

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 25th day of July, 2023, at 7:00 PM, there were:

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

Also present in person: **Tim Ford** – Highway and Parks Superintendent, **Dave Conti** – Water & Sewer Superintendent, **Dan Delpriore** – Code Enforcement Officer, **Ron Brand** – Director of Planning and Development, **Bill Davis** – MRB Group, **Adrian Bellis** – Planning Board Member, **Mike Montalto**- Costich Engineering, **Donna LaPlant** – Assessor, **Christopher LaPlant** – resident, and **Tonia Ettinger** – resident, and Brent and Dalen Woodhouse - residents

Also present by telephone/video conferencing were: **Michael Phillips** – resident, **John Piper**-Consultant, **John LeFrois** – LeFrois Builders and Developers, and **Jerry Goldman** – Attorney-GLN Farmington Realty

PUBLIC HEARINGS: None.

APPROVAL OF MINUTES:

A motion was made by **Councilman Bowerman** and seconded by **Councilman Casale** that the minutes of the July 11, 2023, Town Board Meeting and given to members for review, be approved. All Voting “Aye”. (Casale, Holtz, Herendeen, Bowerman, and Ingalsbe). Motion Carried.

PRIVILEGE OF THE FLOOR:

Mr. Goldman, Attorney for the GLN project, stated that his client is the neighbor adjacent to the Farmington Market Center and thanked the Town Board, Town Clerk, and staff for receipt of their correspondence relative to this matter. He reiterated that they are very much in support of getting the road improvements that the town desires in the Rt. 96 and 332 corridor and in that area and they are hopeful for full participation in their ability to do that and accomplish the goals of the MTOD, which is clearly their objective to their correspondence that was sent. He hoped that the Town Board will read it and strongly consider what is within the letters they have provided. Supervisor Ingalsbe stated that the letter was provided to the Town Board today by the Town Clerk and they have had time to read it and it was passed onto staff.

PUBLIC CONCERNS: None.

REPORTS OF STANDING COMMITTEES:

Public Works Committee: Councilman Herendeen reported:

1. Discussed Digester #1 -is in and work will continue.
2. Discussed basin aerator from Fluence- is installed and in operation.
3. Discussed flow meter – in manhole V-2749, southwest of 6437 Murphy Drive had been retrieved.
4. Discussed PS#7- in service, paving and landscaping is complete.
5. Three system valves have been replaced at the Hook Road watermain project, disinfection and bacti-sampling is complete.
6. Maintenance personnel have completed grading on Townline Road.
7. Discussed resolution on agenda.

Highway & Parks:

1. Highway- equipment maintenance, roadside mowing, completed milling and paving, finishing up topsoil/yard restorations on Fallow Lane, first round of striping is done, lifts were inspected, and CAMP report from Winter and Paul completed.
2. Parks- Building and Park Maintenance, mowing parks, striping ball fields, and painting crosswalks, repairing a lot of washouts on the trail, and repairing equipment.
3. Discussed resolutions for meeting.

Town Operations Committee: Councilman Casale reported:

1. Discussed resolutions on agenda.
2. Building Department is working with Water & Sewer Department on Site Design Specifications changes.
3. TAP Sidewalk Grant proceeding on schedule.
4. Discussed Redfield Groce Incentive Zoning Project - Phase 3 amendments.
5. Ag Advisory meeting will be August 17th, at 6:30 p.m., at the Town Hall. They will receive information on State Agricultural Exemptions.
6. Two (2) grant application for water & Sewer Improvement have been submitted to the State.

Town Finance Committee: Supervisor Ingalsbe reported: None.

Town Public Safety Committee: Councilman Holtz reported: None.

