

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 28<sup>th</sup> day of March, 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 Delproire** – Code Enforcement Officer, **Ron Brand** – Director of Planning and Development, and **Ed Hemminger** – Planning Board Chairman, **Adrian Bellis** – Planning Board Member, **Bill Davis** – MRB Group, **Henry Adams** – Ag Advisory Chairman, **Larry Potter** – resident, **Calvin Nichols** – Amvets, **Ryan Destro** – BME Associates, **Robert Brenner** – Canandaigua Development Group, **Brian Mahoney** – Canandaigua Development Group,

Also present by telephone/video conferencing were: **Michael Phillips** – resident, **Dave Shields** – resident, **Tonia Ettinger** – resident, and **Brandon Passno** - resident

### **PUBLIC HEARINGS:**

#### **APPROVAL OF MINUTES:**

A motion was made by **Councilman Holtz** and seconded by **Councilman Casale**, that the minutes of the March 14, 2023, Town Board Meeting and given to members for review, be approved. Four Voting “Aye”. (Casale, Holtz, Bowerman, and Ingalsbe), One Absention (Herendeen). Motion Carried.

#### **PRIVILEGE OF THE FLOOR: Plaque Presentation by Calvin Nichols**

Mr. Nichols, Farmington Amvets Post 332, presented the Town with a plaque in appreciation for installing the Veteran’s Memorial at the Town Park.

**PUBLIC CONCERNS: None.**

#### **REPORTS OF STANDING COMMITTEES:**

##### **Public Works Committee: Councilman Herendeen reported:**

1. Discussed Digester #1 -has been filled and leaks around base will be repaired by Ontario Tap.
2. Replacement bulbs for the Trojan UV equipment have arrived. One arrived damaged. The HMI replacement has been ordered.
3. Discussed watermain replacement at the intersection of Rt. 332 and Rt. 96.
4. Discussed flow meters being installed in three manholes.
5. Discussed smoke testing the sanitary sewer for I & I at Doe Haven. The testing will be scheduled in late April.
6. Software migration from BAS to Muni-Link has begun.
7. Discussed PS #7 is in service.
8. Notice to remedy 1450 Wood Drive Apartments has been sent. Meter pit is filled with water. Notice to remedy was sent to Stonehedge, vault access cover will be repaired.
9. Discussed resolutions on agenda.

##### **Highway & Parks:**

1. Highway- equipment maintenance, power tilt on JD Excavator leaking, picking up roadsides, vehicle GPS installation, salting and plowing of roads, and installing drainage stone for Mertensia Park Playground.
2. Parks- Building and Park Maintenance, built new bangboards for Pumpkin Hook Park, Town Park, and Farmbrook Park, plumbing repair at Highway Garage, new playground inventoried and taken to Mertensia Park storage room, cut up fallen trees at Meeting House Park, plowing, salting, and shoveling town buildings and sidewalks.
3. Discussed resolutions for meeting.

##### **Town Operations Committee: Councilman Casale reported:**

1. Town Agricultural Advisory Committee will meet April 20<sup>th</sup>, to discuss amendments to Chapter 117, Right to Farm and continue discussions on Agricultural/Conservation regulations. Three new members were appointed to the Committee.
2. The Ontario County Office of the State Department of Transportation reports the “Adopt-A-Highway Signs” identifying the Town Conservation Boards role have been posted along a portion of the shoulders of State Route 332, between County Road 41 and the Canandaigua/Farmington Townline Road.
3. No report from the Farmington Market Center developer on their response to the Town Board.
4. Final survey work is almost complete which will then allow preliminary design plans to be prepared for a future public informational meeting later this summer on the Federal Highway Administration Grant award to the Town.
5. Code Enforcement Officer has been filled and the Building Department reports that they are now at full complement.

**Town Finance Committee: Supervisor Ingalsbe reported: None.**

**Town Public Safety Committee: Councilman Holtz reported: None.**

## REPORTS OF TOWN OFFICIALS:

### Supervisor Peter Ingalsbe reported:

1. Met yesterday with staff to walk through lower lever at the Town Hall to discuss work that needs to be done.
2. Citizen's Audit - Supervisor read the following email from Michael Northrup, Board of Election Commissioner.

The attached is the rebuttal the BOE provided the board of supervisors and Assembly Member Gallahan regarding a group called the Citizens' Audit, who have requested the town and county legislative bodies pass a resolution demanding that the Board of Elections de-certify the 2020 election based on their misunderstanding of the state election law definition of a "duplicate voter". Please know, only the courts may issue a court order to de-certify an election after the Attorney General files a "quo warranto" proceeding to remove an elected official. Legislative bodies at any level have no authority to direct local county boards of elections to de-certify an election. We do not operate under the county legislature as a county department or program, we are a bi-partisan Board operating under Article Two of the State Constitution and State Executive Branch of government.

In regards to today's Facebook comment on the Farmington Republican FB page relative to elderly voters, why are they using Facebook and not filing complaints with the Board of Elections? We currently have eighty-two active voters who are at or over the age of 100. There is a specific complaint of a 120-year-old person voting in 2020. The age issue with this voter was due to the fact that there was no requirement of law to enter the year you were born on a voter registration form prior to 1977; she registered to vote in 1974 and her original voter registration form has the month and day, but does not have the year. The current voter registration system automatically applied the year 1900 to those voters missing their year of birth when we transitioned to the current system in 1996. The law also states that the BOE must take the voter registration on its face value. Under today's laws, when a new voter registration form is missing the complete date of birth, a letter is sent to that voter requesting they provide us with their complete date of birth or the registration would be recorded as "incomplete" and the voter would remain in the "In-Active" status and not able to vote on a voting machine until they provided us with a complete DOB. Voter registration processes are covered in detail in Section 5 of NYS Election Law. With regards to persons over the age of 100 voting by absentee, absentee ballot security envelopes contain the voter's signature and those signatures are compared with the signature on the absentee application and the voter's registration form.

