

At the Farmington Town Board Meeting, held in the Town Hall on the 9th day of April 2019, 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 were: **Don Giroux** – Highway/Parks Superintendent, **Dan Delpriore** – Code Enforcement Officer, **Adrian Bellis** – Planning Board Member, **Ron Brand** - Director of Planning and Development, and **Ed Hemminger** – Planning Board Chairman.

PUBLIC HEARINGS- REZONING OF THREE PARCELS OF LAND CONTAINING 18.3 ACRE OF LAND FROM GENERAL BUSINESS (GB) TO INCENTIVE ZONING (IZ) FOR THE FARMINGTON MARKET CENTER INCENTIVE ZONING PROJECT

Supervisor Ingalsbe opened the public hearing at 7:00 p.m. The Town Clerk read the legal notice. Mike Montalto from Costitch Engineering gave a small presentation of the project that first was presented back in February, then went to Planning Board and Ontario County Planning for their recommendations and now back before the Town Board. He stated that this will be a phased project where the first phase will be relocating Canandaigua National Bank from an inline tenant to out front along Route 96 and the addition of the TOPS fuel kiosk and a standalone Mavis Tire Facility (approximately 7000 sq. ft.). He added that future uses for the property included a two tenant mixed use building at the intersection of Mertensia Road and a restaurant use at the eastern portion of the property where they will be constructing an intersection that will ultimately be a signalized intersection with approximately one acre of land that will be deeded to the town for continuation of town roadway, two story (approximately 18,000 sq. ft.) mixed use office building at southeast corner as a future use. He stated that amenities include the development of the intersection to include 1700 linear feet of sidewalk with pedestrian improvements and signal improvements at the intersection of Mertensia. He stated that at the unsignalized intersection there will be approximately 1300 linear feet of sidewalks, pedestrian signal improvements, the one acre donation of land, there has also been talk of contribution for the improvement of the sanitary sewer system in the area, and landscaping along Route 96.

Supervisor Ingalsbe asked if there is a use for the existing Canandaigua National Bank area once they move out. Mr. Montalto replied no not at this time. Supervisor asked if there were any questions from the public. Mary Fowler, 6176 Hunter Drive, questioned if the number of traffic lights in a short distance span of highway would be a concern. Ron Brand, Director of Planning and Development, stated that one of things that they have to look at is not only the development of the site before them but also the land adjacent to the east which is a large parcel of land between TOPS and the Plaza at the corner of Route 332 and Rt. 96 and they have been working with the State DOT for many years to come up with a desired location for a traffic signal to slow down and obstruct the flow of speeding traffic through the area, that location is shown on the map at the east end of the plaza will be the location for the future signal light into the plaza. He added that once the signal light goes in, the plan is to eliminate left turn movements into the plaza from the current entrance to the plaza. He added that when you combine this along with other projects that are coming such as Byrne & Dairy at the corner of Route 96 and Mertensia Road, they begin to see the need for highway spacing which is different than what it there today. Supervisor Ingalsbe explained what the blue line on the map was representing (highway road).

Mrs. Fowler asked the Board what benefit is it to her as a resident and to the town of Farmington to have six gas stations within a 2 miles of each other, what do they get out of it, what do we accomplish out of this. Councilman Bowerman replied price wars like in Henrietta where the fuel is much cheaper because they have a significant number of gas stations in the area to compete pricing wise. He added that Byrne & Dairy would also need to apply for a special use permit to be so close to another gas station. Mrs. Fowler stated the Board is there to represent her and so what is best for the town and asked what positive, other than gas wars, is this 6th gas station within two miles of each other going to benefit her. Mr. Brand replied that a resident of the town what they are trying to do is provide an alternative to having you turn onto Route 332 in high speed of traffic (28,000 cars per day). Mrs. Fowler stated that the town keeps adding to it because they keep building houses. Mr. Brand replied that a lot of things add to the traffic not just what is going on here but also in the City of Canandaigua, Town of Hopewell and other parts of Ontario County so whenever something happens like a concert at CMAC or the renovation of the Inn on the Lake or other activities it all generates traffic which goes through Farmington. Mrs. Fowler asked how are the gas stations going to benefit her, she has four within two miles of where she lives, why does she need two more. Mr. Brand replied that she might not need two more but the town is a growing community and they need to have access to those stations. Mr. Montalto stated from the TOPS standpoint it's an extension of their existing business model, they have customers who use the store asking for this station, and that is why TOPS has been pursuing this for three years and it is an amenity and service for the people who are already using TOPS. Councilman Bowerman stated that he has had countless number of people ask when the fueling station was going in for the past two years.

