuance will remove a public highway that serves merely as a driveway to the property owned by TOMRA NY Recycling, LLC; and

WHEREAS, the Town would be further benefited by the discontinuance of Tomra Trail in that it would no longer have the care and expense of maintaining, plowing, sanding, repairing and insuring Tomra Trail.

NOW, THEREFORE, We, Councilpersons of the Town Board of the Town of Farmington, Ontario County, New York, having read the application of TOMRA NY Recycling, LLC, and it appearing that there are no other persons or entities, other than this Applicant and A & A of New York LLC, owning any premises to which said highway is adjacent, and it further appearing that said highway sought to be discontinued has become unnecessary and useless except to the Applicant, do hereby resolve to consent, pursuant to Section 171 of the Highway Law of the State of New York, that Tomra Trail, the highway sought to be discontinued and described in the application, be discontinued; said portion being described as follows:

Tomra Trail in the Town of Farmington, Ontario County, New York located south of Loomis Road, and being more fully described in the aforesaid application.

DISCUSSION: Mr. Brand stated that when TOMRA first came to the town, they had a parcel of land that they only wanted to front portion of, and if they subdivided the land, they would have land locked the rear portion of the property. He added that the property owner at the time had opportunities for developing the land so TOMRA built TOMRA Trail and as time went on, they expanded their operations, and they acquired that second parcel. He stated that for years TOMRA was the only user of that public highway and the opportunity presented itself to the town with the expansion of the project to take the burden off the tax payers by abandoning that right of way, the adjacent property owner agreed to it and this action tonight will formally do away with TOMRA Trail as a dedicated town highway.

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

RESOLUTION #370-2022:

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

APPROVING A PARTIAL RELEASE OF FUNDS (RELEASE NO. 6) FROM THE LETTER OF CREDIT FOR UTILITY WORK WITHIN PHASE 1 OF THE HATHAWAY'S CORNERS PROJECT, IN THE TOTAL AMOUNT OF \$925,742.88

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has been informed by the Planning Board Chairperson, that the Town Planning Board (hereinafter referred to as Planning Board) has taken Action, at their September 21, 2022 meeting, to recommend approval of a partial release of funds (Release No. 6) remaining in the Letter of Credit for the above referenced project, in the total amount of \$ 925,742.88; and

WHEREAS, the Town Board has also been provided a copy of the Town Engineer's letter dated September 14, 2022, which includes the completed Forms G-1.1 and G-2.0, the Letter of Credit/Surety Release Forms in the amount specified above herein and the Applicant's Engineer's (BME Associates) Estimate of Value for site improvements that have been completed; and

WHEREAS, the Town Clerk has completed her review of the dollar amounts specified herein for the partial release (Release No. 6) finding them to be accurate.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby acknowledges the above specified Planning Board's recommendation for a partial release of funds (Release No. 6), from the established Letter of Credit for said project, in the total amount of \$ 925,742.88 and recommends approval thereof.

BE IT FURTHER RESOLVED, that the Town Clerk, having verified the total amount for this Letter of Credit is \$4,860,086.66, with \$754,194.35 remaining after partial release No. 6, to complete the project.

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

FINALLY BE IT RESOLVED, that a certified copy of this resolution is to be issued to the Applicant, Mark Stevens, Ashley Management Corporation, 16 West Main Street, Suite 700, Rochester, New York 14614; the Applicant's Engineer, Ryan Destro, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, New York 14450; and Tom Danks, Project Manager, BME Associates, 10 Lift Bridge Lane East, Fairport, New York 14450.

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

RESOLUTION #371-2022:

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

APPROVING A PARTIAL RELEASE OF FUNDS (RELEASE NO. 1) FROM THE LETTER OF CREDIT FOR WORK WITHIN PHASE 1 OF THE VILLAS AT HATHAWAY'S CORNERS PROJECT, IN THE TOTAL AMOUNT OF \$394,026.50

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has been informed by the Planning Board Chairperson, that the Town Planning Board (hereinafter referred to as Planning Board) has taken Action, at their September 21, 2022 meeting, to recommend approval of a partial release of funds (Release No.1) from the Letter of Credit for the above referenced project, in the total amount of \$ 394,026.50; and

WHEREAS, the Town Board has also been provided a copy of the Town Engineer's letter dated September 14, 2022, which includes the completed Forms G-1.1 and G-2.0, the Letter of Credit/Surety Release Forms, in the amount specified above herein and the Applicant's Engineer's (BME Associates) Estimate of Value for site improvements that have been completed; and

WHEREAS, the Town Clerk has completed her review of the dollar amounts specified herein for the partial release (Release No. 1) finding them to be accurate.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby acknowledge the above specified Planning Board's recommendation for a partial release of funds (Release No. 1), from the established Letter of Credit for said project, in the total amount of \$ 394,026.50 and recommends approval thereof.