I can assure you that the work we perform at the Ontario County Board of Elections is extremely detail oriented and far from simple list maintenance. We are completely compliant with NYS Election Law and have passed every NYS BOE audit. Please consider this email and my attached rebuttal should you be confronted by similar inquiries.

#### Rebuttal to Citizen's Audit

- 1) The appropriate avenue for Citizens' Audit redress is via the court system and not the Board of Supervisors, or any other legislative body.
- 2) There is misunderstanding of what the data is actually telling them.
- 3) The complexity of the voter enrollment database(s) combined with their very dynamic nature is poorly understood by nearly everyone except those who work closely with the information. That lack of understanding makes it very easy to exploit preconceived notions about the entire elections process.
- 4) Both our Board and the State Board of Elections conduct extensive reviews of voter records on a regular and consistent basis, daily.
- 5) All county Boards of Election as well as the NY State BoE are staffed with bi-partisan elections administrators who work together in a checks & balance method to ensure that every citizen's franchise is respected and their registrations are kept current.
- 6) It is likely that most anomalies this group claims to have uncovered are either a misunderstanding of the material being reviewed, or a misrepresentation of the information that has been provided to them via the FOIL process.
- 7) Information is often clouded by the fact that we do receive duplicate voter registration applications, mostly from DSS, DMV, and other state agencies with mandatory reporting requirements, and the state refers to these duplicate applications as "duplicate voters." Multiple protocols are in place with each and every County Board of Elections, in concert with the State Board of Elections, to ensure "one person - one vote".
- 8) All data provided by this group has been debunked by our peers.

### Highway& Parks Superintendent Tim Ford reported:

1. He was informed that one of their trucks is at Thruway Springs and the other one should be there at the end of the week.
2. April 4<sup>th</sup> he will be taking a trip to Harrisville to do the prebuild on the 10-wheeler that is up there.
3. Update on Mertensia Park – parts have been inventoried for the playground and hope to have it completed by the end of next week.
4. Reported that someone dumped a load of debris at the landfill, caught them on their cameras, called the Sheriff's Office, they came out and located the individual and made them clean it up. Note: it was not a resident of Farmington.

### Town Clerk Michelle Finley reported:

1. Reported on Town and County Taxes- 96% collected, will settle with the County on April 6<sup>th</sup>.
2. Easter Egg Hunt – April 1, 2023, at 11 a.m.

### Water & Sewer Superintendent Dave Conti reported:

1. Update on Badger Meters.

**Code Enforcement Officer Dan Delproire reported:**

1. Department is at full staff.
2. Projects are coming in.

**Director of Planning and Development Ron Brand reported:**

1. Report available on website and filed with the Town Clerk.
2. Sidewalk grant continues to move forward. They are getting three easements along the north side of State Route 96 west of Mertensia Road that they need, and they will be preparing plans for a public meeting this summer to explain where they are going to put the sidewalks.

**Acting Assessor Paula Ruthven reported: None.****Town Engineer Bill Davis reported:**

1. Update on Cline Road and Brownsville Road – bids received, and they are reviewing them, award at next meeting.
2. Submitted reports today to the DEC for all the significant industrial users
3. Working on putting the Town Park pavilion out to bid.
4. Working on the concept plan for Farmington Grove Park.
5. Update on Rt. 332/96 watermain project – minor things to wrap up.
6. County Road 8 has been surveyed and the watermain replacement will start next.
6. North Road Watermain is out for bid.

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

1. Next Meeting – April 5<sup>th</sup> – preliminary site plan approval for a commercial warehouse, final site plan for the Capps project, Loomis Road Self Storage LOC release.

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

Easter Egg Hunt – Saturday, April 1, 2023, at 11 a.m.

**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. Letter to the Town Supervisor from Congresswoman Tenney. Re: Community Project Funding (CPF) Requests.
2. Ontario County EMS and Fire Summary of Existing Conditions and Opportunities for Action.
3. Letter to Canandaigua City Mayor Palumbo from the Town Supervisor. Re: City of Canandaigua's Water Treatment and Storage System Project – Support for inclusion in the US Congressionally Directed Spending Program.
4. Letter to Andrew Tickle of Goodman Property Management from the W&S Superintendent. Re: Notice to Remedy 1450 Wood Drive Apartments.
5. Letter to Randy Sickler of SWBR Architects from the Town Supervisor. Re: Request for Proposal to prepare concept design plan and list of proposed improvements for the Farmington Town Hall Lower-Level Renovations.
6. Email to Christina Lekki of USDA. Re: USDA Invasive Insect Survey/New York European Cherry Fruit Fly Program Property Access Request.
7. Renewal Policy Summary Declaration for Farmington Historical Society.
8. Utica First Insurance Company Contractors Special Policy Declarations. Re: Rabetoy Construction.
9. Town Clerk findings for a search on a proposed Town Wide Drainage District.
10. Email to Frank Affronti from the Construction Inspector. Re: Auburn Meadows 8 South and Monarch Manor 2 sanitary videos.
11. NYS DEC Wastewater Treatment Facility Design, Planning and Flow Management 2022 Annual Certification Form.
12. Certificates of Liability Insurance from: Tuff Shed, Inc.; Personal Energy Co., LLC.

**REPORTS & MINUTES:**

1. Planning Board Meeting Minutes – March 1, 2023.
2. Project Review Committee Meeting Minutes – March 2, 2023.
3. Farmington Senior Citizens Meeting Minutes – March 6, 2023.