Supervisor Ingalsbe stated that in general overall, it's just like a mall having 6 or 8 shoe stores, it's the same thing with gas stations, it is market driven and they wouldn't be here if they didn't see a need for it. Supervisor Ingalsbe stated town budgets like the County budget are driven by sales tax so a great majority of the sales tax money the town collects goes to the Highway Fund or the General operating fund to keep the taxes low, and gas stations generate sales tax as does Byrne & Dairy for funds the volume they do inside the store too. Supervisor Ingalsbe stated that last Friday was the first time the town saw the plans for Byrne & Dairy and one thing they are talking to them about is having ice cream available because the town does not have one since Dari-Ann closed.

Brianna, 6250 Brownsville Road, stated that she had the same concerns as Mrs. Fowler but wanted to add that if the idea of the project is to be kind of like a hub of Farmington as a center that everyone could use is it beneficial to have a Mavis Discount Tire Center there because it is not something at the forefront of her mind that is something they want to have right there, she felt something more they could use on a daily or weekly basis should be there. She asked why Mavis is going in there and what is the benefit of having it here as a resident. Supervisor Ingalsbe replied that it is market driven and apparently Mavis has talked about that site with the developer, they have not made a deal yet with the developer but it is one of the things being proposed there. Councilman Bowerman added that Mavis would be tucked kind of behind so it isn't as fore front on Rt. 96.

Bryan Adams, 1706 Marion Way, stated that he liked what the board said about trying to establish some competition. He stated that it sounded like Byrne & Dairy coming in was a done deal. Supervisor Ingalsbe replied that the first time that they had seen the plans was last Friday, Byrne & Dairy came to staff with their ideas. Mr. Adams question is more along the lines of hearing a lot benefits for price reduction in TOPS coupled with some kind of reward/incentive program by using the gas station there, why does there need to be another gas station across the street going in basically at the same time, what is the environmental impact of doing that, are we just trading traffic from 332 to Mertensia and 96, which already getting a lot of volume from some of the newer developments that cut over from 96. His question is what is the traffic pattern and the environmental impact of having two gas stations in that location that right now can get congested. Supervisor Ingalsbe replied that the engineering firm for this project have hired people to do traffic engineering studies and then the Planning Board would asked the same of Byrne & Dairy or anybody else coming into the town for traffic studies. All this is public information and anyone can attend the meetings. Mr. Montalto stated that the project has to be reviewed by the NYSDOT and they have their hand in throughout the process. Mr. Adams other concern was for pedestrian traffic and what is the walking pattern there. Supervisor Ingalsbe replied that they, including the development Mr. Adams lives in, make the developers put in sidewalks. They referred to the map where sidewalks were to be installed for this project.

Ed Hemminger, Planning Board Chairman, stated that there will also be crosswalks at the intersections, which is part of the enhancement benefit of this incentive zoning project.

Supervisor Ingalsbe stated that the public hearing will remain open for the April 23rd Town Board Meeting.

APPROVAL OF MINUTES:

A motion was made by **Councilman Casale** and seconded by **Councilman Holtz**, that the minutes of the March 26, 2019, Town Board Meeting, and given to members for review, be approved. All Voting "Aye" (Herendeen, Casale, Holtz, Bowerman, and Ingalsbe). Motion Carried.

PRIVILEGE OF THE FLOOR:**PUBLIC CONCERNS:****REPORTS OF STANDING COMMITTEES:****Public Works Committee: Councilman Herendeen reported:**

1. Discussed Control Building #1 - Belt Press Building #7A and Influent Building #10.
2. Discussed Building #1, Boiler Replacement.
3. Discussed Building #7A Belt Press.
4. Discussed Influent #10, Hydro-Dyne #2.
5. Discussed various pumpstations.
6. Discussed Town of Victor 2018 Sanitary Conveyance Improvements.
7. Water Breaks – one at 1233 Route 332.
8. Discussed Beaver Creek 12" Waterline Replacement, Section 2.
9. Discussed Ivory Road Extension.
10. Discussed Beaver Creek Park- Water and Sewer Supplies.
11. Discussed 2" Commercial Water Meter Replacement Program.
12. Discussed resolution on agenda.

