

At the Farmington Town Board Meeting, held in the Town Hall or by Phone/Video Conferencing on the 28<sup>th</sup> day of November, 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, **Robin MacDonald** – Acting Water & Sewer Superintendent, **Dan Delpriore** – Code Enforcement Officer, **Ron Brand** – Director of Planning and Development, **Adrian Bellis** – Planning Board Member, **Ed Hemminger** – Planning Board Chairman, **Donna LaPlant** – Assessor, and **Christopher LaPlant** – resident

Also present by telephone/video conferencing were: **Michael Phillips** – resident, **Matt Tomlinson** – Marathon Engineer, **John Piper** – Consultant, and **Bill Davis**, MRB Group

**PUBLIC HEARINGS: None.**

**APPROVAL OF MINUTES:**

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

**PRIVILEGE OF THE FLOOR: None.**

**PUBLIC CONCERNS: None.**

**REPORTS OF STANDING COMMITTEES:**

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

1. Discussed quotes for Digester 3 sludge mixing pump VFD have been requested.
2. Discussed UV System – is now operational.
3. Discussed Digester 2 cleaning – bid opening is scheduled for November 3, 2023. Only one bidder, postponed and will bid at a later date.
4. One new flow meter was installed in manhole #V-2761, seconded meter was installed in manhole #V-1968.
5. PS7 is in service, paving and landscaping is complete. The generator is installed.
6. Manhole inspections in Cobblestone, twenty buried manholes have been located.
7. Video of the sanitary sewer on Fallow Lane and Fawn Meadow have been reviewed.
8. The OSHA compliant ships ladder for 5150 North Road has been installed, the vaults for 5250 North Street and County Roads 8 & 41 have been measured for ladders.
9. WWTP paving and drainage work.
10. Discussed resolutions on agenda.

**Highway & Parks:**

1. Highway- equipment maintenance, working on battery disconnects, more shoulder work, finished putting wings on the trucks, installed plow marker stakes, stops signs have been installed at Ackerman Way and Marion Way, piled up ground up brush pile, hauling crushed stone, sweeping roads, and clean up from truck rollover on Hook Road.
2. Parks- completed winterizing bathroom, grading around new playground in Farmbrook Park, finished grinding stumps at parks and highway, cleaning mowers, and installed salter on truck.
3. Discussed resolution for meeting.

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

1. Discussed resolutions on agenda.
2. Town Staff will be evaluating construction cost estimates for the TAP Grant Sidewalk/Trail Connection Project.
3. Nothing to report for the Farmington Market Center project.
4. Paddock Landing Incentive Zoning Project, formerly Power Incentive Zoning Project, has submitted Preliminary Overall Subdivision Plat and Site Plan Maps and documents which will be introduced to the Planning Board in early December.
5. Discussed seeking clarification from the Ontario County Planning Department on how the upcoming 90-day public review and comment period is to be coordinated regarding the Flood Insurance Study.
6. Town continues working on the update to the Ontario County All Hazards Mitigation Plan.
7. Discussed Parks & Recreation Master Plan - survey to residents early next year.

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

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

## **REPORTS OF TOWN OFFICIALS:**

### **Supervisor Peter Ingalsbe reported:**

1. Chaired the Ontario County Public Works Committee meeting and attending the Ways and Means Committee meeting. They now have approved contracts for 2024 with Ontario County for snow plowing, court security, and enhanced road patrols.
2. Brickyard Road Tank and Transmission line bid has been moved forward one week to give bidders more time to prepare their bids, December 7, 2023 at 10 a.m.
3. The town has plenty of masks and hand sanitizer and alcohol wipes for the residents.
4. Meeting with the City of Canandaigua on their water plant improvement schedule which will in turn help the town's THM high readings.

### **Highway& Parks Superintendent Tim Ford reported:**

1. Crews are out plowing.

### **Town Clerk Michelle Finley reported:**

1. Attending New York State Town Clerk Association conference in Geneva on December 4, 2023.
2. Attending the Ontario County Municipal Clerk's Association meeting/holiday luncheon on December 6, 2023.

**Acting Water & Sewer Superintendent Robin MacDonald reported: None.**

### **Code Enforcement Officer Dan Delpriore reported:**

1. Working on code updates.

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

1. Town Operations Report available on website and filed with the Town Clerk.
2. Discussed Paddock Landing -the public hearing opens on the December 6<sup>th</sup> and they will setup a 30-day public review and comment period, as well as the coordinated review with the involved agencies under SEQR.
3. Planning Board has also been reviewing the draft report and recommendation on Whitestone.
4. The towns input for the County All Hazard Mitigation Plan is update and now we are awaiting further instructions.
5. The Environmental Conservation Board is drafting up their updates to the towns Open Space Index. Will be presented to the town early next year.
6. TAP Grant update on sidewalks.