**ORDER OF BUSINESS:****RESOLUTION 142-2023:**

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

**RESOLUTION AUTHORIZING THE HIGHWAY/PARKS SUPERINTENDENT TO HIRE SUPER SEAL SEALCOATING, LLC TO RESURFACE MERTENSIA PARK'S TWO TENNIS COURTS (WITH PICKLE BALL STRIPING) AND ONE BASKETBALL COURT**

**WHEREAS**, the Highway Superintendent has determined the need for resurfacing of the tennis and basketball courts at Mertensia Park; and

**WHEREAS**, quotes were received from Ruston Paving (\$290,000) and Super Seal Sealcoating (\$39,950); and

**WHEREAS**, Super Seal Sealcoating is an approved installer and resurface contractor for Sport Master which has a publicly procured master agreement contract #COG-2138B through the Cooperative Council of Governments, an Equalis Group lead agency; now

**THEREFORE BE IT RESOLVED**, that the Supervisor's office complete the on-line form to become a member of the Equalis Group; and

**BE IT FURTHER RESOLVED**, that the Town Board authorizes the Highway Superintendent to sign the proposal to hire Super Seal Sealcoating, LLC, for the project a cost **not to exceed \$40,000** to be funded from **Parks – CE (A-7110.4)**; and

**BE IT FINALLY RESOLVED**, that the Town Clerk forward the original signed proposal and a copy of the resolution to the Highway Department and copies of this Resolution to the Accountant I.

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

**RESOLUTION #143-2023:**

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

**RECALL AND AMEND RESOLUTION 137-2023 FOR THE CANANDAIGUA-FARMINGTON WATER DISTRICT TO AWARD PUBLIC BIDDING OF THE ANNUAL WATER FITTINGS AND SUPPLIES**

**WHEREAS**, the Water Superintendent for the for the Canandaigua-Farmington Water District (CFWD) has requested the purchase of watermain fittings and supplies for the upcoming 2023 budgeted CFWD Annual Supplies Bid, and

**WHEREAS**, by Board Resolution #106 of 2023 the Town Board of the Town of Farmington authorized the Advertisement of Public Bidding for the Canandaigua-Farmington Watermain Supplies, and

**WHEREAS**, four sealed bids were opened on Tuesday, March 09, 2023, and publicly read at 11:00AM at the office of the Farmington Town Clerk, 1000 County Road 8, Farmington, New York 14425, and the bids have been reviewed by the Water and Sewer Superintendent, and

**WHEREAS**, Resolution 137-2023 awarded the materials in an amount not to exceed \$52,484.31, however three items related to manhole frames, covers and risers originally awarded to Fergusun in an amount of \$5,324.75 were not submitted in the bid documentation as American parts and must be awarded to the next lowest bidder which is Core and Main for an amount of \$9,875,

**BE IT RESOLVED** that the Town Board of Farmington acting on behalf of the Canandaigua Farmington Water District hereby authorizes the Water and Sewer Supt. to award the water materials as follows at a new combined cost of \$57,034.56 to the following:

Blair Supply, Rochester New York: Total being \$17,445.36  
Core and Main, Rochester New York: Total being \$24,958  
Fergusun, Syracuse New York: Total being \$11,150.30  
Ti Sales, Sudbury Massachusetts: Total being \$3,480.90

**BE IT FURTHER RESOLVED**, that funding for said expenditure will be from the 2023 Budget Code SW1 8340.4, and

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

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

**RESOLUTION 144-2023:**

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

**RESOLUTION CREATING TWO PART TIME CLERK POSITIONS**

**WHEREAS**, The Town had identified that additional part time Clerk positions are needed; and

**WHEREAS**, a new position duties statement was sent to Ontario County Human Resources for their review and approval; and

**WHEREAS**, Ontario County Human Resources sent the Town Supervisor a letter dated March 16, 2023 enclosing a copy of Classification Certification No. 14-2023 which classifies two positions of part time Clerk for the Town of Farmington and has directed the Town to create the positions; now

**THEREFORE BE IT RESOLVED**, that the Town Board hereby authorizes the creation of two part time Clerk positions; and be it further

**RESOLVED**, that the Town Clerk forward a copy of this resolution to Michele Smith, Director of Ontario County Human Resources, Accountant I, and the Supervisor's Secretary.

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

**RESOLUTION #145-2023:**

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

**APPROVAL OF A REQUEST FOR THE PARTIAL RELEASE OF FUNDS (RELEASE #1) FROM THE LETTER OF CREDIT, LOOMIS ROAD MINI-WAREHOUSE PROJECT, IN THE TOTAL AMOUNT OF \$ 23,710.60**

**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 April 5, 2023, recommending the Town Board take action to approve the request for the first partial release of funds from the above referenced Letter of Credit; and

**WHEREAS**, the Planning Board's recommendation is based upon their review and acceptance of the recommendations received from the Town Construction Inspector, Town Department Heads and the Town's Engineers, and the signed Town Surety Release Forms (G-1.1) and (G-2.0); and

**WHEREAS**, the total amount of this letter of credit is \$ 67,779.60; and

**WHEREAS**, with this partial release of funds, in the total amount of \$ 23,710.60, there will be a balance in the Letter of Credit of \$ 44,069.00; and

**WHEREAS**, the Town Clerk has reviewed this requested partial release of funds finding the amounts contained therein to be accurate.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby accepts the Planning Board's recommendation and approves the partial release of funds (Release #1) from the Letter of Credit for the above referenced project, in the total amount of \$ 23,710.60.

**BE IT FURTHER RESOLVED**, that the Town Board authorizes the Town Supervisor to sign and date Form G-2.0, Town Letter of Credit Partial Release Form.