Highway & Parks:

1. Current projects- Highway – roadside cleanup, excavator training, equipment maintenance, and hauling stone.
2. Parks – excavator training, cleaned up old park truck, 2 new trucks arrived, park benches and tables, ADA walkways at the Grove park.
3. Discussed resolutions on agenda.

Town Operations Committee: Councilman Casale reported:

1. Report from Director of Planning and Development on file and on the website.
2. Discussed resolutions on agenda.
3. Discussed Pintail Crossing, Rt. 332 Mini Storage, Auburn Meadows Section 6N and 9, Alicia Stum DDS, Aldi's, Farmington Gardens II, and Hathaways Corners project.

Swap Shop Update Report: Councilman Holtz reported:

1. Kick off meeting was held last week with volunteers. The first day of full operation will be Saturday, May 11th from 8 am to Noon. Scheduled Regular hours: Mondays from 9 a.m.-11., Wednesday afternoons from 4 p.m. to 7 p.m. and Saturdays from 8 a.m. to Noon. They will be accepting items on May 9th and 10th to fill the swap shop. April 29th at 6 p.m. there will be a meeting in the conference room with any interested volunteers to go over all the rules of procedures.

Town Personnel Committee: None.**Town Finance Committee: Supervisor Ingalsbe reported:****Town Public Safety Committee: Councilman Holtz reported:**

REPORTS OF TOWN OFFICIALS:

Supervisor Peter Ingalsbe reported:

1. Discussed vacancies and interviews.

Highway& Parks Superintendent Giroux reported: None.

Town Clerk Michelle Finley reported:

1. Settled 2019 County Taxes – no issues.
2. 19 court boxes were moved to the court facility, thanked Park Staff for their assistance.

Water & Sewer Superintendent Dave Degear reported: None.

Code Enforcement Officer Dan Delpriore reported:

1. Signed permit #100.

Supervisor Ingalsbe mentioned that the town will share services with Town of Victor Code Enforcement Officers.

Director of Planning and Development Ron Brand reported:

1. Talked with Maria from the County regarding the solar project and their report will be going out tomorrow from the Agriculture Enhancement Board. He talked with Ag & Markets their deadline is Friday of this week to complete the report for the Commissioner to sign and send out next week (Tuesday or Wednesday). He added that the town is obligated to have the public hearing as advertised at the Highway Garage. He stated that they need to let the newspaper know that as of right now they do not anticipate having enough time to review what the Commissioner and the County are saying in order to make a determination that they have everything they need. He did talk with Dan Compitello today and told him that is what likely will happen at the Planning Board meeting and Dan didn't seem to have an issue with that. The Zoning Board of Appeals meeting is the following Monday and there will be a continuation of the public hearing and they will just have to continue that until the last meeting in June probably.
2. Tap Grant Update – was told last week that they were going to make the announcements but have not yet, the decisions have been made its just when are they going to make the announcement is the question.
3. Meeting with contractor to finalize the remaining work to be completed on the Auburn Trails Project by May 15th.

Councilman Bowerman stated that they had met regarding the Beaver Creek Park – talked about relocating the pavilion.

Assessor reported: None.

Town Engineer reported: Bill Davis reported:

Fire Chief reported: None.

Planning Board Chairman Ed Hemminger reported:

1. Next meeting at the Highway Garage –Public hearing on Solar but still have not received anything from Department of Ag & Markets so once they receive that they will probably put the public hearing out about four weeks to give time to review that and other stuff they may have. They are hoping by the middle of May that they have enough information to begin the SEQR determination, they have 20 days after they have determined that they have everything then it will go back to the Zoning Board and they do their thing on the variances and then once that happens it will come back to them. Mr. Hemminger added that he did go to the County Agriculture Enhancement Board meeting, Dan Compitello and the Smiths were also in attendance, and Mr. Hemminger tried to help the Board understand what the town was doing, why they were doing it, and how the town's code was setup. He stated that the Agriculture Enhancement Board was going to modify their inputs to Department of Ag & Markets, adding some information about our code and the fact that the town has fiscal requirements in our decommissioning plan. Mr. Hemminger stated that the Planning Board is doing everything by the book, making sure everything is taken care of, and everything is covered. Supervisor Ingalsbe stated that the town received a FOIL request last Friday requesting all the information the town has on this solar project and we are working on gathering the information.

