

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				

**RESOLUTION AUTHORIZING THE HIGHWAY/PARKS
SUPERINTENDENT TO FILL AN MEO POSITION
IN THE HIGHWAY DEPARTMENT**

WHEREAS, the Highway/Parks Superintendent has asked that he be allowed to fill the vacant MEO position in the Highway Department at a rate of \$21.00 per hour, and

WHEREAS, it has been verified that Devon Murphy’s application has been approved by Ontario County Human Resource Department, and

RESOLVED, that the Town Board authorizes the Highway/Parks Superintendent to fill the vacant MEO position for the Highway Department with Devon Murphy with a start date of Monday, August 28th, 2023, and be it further

RESOLVED, that the Town Clerk forward copies of this Resolution to the Highway/Parks Superintendent, the Accountant I and the Supervisor’s Office.

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THE TOWN OF FARMINGTON TOWN BOARD

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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 ACCEPTANCE OF A STORMWATER CONTROL FACILITY MAINTENANCE AGREEMENT WITH A ROCHESTER GAS AND ELECTRIC CORPORATION

WHEREAS, the Town of Farmington, by its officers or representatives, has engaged in discussions with Rochester Gas and Electric Corporation at their 168 Substation regarding the Town's obtaining a Stormwater Control Facility Maintenance Agreement; and

WHEREAS Town of Farmington officials have recommended to the Town Board that said Rochester Gas and Electric Corporation grants to the Town the agreement over said lands of said at Substation 168 located at 4411 State Street, Manchester NY; and

WHEREAS, said agreement have been offered by Rochester Gas and Electric Corporation owner of substation 168 to the Town of Farmington; and

WHEREAS the Town Board of the Town of Farmington is desirous of accepting said offered agreement on behalf of said Town; and

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

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Farmington does hereby accept the agreement attached hereto as Exhibit 1 from Rochester Gas and Electric Corporation 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 Rochester Gas and Electric Corporation, 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.

MAY IT BE FURTHER RESOLVED that copies of this resolution be submitted by the Town Clerk to the Jeff Graff 26 East Main Street Clifton Springs for filing with the County Clerks Office, Code Officer Dan Delpriore, Lance Brabant with MRB and Megan Yoshida with RG&E, at 3 City Center, 2nd floor, 180 South Clinton Ave, Rochester 14604.

Resolution No. _____ of 2023

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

Names Ayes Nays Abstain Absent

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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 AUTHORIZING WAIVING THE BEAVER CREEK PARK FEES FOR
THE VICTOR CUB SCOUTS PACK 67**

WHEREAS, the Victor Cub Scouts Pack 67 is having their family picnic on September 9, 2023 at Beaver Creek Park, and

WHEREAS, they are requesting the fees be waived, therefore be it

RESOLVED, the Farmington Town Board authorizes the waiving of the fees for the use of the pavilion at Beaver Creek Park on Saturday, September 9th, 2023, for the Victor Cub Scouts Pack 67 family picnic, and be it.

FURTHER RESOLVED that the Town Clerk provide a copy of this resolution to the Accountant I and Adam Bull (awbull@gmail.com), Victor Pack 67 Committee Chair, 6013 Amber Drive, Farmington, NY 14425.

Resolution No. _____ of 2023

**THE TOWN OF FARMINGTON
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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 HIRING OF CADIN LLOYD FOR THE
VACANT ZONING / ASSISTANT CODE ENFORCEMENT OFFICER
POSITION**

WHEREAS, the Building Department has a vacancy for a Zoning / Assistant Code Enforcement Officer, and

WHEREAS, the Zoning and Assistant Code Enforcement Officer is classified as a competitive position, therefore, in order to qualify for appointment a candidate must meet the minimum qualifications and not only pass the written examination, but also score within the top three highest scores, and

WHEREAS, the candidate shall complete and pass all state training for New York State Code Enforcement Officer within 12 months of appointment, and