### **Assessor Donna LaPlant reported:**

1. Working on the Open Space Index.
2. Update on small claims hearings.

### **Town Engineer Bill Davis reported:**

1. Updated on Brickyard Water Tank extending bid opening to December 7<sup>th</sup> at 10 a.m.,
2. Rebidding the Digester Cleaning project due to only getting one bid, they do expect to have more bidders the next time around.
3. Almost done with Farmington Grove Park design.
4. Country Max easement was sent to Building Department.

**Fire Chief reported: None.**

### **Planning Board Chairman Ed Hemminger reported:**

1. Next meeting – Fowler Public Hearing continuation (no new information to go over), Whitestone Incentive Zoning project, comprehensive plan review, Paddock Landing project, single family home, and review 2023 Planning Board meeting dates.

**Zoning Board of Appeals reported: None.**

**Recreation Advisory Board 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. Letter to Don Morrill from the Town Supervisor. Re: Final payment due.
2. Letter to Scott Elkovitch from the Town Supervisor. Re: Final payment due.
3. Letter to Monarch Manor Builders from the Town Supervisor. Re: Final payment due.
4. Certificates of Liability Insurance from: Tesla Energy Operations, Inc.; Walworth Hardware Service, LLC.
5. Certificates of Workers' Compensation Insurance.

### REPORTS & MINUTES:

1. Manchester Fire Department Incident Run Log – October 2023.
2. Historic Preservation Meeting Minutes – August 10, 2023 (corrected)
3. Historic Preservation Meeting Minutes – September 14, 2023 (corrected)
4. Monthly Report – Judge Thomas – October 2023.
5. Planning Board Meeting Minutes – November 1, 2023.
6. Project Review Committee Meeting Minutes – November 2, 2023.

### ORDER OF BUSINESS:

#### RESOLUTION 419-2023:

**Councilmen Holtz, Bowerman, Casale, Herendeen, and Supervisor Ingalsbe** offered the following Resolution, seconded by **Councilmen Bowerman, Casale, Holtz, Herendeen and Supervisor Ingalsbe:**

#### RESOLUTION OF SYMPATHY FOR THE MARTZ FAMILY

**WHEREAS**, the Town Board was deeply saddened to learn of the untimely passing of Phyllis Martz, on November 12<sup>th</sup>, 2023; and

**WHEREAS**, Phyllis was predeceased by her husband and former Town employee Lewis H. Martz, Sr. (August 29, 2010); and

**WHEREAS**, Phyllis and Lewis were both longtime residents of the Town of Farmington; now therefore

**BE IT RESOLVED**, that the Town Board adopts this resolution extending its sincere sympathy to the Martz family and spreading her memory upon the minutes of this board meeting; and

**BE IT FURTHER RESOLVED** that the Town Clerk forward a copy of this resolution to Phyllis' granddaughter, Karen Carey, and the family at PO Box 103, Shortsville, NY 14548.

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

#### RESOLUTION #420-2023:

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

#### RESOLUTION AUTHORIZING TOWN CONTRIBUTIONS TO HSAs

**WHEREAS**, the Town of Farmington has committed to contribute to employee HSAs for those enrolled in the Simply Bronze HSA health plan,

**WHEREAS**, whereas, Resolution 226-2023 authorized the electronic withdrawals and contributions to several employees, and three additional employees are now eligible to receive a contribution and one employee has moved to an employee/spouse plan; now therefore

**BE IT RESOLVED**, that the Town Board approves the additional contributions and electronic withdrawals for the following employees:

Donna LaPlant: employee/child - \$875 for Dec  
Garrett Heusler: employee/child - \$875 for Dec  
Nathan Conti: employee/spouse - \$875 for Dec  
August Gordner: now employee/spouse - \$875 for Dec

**BE IT FURTHER RESOLVED**, that the Town Clerk forward copies of the Resolution to the Accountant I and the Confidential Secretary.

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

#### RESOLUTION 421-2023:

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

#### RESOLUTION AUTHORIZING WAIVING THE MERTENSIA LODGE FEES FOR THE ONTARIO COUNTY YOUTH COURT

**WHEREAS**, the Ontario County Youth Court is holding their annual member appreciation and recruitment event on Tuesday, December 19<sup>th</sup>, 2023; and

**WHEREAS**, the Ontario County Youth Court is requesting the fees be waived, therefore be it

**RESOLVED**, the Farmington Town Board authorizes the waiving of the fees for the use of the Mertensia Lodge on Tuesday, December 19<sup>th</sup>, 2023, for the Ontario County Youth Court annual member appreciate and recruitment event, and be it.