Zoning Board of Appeals Tim Delucia reported: None.

Recreation Advisory Committee Brian Meck reported:

Ontario County Planning Board Member reported: None.

Conservation Board Chairman Hilton reported: None.

Town Historian Donna Herendeen reported: None.

Agricultural Advisory Committee Chairman Hal Adams:

1. Last Meeting they met with someone from the Genesee Land Trust to get apprised of what it would take to get the town to participate in the next round of the Farmland Protection grants. He stated that Genesee Land Trust would like to work with the town and appear that they will do the lion share of the work, at the town level appears to be minimal. He has already spoken to the Town Supervisor but needs a nod from everyone to move forward. He added that the town would need to publish the availability of this opportunity, hold a workshop, and a pre-application from land owners. They went over the timeline for submission.

COMMUNICATIONS:

1. Letter to the Town Supervisor from Brigid Heenan of the Tobacco Action Coalition of the Finger Lakes. Re: Healthy environments.
2. NY Power Authority Public/Private Use Questionnaire.
3. Ontario County Public Works: Public Open House for Intersection Safety Improvement Project notification. Re: County Road 28 and Shortsville Road.
4. Town of Farmington Capital Improvement Plan 2019-2023.
5. NYS Department of Taxation and Finance Office of Real Property Tax Services Notice of Tentative Special Franchise Full Value.
6. Letter to the Town Board, Planning Board and ZBA from residents. Re: Solar Project.
7. Letter to the Town Board, Planning Board and ZBA from residents. Re: Solar Project.
8. NYS Department of Taxation and Finance Office of Real Property Tax Services Notice of Tentative Telecommunications Ceiling.
9. Notice for Town of Victor Planning Board Public Hearing. Re: 6300 County Road 41.
10. Ontario County Youth Bureau Article: Ontario County Task Force Unveils Communitywide Campaign and Smartphone App to Protect Youth from Sexual Trafficking.
11. Email to the Town Supervisor from Shudipto Rahman of FEMA. Re: Ontario County – Seneca Watershed Engineering Methods Notification.
12. Letter to the Town Supervisor from Sondra Little of the NYS DOT. Re: Civil Rights Compliance Assurances Review – In-Compliance.
13. Letter to the Town Supervisor from Dave Luitweiler of the Victor-Farmington Rotary Club. Re: Special Recognition Dinner for law enforcement officers who provide police services to the residents of Victor and Farmington.
14. Letter to the Town Supervisor from Susan Henning of the Ontario County Department of Finance. Re: Snow & Ice Removal Contracts for 2020.
15. Letter to the Town Supervisor from Kathy Ammari of the NYS DEC. Re: Notice of Violation (sewage spill).
16. Certificate of Liability Insurance from: DiFiore Construction, Inc.; Design Pool & Spa, Ltd.; Landry Mechanical Contractors, Inc.; Clearwire Corporation; MM&B Studio, LLC; Nairy Mechanical, LLC; Smith's Lawn and Landscape, LLC; Ryan Plumbing, Heating, Air Conditioning & Fire Protection, LLC.
17. Certificate of Workers Compensation Insurance from: DiFiore Construction, Inc.; Dalton Builders, Inc.; Crown Castle International Corporation; MM&B Studio, LLC; Irondequoit Garden Center, Inc.; R-J Taylor General Contractors, Inc.; Ryan Plumbing, Heating, Air Conditioning & Fire Protection, LLC; John P Close. Certification of Disability and Paid Family Leave Insurance from: Dalton Builders, Inc.; Frey Street, Inc.

REPORTS & MINUTES:

1. Ontario County Sheriff Patrol Report – March 2019.
2. ZBA Meeting Minutes – February 25, 2019.
3. Farmington Senior Citizens Meeting Minutes – March 18, 2019.
4. Building Department – Permit Report by Type – March 2019.
5. Planning Board Meeting Minutes – March 20, 2019.
6. Monthly Report – Judge Lew – March 2019.
7. Monthly Report – Judge Gligora – March 2019.