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to provide tomorrow, by U.S. Mailing, a certified copy of this resolution to: John Watson, Loomis Hidden Treasures, LLC, 36 Pebble Creek Lane, Pittsford, New York 14534; and Gregg McMahon, P.E., McMahon/LaRue Associates, 822 Holt Road, Webster, New York 14580.p

**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 Inspector, and the Town Engineers.

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

**RESOLUTION #146-2023:**

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

**RESOLUTION APPOINTING RONALD MITCHELL, CHARLES BOWE, AND WILLIAM BOYCE, JR. TO THE AGRICULTURAL ADVISORY COMMITTEE**

**WHEREAS**, there are currently three vacancies on the Agricultural Advisory Committee, and

**WHEREAS**, Chairman Hal Adams and the other members of the Agricultural Advisory Committee have recommended that Ronald Mitchell, Charles Bowe, and William Boyce, Jr. be appointed to fill this vacancy, now therefore it be

**RESOLVED**, that the Town Board appoints Ronald Mitchell to the Agricultural Advisory Committee for a term ending on December 31, 2024, and be it further

**RESOLVED**, that the Town Board appoints Charles Bowe to the Agricultural Advisory Committee for a term ending on December 31, 2026, and be it further

**RESOLVED**, that the Town Board appoints William Boyce, Jr. to the Agricultural Advisory Committee for a term ending on December 31, 2027, and be it finally

**RESOLVED**, that the Town Clerk forward a copy of this resolution to Mr. Mitchell at 6193 Deerfield Drive, Farmington, NY 14425, Charles Bowe at 189 Hook Road, Farmington, NY 14425, William Boyce, Jr. at 256 Bowerman Road, Farmington, NY 14425, the Agricultural Advisory Committee Chairperson, the Supervisor's Secretary and prepare an Oath of Office to be taken in the days ahead.

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

**RESOLUTION #147-2023:**

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

**RESOLUTION DESIGNATING THE FARMINGTON TOWN BOARD AS THE LEAD AGENCY UNDER THE PROVISIONS OF PART 617, NYCRR, A PART OF ARTICLE 8 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW (ECL), THE STATE'S ENVIRONMENTAL QUALITY REVIEW (SEQR) REGULATIONS, FOR THE "POWER'S INCENTIVE REZONING PROJECT."**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) in Resolution #117-2023, adopted February 28, 2023, declared its intent to be designated as the lead agency for the above referenced "Power's Incentive Rezoning Project," (hereinafter referred to as Action), under the State's SEQR Regulations; and

**WHEREAS**, the said resolution specified such designation to occur at the Town Board meeting on Tuesday, March 28, 2023; and

**WHEREAS**, the Town Board has conducted a coordinated review with other involved agencies that ended at noon, on Friday, March 24, 2023, which has resulted in no objection to the Town Board being designated as the lead agency for this Action.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board, in accordance with the provisions contained in Part 6 NYCRR, §617.6, of the ECL, does hereby designate itself as the lead agency for the above referenced Action.

**BE IT FURTHER RESOLVED**, that the Town Board directs the Town Clerk to provide a certified copy of this resolution to the New York State Department of Transportation, Region 4 Office, the New York State Department of Health, Geneva Regional Office, the New York State Department of Environmental Conservation, Region 8 Office, the Town of Farmington Water & Sewer Superintendent and the Town of Farmington Highway Superintendent.

**BE IT FINALLY RESOLVED**, that certified copies of this resolution are to be provided to the Town Planning Board, the Town Director of Planning & Development, the Town Code Enforcement Officer, the Applicants: Robert J. Brenner and Brian W. Mahoney, Partners Canandaigua Development Company, LLC, 83 South Main Street, Canandaigua, New York 14424; the Applicants Engineer, Ryan Destro, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, New York 14450.

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

**RESOLUTION #148-2023:**

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

**DETERMINATION OF SIGNIFICANCE, UNDER THE PROVISIONS OF THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) REGULATIONS, FOR THE REZONING OF LAND (TAX MAP ACCOUNT NUMBERS 29.00-02-13.1 [52.5 ACRES] AND 29.00-02-14.0 [93.3 ACRES]) FROM RS-25 RESIDENTIAL SUBURBAN AND LI LIMITED INDUSTRIAL WITH MTOD MAJOR THOROUGHFARE OVERLAY DISTRICT TO IZ INCENTIVE ZONING WITH MTOD MAJOR THOROUGHFARE OVERLAY DISTRICT FOR THE POWER'S INCENTIVE ZONING PROJECT**

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

**WHEREAS**, the Town Board has completed a coordinated review with involved agencies and is designated as the lead agency under SEQR Regulations for making the required determination of significance upon said Action; and

**WHEREAS**, the Town Board has conducted a referral under the provisions of Sections 239-1 and -m of the New York State General Municipal Law with the Ontario County Planning Board (Referral # 221 of 2022) and has closed the public hearing (on Tuesday, February 14, 2023) upon said Action; and

**WHEREAS**, the Town Board, has received and reviewed the Parts 2 and 3 of the Full Environmental Assessment Forms for said Action, dated March 24, 2023, prepared by the Town Director of Planning and Development; and

**WHEREAS**, the Town Board has given consideration to the public comments provided during the public hearing upon said rezoning Action; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby accept Parts 1, 2 and 3 of the FEAF, along with the Part 3 Supplemental Narrative for the above referenced Action.

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

(i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity; traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems; and

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

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

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

**BE IT FINALLY RESOLVED**, that the Town Clerk is to file certified copies of the environmental record, Parts 1, 2 and 3 of the Full Environmental Assessment Forms, and this Determination of Non-Significance Resolution, with the New York State Department of Environmental Conservation requesting publishing of this determination in the State’s Environmental Notice Bulletin; and provide certified copies of these documents to the involved agencies, the Applicant, the Applicant’s Engineer and Town Development Staff; and to place of copy of this determination of non-significance in the rezoning file upon the above referenced Action.