**FURTHER RESOLVED**, that the Town Clerk provide a copy of this resolution to Tina Rossmann, Program Director for Ontario County Youth Court at [tina@ontariocountyyouthcourt.org](mailto:tina@ontariocountyyouthcourt.org) and the Accountant I.

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

**RESOLUTION #422-2023:**

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

**RESOLUTION - PASS TO TAX - 2023**

**WHEREAS**, the Farmington Town Board has been notified by the Water and Sewer Department of the unpaid water and sewer charges, and

**WHEREAS**, an Annual Statement has been filed with the Town Clerk listing all unpaid charges, fees, and rents for the 2023 Tax Levy which are broken down in the following special districts:

**Water/Sewer District**

WA246 & WD241	Canandaigua-Farmington Water (Canandaigua Only)	\$71,631.37
WD281	Canandaigua-Farmington Water (Farmington Only)	\$37,929.65
WD285	Fox Road Water District	\$587.73
WD286	North Farmington Water Extension #2 (Ellsworth Road)	\$397.21
WD287	Sheldon Road Water District	\$231.97
	Canandaigua Sanitary Sewer	\$1,481.47
	Farmington Sanitary Sewer	\$75,897.69
	Victor Sanitary Sewer	<u>\$104,230.42</u>
	Total	\$292,387.51

**NOW, THEREFORE BE IT RESOLVED**, the Town Board acting through its' Water and Sewer Superintendent, shall transmit such Statement to the Ontario County Board of Supervisors which shall levy such sums against the property liable.

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

**RESOLUTION #423-2023:**

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

**RESOLUTION TO PURCHASE 3 NEW AND UNUSED 2024 FORD F -150 XLT SUPERCAB 4X4 6.5' BOX 145 WB**

**WHEREAS**, A water and sewer truck, a construction inspector truck and a building department truck were budgeted in the 2024 budget,

**WHEREAS**, The Water and Sewer Superintendent has received quote # 34988 Onondaga Bid 0010808 for 3 2024 Ford F -150 XLT Super cab 4X4 6.5' Box 145 WB cost of \$49,021.30 per truck; and

**WHEREAS**, the Town of Farmington will be purchasing 3 pickup trucks at a cost not to exceed \$147,063.90; now therefore

**BE IT RESOLVED**, that the Farmington Town Board authorizes the Water and Sewer and Building department to purchase said 2024 Ford trucks for a cost not to exceed \$147,063.90 to be expended from 2024 account codes SS8130.2 (\$36,765.98), SW1-8340.2 (\$36,765.98) and A3620.2 (\$73,531.94); and

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

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

**RESOLUTION #424-2023:**

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

**RESOLUTION AUTHORIZING ACCEPTANCE OF EASEMENTS – HATHAWAY’S CORNERS SUBDIVISION**

**WHEREAS**, the Town of Farmington, by its officers or representatives, has engaged in discussions with Hathaway Corner, LLC ("Owner") regarding the Town's obtaining three (3) Water and Utility Easements, two (2) Sanitary Sewer and Utility Easements and a Storm Sewer and Utility Easement over portions of Owner's property located in the Hathaway's Corners Subdivision, as shown on maps attached to each document; and

**WHEREAS**, Town of Farmington officials have recommended to the Town Board that said Owner grant to the Town the easements over said lands of said Owner;

**WHEREAS**, said easements have been offered by Owner to the Town of Farmington; and

**WHEREAS**, the Town Board of the Town of Farmington is desirous of accepting said offered easements on behalf of the Town; and

**WHEREAS**, the Town Board of the Town of Farmington has examined said instruments and finds the consideration described in said easements to be fair and reasonable.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Farmington does hereby accept the Easements attached hereto as Exhibit 1 from Owner in accordance with the terms and conditions contained in said instruments and directs that the

same be recorded in the Office of the Clerk of the County of Ontario, the fees for said recording to be borne by the Owner, and be it further

**RESOLVED**, that the Town Supervisor shall be and hereby is authorized to take any and all further action necessary to carry forth the intent of this resolution, including but not limited to the execution of all documents necessary to complete the conveyance of the premises referenced herein.