ORDER OF BUSINESS:

RESOLUTION #162-2019:

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

RESOLUTION OF SYMPATHY FOR THE GERLOCK FAMILY

WHEREAS, the Town Board was deeply saddened to learn of the untimely passing of former Assessor and current Agricultural Advisory Committee member, Robert Gerlock, on April 2, 2019; and

WHEREAS, Robert was employed for over 25 years in the Town of Farmington as both Assessor and member of the Agricultural Advisory Committee serving residents of the Town of Farmington;

NOW THEREFORE BE IT RESOLVED that the Town Board adopts this resolution extending its sincere sympathy to the Gerlock family and spreading his memory upon the minutes of this board meeting, and be it

FURTHER RESOLVED, that the Town Clerk forward a copy of this resolution to Robert's sons, Charles and Todd at 1702 County Road 28, Shortsville, NY 14548.

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

RESOLUTION #163-2019:

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

RESOLUTION AUTHORIZING THE SURPLUS EQUIPMENT FOR THE TOWN OF FARMINGTON BUILDING DEPARTMENT

WHEREAS, the conversion of Building Department MicroPhish records has been done and is now all files are saved in digital form making microfilm scanner obsolete, and

WHEREAS, the Building Department has recommended the following pieces of equipment utilized by the Building Department are currently obsolete and/or surplus:

1. Canon Microfilm Scanner 800II (Inventory #000013)
2. 4 Drawer Microfilm filing cabinet (Inventory #1049)
3. Microfilm computer (inventory #20230)

NOW, THEREFOR BE IT RESOLVED, that the Town Board of Farmington hereby declares the listed items as surplus so they may be disposed of, and

MAY IT BE FURTHER RESOLVE, that copies of this resolution be submitted by the Town Clerk to the Principal Account Clerk, the Highway Superintendent and the Building Department.

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

RESOLUTION #164-2019:

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

RESOLUTION RECALLING AND AMENDING RESOLUTION #148-2019 APPOINTING MICHAEL PUTMAN TO THE AGRICULTURAL ADVISORY COMMITTEE

WHEREAS, there is currently one vacancy on the Agricultural Advisory Committee, and

WHEREAS, Chairman Hal Adams and the other members of the Agricultural Advisory Committee have recommended that Michael Putman be appointed to fill this vacancy, now therefore it be

RESOLVED, that the Town Board appoints Michael Putman to the Agricultural Advisory Committee for a five year term ending on December 31, 2023, and be it further

RESOLVED, that the Town Clerk forward a copy of this resolution to Mr. Putman at 1728 Elmwood Circle, Farmington, NY 14425, the Agricultural Advisory Committee Chairperson, the Supervisor's Secretary and prepare an Oath of Office to be taken in the days ahead.

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

RESOLUTION #165-2019:

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

RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE MONTHLY REPORT OF THE SUPERVISOR FOR MARCH 2019

WHEREAS, Town Law states the Town Board must approve/reject the Supervisor's Monthly Report, and

WHEREAS, the Bookkeeper submitted the Monthly Report of the Supervisor for March 2019 to the Town Supervisor on April 4, 2019, and

WHEREAS, the Town Supervisor approved and executed the Monthly Report of the Supervisor for March 2019 on April 4, 2019,

WHEREAS, the Town Supervisor submitted said Monthly Report to the Town Board for approval via email,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby accepts the Monthly Report of the Supervisor for March 2019, and be it further

RESOLVED, that the Town Clerk give a copy of this resolution to the Principal Account Clerk and the Supervisor's Office.

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

RESOLUTION #166-2019:

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

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN CONTRACT WITH YOUNG EXPLOSIVES FOR JULY 3 FIREWORKS DISPLAY

WHEREAS, the Recreation Director, Mark Cain, has received a contract for the town's July 3 fireworks display, to be launched across from the Town Park on the property of Royal and Nancy Purdy, and

WHEREAS, Young Explosives Corp. has verified in the contract that they will provide \$2 million in liability insurance and will charge the town \$4,500 for the exhibition of fireworks including all technicians, now therefore be it

RESOLVED, that the Town Board authorizes the Supervisor to sign the contract and therefore be it

RESOLVED, that the Town Clerk forward the signed contract to Young Explosives and make copies of the contract and this resolution for the Recreation Director and Highway/Parks Superintendent.