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

1. Received two calls the other day regarding Casella not picking up the garbage on Brownsville and Cline Roads since the road is blocked off due to construction, and he found the right person who assured him within two days someone would pick up the garbage.
2. Attended Public Works meeting at the County.
3. Attended presentation at Finger Lakes Community College NYS Troop E had a police community presentation. He stated that it was very informative. They explained the different divisions.
4. Weighs and Means meeting tomorrow at the County. They are also working on the 2024-2025 budget.
5. Cornell Road Report – The town did this in 2014, 2018 and then again, this year. Report is available to the public. The report shows every single mile of road condition, and the different recommendations of maintenance that that road will need over the next four years. It is a great budgeting tool as well.

Highway& Parks Superintendent Tim Ford reported:

1. Reported on the Cornell Road Report. Winter and Paul worked on the project. He stated that in 2018 the town had 91.27 miles of road, we added 4.5 miles of road since then, for a total of 95.75 miles of road. He stated that the basic object to this is to assess the roads and to keep the good roads good then rebuild the bad roads as they get to a certain percentage, they cannot get any worse. He stated that Winter did an excellent job assessing all the roads.

Town Clerk Michelle Finley reported:

1. Busy collecting water/sewer payments, dog licenses, and FOIL request.

Water & Sewer Superintendent Dave Conti reported:

1. Townline Road project update – hydro seeding will be done tomorrow. Project will be complete except for the sidewalk.

Code Enforcement Officer Dan Delproire reported:

1. Casey has completed his first code class and is currently doing his second one this week.
2. Still looking for a zoning/code officer.

Director of Planning and Development Ron Brand reported:

1. Town Operations Report available on website and filed with the Town Clerk.
2. MRB Group did a great job putting together the two water and sewer grants for the facility funding program.

Assessor Donna LaPlant reported:

1. Reconvened the Board of Assessment Review to do some corrections. They looked at 48 more applications. She believes they are in good shape. So far, they have four small claims, one certiorari and the deadline for filing is thirty days from July 1st.

Town Engineer Bill Davis reported:

1. Pre-Con for the Parks pavilion on August 3rd.
2. Brickyard Road Tank design.
3. Working on Farmington Grove Park and County Road 8 Watermain design.
4. Cline/Brownsville Road construction has started.
5. North Road Watermain project due to start on July 31st.

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

1. Next Meeting – three lot subdivision for Pheasant Crossing, site plan for New Michigan Road, and a Final for Townline Road.

Zoning Board of Appeals reported: None.**Recreation Advisory Committee Bryan Meck reported: None.****Recreation Director Mark Cain reported: None.****Ontario County Planning Board Member reported: None.****Conservation Board Chairperson reported: None.****Town Historian Donna Herendeen reported: None.****Swap Shop Update: Councilman Holtz reported: None.
Agricultural Advisory Committee Chairman Adams: None.**

COMMUNICATIONS:

1. Erie Insurance Reinstatement Notice. Re: Serenity Pool and Spa, LLC.
2. Letter to Anthony DiPrima of A&D Real Estate Development from the Town Supervisor. Re: Dedication punch list and sanitary sewer punch list for site improvements within Monarch Manor Section 2.
3. Letter to the Town Clerk from Congresswoman Claudia Tenney. Re: Concerns regarding Governor Kathy Hochul and the NYS Legislature.
4. Supreme Court of the State of New York Notice of Electronic Filing. Re: Recovery Solar 1, LLC and Green Mountain Electric Supply, Inc. v. The Assessor for the Town of Farmington, et al.
5. Letter to the Town Supervisor from William McDonnell, Director, Mitigation Division, FEMA Region II, Re: Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for Ontario County.
6. Letter to the Town Supervisor from Jerry Goldman of Woods, Oviatt, Gilman, LLP. Re: Proposed traffic improvements related to development Route 96, west of Route 332.
7. Letter to the Town Supervisor from Peter Schedel of CME Associates. Re: Structural Material Testing and Special Inspection Services, Cline & Brownsville Road Improvements.
8. NYS Department of Taxation and Finance Office of Real Property Tax Services special equalization rates and certified change in level of assessment factors for the 2023 assessment roll.
9. NYS DOH Notice of Violation and Letter to rescind. Re: Water Supply Emergency Plan and response from the Town Supervisor.
10. Letter to the Town Supervisor from Jerry Goldman of Woods Oviatt Gilman. Re: Proposed traffic improvements related to development – Route 96 west of Route 332.
11. NYS Department of Taxation and Finance Office of Real Property Tax Services 2023 Assessment Roll Reconciliation.
12. NYS DEC Updates and Changes for License Year 2023-2024.
13. Certificates of Liability Insurance from: New York Electrical Inspection Agency, Inc.; Morsch Pipeline, Inc.
14. Certificate of Workers' Compensation Insurance from: Ferrellgas LP/Blue Rhino.