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

**RESOLUTION #425-2023:**

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

**RESOLUTION RECALLING TOWN BOARD RESOLUTION NO. 103 OF 2015, AND THE ATTACHMENT TO LOCAL LAW NO. 5 OF 2015; AMENDING THE PRELIMINARY OVERALL SUBDIVISION PLAT AND SITE PLANS FOR LOTS #1 THROUGH #5 OF THE REDFIELD GROVE INCENTIVE ZONING PROJECT LOCATED WITHIN THE PHASE 3 PORTION OF THE OVERALL SITE; ADOPTING LOCAL LAW NO. 9 OF 2023, PROVIDING FOR AMENDMENTS TO LOTS #1 THROUGH #5 OF THE REDFIELD GROVE INCENTIVE ZONING PROJECT; REQUIRING AN ADDITIONAL SITE AMENITY FOR PROPOSED LOT #5, A VEST POCKET TYPE PRIVATE PARK SETTING; RE-ESTABLISHING THE ORIGINAL LOT SIZE FOR THE RE-SUBDIVIDED LOT #1; ESTABLISHING THE LIST OF PERMITTED LAND USES FOR RE-SUBDIVIDED LOT #1; REQUIRING THE PLANNING BOARD'S APPROVAL OF THE AMENDED PRELIMINARY OVERALL SUBDIVISION PLAT AND SITE PLAN FOR THE REDFIELD GROVE INCENTIVE ZONING PROJECT; AND FILING THE APPROVED DRAWINGS THEREOF WITH THE TOWN CLERK'S OFFICE PRIOR TO AMENDING THE TOWN'S OFFICIAL ZONING MAP AND THEN THE ISSUING OF BUILDING PERMITS FOR THE DEVELOPMENT OF SAID LOTS LOCATED WITHIN THE AMENDED PHASE 3 PORTION OF THE REDFIELD GROVE INCENTIVE ZONING PROJECT**

**WHEREAS**, the Town of Farmington Town Board (hereinafter referred to as Town Board) has tonight given consideration to the final draft of proposed Local Law No. 9 of 2023, having a final date of November 28, 2023 and received on November 16, 2023; and

**WHEREAS**, the Town Board has received and reviewed the Ontario County Planning Board's referral number 215-2023, dated November 8, 2023; and

**WHEREAS**, the Town Board has been informed by the Town Code Enforcement Officer that he has reviewed the list of proposed uses for Lot #1 and is in agreement with those uses; and

**WHEREAS**, the Town Board received, on November 16, 2023, from Marathon Engineering the final amended Concept Plan, for the Phase 3 Amendments to the Redfield Grove Incentive Zoning Project and has reviewed said revised drawing.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby adopt in its' entirety Local Law No. 9 of 2023, dated November 28, 2023.

**BE IT FURTHER RESOLVED**, that this proposed amendment to Local Law No. 5 of 2015 is based upon and is further to be regulated by those criteria specified under Project Status, Items 1 through 3.4, as shown on the drawing prepared by Marathon Engineering, Sheet 1 of 4, Drawing No. C1.0, Job No. 1592-23, having a revised date of 11/16/23 and entitled "Overall Plan Incentive Zoning Modifications Plans for Redfield Grove Commercial Development."

**BE IT FURTHER RESOLVED**, that the Town Board does hereby adopt this resolution thereby making it an attachment to Local Law No. 9 of 2023.

**BE IT FURTHER RESOLVED**, that the Town Board does hereby request the Applicant and the Applicant's Engineer to prepare an application to the Town Planning Board for the Re-subdivision of Lots #1 through #4 and the revised site plans for said lots, in accordance with the requirements in the Town Code.

**BE IT FURTHER RESOLVED**, that the Town Clerk upon receipt of the Planning Board's approval of the revised Overall Preliminary Subdivision Plat and Site Plan Maps for the Redfield Grove Incentive Zoning Project is hereby directed to amend the Official Zoning Map by amending the Map's Revision Box citing the date of said amendment and notation of these conditions of approval.

**BE IT FURTHER RESOLVED**, that no Building Permits shall be issued for the amended Lots #1 through #5 until said Official Zoning Map has been amended.

**BE IT FINALLY RESOLVED**, that the Town Clerk is hereby directed to provide certified copies of this resolution to the following: Town Highway & Parks Superintendent; Town Water & Sewer Superintendent; Town Code Enforcement Officer; Town Director of Planning and Development; Town Engineer; the Applicant, Frank DiFelice, DiFelice Development, 91 Victor Heights Parkway, Victor, New York 14564; and Matthew Tomlinson, Project Manager, Marathon Engineering, 39 Cascade Drive, Rochester, New York 14614.