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

RESOLUTION 167-2019:

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

RESOLUTION AUTHORIZING THE TOWN CLERK TO WAIVE PERMIT FEE FOR YOUNG EXPLOSIVES FOR JULY 3RD TOWN FIREWORKS DISPLAY

WHEREAS, the Recreation Director, Mark Cain, has received a contract for the Town's July 3rd fireworks display, to be launched across from the Town Park on the property of Royal or Nancy Purdy, and

WHEREAS, Young Explosives Corp. has verified in the contract that they provide \$2 million in liability insurance and will change the Town \$4,500.00 for the exhibition of fireworks including all technicians, now therefore be it

RESOLVED, that the Town Board authorizes the Town Clerk to waive the permit fee for Young Explosives to provide this firework display and therefore be it

RESOLVED, that the Town Clerk keep a copy of this resolution for her staff and forward a copy for Young Explosives.

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

RESOLUTION #168-2019:

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

APPROVAL FOR TEMPORARY SEASONAL EMPLOYEES FOR 2019 PROJECTS IN THE FARMINGTON WATER & SEWER DEPARTMENT (CFWD)

WHEREAS, in accordance with the Audit and Accounting (GASB34) Regulations, all Employees within the Water and Sewer Department must use their unused vacation by December 31, 2018, and

WHEREAS, various water and sewer employees have scheduled time off for vacations and temporary seasonal labor will be needed for various tasks at the Waste Water Treatment Plant and the 36 sewer lift stations located within the collection system for both the Farmington and Victor Sewer District; and

WHEREAS, temporary summer manpower is also needed within the Canandaigua-Farmington Water District for the annual fire hydrant painting; new fire hydrant installations; new waterline installation for the Beaver Creek Town Park and various other locations, and

WHEREAS, as a D-Distribution Water System Operator, the NYSDOH requires the flushing of our waterlines and annual operating of numerous water valves located within in the water distribution system necessary as well as maintenance items that require flagging for maintenance of traffic at water main breaks within the CFWD, that require summer seasonal laborers, and

THEREFORE, BE IT RESOLVED, that the Farmington Town Board authorizes the Water & Sewer Superintendent to hire two (2) Seasonal Public Work Maintenance Assistant employees to work on the various projects at a rate of \$13.75 per hour, for a period not to exceed 19 weeks from the date of hire, and

BE IT RESOLVED, Funding for the seasonal positions is from the 2019 Budget lines SW1-8130.1(PS), SS 8320.1 (PS) and SS 8340.1 (PS), and

BE IT FURTHER RESOLVED, that a copy of this resolution will be supplied from the Town Clerk to the Water and Sewer Superintendent, the Confidential Secretary and the Principal Account Clerk.

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

RESOLUTION 169-2019:

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

RESOLUTION TO SIGN MAINTENANCE AGREEMENT

WHEREAS, Computer Search's annual maintenance agreement/renewal needs to be renewed and

WHEREAS, Computer Search's renewal amount is (\$584), and

WHEREAS, the software supports Attendance Enterprise which is the time keeping system utilized in the Highway and Parks buildings, and

NOW THEREFORE BE IT RESOLVED, that the Town Board approve that the Town Supervisor sign the renewal agreement from Computer Search at a cost not to exceed \$600, and

THEREFORE BE IT RESOLVED, that these expenses be paid from the Highway Contractual line (A-5132.4) \$438 and the Parks Contractual line (A-7110.4) \$146, and

BE IT FURTHER RESOLVED, that the Town Clerk forward copies of the Original signed renewal agreement and resolution to the Highway/Parks Superintendent, the Principal Account Clerk and the Supervisor's Office.

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

RESOLUTION #170-2019:

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

RESOLUTION AUTHORIZING THE HIGHWAY/PARKS SUPERINTENDENT TO FILL TWO (2) SEASONAL POSITIONS IN THE PARKS DEPARTMENT

WHEREAS, the Highway/Parks Superintendent has asked that he be allowed to fill two (2) seasonal position in the Parks Department at a rate of \$15.00 hour for a period not to exceed 19 weeks, and

WHEREAS, these positions were included in the 2019 Budget to the General Fund Parks Seasonal Line (A-7110.11) in the amount of \$22,800 to fund these positions for a period **not to exceed 19 weeks** commencing from the date of hire, now therefore be it

RESOLVED, that the Town Board authorizes the Highway/Parks Superintendent to fill two (2) seasonal positions for the Parks Department, and be it further

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

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

RESOLUTION #171-2019:

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

RESOLUTION AUTHORIZING FIVE (5) FULL TIME EMPLOYEES TO ATTEND THE NYS DEC EROSION AND SEDIMENT CONTROL REQUIRED TRAINING

WHEREAS, one on site employee must be responsible for erosion and sediment, and

WHEREAS, the individuals will be certified for 3 years, and

WHEREAS, the Highway/Parks Superintendent recommends that Loren Laplant, Don Giroux, Tim Ford, Shane Quance and Richard Wolack also attend N.Y.S.D.E.C. endorsed 4 hour Erosion and Sediment Control Required Training, and therefore