BE IT FURTHER RESOLVED, that the Town Clerk, having verified the total amount for this Letter of Credit is \$637,807.37, with \$243,780.87 remaining after partial release No. 1, to complete the project.

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

FINALLY BE IT RESOLVED, that a certified copy of this resolution is to be issued to the Applicant, David DePaolo, The Marrano/Marc Equity Corporation, 2730 Transit Road, West Seneca, New York 14224; the Applicant's Engineer, Ryan Destro, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, New York 14450; and Tom Danks, Project Manager, BME Associates, 10 Lift Bridge Lane East, Fairport, New York 14450.

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

RESOLUTION #372-2022:

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

RESOLUTION ACCEPTING A TWO (2) YEAR MAINTENANCE BOND FROM FARMINGTON AUTO WASH, 6214 STATE ROUTE 96, FOR SIDEWALK SITE IMPROVEMENTS IN THE TOTAL AMOUNT OF \$1,785.00

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineers, a letter dated September 14, 2022 recommending the Town Board's acceptance of dedication and a two (2) year Maintenance Bond, for newly constructed sidewalks along the frontages of New York State Route 96 and Mertensia Road, in the total amount of \$1,785.00; and

WHEREAS, the Town Board understands that said Maintenance Bond is to be used for making repairs or replacement of any defects that may be found during the specified two year period of the date of the maintenance bond, in material and/or workmanship, relating to the installation of sidewalks for the Farmington Auto Wash Project; and

WHEREAS, the Town Board further understands that prior to the close out of an existing letter of credit for this project, a 2-year maintenance bond is required to be provided to the Town and filed with the Town Clerk.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby accept the dedication of the identified site improvements and directs the Applicant to file with the Town Clerk a two (2) year Maintenance Bond, in the total amount specified above herein, for the above referenced project which has been completed as part of approved site improvements for the Farmington Auto Wash Project, located at 6214 New York State Route 96.

BE IT FURTHER RESOLVED, that the Town Clerk is to provide certified copies of this resolution to: Matt Heilmann, Town Construction Inspector; Tim Ford, Town Highway & Parks Superintendent; Lance S. Brabant, CPESC, Director of Planning Services, MRB Group, D.P.C.; Dan Delpriore, Town Code Enforcement Officer; Edward Hemminger, Town Planning Board Chairperson; and Ronald L. Brand, Town Director of Planning and Development.

FINALLY BE IT RESOLVED, that a certified copy of this resolution is to be issued to: Mr. Robert Marchenese, President, Farmington Auto Wash, P.O. Box 451, Canandaigua, New York 14424; and Alex Amering, P.E., Costich Engineers D.P.C., 217 Lake Avenue, Rochester, New York 14608.

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

RESOLUTION #373-2022:

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

RESOLUTION APPROVING THE REZONING OF LAND, LOCATED ALONG THE SOUTH SIDE OF LOOMIS ROAD BETWEEN STATE ROUTE 332 AND PLASTERMILL ROAD, FROM GB GENERAL BUSINESS TO GI GENERAL INDUSTRIAL; AUTHORIZING THE AMENDMENT THEREOF UPON THE TOWN'S OFFICIAL ZONING MAP; AND ADOPTING LOCAL LAW NO. 7 OF 2022

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received and reviewed, from the Town Director of Planning and Development (hereinafter referred to as Director of Development), a final draft of the above referenced local law (hereinafter referred to as Action); and

WHEREAS, the Town Board has tonight conducted a public hearing upon the above referenced Action and has considered the testimony provided; and

WHEREAS, the Town Board has reviewed the criteria contained in Parts 617.4 and 617.5 of the State Environmental Quality Review (SEQR) Regulations for classifying the above referenced Actions and has classified (Town Board Resolution No. 332 of 2022, dated August 24, 2022) the proposed Action as being a Type II Action, thereby satisfying the SEQR procedural requirement: and

WHEREAS, the Town Board has reviewed the Ontario County Planning Board Referral No. 186-2022, a Class 2 referral with a recommendation of approval, dated September 14, 2022.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby accept the final draft of the above referenced local law which is hereby attached to and made part of this resolution.