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

**Town of Farmington, Ontario County, New York Local Law no. 9 of the year 2023**

A local law recalling and amending Local Law No. 5 of 2015, the Redfield Grove Incentive Zoning Project, by changing the original conditions of approval for Lots #1, #2, #3, #4 and #5, located within Phase 3 of the approved Overall Preliminary Site Plan for the Redfield Grove Incentive Zoning Project; requiring Planning Board approval of a revised Preliminary Overall Subdivision Plat/Site Plan for those lots listed herein and within the Phase 3 Portion only of the Redfield Grove Incentive Zoning Project; and requiring the filing of said amended Overall Preliminary Subdivision Plat/Site Plan with the Town Clerk's Office prior to the Planning Board granting Final Site Plan Approvals for any of the amended Lots to be issued a Building or Site Development Permit, all in accordance with the provisions of Chapter 165, Article IV, Section 34.1., Incentive Zoning District, of the Farmington Town Code.

Be it enacted by the Town Board of the  
Town of Farmington as follows:

Section 1: Chapter 165, Article IV, District Regulations, Section 165-34.1. N. the Overall Preliminary Subdivision Plat/Site Plan Map on file with the Farmington Town Clerk's Office for this Incentive Zoning Project is hereby amended by approving new zoning incentives and new site amenities five (5) re-subdivided lots, Lots #1, #2, #3, #4 and #5 of the Phase 3 portion of said Overall Preliminary Subdivision Plat and Site Plan Map for the Redfield Grove Incentive Zoning Project.

This local law amends five (5) proposed sites located within Tax Map Account 29.11-03-15.00 containing a total of 4.6 acres of land, owned by DiFelice Lands, LLC, which is currently zoned IZ Incentive Zoning for the above referenced Redfield Grove Incentive Zoning Project. The law provides for the re-subdivision and then amended preliminary site plans be approval by the Planning Board. Once the revised plat/plan map is approved by the Planning Board and filed with the Town Clerk's Office, then the conditions set forth in Town Board Resolution No. 103 of 2015, adopted on Tuesday, February 24, 2015, which provided for the construction of five (5) separate commercial sites identified as proposed Lots No. 1 through 5 will be changed to five (5) new commercial lots, four (4) of which will front along the east side of Commercial Drive and the fifth (5<sup>th</sup>) lot will front along the north side of State Route 96, east of Commercial Drive.

Section 2: Local Law No. 9 of 2023 provides for changes to the allowed size and use of the former Tax Map Account No. 29.11-3-1.100, containing a total of 0.89 acres of land [38,768 square feet in area] which is also to be re-subdivided back to its' original size. Said changes are set forth within Town Board Resolution No. 425 of 2023, which is hereby made an attachment to Local Law No. 9 of 2023. Said changes identify the types of commercial uses to be permitted and allowing a maximum total of six (6) on-site parking spaces with access to/from State Route 96 via an existing driveway.

Section 3: The balance of the original Lot No. 1 and Lots No. 2 through No. 5 are to be redesigned to allow for a total of four (4) commercial buildings and related site improvements, all fronting along the east side of Commercial Drive, to be approved by the Planning Board as part of the preliminary overall re-subdivision plat/site plan approval for a defined portion of Phase 3 as amended by this Local Law. In addition, the Town Board does hereby require the developer of Lot #5 to provide an amenity consisting of a vest pocket type private park with bench and sidewalk to be installed at the time of issuing a Building Permit for Lot #5. Said private park setting is to be maintained by the owner of Lot #5.

Section 4: The Town Clerk, in accordance with the provisions contained in Chapter 165, Article IV, Section 34.1. O. of the Farmington Town Code, upon the filing in the Town Clerk's Office of an Overall Preliminary Site Plan and Preliminary Re-subdivision Plat for Phase 3 of The Redfield Grove Incentive Zoning Project shall then affix notice upon the Town's Official Zoning Map that the development of these five (5) proposed parcels was approved under the Town's Incentive Zoning provisions and shall include a reference date to such action was taken by the Planning Board; and cause said map amendment to be made in the revision box located upon the Town's Official Zoning Map.

Section 4: If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgement shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgement shall have been ordered.

Section 5: This local law shall take effect immediately upon filing with the Secretary of State.

**RESOLUTION #426-2023:**

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

**RESOLUTION TO PURCHASE 1 NEW AND UNUSED PIPE PATCH SYSTEM**

**WHEREAS**, the Acting Water and Sewer Superintendent has identified the need to purchase the Pipe Patch System alleviate the need to excavate to repair some sanitary mains; and

**WHEREAS**, the Acting Water and Sewer Superintendent has received 1 quote from Source One Environmental as a sole source provider for Pipe Patch and Seal Guard;, now therefore

**BE IT RESOLVED**, that the Farmington Town Board authorizes the Water and Sewer Superintendent to purchase said Pipe Patch System for a cost not to exceed \$6,084.60. split between 2023 account codes SS8120.49 & SS8120.49V; and