REPORTS & MINUTES:

1. Manchester Fire Department Incident Run Log – June 2023.
2. Town of Canandaigua Finance Committee Meeting Agenda – July 13, 2023.
3. Farmington Senior Citizens Meeting Minutes – June 19, 2023.
4. Finance Committee Meeting Minutes – July 18, 2023.
5. Project Review Committee Meeting Minutes – July 6, 2023.

ORDER OF BUSINESS:**RESOLUTION 271-2023:**

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

RESOLUTION - MIDYEAR PAY INCREASES

WHEREAS, there are funds in the Highway/Parks and General budgets for midyear pay increases; and

WHEREAS, the increases will be funded via budgeted wages from the appropriate accounts; and

Jeremy Hammond	\$.40 per hour
Joshua Laplant	\$.40 per hour
Tim Bauer	\$.88 per hour
Asa Hoffman	\$1.02 per hour
Eric Fritz	\$1.05 per hour
Dan Delpriore	\$1,900.00 per year
August Gordner	\$.50 per hour

WHEREAS, these increases will begin with Payroll #17 (August 6, 2023); now therefore

BE IT RESOLVED, that the Town Board hereby grant midyear wage increases as listed; and

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

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

RESOLUTION #272-2023:

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

RESOLUTION AUTHORIZING THE TOWN OF FARMINGTON TO SPLIT THE COST FOR PHASE IA/IB CULTURAL RESOURCE INVESTIGATION FOR THE PROPOSED TOWN OF CANANDAIGUA PURDY ROAD WATER TRANSMISSION MAIN EXTENSION WITH THE TOWN OF CANANDAIGUA

WHEREAS, the area of roadway and watermain is showing as a potential sensitive area on the CRIS maps used by SHPO; and

WHEREAS, an investigation is needed to clear the area for any archeological sensitive issues; and

WHEREAS, Deuel Archaeology has submitted a Proposal for the IA/IB Cultural Resource Investigation to MRB Group; and

WHEREAS, the Town of Farmington and Town of Canandaigua have agreed to split the cost for the investigation equally; now therefore

BE IT RESOLVED, that the Town Board of the Town of Farmington authorizes to split the cost of the Phase IA/IB Cultural Resource Investigation for the proposed Town of Canandaigua Purdy Road Water Transmission Main Extension with the Town of Canandaigua equally; and

BE IT FURTHER RESOLVED, that the cost shall be funded from the Water Tank Capital Project at a cost not to exceed \$1,697.50; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Farmington authorizes Greg Hotaling of MRB Group to sign the Proposal from Deuel Archaeology; and

BE IT FINALLY RESOLVED, that the Town Clerk forward copies of this Resolution to Greg Hotaling and Bill Davis of MRB Group, the Accountant I and Jared Simpson of the Town of Canandaigua at jsimpson@townofcanandaigua.org.