WHEREAS, Cadin Lloyd has applied for the position and been approved by Ontario County Human Resources, and

WHEREAS, this appointment will be provisional based upon Cadin Lloyd completing the Code Enforcement Officer Civil Service Exam and scoring within the top three highest scores, now

THEREFORE BE IT RESOLVED, that the Town Board of Farmington hereby authorizes the provisional hiring of Cadin Lloyd effective September 5, 2023, at a rate of \$23.00 per hour, and

BE IT FURTHER RESOLVED, that the Town Clerk provide copies of this resolution to the Building Department, the Accountant I, Confidential Secretary and to Cadin Lloyd at 4125 Straw Road, Canandaigua NY 14424.

Resolution No. _____ of 2023

**THE TOWN OF FARMINGTON
TOWN BOARD**

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

August 22, 2023

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

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN THE PROPOSAL FROM ATLANTIC TESTING LABORATORIES FOR SPECIAL INSPECTIONS FOR THE TOWN PARK PAVILION

WHEREAS, proposals were received from three firms for the special inspection and testing services for the Town Park Pavilion Project, and

WHEREAS, Atlantic Testing Laboratories had the lowest pricing in the amount of \$5,150, and

WHEREAS, the 2023 General Fund budget allocated \$150,000 to the Town Park Pavilion project, now therefore

BE IT RESOLVED, that the \$150,000 be moved to the Town Park Improvement Capital Project with the following budget amendments:

Debit: A7110.21 Pavilion	\$150,000	
Credit: A9950.9 Transfer to Capital Project		\$150,000
Debit: HP5031 Interfund Transfer	\$150,000	
Credit: HP7110.2 Park Improvements		\$150,000

BE IT FURTHER RESOLVED, that the Supervisor sign the proposal from Atlantic Testing Laboratories, and

BE IT FULLY RESOLVED, the signed proposal be returned to Atlantic Testing Laboratories, and that a copy of the resolution and proposal be supplied to Jeremy Gworek at MRB group, the Highway department, and the Accountant I.

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**THE TOWN OF FARMINGTON
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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 AUTHORIZING BUDGET AMENDMENTS FOR THE
GENERAL FUND**

WHEREAS, budget amendments are needed to cover expenses in the General Fund, now

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

Credit: A1990.4 Contingent	\$33,900	
Credit: A2725 VLT Revenue	\$57,100	
Debit: A1355.4 Assessor Contractual		\$13,000
Debit: A9050.8 Unemployment Insurance		\$3,000
Debit: A1440.4 Engineering Contractual		\$75,000

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

**RESOLUTION AUTHORIZING ACCEPTANCE OF
A STORMWATER MAINTENANCE AGREEMENT**

WHEREAS, the Town of Farmington, by its officers or representatives, has engaged in discussions with Auto Outlets USA Properties, Inc. and 6162 State Route 96, LLC ("Owners") regarding the Town's obtaining a Stormwater Maintenance Agreement over portions of their respective properties on Route 96, as shown on maps prepared by Lu Engineers last dated June 13, 2023; and

WHEREAS, Town of Farmington officials have recommended to the Town Board that said Owners grant to the Town the agreement over said lands of said Owners; and

WHEREAS, said agreement has been offered by Owners to the Town of Farmington; and

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

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

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Farmington does hereby accept the agreement attached hereto as Exhibit 1 from Owners in accordance with the terms and conditions contained in said instrument 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 Owners; 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.

I, Michelle Finley, Town Clerk of the Town of Farmington do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Farmington on _____, 2023, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Peter Ingalsbe	_____	_____
Michael Casale	_____	_____
Steven Holtz	_____	_____
Ronald Herendeen	_____	_____
Nathan Bowerman	_____	_____

Dated: _____, 2023

Michelle Finley, Town Clerk

SEAL

Resolution No. _____ of 2023

**THE TOWN OF FARMINGTON
TOWN BOARD**

Roll Call Vote

Names Ayes Nays Abstain Absent

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

The following was presented

By _____

Sec'd by _____

Date of Adoption: August 22, 2023

Re: Acceptance of Parts 2 and 3 of the Full Environmental Assessment Forms (FEAFs) for the revised Action known as “Brickyard Road Water Storage Tank and Water Transmission Line Project;” and making a Determination of Non-significance upon said revised Action.