BE IT FURTHER RESOLVED, that the Town Board does hereby adopt in its entirety Local Law No. 7 of 2022 and directs the Town Clerk to Certify the State’s Local Law Form and to file said Form with the New York State Office of the Secretary of State.

BE IT FURTHER RESOLVED, that upon receipt of the filing of Local Law No. 7 of 2022 with the New York State Office of the Secretary of State, the Town Clerk is hereby directed to cause and to attest to the amendment of Town’s Official Zoning Map in accordance with the provisions contained in Sections 1 and 2 of the above referenced Local Law.

BE IT FINALLY RESOLVED, that the Town Clerk is hereby directed to provide certified copies of this resolution to the Town Planning Board, the Clerk of the Planning Board, the Town Director of Planning and Development, the Town Code Enforcement Officer, the Town Zoning Officer, the Applicant, and the Applicant’s Engineer.

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

Local Law no. 7 of the year 2022

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 June 23, 2021, is hereby further amended as follows:

Tax Map Account 29.00-01-86.2, containing approximately 2.502 acres of land, owned by O Loomis Road, LLC, currently zoned GB General Business District is hereby rezoned to GI General Industrial Zoning.

Section 2: The Farmington Town Clerk, in accordance with the provisions contained in Chapter 165, Article III Establishment and Designation of Districts, Section 12. C. of the Farmington Town Code is hereby authorized and directed to amend the Town’s Official Zoning Map, last revised on June 23, 2021, and the revision box and to attest to the accuracy of said 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 #374-2022:

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

CONFIRMING RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN SERVICE ORDER WITH FIRSTLIGHT FOR INTERNET UPGRADE FOR PARKS BUILDING

WHEREAS, the Parks Building has a need for upgraded internet; and

WHEREAS, the Town Supervisor received a quote for an internet upgrade for Parks Building from FirstLight in the amount of \$398.00 per month, now

THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Town Supervisor to sign the Service Order with FirstLight at a cost not to exceed \$398.00 per month, and be it further

RESOLVED, that the Town Clerk give a copy of this resolution to the Accountant I and the Supervisor’s Office.

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

RESOLUTION #375-2022:

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

RESOLUTION APPOINTING RONALD L. BRAND, TOWN DIRECTOR OF PLANNING AND DEVELOPMENT, AS THE TOWN PROJECT MANAGER FOR THE FEDERAL AID TRANSPORTATION ALTERNATIVES PROGRAM (TAP) PROJECT ENTITLED TOWN OF FARMINGTON SIDEWALK/TRAIL CONNECTION – PHASE I PROJECT, PIN 4761.41

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received official documentation from the Town Director of Planning and Development (hereinafter referred to as Director) that the Town’s 2021-2022 TAP-CMAQ Grant Applications has been awarded by the New York State Department of Transportation; and

WHEREAS, the Town under the provisions of the Federal Aid Transportation Alternatives Program (TAP) is required to designate the Town's Project Manager for the above referenced TAP Project.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, does hereby appoint the Director as the designated Town Project Manager for the above referenced TAP Project identified as PIN 4761.41.

BE IT FURTHER RESOLVED, that the Town Board does hereby approve funding the Director as further provided for in the TAP Grant Award.

BE IT FINALLY RESOLVED, that certified copies of this resolution are to be provided to the Accountant I and the Director.

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

RESOLUTION #376-2022:

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

RESOLUTION ACCEPTING THE CONSULTANTS RANKINGS PROVIDED BY THE TOWN OF FARMINGTON CONSULTANTS RANKING COMMITTEE; TENTATIVELY DESIGNATING FISHER ASSOCIATES TO PERFORM PROFESSIONAL SERVICES ON BEHALF OF THE TOWN FOR THE TRANSPORTATION ALTERNATIVES PROGRAM (TAP) PROJECT ENTITLED TOWN OF FARMINGTON SIDEWALK/TRAIL CONNECTION – PHASE I PROJECT, PIN 4761.41; DIRECTING THE TOWN SUPERVISOR TO NEGOTIATE A DRAFT CONTRACT AGREEMENT WITH FISHER ASSOCIATES FOR ENGINEERING, SURVEYING AND CONSTRUCTION INSPECTION SERVICES FOR SAID TAP PROJECT; AND BRINGING SAID DRAFT CONTRACT TO THE TOWN BOARD FOR ITS REVIEW AND APPROVAL