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

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

**RESOLUTION #427-2023:**

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

**RESOLUTION ACCEPTING A DRAFT LOCAL LAW, LOCAL LAW NO. 10 OF 2023, AMENDING CHAPTER 126 OF THE FARMINGTON TOWN CODE, ENTITLED "INDIVIDUAL ON-SITE WASTEWATER TREATMENT SYSTEMS;" SCHEDULING A PUBLIC HEARING THEREON FOR TUESDAY, DECEMBER 12, 2023; AND DIRECTING THE PUBLISHING AND POSTING OF A LEGAL NOTICE FOR SAID PUBLIC HEARING**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) has received from the Town Director of Planning and Development a draft local law (hereinafter referred to as Action) to be known as Local Law No. 10 of 2023, entitled "Individual On-Site Wastewater Treatment Systems;" and

**WHEREAS**, the Town Board has reviewed the criteria for classifying Actions under the provisions of 6NYCRR, Part 617.5 of article 8 of the State Environmental Conservation Law (ECL); and

**WHEREAS**, said draft Local Law is based in part upon the review and recommendations received by the Town Code Enforcement Officer, from Megan Webster, the Ontario County Soil & Water District, dated November 15, 2023; and

**WHEREAS**, said draft Local Law is further based upon a second review of the revised draft local law dated 11/28/23, by Megan Webster and Tad Gerace, the Ontario County Soil & Water District, on November 21, 2023.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby accepts the draft Local Law No. 10 of 2023, dated November 28, 2023.

**BE IT FURTHER RESOLVED**, that the Town Board does hereby classify the proposed Action as being a Type II Action, under the provisions of NYCRR Part 617.5 (26), (33) of the State ECL.

**BE IT FURTHER RESOLVED**, that the Town Board in making this classification determines Type II Action are not subject to review under Part 617.5 as they have been determined not to have a significant impact upon the environment or are otherwise precluded from environmental review under the ECL.

**BE IT FURTHER RESOLVED**, that the Town Board does hereby schedule a public hearing to be held upon said draft local law commencing at 7:00 p.m., on Tuesday December 12, 2023, in the Farmington Town Hall, 1000 County Road 8, Farmington, New York 14425 to receive public comments upon the proposed Local Law and its adoption.

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to publish a legal notice in the Town's Official Newspaper, post a copy of said legal notice on the Town Hall Bulleting Board, and to post a copy of said Local Law on the Town's Official Website in accordance with adopted procedures.

**BE IT FINALLY RESOLVED**, that a copy of said Local Law shall be made available to the public for review at the Town Clerk's Office during normal business hours, Monday through Friday, commencing on Wednesday, November 29, 2023.

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

**RESOLUTION #428-2023:**

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

**CONFIRMING RESOLUTION AUTHORIZING THE SUPERVISOR TO ELECTRONICALLY SIGN THE ANNUAL CONTRACTS WITH ONTARIO COUNTY FOR ENHANCED LAW ENFORCEMENT AND COURT SECURITY FOR 2024**

**WHEREAS**, the 2024 budget has allocated funds for both enhanced law enforcement and court security services through Ontario County,

**WHEREAS**, the Supervisor has electronically signed the annual contracts through the Ontario County contract system,

**NOW THEREFORE BE IT RESOLVED**, that the Town Clerk forward a copy of the resolution to the Accountant I.

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

**RESOLUTION #429-2023:**

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

**RESOLUTION TO PURCHASE ONE NEW AND UNUSED CATERPILLAR 926 14A WHEEL LOADER**

**WHEREAS**, The Water and Sewer Superintendent has identified the need to replace the Water & Sewer Department's 2014 Caterpillar 930 Wheel Loader,

**WHEREAS**, The Water and Sewer Superintendent has received 1 quote from Milton Cat 4610 E Saile Dr. Batavia NY under NYS OGS Contact # PC69406 and trade in of the Caterpillar 930 Wheel Loader at a total cost of \$84,602.00,

**NOW, THEREFORE BE IT RESOLVED**, that the Farmington Town Board authorizes the Water and Sewer Superintendent to purchase said Wheel Loader at a cost not to exceed \$84,602.00 to be split between 2024 account codes SW1-8340.2 and SS8130.2, and

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

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

**RESOLUTION #430-2023:**

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

**RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN THE CERTIFICATE OF SUBSTANTIAL COMPLETION FOR THE NORTH ROAD WATERMAIN REPLACEMENT**

**WHEREAS**, MRB has provided the Town with the certificate of substantial completion and payment application #2 to Morsch Pipeline,

**WHEREAS**, the remaining closeout documentation will be provided to the Town in the Spring of 2024 after final restoration has been completed,

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of Farmington hereby authorizes the Supervisor to sign the certificate of substantial completion,

**FULLY RESOLVED**, that the Town Clerk returns the signed certificate of substantial completion to MRB Group, and forwards a copy of this resolution and the certificate of substantial completion to the Accountant I and the Water and Sewer department.