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

RESOLUTION 273-2023:

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

APPROVAL OF A RECOMMENDATION FROM THE TOWN PLANNING BOARD AND AUTHORIZING THE FINAL RELEASE OF SURETY, WITH A CONDITION, FROM THE LETTER OF CREDIT FOR SITE IMPROVEMENTS ASSOCIATED WITH THE AUBURN JUNCTION PROJECT – PHASE 3A, IN THE TOTAL AMOUNT OF \$ 14,379.44

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a resolution from the Town Planning Board (hereinafter referred to as Planning Board), dated July 19, 2023, recommending the Town Board take action to authorize the final release of funds from the Letter of Credit for the above referenced project, in the total amount of \$ 14, 379.44; and

WHEREAS, the Planning Board’s recommendation is based upon their review and acceptance of the recommendations received from the Town Construction Inspector and the Town’s Engineers of their review of the Applicant’s Engineer’s Estimate of Value for the approved site improvements completed as part of this project; and

WHEREAS, the Planning Board recommends that prior to the release of funds remaining in the Letter of Credit that the Applicant re-strip the driveway entrance/exit from/to Carmen’s Way and the existing Stop bars which have worn to the point of being almost invisible.

WHEREAS, the Town Clerk has verified the amount in the above referenced Letter of Credit and the balance remaining after this first partial release of funds.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby accepts the Planning Board’s recommendation and authorizes the partial release of funds (Release #1) in a Letter of Credit on file with the Town Clerk’s Office, for the above referenced project, in the total amount of \$ 14,379.44 with the condition that the final release of these funds follows the re-striping of the driveway pavement specified above herein.

BE IT FURTHER RESOLVED, that the Town Board finds the total amount in the referenced Letter of Credit is \$97,304.74 with \$14,379.44 remaining to complete the project.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to notify tomorrow, by U.S. Mailing, certified copies of this resolution to: the Applicant, Michael Cerone, Rt 332 MIII Enterprises @ Auburn Junction: the Applicant’s Engineer, Ryan Destro, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, New York 14450; Tom Danks, BME Associates, 10 Lift Bridge Lane East, Fairport, New York 14450; and John LeFrois, LeFrois Builders & Developers, 1020 Lehigh Station Road, Henrietta, New York 14467;

BE IT FINALLY RESOLVED, that certified copies of this resolution are also to be provided to the Town Highway & Parks Superintendent, the Town Water & Sewer Superintendent, the Town Code Enforcement Officer, the Town Director of Planning and Development, the Town Construction Inspectors, David Orians and Matthew Heilmann, and the Town Engineer, Lance Brabant, CPESC, MRB Group.

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

RESOLUTION #274-2023:

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

RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE GENERAL FUND

WHEREAS, a budget amendment is needed in the Highway Administration Personnel Line for the Construction Inspector hours as well as planning board contractual expense lines,

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

From:	A1990.4 Contingent	\$10,100	
To:	A5010.11 HW Admin-CI		\$10,000
To:	A8020.4 Planning Board Contractual		\$100

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

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

RESOLUTION #275-2023:

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

RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN THE WATER AND SEWER FUNDS

WHEREAS, a budget amendment is needed in both the water and sewer funds for administration personnel overtime lines,

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

From: SW1-599	Appropriated Fund Balance	\$1500	
To: SW1-8310.12	Administration Personnel OT		\$1500
From: SS599	Appropriated Fund Balance	\$1500	
To: SS8110.12	Administration Personnel OT		\$1500

BE IT FURTHER RESOLVED, that the Accountant I completed the budget amendments, and

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

RESOLUTION #276-2023:

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

RESOLUTION OF SUPPORT AND ENDORSEMENT FOR THE 1816 QUAKER MEETINGHOUSE MUSEUM – 2023 GRANT APPLICATION THROUGH THE NEW YORK STATE CONSOLIDATED FUNDING APPLICATION (CFA) PROGRAM TO THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION FOR AN ENVIRONMENTAL PROTECTION FUND GRANT

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) finds that the above referenced CFA Grant Application exemplifies the Town's motto "*Preserving the Past, Protecting the Present and Promoting the Future,*" contained within the adopted 2021 Edition of the "*Town of Farmington Comprehensive Plan;*" and