WHEREAS, the Town Supervisor has appointed the Town of Farmington Consultants Ranking Committee to review responses to the Town's solicited Offers of Expressed Interest (OEI) from engineering firms, provided each member of the Committee with a blank ranking form having pre-established values for five categories to be used for individually ranking each firm, copies of the six OEIs, and instructions to provide their rankings only to the designated Town Project Manager (the Town's Director of Planning and Development) for preparing an Aggregate Ranking Form (hereinafter referred to as Form); and

WHEREAS, the designated Town Project Manager, in accordance with the provisions of the Federal Aid Transportation Alternatives Program (TAP) has solicited a total of fifteen (15) Offers of Expressed Interest (OEI) from the engineering firms comprising the Region 4 Office of the New York State Department of Transportation (DOT) Local Design Services Approved (LDSA) list; and

WHEREAS, the Town received a total of six (6) OEIs, all of which were found by the designated Town Project Manager to be firms on the DOT's LDSA list; and

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received from the designated Town Project Manager, the Form; and

WHEREAS, the Form identifies Fisher Associates as being the highest ranked firm to perform professional services on behalf of the Town for the above referenced TAP Project; and

WHEREAS, the Town Board is responsible for either accepting or rejecting the Committee's designation of an engineering firm to provide services on behalf of the Town which then enables the preparation of a draft contract agreement to be negotiated with the Town Supervisor and then brought to the Town Board for its review and approval; and

WHEREAS, the Town Board desires to advance this TAP Project.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, does hereby acknowledge receipt of the Form for engineering consulting services for the above referenced TAP Project identified as PIN 4761.41.

BE IT FURTHER RESOLVED, that the Town Board does hereby agree with the Form and grants its' tentative approval to designate Fisher Associates to prepare a draft contract agreement to perform engineering, surveying and construction inspection services for said TAP Project.

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby directed to negotiate a draft contract agreement with Fisher Associates and then to bring said draft agreement to the Town Board for its' review and approval at the future Town Board meeting.

BE IT FINALLY RESOLVED, that certified copies of this resolution are to be provided to: Emily Smith, P.E., Fisher Associates; Jon Harman, RLPL, NYSDOT; the Town Supervisor; the Accountant I; and the designated Town Project Manager.

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

RESOLUTION #377-2022:

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

RESOLUTION TO CONTINUE THE PUBLIC HEARING AND FURTHER DELIBERATIONS UPON THE FARMINGTON MARKET CENTER INCENTIVE REZONING ACTION TO TUESDAY EVENING, OCTOBER 11, 2022, COMMENCING AT 7:00 P.M. EASTERN DAYLIGHT SAVINGS TIME

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has by adopting Town Board Resolution Number 336 of 2022 (hereinafter referred to as Resolution) dated August 24, 2022, authorized Fisher Associates to review three (3) trip generation and trip distribution reports related to the environmental record under review by the Town Board for the Farmington Market Center (FMC) rezoning project; and

WHEREAS, said Resolution also continued the public hearing upon the above referenced Rezoning Action to tonight, Wednesday, September 27, 2022; and

WHEREAS, the Town Director of Planning & Development has tonight informed the Town Board that said trip generation and trip distribution report from Fisher Associates is not yet complete.

NOW, THEREFORE BE IT RESOLVED, the Town Board does hereby declare it to be in the best interests of the Town to table any further deliberations upon the FMC rezoning project, and does hereby move to continue the public hearing upon the above referenced Action to Tuesday evening, October 11, 2022, commencing at 7:00 p.m. Eastern Day Light Savings Time, in the Farmington Town Hall, 1000 County Road 8, Farmington, New York 14425.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to provide a certified copy of this resolution to the identified involved agencies under the State Environmental Quality Review (SEQR) regulations thereby keeping them informed of the ongoing deliberations upon the proposed Action and the status of a pending determination of significance to be made under SEQR.

BE IT FINALLY RESOLVED, that the Town Clerk is hereby directed to provide certified copies of this resolution and the attachments thereto to the Applicant, the Applicant’s Engineer and the Applicant’s Attorney.