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

**RESOLUTION #149-2023:**

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

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

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

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

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

1. The maximum number of single-family detached units authorized for the designated Residential Incentive Zoning area of the project shall not exceed 216 dwelling units to be located on +/- 116.7 acres of land. Additionally, a maximum of 50,000 S.F. of building area for the uses delineated in Section 3 below, is authorized for the designated LI/GB Incentive Zoning area to be located on +/- 29.1 acres of land with frontage along NYS Route 96 (Refer to Section 3 below for allowable uses).
2. The Bulk Lot Requirements for the Power’s Incentive Zoning Project shall be as follows:

	<u>Single-Family Lots</u>	<u>All Other Lots</u>
Minimum Lot Size -	11,900 S.F.	25,000 S.F.
Minimum Lot Width –	70 feet at setback	100 feet at highway
Minimum Lot Depth –	170 feet	250 feet

Setbacks:		
Front	35 feet	50 feet Town Road 70 feet Route 96
Rear	10 feet	30 feet
Side	10 feet	30 feet
Maximum Building Cover	30%	35%
Maximum Building Height	35 feet	50 feet
Maximum No. Stories	2-1/2 stories	3 stories

3. With respect to the reserved parcels identified in Section 7 below, the following uses are permitted uses within the originally mapped LI Limited Industrial District portion of the Overall Concept Plan as shown on the drawing prepared by BME Associates, entitled “Power Property – Route 96 Incentive Zoning Concept Plan, drawing number 01, Project number 2812, having the latest revision date 2/6/23. These permitted uses are subject to final site plan approval by the Town Planning Board and are restricted to the identified developable areas for Parcels “A,” “B” and “C:”
  - a. Business, professional and executive offices, including but not limited to offices for attorneys, architects, engineers, surveyors and accountants, real estate and insurance agents and salespersons, but not including retail sales, manufacturing or servicing of merchandise of any kind on the premises.
  - b. Uses for the treatment and care of human beings, including but not limited to medical and dental offices and clinics for physicians, osteopaths, dentists, chiropractors, chiropodists, podiatrists, opticians, optometrists and ophthalmologists, all excluding any overnight occupancy or overnight care.
  - c. Banks and lending institutions. Banks are permitted to have drive-in tellers if at least five (5) reservoir spaces are provided for each drive-in teller’s window.
  - d. Artists of performing arts studio, photography studio, including the sale or rental of photographic supplies or equipment.
  - e. Public or private membership clubs, lodges or fraternal organizations, neighborhood or community centers, YMCA or YWCA.
  - f. Barbershops, beauty shops, hair salons and other personal service shops or uses.
  - g. Nursery schools or day-care centers or similar uses.
  - h. Bakery, confectionery, delicatessen and the like, provided that products prepared or processed on the premises shall be sold only at retail and only at the premises.
  - i. Drugstore.
  - j. Restaurants, including fast-food with drive through service.
  - k. Boutiques and specialty retail shops, including but not limited to bookstores, florists, card or gift shops, candy stores, secondhand-clothing stores, stationery stores and arts and crafts stores.
  - l. Convenience-type food stores, including self-service energy sources (e.g., electric charging stations and/or petroleum stations, excluding motor vehicle repairs and services.
  - m. Laundry and dry-cleaning establishments, including self-service.
  - n. Liquor stores.
  - o. Custom dressmaking, millinery, hemstitching, pleating, weaving or mending services, shoe repair and tailor shops.
  - p. Retail sales, including but not limited to drugstores and pharmacies, clothing and shoe stores, hardware stores, furniture and home appliance stores
  - q. Furniture repair shops and upholstery shops.
  - r. Tennis or racquetball clubs, health clubs.
  - s. Car washes, provided that no entrance or exit drive shall be located within 100 feet of any street intersection, and provided that there are at least 15 reservoir spaces as defined herein for the first wash rack or wash lane and 10 reservoir spaces for each additional wash rack or wash lane, with a maximum number of reservoir spaces needed not to exceed 40 spaces.
  - t. Commercial greenhouse or plant nursery or similar commercial agricultural uses.
  - u. Mini-warehouse structures, subject further to the provisions of § [165-84.1](#) of this chapter.
  - v. Research and development laboratories.
  - w. Commercial Plaza
4. Accessory Structures/Buildings/Storage of Vehicles.

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

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

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

5. There shall be no Open Space Area dedicated to the Town of Farmington to maintain, other than the three (3) Rights-of-Way Reservation Areas A, B & C, shown on the drawing prepared by BME Associates, entitled “Power Property – Route 96 Incentive Zoning Concept Plan, drawing number 01, Project number 2812, having the latest revision date 2/6/23.
6. There shall be a maximum of four (4) open space areas owned by and maintained by the Applicants for this Project. These Open Space Areas are identified as Open Space “A” (5.55 acres), “B” (9.27 acres), “C” (3.05 acres) and “D” (20.17 acres), as shown on the drawing prepared by BME Associates, entitled “Power Property – Route 96 Incentive Zoning Concept Plan, drawing number 01, Project number 2812, having the latest revision date 2/6/23. The Town agrees to provide maintenance of the approved stormwater facilities upon the filing of the Notice of Termination (NOT).



7. There shall be a maximum of three (3) parcels within the currently zoned LI Limited Industrial District and MTOD Major Thoroughfare Overlay District, which are identified on the above referenced concept plan as Parcel "A" (11.2 acres), Parcel "B" (13.5 acres) and Parcel "C" (4.5 acres). Access to these three parcels shall be provided from Proposed Dedicated Road A and/or Proposed Dedicated Road B. There shall be no direct access from the three (3) parcels directly to/from New York State Route 96. The maximum lot coverage shall be that specified above herein, and all uses delineated in Section 3 above shall be permitted as of right.
8. Any request for a variance to these regulations shall be made to the Town Board.
9. A concrete sidewalk is to be installed within the first phase of the residential portion of this Project prior to the Town Board's acceptance of the proposed Road A. At the time of the issuance of a Building Permit for the first dwelling unit after one-half the total number of dwelling units to be located within the first phase, the applicant shall then install a sidewalk connection between proposed Lots #3 and #4 south along the west side of the "Proposed Dedicated Road A" to the point where said sidewalk connects to the sidewalk that is to be constructed as part of Phase 1 and extending from the west property line of the "LI (Limited Industrial Parcel 'A' (shown on the above referenced concept plan).