WHEREAS, the restoration of the Museum is referenced within the Town's adopted Comprehensive Plan's stated planning objectives, which states... "Sustain and Improve the built environment, including protection of historic structures and sites and the adaptive reuse of structures where appropriate" [Chapter 3 Goals, Objectives and Recommended Actions]; and

WHEREAS, the above referenced Project seeks funding assistance under the State's CFA Program, to match federal grant funds awarded through the Historic Preservation Fund for this Project and funds that have been raised by the many volunteers of the Museum; and

WHEREAS, the above referenced Project provides for the realistic and timely completion of the identified comprehensive tasks for restoring the largest pre-Erie Canal building remaining in Western New York State; and

WHEREAS, the above referenced Project is unique in that the building has a long established history that is identified by its many roles played which have contributed to movements for Women's Rights, the Underground Railroad and the Native American Rights (Seneca Indians); and

WHEREAS, the Town Board finds that the CFA Grant Application provides the only remaining source of funding assistance contributing to the preservation of this National Registered Landmark.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board based upon these many findings, determines that the above referenced 2023 CFA Project Grant Application is an important element of the Town's Official Comprehensive Plan and its ongoing planning program.

BE IT FURTHER RESOLVED, that the Town Board finds the CFA Grant funding builds upon the many years of success by the 1816 Quaker Meetinghouse Museum, the many fund-raising events by its volunteers and the investments that have been made in preparing the building's detailed architectural needs for this Project's restoration.

BE IT FURTHER RESOLVED, that the efforts to restore this historic Museum is the final remaining component to enable its opening, and thereby serving as a community meeting space, historic interpretation center and artifact repository for Farmington's founders, its rich history, and an important part of "Preserving of Our Past" and thus an important part of the State's History.

BE IT FURTHER RESOLVED, that the Town Board directs the Town Clerk to provide certified copies of this resolution to: United States Senators, Hon. Charles Shumer and Hon. Kristen Gillibrand; United States Congresswoman, Hon. Claudia Tenny, 27th Congressional District; State Senator, 54th Senate District, Hon. Pamela Helming; and State Assemblyman, 131st Assembly District, Hon. Jeffrey Gallahan.

BE IT FURTHER RESOLVED that the Town Board directs the Town Clerk to provide a certified copy of this resolution to Erik Kulleseid, Commissioner, NYS Office of Parks, Recreation and Historic Preservation, 625 Broadway, Albany, New York 12207.

BE IT FURTHER RESOLVED, that the Town Board directs the Town Clerk to provide a certified copy of this resolution to Judith Wellman, 2 Harris Hill Road, Fulton, New York 13069, historicalnewyork@me.com.

BE IT FINALLY RESOLVED that the Town Board does hereby unanimously support and endorses the 1816 Quaker Meetinghouse Museum Restoration Project and the requested 2023 CFA Grant Application, and anxiously looks forward to the State’s awards being made.

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

RESOLUTION #277-2023:

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

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

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

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

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

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

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

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

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

RESOLUTION #278-2023:

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

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

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

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

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

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

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

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

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

RESOLUTION #279-2023:

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

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

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

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

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

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

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

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

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

RESOLUTION #280-2023:

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

CONFIRMING RESOLUTION FOR CONCRETE GUTTERS AND DI'S FOR FALLOW LANE REBUILD IN THE 2023 BUDGET

WHEREAS, the Town Board approved the Highway Superintendent's 284 in Board Resolution #472-2022 on December 13, 2022 which included Fallow Lane as a road rebuild for fiscal year 2023, and

WHEREAS, Wayne County's Bid Book is quoted at \$24.00 per/LF, Monroe County's Bid Book is quoted at \$33.00 per/LF and Ontario County's Bid Book is quoted at \$45.00 per/LF and Hynes has given us a proposal of \$22.00 per/LF, now therefore

BE IT RESOLVED, that the Highway Superintendent has decided to hire Hynes Contractor for the Fallow Lane rebuild which is to be funded from DA-5112.2, and

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

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

RESOLUTION #281-2023:

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

ACCEPTING PARTS 2 AND 3 OF THE AMENDED FULL ENVIRONMENTAL ASSESSMENT FORMS; AND MAKING A DETERMINATION OF NON-SIGNIFICANCE, UNDER THE PROVISIONS OF THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) REGULATIONS, FOR THE REZONING OF LAND (TAX MAP ACCOUNT NUMBERS 29.00-01-39.000, 29.00-01-40.000 AND 29.00-01-41.000) CONTAINING APPROXIMATELY 18.3 ACRES OF LAND FROM GB GENERAL BUSINESS, WITH MTOD MAJOR THOROUGHFARE OVERLAY DISTRICT AND MSOD MAIN STREET OVERLAY DISTRICT TO IZ INCENTIVE ZONING WITH MTOD MAJOR THOROUGHFARE OVERLAY DISTRICT AND MSOD MAIN STREET OVERLAY DISTRICT FOR THE FARMINGTON MARKET CENTER INCENTIVE ZONING PROJECT

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

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

WHEREAS, the Town Board, has received and reviewed the Parts 2 and 3 of the Full Environmental Assessment Forms, along with a six-page Part 3 FEAF Narrative Supplement for said Action, dated July 14, 2023, prepared by the Town Director of Planning and Development; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby accept and approves the amended Parts 2 and 3 of the FEAF, along with a six-page Part 3 FEAF Narrative Supplement for said Action, dated July 14, 2023, prepared by the Town Director of Planning and Development for the above referenced Action dated July 14, 2023.

BE IT FURTHER RESOLVED, that the Town Board having reviewed the public record upon the above referenced Action does hereby conclude the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity; traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems; and
- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed Action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed Action; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on the site; and
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action; and
- (iv) the overall density of the site is consistent with the Town's Comprehensive Plan land use recommendations; and
- (v) there are no known important historical, archeological, architectural, or aesthetic resources on the site according to the State Office of Parks, Recreation and Historic Preservation (SHPO) Letter dated June 8, 2017 (File 17PR03555), or will the proposed Action impair the existing community or neighborhood character;
- (vi) there will not be a major change in the use of either the quantity or type of energy resulting from the proposed Action;
- (vii) there will not be any hazard created to human health resulting from the proposed Action;
- (viii) there will not be a change in the use of current active agricultural land resulting from the proposed Action;
- (ix) there will not be a large number of persons attracted to the site for more than a few days when compared to the number of persons who would come to such a place absent the Action;
- (x) there will not be created a material demand for other Actions that would result in one of the above consequences;
- (xi) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xii) there are not two or more related Actions which would have a significant impact on the environment.

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

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

BE IT FURTHER RESOLVED, that the Town Clerk is to provide copies of Parts 2 and 3 of the FEAFs and the Attached Narrative Supplement along with a certified copy of this resolution to the involved and interested agencies.

BE IT FURTHER RESOLVED, that the Director of Planning and Development is to provide notice of this determination to the New York State Department of Environmental Conservation and request publishing thereof in the next available Environmental Notice Bulletin.

BE IT FINALLY RESOLVED, that the Town Clerk is to file certified copies of the environmental record, Parts 1, 2 and 3 of the Full Environmental Assessment Forms, and this Determination of Non-Significance Resolution with the Applicant: Angelo Ingrassia, Farmington Market Center, LLC, 550 Latona Road, Bldg. E, Suite 501, Rochester, New York 14626; Corey Auerbach, Attorney, Barclay Damon, LLP, 200 Delaware Avenue, Buffalo, New York 14202; and Michael Montalto, Project Manager, Costich Engineering, Land Surveying & Landscape Architecture, D.P.C., 217 Lake Avenue, Rochester, New York 14608; to the following Town Staff, Town Highway and Parks Superintendent, Town Water and Sewer Superintendent, Town Code Enforcement Officer, Town Director of Planning and Development, Town Engineers, MRB Group D.P.C. and to place a copy of this determination of non-significance in the rezoning file upon the above referenced Action.