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

RESOLUTION #378-2022:

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

RESOLUTION AUTHORIZING THE TOWN JUSTICES TO APPLY FOR A JUSTICE COURT ACTION PLAN GRANT

WHEREAS, the Town of Farmington Court has asked for the Town Board’s support in obtaining a Justice Court Action Plan grant to help maintain its level of efficiency and

WHEREAS, the Justices as looking to add and or update office equipment as follows:

| | |
|--|------------|
| Replacement of outdoor surveillance cameras | \$2,165.00 |
| Replacement computer monitor for Judge Gligora | \$119.99 |
| 2 tables for bailiff/security checkpoint areas | \$455.98 |
| 2023 law books for judicial libraries | \$220.56 |
| 3 file cabinets | \$2,633.97 |
| Floor fan | \$69.99 |
| Clerk Chair | \$348.15 |
| PPE- disinfectant spray | \$53.92 |
| PPE- facial tissues | \$57.99 |
| PPE- bottled hand sanitizer | \$171.96 |
| PPE- antibacterial wipes | \$40.99 |
| PPE- disposable face masks | \$94.74 |
| PPE- hand sanitizer dispenser refills | \$252.27 |

The total we are seeking from the state grant is \$ 6,685.51

WHEREAS, the total being sought is \$ 6,685.51; now therefore

BE IT RESOLVED, that the Board of the Town of Farmington hereby authorizes the Farmington Town Court Justices to apply for a JCAP grant in the 2022-2023 grant cycle up to \$ 6,685.51, and authorizes Town Supervisor Peter Ingalsbe to sign the attached application; and be it

FURTHER RESOLVED, that the Town Clerk provide a copy of this resolution to the Town Court and the Accountant I.

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

RESOLUTION #379-2022:

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

RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN THE SEWER FUND

WHEREAS, a budget amendment is needed in the sewer fund for utility expenses

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington hereby authorizes the following budget amendment:

| | | | |
|---------------|----------------------------|----------|----------|
| From: SS599 | Appropriated Fund Balance | \$65,000 | |
| To: SS8130.41 | Sewage Treatment Utilities | | \$65,000 |

BE IT RESOLVED, that the Accountant I complete the budget amendment,

FURTHER RESOLVED, that the Town Clerk submits a copy of the resolution to the Accountant I and the Water and Sewer Department.

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

RESOLUTION #380-2022:

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

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE GENERAL FUND

WHEREAS, additional funding is needed in the traffic control contractual line in the General Fund due to an increase in road striping expenses,

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington hereby authorizes the following budget amendments:

Debit: A2725 VLT funding \$11,500
 Credit: A3310.4 Traffic Control-Contractual \$11,500

BE IT RESOLVED, that the Accountant I perform the budget amendment,

FURTHER RESOLVED, that copies of this resolution be submitted by the Town Clerk to the Accountant I.

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

RESOLUTION #381-2022:

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

APPROVING THE FINAL RELEASE OF FUNDS FROM THE LETTER OF CREDIT FOR EARTHWORK (A GRADING PERMIT) WITHIN PHASE 1 OF THE HATHAWAY'S CORNERS PROJECT, IN THE TOTAL AMOUNT OF \$217,323.95

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has been informed by the Planning Board Chairperson, that the Town Planning Board (hereinafter referred to as Planning Board) has taken Action, at their September 21, 2022 meeting, to recommend approval of the final release of funds remaining in the Letter of Credit for the above referenced project, in the total amount of \$ 217,323.95; and

WHEREAS, the Town Board has also been provided a copy of the Town Engineer's letter dated September 14, 2022, which includes the completed Forms G-1.1 and G-2.0, the Letter of Credit/Surety Release Forms in the amount specified above herein and the Applicant's Engineer's (BME Associates) Estimate of Value for site improvements that have been completed.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby acknowledge the above specified Planning Board's recommendation for the final release of funds from the established Letter of Credit for said project and approves of the final release of funds from the established Letter of Credit.

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

FINALLY BE IT RESOLVED, that a certified copy of this resolution is to be issued to the Applicant, Mark Stevens, Ashley Management Corporation, 16 West Main Street, Suite 700, Rochester, New York 14614; the Applicant's Engineer, Ryan Destro, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, New York 14450; and Tom Danks, Project Manager, BME Associates, 10 Lift Bridge Lane East, Fairport, New York 14450.