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

1. There is to be a one-time cash payment to the Town of Farmington of \$100,000.00 for the Beaver Creek Sanitary Sewer Force main Construction Project; and
2. There is to be a one-time cash payment to the Town of Farmington of \$50,000.00 for the Town Engineer's Study and Report for Pump Station No. 1 capacity and long-term needs; and
3. These two payments are due within 30 days of the date of the Preliminary Overall Subdivision and Site Plan Approval being issued by the Planning Board for the Power Property Incentive Rezoning Project:

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

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

1. There is to be an initial payment of \$100,000.00 to the Town, for the Town's Sidewalk/Trail/Bike Lane Capital Project on or before December 31, 2024. Then there shall be four (4) additional payments of \$69,500.00 each to the Town, for this Capital Project, on or before December 31, 2025, 2026, 2027 and 2028.
2. If desired, the Town Board agrees to pay the Applicant for the pass-through costs for installing the sidewalk connection along the north side of State Route 96, between Fairdale Glen Townhomes site and the west property line for the above describe Parcel "A," using the same contractor that the applicants use for constructing sidewalks between the first section of the residential portion of the project and the west property line for the above-described LI (Limited Industrial) Parcel "A." Prior to commencement of the work, the Applicant and the Town shall enter into a mutually agreeable indemnification agreement, if required by either the Applicant or the Town's insurer.

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

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

**BE IT FURTHER RESOLVED**, that a ten-foot-wide pedestrian easement is to be granted to the Town within Open Space Area "D," shown on the 2/6/23 Concept Plan for this Project, along with a five-foot-wide concrete sidewalk/trail that is to be constructed between proposed Lots 41 and 42, extending from the right-of-way for Proposed Dedicated Road A and connecting to a sidewalk section that is to be installed by the applicant adjacent to the pavement of West Collett Road near the current railroad crossing. Said sidewalk/trail is to be constructed at the time of dedication of the portion of the Proposed Dedicated Road A to the Town that provides access to proposed Lots #41 and #42 as shown on the above referenced 2/6/23 Concept Plan. Said sidewalk/trail is to be maintained by the Town as part of a sidewalk district to be established for this Project.

**BE IT FURTHER RESOLVED**, that each residential lot shall have a street tree installed prior to the issuance of a Certificate of Occupancy for the principal dwelling. Where there is a Corner Lot (Lots #3, 4, 12, 13, 36, 37, 138, 197, 75, 95, 116, 172, 85, 86, 141, 168, 193, 101 and 107) there shall be a minimum of two (2) street trees installed along the property's frontage of all existing and planned dedicated highways. There is to be a note to this effect placed upon the Final Subdivision Plat Maps for each Section. Finally, Lots Nos. 141, 168, 172 & 193 shall have three (3) street trees planted across their lot frontages prior to the issuance of a Certificate of Occupancy.

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

**BE IT FURTHER RESOLVED**, that street trees are required to be installed across the frontage of the proposed stormwater management area located between Lots 53 and 54, at the time of constructing the Proposed Dedicated Road A, or the proposed Stormwater Management Area shown on the above referenced amended Concept Plan.

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

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

Two Voting "Aye" (Ingalsbe and Herendeen), and Three Voting "Nay" (Holtz, Bowerman, and Casale), the Resolution was **DENIED**.

**Discussion:** Councilman Bowerman stated that he is not in favor of the project in the way it is designed. He stated that he has made his comments known regarding the lot width and density and the issues they have in that area with drainage. Councilman Holtz stated that density issue was brought up early on and no changes were made and for him it is the setbacks and, in the past, they approved lots with 10ft setbacks on the sides but he felt those were too tight and he added that this project calls for rear setbacks with 10 ft and that is something he does not want to entertain. Councilman Bowerman stated that unfortunately when they are dealing with narrow lots and houses being built on top of each other, the backend problem is that as they build accessory structures the neighbors start to complain. Councilman Casale stated that some of that was a problem for him but mostly it is the way it looks, and he does not like the way it looks and he also has concerns regarding the drainage and knows the County is working on it but he honestly doesn't know much about it to say that will not present the problem. Supervisor Ingalsbe stated that since there was a motion, they have to vote on it and can not table it. He added that they have talked about the drainage issue in great detail and that even a resident in attendance is satisfied with what the town has done with getting the County involved. Supervisor Ingalsbe stated that even if there was nothing put on the site, the water is still going to drain the same way it does currently. He added that in his opinion, what he has seen in other developments your able to engineer ways to capture the water, examples are Hickory Rise and Hathaway Corners, the redirecting of water was good, all the water on the roads goes to the designated drainage pond and the properties are sloped to drain water to certain locations and until they get into the Planning Board stage and work to finalize designs you don't know how much more your able to capture and if you leave it they way it is your still going to have backyard water problems. Councilman Casale asked staff that if by doing this would it make that area work more efficient. Mr. Brand stated that it is his past experiences with other projects since the MS4 program requirements have been given to the town and as they may recall there was public outcry from residents of Calm Lake, for the Hathaway Corners project (northside of County Road 41), and since Ryan put together the design plan for that site, to his knowledge they have not had any complaints on drainage issues.