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

RESOLUTION #282-2023:

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

Abstract 14 – 2023

TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS

ABSTRACT NUMBER		14	
DATE OF BOARD MEETING		7/25/2023	
FUND CODE	FUND NAME	TOTAL FOR EACH FUND	VOUCHER NUMBERS
A	GENERAL FUND	114,900.61	1318-1326,1328-1353,1356,1359,1361-1371,1373,1425
DA	HIGHWAY FUND	61,809.80	1319,1326,1328,1341,1345,1346,1353,1372-1383
HK	SIDEWALK CAP PROJECT		
HB	BEAVER CREEK PARK	146.74	1346,1355,1360
HG	COUNTY RD 8 WATERLINE	1,050.00	1346
HH	RT 332/96 WATERLINE		
HN	NORTH ROAD CAP PROJECT	1,050.00	1346
HP	TOWN PARK IMPROV.	3,700.00	1346
W	WATER TANK REPAIR	3,012.50	1346
SD	STORM DRAINAGE	6,729.05	1326,1346,1353
SS	SEWER DISTRICT	75,868.99	1319,1326,1341,1345,1350,1353,1369,1384-1412
SW1	WATER DISTRICT	43,479.79	1319,1326,1341,1345,1346,1350,1353,1369,1384,1385,1390-1395,1397,1399,1400,1403,1409-1424
SL1	LIGHTING DISTRICT	1,209.51	1325,1354
TA200	PAYROLL DEDUCTIONS	7,914.88	1319,1326,1327,1353,1367,1411
	TOTAL ABSTRACT	\$ 320,872.67	

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

TRAINING UNDER \$100: None.

WAIVER OF THE RULE: No Objections

RESOLUTION #283-2023:

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

RESOLUTION APPOINTING SONIA PHELAN TO THE CONSERVATION BOARD

WHEREAS, Karen Fox submitted her resignation creating a vacancy on the Conservation Board; and

WHEREAS, Sonia Phelan has submitted a letter of interest and resume for review; and

WHEREAS, Sonia has attended Conservation Board Meetings and has been recommended to fill the vacancy by Kim Boyd, Chairperson, now therefore be it

RESOLVED, the Farmington Town Board appoints Sonia Phelan to the Conservation Board for a term beginning July 25th, 2023 to expire on December 31st, 2023; and be it further

RESOLVED, that the Town Clerk forward a copy of this resolution to Kim Boyd, the Confidential Secretary and Sonia Phelan at 5802 Clover Meadow Lane, Farmington, NY 14425.

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

RESOLUTION #284-2023:

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

RESOLUTION AUTHORIZING THE ACCEPTANCE OF DONATIONS

WHEREAS, donations were made from J&S Fried Dough, Dars Delight, and Kona Ice to the Town of Farmington Recreation Department from the Fourth of July celebration in the total amount of \$613, now therefore

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

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

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

RESOLUTION #285-2023:

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

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO TAKE APPROPRIATE ACTION TO SIGN LAWN MOWING CONTRACT AND TO APPLY LAWN MOWING CHARGES TO THE PROPERTY WITHIN THE TOWN, TO THE TAX ROLL

WHEREAS, the Code Enforcement Officer has taken the necessary action to bring property within the Town to compliance per Town Code Chapter 112, and

WHEREAS, the properties have not complied with Town Code Chapter 112, and

WHEREAS, the Code Enforcement Officer has requested bids from several companies for lawn care and awarded to Bussey Lawn & Landscape who quoted \$100.00 per hour but at this time they are unable to complete the work due to personal reasons, and

WHEREAS, The Code Enforcement Officer has been contacted by J. Williams and Sons Lawn Care who will be covering all accounts for Bussey Lawn & Landscape and are willing to complete the season at the same rate as Bussey Lawn & Landscape.