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

RESOLUTION #382-2022:

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

Abstract 18 – 2022

TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS

| ABSTRACT NUMBER | | 18 | |
|-----------------------|--------------------------|----------------------|--|
| DATE OF BOARD MEETING | | 9/27/2022 | |
| FUND CODE | FUND NAME | TOTAL FOR EACH FUND | VOUCHER NUMBERS |
| A | GENERAL FUND | 127,729.79 | 1758-1767,1769-1770,1772-1795,1797-1802,1804,1849 |
| DA | HIGHWAY FUND | 99,505.46 | 1758,1769,1780,1786,1790,1800,1805-1809 |
| HD | TOWN SIGNS CAP PROJECT | | |
| HB | BEAVER CREEK PARK | 685.03 | 1771,1792,1796 |
| HH | ROUTE 332/96 WATERLINE | | |
| HS | SIPP LINING CAPITAL PROJ | | |
| HZ | TOWNLINE CAPITAL PROJECT | 18,935.00 | 1810 |
| HT | TOWNHALL CAPITAL PROJ | | |
| HW | WATER TANK REPAIR | | |
| SL1 | LIGHTING DISTRICT | 1,359.02 | 1791 |
| SD | STORM DRAINAGE | 2,278.14 | 1769,1780,1790,1811 |
| SS | SEWER DISTRICT | 97,664.62 | 1758,1761,1769,1772,1780,1786,1790,1800,1804,1812-1838,1850 |
| SW1 | WATER DISTRICT | 29,259.67 | 1758,1761,1769,1772,1780,1786,1790,1800,1804,1812,1813,1820-1822,1824-1827,1829,1832,1837-1848,1850,1851 |
| TA200 | PAYROLL DEDUCTIONS | 6,989.97 | 1758,1768,1769,1790,1799,1803,1838 |
| | TOTAL ABSTRACT | \$ 384,406.70 | |

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

TRAINING UNDER \$100: Marcy Daniels to attend the 2022 GVCSHRM Conference at Casa Larga on October 19, 2022, at a cost not to exceed \$100.00.

WAIVER OF THE RULE: No Objections

RESOLUTION #383-2022:

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

CONFIRMING RESOLUTION FOR NECESSARY REPAIRS TO PUMP STATION 12

WHEREAS, the Victor-Farmington Sewer District has Recognized the need to install a Conversion Kit to replace the old EPS with a new and unused Integrinex with phone support from GR service and additional parts for stock; and

WHEREAS, the replacement of the existing EPS with the new Integrinex and set up at a cost of \$4,930.00; and

WHEREAS, the purchase of additional parts to have in stock for repairs 50 O-Rings and 5 6" Check Valve Shafts at a cost of \$333.94; now

THEREFORE BE IT RESOLVED, that the Town Board of Farmington acting on behalf of the Farmington Sanitary Sewer District hereby authorizes the Water and Sewer Superintendent to pay the invoice #17801 from Siewert Equipment 175 Akron Street, Rochester NY 14609 for the total cost of \$5,263.94; and

BE IT FURTHER RESOLVED, that fund for said parts and repairs parts will be from Budget Code SS8120.4V (Contractual), and

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

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

RESOLUTION #384-2022:

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

RESOLUTION AUTHORIZING PAUL CRANDALL TO ATTEND 4 HOUR EROSION AND SEDIMENT CONTROL REQUIRED TRAINING ENDORSED BY N.Y.S. D.E.C.

WHEREAS, it is mandatory for Paul Crandall to attend the 4 (four) hour Erosion and Sediment Control required Training, and Ontario County Soil and Water is offering the training class on Thursday, November 10, 2022 at a cost not to exceed \$100.00, now therefore

BE IT RESOLVED, that the Town Board hereby authorizes Paul Crandall to attend the aforementioned Erosion and Sediment Control training at a cost not to exceed \$100.00, 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, Bowerman, Herendeen, and Holtz), the Resolution was **CARRIED**.

RESOLUTION #385-2022:

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

RESOLUTION APPOINTING CODE ENFORCEMENT OFFICER, DAN DELPRIORE, AS MS4 OFFICER

WHEREAS, the Town of Farmington is required to have an MS4 Officer to approve SPDES General Permits for Stormwater Discharges from Municipal Separate Storm Sewer Systems, and

WHEREAS, Code Enforcement Officer Dan Delpriore has performed these responsibilities since his appointment as Department Head in 2019; now therefore

BE IT RESOLVED, that the Town Board hereby appoints Code Enforcement Officer Dan Delpriore as MS4 Officer for the Town of Farmington, and be it further

RESOLVED, that the Town Clerk provide a copy of this Resolution to the Building Department, Confidential Secretary, and Lance Brabant of MRB Group.

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

EXECUTIVE SESSION: None.

With no further business before the Board, **Councilman Bowerman** offered a motion to adjourn the meeting at 7:35 p.m., seconded by **Councilman Herendeen**. Motion **CARRIED**.