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

**RESOLUTION #431-2023:**

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

**RESOLUTION AUTHORIZING BUDGET AMENDMENTS IN THE SEWER FUND**

**WHEREAS**, budget amendments are needed in the sewer fund for contractual expenses

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

Credit: SS8120.44 Engineering	\$12,500	
Credit: SS8120.44V Engineering	\$12,500	
Credit: SS8130.464 Asphalt Paving	\$30,000	
Debit: SS8110.4 Administration		\$5,500
Debit: SS8130.42 Chemicals		\$20,000
Debit: SS8130.43 Sludge		\$19,500
Debit: SS8130.461 Engineering		\$10,000

**BE IT RESOLVED**, that the Accountant I completes the budget amendments,

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

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

**RESOLUTION #432-2023:**

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

**RESOLUTION ACCEPTING A TWO (2) YEAR MAINTENANCE BOND FROM S.B. ASHLEY MANAGEMENT CORPORATION, FOR NEWLY CONSTRUCTED SITE IMPROVEMENTS WITHIN PHASE 1A OF THE HATHAWAY'S CORNERS INCENTIVE ZONING PROJECT, IN THE TOTAL AMOUNT OF \$25,920.00**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) has received from Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineers, a letter dated November 20, 2023, recommending a two (2) year Maintenance Bond, for newly constructed improvements (e.g., Asphalt Top Course) that has been dedicated to the Town, be provided and accepted in the total amount of \$25,920.00; and

**WHEREAS**, the Town Board has previously received, as part of the dedication of these roadways, the signed Dedication Checklist Form G-3.0, Dedication Forms G-3.1 and G-3.2, and the Final Inspection Form G-11.0 all dated 10-18-23; and

**WHEREAS**, the Town Board understands that a two-year Maintenance Bond, in the amount specified herein, is to be posted with the Town Clerk prior to authorizing the final release of funds from the letter of credit for site improvements within the Phase 1A portion of the Hathaway's Corners Incentive Zoning Project; and

**WHEREAS**, said surety is to be used for making repairs or replacement for the above identified newly constructed improvements of any defects that may be found, during a specified two (2) year period, in material and/or workmanship relating to the dedicated items.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby accept the above referenced two-year Maintenance Bond, in the total amount specified above herein, for the above referenced project improvements which have been completed as part of Phase 1 of said Project.

**BE IT FURTHER RESOLVED**, that said Maintenance Bond is hereby acknowledged as being on file with the Town Clerk for this Phase of said Project.

**BE IT FURTHER RESOLVED**, that the Town Clerk is to provide certified copies of this resolution to: Matt Heilmann, Town Construction Inspector; Tim Ford, Town Highway & Parks Superintendent; Robin MacDonald, Working Supervisor, Town Water & Sewer Department; 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.

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

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

**RESOLUTION #433-2023:**

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

**RESOLUTION APPROVING CHANGE ORDER GC-01 FOR LOYAL NINE DEVELOPMENT CORP CONTRACTORS FOR THE FARMINGTON TOWN PARK PAVILLION**

**WHEREAS**, change order GC-01 was submitted by MRB for a no cost time extension for the Town Park pavilion project; and

**WHEREAS**, the new substantial completion date is 5/1/24 and the ready for final payment date is now 5/31/24; now therefore

**BE IT RESOLVED**, that the Town Board approves the Supervisor to sign the no cost time extension change order; and be it

**FULLY RESOLVED**, the Town Clerk returns the signed change order to MRB group and forwards a copy of the resolution and change order to the Highway and Building Department and the Accountant I.

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



**RESOLUTION #434-2023:**

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

**DEVIN SCHOENWETTER SUCCESSFUL COMPLETION OF PROBATIONARY PERIOD**

**WHEREAS**, Devon Schoenwetter was hired by the Highway/Parks Superintendent with a start date of May 23, 2023 and on November 23, 2023 he has successfully completed the required six-month probationary period, and

**WHEREAS**, per employee policy, upon the successful completion of a probationary period, the hourly employee maybe granted a wage adjustment, and

**WHEREAS**, the current Highway Superintendent believes that Devon has displayed satisfactory job performance, now therefore be it

**RESOLVED**, that the Town Board hereby grants Devon Schoenwetter a \$.50 per hour wage increase rate to be effective beginning with Payroll # 25 (November 26, 2023 – December 9, 2023), and