Mr. Delproire stated that even if this is approved tonight, one of the conditions is that it has to go through Planning Board for site plan approval, and they take a good hard look at it. Councilman Casale stated that he didn't know enough about it to make an educated yes or no in it and if the staff is comfortable with it then he would want to know that. Councilman Holtz stated that he didn't really have any drainage concerns because we have addressed them with other projects, his concern is that they would be adopting a local law approving 10foot setbacks for side lots and rear lots so that is his main concern and Planning Board can not do anything once the Town Board puts that in place. He added that he has confidence in the engineers to make the drainage work, he has seen it done before with other projects. Supervisor Ingalsbe added that side setbacks are the same as in Hickory Rise and in the future for subdivisions you're just not going to see the big lots because developers cannot afford big lots. He added that Farmbrook homes are not spaced out enough either (setback is 7.5ft). Councilman Casale stated that his biggest concern was the drainage but if staff is comfortable with it then he is okay with it. He added that he doesn't like the design and felt it is pretty cramped. Councilman Bowerman stated that he doesn't like the extremely narrow lots and developers can certainly propose that because they are trying to make as much money as possible, but it doesn't mean the board has to approve it. He added that the applicant can widen the lots and lose a few lots and it would still make the project work. Councilman Bowerman stated that he has no problem with concept for commercial along Route 96 with the residential build behind it, he just doesn't agree with the density. Councilman Herendeen stated that he was on the Planning Board for many years and knows they can take care of the drainage issue, so he is not worried about it. He added that as far as the density goes, there is already something next door that is the same and he knows that it is tight but so is Hickory Rise, and he has been through Hickory Rise and it is a nice development, and he is not totally against it. Supervisor Ingalsbe then called for a roll call vote.

#### **RESOLUTION #150-2023:**

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

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

**WHEREAS**, Carrie Adams and Allison Bowe recently became Active Members of the Farmington Volunteer Fire Association, therefore be it

**RESOLVED**, the Farmington Town Board acknowledges and approves the new memberships of Carrie Adams and Allison Bowe to the Farmington Volunteer Fire Association, and further be it

**RESOLVED**, that a certified copy of this resolution be sent to the Farmington Volunteer Fire Association, PO Box 25117, Farmington, NY 14425, for their records.

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

**RESOLUTION #151-2023:**

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

**RESOLUTION AUTHORIZING PETER INGALSBE, ED HEMMINGER, DOUG VIETS AND DAN DELPRIORE TO ATTEND THE NEW YORK PLANNING FEDERATION CONFERENCE ON APRIL 17, 2023**

**WHEREAS**, The New York Planning Federation is having a conference and luncheon on April 17, 2023, and will be honoring Farmington Planning Board Chairperson Ed Hemminger; and

**WHEREAS**, The Town Supervisor, Peter Ingalsbe, and Planning Board Chairperson, Ed Hemminger, will be attending the luncheon at a cost of \$75.00 per person, and

**WHEREAS**, The Code Enforcement Officer, Dan Delpriore, has requested approval to attend the conference that would include training, meals, and lodging at a cost not to exceed \$475.00.

**NOW THEREFORE, BE IT RESOLVED**, That the Town Board of Farmington does hereby approve the attendance of Peter Ingalsbe, Ed Hemminger, Doug Viets and Dan Delpriore to the New York Planning Federation Conference on April 17, 2023, at a cost not to exceed \$700.00.

**BE IT FURTHER RESOLVED**, that copies of this resolution be submitted by the Town Clerk to the Accountant I, Code Enforcement Officer Dan Delpriore, and the Confidential Secretary.

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

**RESOLUTION #152-2023:**

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

**RESOLUTION TO CONTINUE THE PURCHASE OF BADGER METERS, ENDPOINTS, ENCODERS AND BEACON SOFTWARE**

**WHEREAS**, resolution 452-2022 approved the purchase of Badger meters, endpoints, encoders and the beacon software utilizing funding from the 2022 budget in an amount not to exceed \$51,000,

**WHEREAS**, funding in the 2023 budget has been appropriated to continue the purchases for the meter upgrades,

**NOW, THEREFORE BE IT RESOLVED**, the Water and Sewer Superintendent is authorized to purchase the hardware and software in an amount not to exceed \$65,000 which will be expensed from the 2023 budget code SW1-8340.41,

**FULLY RESOLVED**, that the Town Clerk provides a copy of the resolution to the Accountant I and the Water and Sewer Department.

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

**RESOLUTION #153-2023:**

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

**RESOLUTION AUTHORIZING THE TOWN BOARD TO ACCEPT AND DIRECT THE TOWN SUPERVISOR TO SIGN AND POST THE MS4 ANNUAL REPORT TO THE TOWN WEBSITE**

**WHEREAS**, the Town Staff, the Town Engineer, and the Town MS4 Officer have met and reviewed the information over the reporting period for the annual MS4 report; and

**WHEREAS**, the annual report is part of the DEC requirements of having a MS4 program; and

**WHEREAS**, the Town Supervisor shall sign and post to the Town website for public review for a minimum of 30 days before submitting to the Ontario Wayne Stormwater Coalition to be submitted as a joint report to the DEC; and

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of Farmington does herein approve the Town Supervisor to sign the annual MS4 report and then post for public review on the Town website for a minimum of 30 days, then forward to the Ontario Wayne Stormwater Coalition; and

**MAY IT BE FURTHER RESOLVED**, that copies of this resolution to be submitted by the Town Clerk to Highway & Parks Superintendent, MRB Lance Brabant, the Confidential Secretary and to the Building Department.