WHEREAS, J. Williams and Sons Lawn Care submitted a quote for the lawn care compliance actions and has been determined to be the lowest responsible quotes received as follows:

- | | |
|--------------------------|-------------------|
| 1. 1603 Wheatstone Drive | \$100.00 per hour |
| 2. 15 Coachlight Circle | \$100.00 per hour |
| 3. 32 Coachlight Circle | \$100.00 per hour |
| 4. 48 Coachlight Circle | \$100.00 per hour |
| 5. 6132 State Route 96 | \$100.00 per hour |
| 6. 1101 Harlowe Lane | \$100.00 per hour |
| 7. 99 Carriage Court | \$100.00 per hour |
| 8. 1737 Maplewood Drive | \$100.00 per hour |
| 9. 1637 State Route 332 | \$100.00 per hour |

NOW THEREFORE BE IT RESOLVED, the Farmington Town Board authorizes the Town Supervisor to take appropriate action to apply mowing charges along with a 50% service charge to the above listed properties,

AND, further be it RESOLVED, that a copy of this resolution be forwarded to the Building Department, Accountant I., the Confidential Secretary, and the Town Clerk.

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

RESOLUTION #286-2023:

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

RESOLUTION ACCEPTING A TWO (2) YEAR MAINTENANCE BOND FROM A SAFE PLACE SELF STORAGE, 6025 DENNY DRIVE, FOR NEWLY CONSTRUCTED WATERMAIN, STORM SEWER AND ROADWAY ITEMS DEDICATED TO THE TOWN, IN THE TOTAL AMOUNT OF \$9,546.90

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 July 11, 2023, recommending the Town Board's acceptance of a two (2) year Maintenance Bond, for the newly constructed improvements that have been dedicated to the Town, in the total amount of \$9,546.90; 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 in material and/or workmanship relating to the dedicated items; and

WHEREAS, the Town Board further understands that prior to the close out of a condition of approval for the remaining items in the 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 accepts 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 A Safe Place Self Storage Project, located at 6025 Denny Drive.

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; 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 the Applicant, Paul Gillette, A Safe Place Self Storage, 6025 Denny Drive, Farmington, New York 14425.

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

RESOLUTION #287-2023:

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

APPROVAL OF THE FINAL RELEASE OF FUNDS IN A LETTER OF CREDIT FOR A SAFE PLACE SELF STORAGE PROJECT – IN THE TOTAL AMOUNT OF \$305,294.91 WITH CONDITIONS

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) has received a memo, dated July 19, 2023, from Edward Hemminger, Town Planning Board Chairperson and a copy of the Planning Board's resolution (File #PB 0703-22) recommending the final release of funds in the Letter of Credit (No. 1027), from Community Bank, in the total amount of \$305,294.91; and

WHEREAS, the quantities and unit prices identified in the Applicant's Engineer's Estimate of Values were found to be consistent with the approved site plan improvements and the private contractor pricing respectively; and

WHEREAS, the Town Clerk has verified the total amount of funds contained in the above referenced Letter of Credit is correct.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby accepts the Planning Board's recommendation and approves the final release of funds from the above referenced letter of credit for this project, in the total amount of \$305,294.91 upon written notification to the Town Clerk from Construction Inspector, Matt Heilmann, that all outstanding issues have been satisfactorily addressed and completed; and

BE IT FURTHER RESOLVED, that the Town Clerk, is to be provided copies of this resolution to: Matt Heilmann, Town Construction Inspector; Tim Ford, Town Highway & Parks Superintendent; David Conti, Superintendent, Town Water & Sewer; 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's Engineer, Donald Lewis, P.E., D.H. Lewis Engineering, PLLC, and the Applicant, Paul Gillette.

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

DISCUSSION: None.

EXECUTIVE SESSION: None.

With no further business before the Board, **Councilman Bowerman** offered a motion to adjourn the meeting at 7:30 p.m., seconded by **Councilman Casale**. Motion **CARRIED**.

Michelle A. Finley, MMC, RMC -Town Clerk