WHEREAS, the Farmington Town Board (hereinafter referred to as Town Board) is, as of May 9, 2017, the established lead agency for the above referenced Action; and

WHEREAS, the Town Board has received from MRB Group, the Town’s Engineers, a revised alignment for a portion of the water transmission line located in the Town of Canandaigua, between Purdy Road and the Canandaigua/Farmington Town Line Road, which involves shifting previous ground disturbance to the east of the original alignment in this area; and

WHEREAS, the Town Board has provided notice, dated July 31, 2023, of the revised alignment for this portion of the above referenced Action to the involved and interested agencies, requesting their response by noon on Friday, August 18, 2023; and

WHEREAS, no comments were received from said agencies within the time frame established; and

WHEREAS, the Town Board at its meeting on Tuesday, July 25, 2023, did instruct the Town Director of Planning and Development and the Town Engineers to prepare drafts of Parts 2 and 3 of the Full Environmental Assessment Forms for the revised alignment; and

WHEREAS, the Town Board has received drafts of these FEAfs and has completed their review of the findings and proposed determination of significance upon the proposed Action.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby find the revised FEAfs, dated August 22, 2023, as being complete and providing an accurate identification of the anticipated impacts upon the environment.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby accept and approves the revised Parts 2 and 3 of the FEAf, along with an eleven (11)-page Part 3 FEAf Narrative Supplement for said Action, dated August 2023, prepared by the Town Engineers and the Town Director of Planning and Development for the above referenced revised Action.

BE IT FURTHER RESOLVED that the Town Board having reviewed the public record upon the above referenced revised 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) we have re-coordinated a review with the State Office of Parks, Recreation and Historic Preservation (SHPO) regarding the revised alignment for a portion of the water main in the Town of Canandaigua and will mitigate any identified important historical, archeological, architectural, or aesthetic resource findings on the site as required by SHPO; and
- (vi) there will not be a major change in the use of either the quantity or type of energy resulting from the proposed Action; and

- (vii) there will not be any hazard created to human health resulting from the proposed Action;
and
- (viii) there will not be a change in the use of current active agricultural land resulting from the proposed Action; and
- (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; and
- (x) there will not be created a material demand for other Actions that would result in one of the above consequences; and
- (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 revised Action WILL NOT result in any significant [Moderate to Large] adverse environmental impacts.

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

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

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

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**THE TOWN OF FARMINGTON
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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 AUTHORIZING THE APPOINTMENT OF A TOWN JUSTICE

WHEREAS, Justice John Gligora submitted his resignation on August 11, 2023 effective August 31, 2023, and

WHEREAS, Nathan Thomas is an attorney in good standing, a former Ontario County District Attorney assigned to the Farmington Town Court and has two years' experience as a former Associate Justice for the Village of Clifton Springs; and

WHEREAS, Nathan Thomas is a qualified Town Resident who is interested in filling the vacancy of Town Justice for a term effective September 1, 2023 through December 31, 2024; and

WHEREAS, the Town Board is in agreement that Nathan Thomas is a suitable candidate to fill the vacancy of Town Justice; now therefore be it

RESOLVED, the Farmington Town Board authorizes the appointment of Nathan Thomas as Town Justice for a term effective September 1, 2023 through December 31, 2024; and be it

FURTHER RESOLVED, that a copy of this resolution be sent to the Accountant I, the Town Court, the Confidential Secretary and Nathan Thomas at 1697 Marion Way, Farmington, NY 14425.