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

**RESOLUTION #154-2023:**

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

Abstract 6 – 2023

**TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS**

ABSTRACT NUMBER		6	
DATE OF BOARD MEETING		3/28/2023	
FUND CODE	FUND NAME	TOTAL FOR EACH FUND	VOUCHER NUMBERS
A	GENERAL FUND	103,695.79	493-498,500-502,504-510,512-531,533-536,538,541-546
DA	HIGHWAY FUND	67,831.23	493,504,516,517,521,523,529,549-556
HK	SIDEWALK CAP PROJECT	47,311.07	511
HN	NORTH ROAD CAP PROJ	2,450.00	521
HP	TOWN PARK IMPROVEMENTS	3,604.00	521
HW	WATER TANK REPAIR	460.00	521
SD	STORM DRAINAGE	4,740.45	504,521,527-529
SS	SEWER DISTRICT	64,192.33	456-479,493,496,504,516,521,523,529,539,557
SW1	WATER DISTRICT	68,594.33	456,457,459,464-468,472,477-493,496,504,510,516,521,523,529,539,540,557
HB	BEAVERCREEK PARK	70,424.68	532,537,547,548
TA200	PAYROLL DEDUCTIONS	8,519.78	478,493,496,499,503,504,529,541
	<b>TOTAL ABSTRACT</b>	<b>\$ 443,495.66</b>	

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

**WAIVER OF THE RULE: NO OBJECTIONS**

**RESOLUTION #155-2023:**

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

**RESOLUTION AUTHORIZING THE HIGHWAY/PARKS SUPERINTENDENT TO PURCHASE TWO (2) 2025 HV 607 4X2 INTERNATIONAL WITH VIKING EQUIPMENT**

**WHEREAS**, the Highway/Parks Superintendent has allocated for two (2) HV 607 4X2 Internationals from the 2024 budget to be received for the Highway Department, and

**WHEREAS**, the Internationals with Viking equipment from Navistar pricing is \$240,506.33 per truck (\$481,012.66 total), and

**WHEREAS**, the complete package will be purchased in compliance with the current purchasing policy off the Onondaga County Contract #8996 at a cost not to exceed \$490,000.00 to be allocated from DA-5130.2 in the 2024 Budget, and

**WHEREAS**, the Town Board authorizes the Town Supervisor to sign the agreement for two (2) HV 607 4X2 International trucks, now therefore be it

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

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

**RESOLUTION #156-2023:**

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

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN A CONTRACT WITH M.O.O.D MEDIA AND UPSTATE AV FOR MAIN MEETING ROOM AV SYSTEM UPGRADES**

**WHEREAS**, the Town has received a quote for upgrades from M.O.O.D. Media, R-Options, and AVS Commercial, and

**WHEREAS**, the Town has reviewed the submitted quote and system maintenance service agreements and found that the quote from M.O.O.D Media best suits the Town's needs with the lowest cost for the equipment and the maintenance of the installed equipment, and

**WHEREAS**, the quote submitted from M.O.O.D. Media for Option 1 of the proposal for equipment came to \$1,870.00 and they contract with Upstate AV for installation at a cost of \$600.00, and

**WHEREAS**, the Town Board approves to pay a deposit of \$935.00 at time of order; now

**THEREFORE, BE IT RESOLVED**, that the Town Board hereby authorizes the Town Supervisor to sign the agreement for service with M.O.O.D. Media for equipment and installation at a cost not to exceed \$1,870.00 for option 1 and a cost not to exceed \$600.00 for Upstate AV to install the equipment for a total cost of project not to exceed \$2,500.00, and

**BE IT FURTHER RESOLVED**, that the Accountant I process a budget amendment transferring \$2,000.00 from Contingent (A1990.4) to Cent Comm Equipment (A1650.2), and

**BE IT FINALLY RESOLVED**, that the Town Clerk provide copies of this resolution to the Building Department, the Accountant I, and the signed contract to M.O.O.D. Media Attn: Tom Romig at 1000 Victor Heights Parkway, Victor New York 14564.

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

**RESOLUTION #157-2023:**

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

**RESOLUTION TO REPLACE THE HMI FOR THE UV SYSTEM FROM TROJAN TECHNOLOGIES**

**WHEREAS**, the Water and Sewer Superintendent received three quotes to replace the HMI for the UV System,

**WHEREAS**, Trojan Technologies was the only quote to include freight and SRV programming in the pricing,

**NOW, THEREFORE BE IT RESOLVED**, the Town Board approves the purchase of the HMI with the programming from Trojan at a price not to exceed \$5,817.17 to be expensed from budget code SS8130.47, UV operating and maintenance contractual,

**FULLY RESOLVED**, that the Town Clerk provides a copy of the resolution to the Accountant I and the Water and Sewer Department.

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

**TRAINING UNDER \$100:**

1. Robin MacDonald, David Orians, Tom Parker and Peter Ingalsbe to attend the Finger Lakes Water Works Conference 2023 Spring Meeting on April 5, 2023 at a cost not to exceed \$35.00 per person.
2. August Gordner to attend 2023 NY Pipeline Safety Program given by CORE at Genesee River Restaurant and Reception Center on April 25, 2023 at no cost.
3. Dave Orians, Augie Gordner, John Weidenborner, John Hargather and Casey Caudle to attend the NYS DEC Endorsed 4 Hour Erosion and Sediment Control on April 17, 2023 at Ontario County Soil & Water Conservation District at a cost not to exceed \$100.00 per person.
4. Tim Ford to attend the Cornell Local Roads Program Solutions for Safer Roads & Streets Workshop on March 29, 2023 at a cost not to exceed \$50.00.

**DISCUSSION: Water Meter Rate –**

Supervisor Ingalsbe stated that at the Public Works meeting this morning they handed out a form with some suggested water meter rental rates. He added that they are trying to recover some of the cost of the software the town purchase and the cost of the meters, some are replaced at 12 years and some are replaced at 15 years. He added that the residential rate will be a lot less than the commercial rate. Would like the board to take a look at it and talk about if over the next month or so.

**EXECUTIVE SESSION: None.**

With no further business before the Board, **Councilman Bowerman** offered a motion to adjourn the meeting at 7:44 p.m., seconded by **Councilman Casale**. Motion **CARRIED**.

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Michelle A. Finley, MMC, RMC -Town Clerk