

Resolution No. ____ Of 2023

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

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

RESOLUTION AUTHORIZING THE 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.

Resolution No. _____ of 2023

**THE TOWN OF FARMINGTON
TOWN BOARD**

The following was presented
By _____
Sec'd by _____
Date of Adoption _____

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

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 Ferguson 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
- Ferguson, 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

Resolution No. _____ of 2023

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

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

The following was presented

By _____

Sec'd by _____

Date of Adoption:

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.

Resolution No. _____ of 2023

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption: April 11, 2023

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

RE: 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.

Resolution No. _____ of 2023

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

	Names	Ayes	Nays	Abstain	Absent
The following was presented	Supervisor Peter Ingalsbe				
By _____	Councilman Steven Holtz				
Sec'd by _____	Councilman Michael Casale				
Date of Adoption _____	Councilman Ronald Herendeen				
	Councilman Nathan Bowerman				

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.

Resolution No. _____ of 2023

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

Names Ayes Nays Abstain Absent

The following was presented

By _____

Sec'd by _____

Date of Adoption: March 28, 2023

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

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.

Resolution No. ____ of 2023

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

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

The following was presented

By _____

Sec'd by _____

Date of Adoption: March 28, 2023

RE: 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-l 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 SEQRA 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.

Resolution No. ____ of 2023

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption: March 28, 2023

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

RE: 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
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Rear	10 feet	30 feet
Side	10 feet	30 feet

Maximum Building Cover	30%	35%
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Maximum Building Height	35 feet	50 feet
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Maximum No. Stories	2-1/2 stories	3 stories
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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 FURHTER 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 FURHTER 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.

Resolution No. ____ of 2023

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

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

The following was presented

By _____

Sec'd by _____

Date of Adoption: March 28, 2023

**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.

Resolution No. _____ of 2023

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

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

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.

Resolution No. _____ of 2023

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

Names Ayes Nays Abstain Absent

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

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

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.

Resolution No. _____ of 2023

**THE TOWN OF FARMINGTON
TOWN BOARD**

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

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

**RESOLUTION AUTHORIZING THE TOWN 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.

Resolution No. _____ Of 2023

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

Names Ayes Nays Abstain Absent

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

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

WAIVER OF THE RULE

**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.

Resolution No. _____ of 2023

**THE TOWN OF FARMINGTON
TOWN BOARD**

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

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

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN 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 14565.

Resolution No. _____ of 2023

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

Names Ayes Nays Abstain Absent

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

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

**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.