RESOLVED, that the Farmington Town Board authorizes the above mentioned employees to be registered attend the N.Y.S.D.E.C. at a cost not to exceed \$500.00 chargeable to account SD 8540.4 (Storm Drainage – Contractual), and be it further

RESOLVED, that the Town Clerk provide a copy of this Resolution to the Highway/Parks Superintendent, the Principal Account Clerk and the Confidential Secretary.

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

RESOLUTION #172-2019:

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

RESOLUTION AUTHORIZING THE PRINCIPAL ACCOUNT CLERK TO ATTEND THE ANNUAL TOWN FINANCE SCHOOL

WHEREAS, the 19th annual Town Finance School will be held in Ellicottville, NY on May 16-17, 2019

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Farmington hereby authorizes Jeannine Marciano to attend the training for an amount not to exceed \$500 which includes class registration, lodging at Holiday Valley in Ellicottville, NY, and travel expenses.

FURTHER RESOLVED, that copies of this resolution be submitted by the Town Clerk to the Principal Account Clerk.

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

RESOLUTION #173-2019:

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

**DECLARE EQUIPMENT SURPLUS TO BE
DISPOSED OF APPROPRIATELY**

WHEREAS, the Town Highway/Parks Superintendent is asking that the Town Board declare the following items as surplus so that he can have them disposed appropriately.

2006	Sterling	Dump w/plow	2FZAAZDL26AV59236	H-9
2004	RACEMASTER UTILITY TRAILER		1R9BA142X40321083	HT3
2014	Ford	Liftgate	1FTNF1CF0EKE58353	P-1
2014	Ford	Liftgate	1FTBF2A69EEA49178	P-2
2003	Torro-Groundmaster	Zero Turn	230000521	P-13
	Air Compressor			
	Misc. Items			

now therefore be it

RESOLVED, that the Town Board authorize the above listed equipment be declared surplus and to be disposed of appropriately, and

RESOLVED, that the Town Clerk provide copies of this Resolution to the Principal Account Clerk, Confidential Secretary and the Highway/Parks Department.

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

RESOLUTION #174-2019:

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

CONFIRMING RESOLUTION AUTHORIZING HIGHWAY SUPERINTENDENT TO PAY FOR PIPE FOR THE JOINT CAPITAL PROJECT WITH TOWN OF CANANDAIGUA FOR CANANDAIGUA FARMINGTON TOWN LINE ROAD

WHEREAS, Lane Enterprises’ quote for pipe is the lowest quote in the 2018 Ontario County Bid Book, and

WHEREAS, all expenses for the Capital Project of Canandaigua-Farmington Road expenses will be split 50/50 with the Town of Canandaigua .and

NOW THEREFORE BE IT RESOLVED, that the Town Board authorize the Highway/Parks Superintendent to pay for the HDPE pipe to be expended from HZ-5197.22 – CFTL RD Construction

BE IT FURTHER RESOLVED, that the Town Clerk forward copies of the Resolution to the Town of Farmington and Town of Canandaigua Highway/Parks Superintendents, the Canandaigua Town Manager, Principal Account Clerk and the Supervisor’s Office.

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

RESOLUTION #175-2019:

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

AUTHORIZATION TO HIRE VENDORS FOR 2019 ANNUAL SPRING CLEANUP

WHEREAS, the Highway/Parks Superintendent has canvased quotes from the following vendors: Waste Management, Alpco Recycling, Inc. and Feher Rubbish for roll-offs, E -Waste, Maven Technologies, Computer

Systems Asset Disposal for electronic waste, Shred-It, Shred-Text and Eco-Green Park LTD for document shredding, and

WHEREAS, the Highway/Parks Superintendent received responses for services from the canvas process, Alpco Recycling, E-Waste and Eco Green Park returned the lowest quotes, and

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Town Supervisor to sign the client acceptance statements from E-Waste for electronics collection, Alpco Recycling for trash collection and these services will be held on **Thursday, May 2nd from 8:00 AM until 6:00, Friday, May 3rd from 8:00 AM until 6:00 and Saturday, May 4th from 8:00 AM until 3:00 PM** and Eco-Green Park for the shredding portion to be held on **FRIDAY, MAY 3rd FROM 1PM UNTIL 6 PM**, be it further

RESOLVED, that the Town Clerk return the signed quotation to the Highway/Parks Department, Confidential Secretary and the Principal Account Clerk.