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

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

**RESOLUTION #435-2023:**

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

**CONFIRMING RESOLUTION AUTHORIZING STIPEND FOR ROBIN MACDONALD AND JOSH FAGNER**

**WHEREAS**, the W&S Superintendent submitted his resignation effective November 14, 2023; and

**WHEREAS**, Robin MacDonald and Josh Fagner have been fulfilling the duties required by the W&S Superintendent;

**NOW THEREFORE BE IT RESOLVED**, that the Town Board authorizes a stipend of \$400 per pay period for Robin MacDonald and Josh Fagner effective November 12, 2023 (PR 24) while assuming the duties of the W&S Superintendent; and be it

**FURTHER RESOLVED**, that the Town Clerk forward a copy of this resolution to the W&S Department, the Accountant I, and the Supervisor's Secretary.

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

**RESOLUTION #436-2023:**

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

**RESOLUTION APPOINTING KIMBERLY YOURCH TO THE CONSERVATION BOARD**

**WHEREAS**, the Conservation Board has a vacancy; and

**WHEREAS**, Kimberly Yourch has submitted a letter of interest and resume for review; and

**WHEREAS**, Kimberly 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 Kimberly Yourch to the Conservation Board for a term beginning October 11<sup>th</sup>, 2023 to expire on December 31<sup>st</sup>, 2024; and be it further

**RESOLVED**, that the Town Clerk forward a copy of this resolution to Kim Boyd, the Confidential Secretary and Kimberly Yourch, 855 Hook Road, Farmington, NY 14425.

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

**RESOLUTION #437-2023:**

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

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN A NEW LEASE FOR A PITNEY BOWES POSTAGE MACHINE**

**WHEREAS**, the United States Postal Service will be completing the transition to IMI (Intelligent Mail Indicia) in 2024; and

**WHEREAS**, the current postage meter is not IMI compliant; and

**WHEREAS**, the new lease is for a period of 60 months at a rate of \$480.78 per quarter beginning March 30, 2024, now

**THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Farmington authorizes the Town Supervisor to sign new lease with Pitney Bowes at a rate not to exceed \$480.78 per quarter, and

**BE IT FURTHER RESOLVED**, that a copy of this resolution and signed lease agreement will be supplied from the Town Clerk to the Accountant I and the Confidential Secretary.

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

**RESOLUTION #438-2023:**

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

## Abstract 22 – 2023

**TOWN OF FARMINGTON ABSTRACT OF UNAUDITED VOUCHERS**

<i>ABSTRACT NUMBER</i>		<i>22</i>	
<i>DATE OF BOARD MEETING</i>		<i>11/28/2023</i>	
<i>FUND CODE</i>	<i>FUND NAME</i>	<i>TOTAL FOR EACH FUND</i>	<i>VOUCHER NUMBERS</i>
A	GENERAL FUND	205,541.20	2237-2240,2242-2254,2256-2257,2259-2264,2266-2269,2306
DA	HIGHWAY FUND	124,990.84	2240,2251,2253,2257,2259,2261,2266,2270-2274,2306
HV	MERTENSIA WATERLINE	6,890.00	2253
HY	RT 332 & COLLETT WATERLINE	5,635.00	2253
HG	COUNTY RD 8 WATERLINE	625.00	2253
HN	NORTH ROAD CAP PROJECT	141,133.85	2253,2304
HT	TOWNHALL CAP PTOJECTS	1,405.00	2265
HP	TOWN PARK IMPROVEMENTS	4,776.00	2253
HW	WATER TANK REPAIR	7,340.00	2253,2258
SD	STORM DRAINAGE	12,364.61	2240,2259,2261
SM	SIDEWALKS	750.00	2253
SL1	LIGHTING DISTRICT	1,338.51	2263
SS	SEWER DISTRICT	160,497.39	2240,2251,2253,2257,2259,2261,2275-2298,2305-2306
SW1	WATER DISTRICT	76,875.96	2240,2251,2253,2257,2259,2261,2275,2277,2279,2283-2286,2288-2290,2292,2293,2298-2303,2306
TA200	PAYROLL DEDUCTIONS	8,490.03	2240,2241,2261,2267,2303
	<b>TOTAL ABSTRACT</b>	<b>\$ 758,650.39</b>	

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

**TRAINING UNDER \$100: None.**

**DISCUSSION:**

- Reminder to Town Board – email was sent regarding the proposed Whitestone Incentive Zoning project.

**WAIVER OF THE RULE: None.**

**EXECUTIVE SESSION: None.**

With no further business before the Board, **Councilman Bowerman** offered a motion to adjourn the meeting at 7:28 p.m., seconded by **Councilman Casale**. Motion **CARRIED**.

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Michelle A. Finley, MMC, RMC -Town Clerk