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

RESOLUTION #176-2019:

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

RESOLUTION AUTHORIZING THE HIRING OF AN ACCOUNT CLERK-TYPIST IN THE WATER & SEWER DEPARTMENT

WHEREAS, the Water & Sewer Department has had a vacancy for Account Clerk-Typist, and

WHEREAS, a Certification of Eligibles was requested from Ontario County and interviews have been conducted, and

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the hiring of an Account Clerk-Typist for the Water & Sewer Department at a rate of \$13.75 per hour effective April 15, 2019, be it further

RESOLVED, that the Town Clerk provide copies of this resolution to the Water & Sewer Superintendent, the Principal Account Clerk and the Confidential Secretary.

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

RESOLUTION #177-2019:

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

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A BORE ESTIMATE PROPOSAL FROM BME ASSOCIATES FOR HATHAWAY'S CORNERS

WHEREAS, the Town Supervisor has received a Proposal for bore estimate from Ryan Destro of BME Associates for Hathaway's Corners in the amount of \$34,400.00, and

WHEREAS, BME Associates represent the developer, SB Ashley & Associates Venture Company, LLC, and

WHEREAS, the Town of Farmington, as part of the incentive zoning agreement with SB Ashley & Associates Venture Company, LLC, have agreed to fund the sewer boring under County Road 41,

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby approves of the bore estimate provided by BME Associates, authorizes the work to proceed and agrees to reimburse SB Ashley & Associates Venture Company, LLC upon completion of the work, be it further

RESOLVED, that the Town Clerk provide copies of this resolution to the Water & Sewer Superintendent, Mark Stevens of SB Ashley & Associates Venture Company, LLC, Ryan Destro of BME Associates, the Principal Account Clerk and the Confidential Secretary.

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

RESOLUTION #178-2019:

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

RESOLUTION ACKNOWLEDGING THE TOWN CLERK'S APPOINTMENT OF DEPUTY TOWN CLERK CATHY ROTHFUSS AND THE APPOINTMENT OF JENNIFER GOODELL AS FIRST DEPUTY TOWN CLERK

WHEREAS, Deputy Town Clerk Sarah Mitchell has taken a position in the Building Department effective April 22, 2019, and

WHEREAS, the Town Clerk, Michelle Finley, has appointed Cathy Rothfuss as Deputy Town Clerk effective April 22, 2019, at an hourly rate of \$14.50 per hour, and a minimum of a \$.25 per hour increase after the probationary period, and

WHEREAS, the Town Clerk appoints Jennifer Goodell as First Deputy and after speaking with the Town Supervisor authorizes an increase of \$1.00 per hour effective April 22, 2019, therefore be it

RESOLVED, the Farmington Town Board acknowledges the appointment of Deputy Town Clerk Cathy Rothfuss at a starting rate of \$14.50 per hour, effective April 22, 2019, and the appointment of Jennifer Goodell as First Deputy at a new hourly rate of \$16.25, and further be it

RESOLVED, that a copy of this resolution be provided to the Supervisor’s Office.

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

RESOLUTION #179-2019:

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

RESOLUTION AUTHORIZING THE HIRING OF A PART TIME CLERK IN THE BUILDING DEPARTMENT

WHEREAS, the Secretary to Planning and Zoning has submitted her notice of retirement effective May 31, 2019, and

WHEREAS, the Building Department will need to have a replacement training in that position, and

WHEREAS, the Building Department has chosen the candidate for the vacant Secretary to Planning and Zoning position, therefore be it

RESOLVED, the Farmington Town Board authorizes the appointment of Sarah Mitchell as Part-time Clerk (Secretary to Planning and Zoning training position) at a starting rate of \$17.00 per hour, effective April 22, 2019, and further be it

RESOLVED, that a copy of this resolution be provided to the Supervisor’s Office.

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

RESOLUTION #180-2019:

Councilman Bowerman offered the following Resolution, seconded by **Councilman Herendeen**:
 Abstract 7-2019

FUND CODE	FUND NAME	TOTAL FOR EACH FUND	VOUCHER NUMBERS
A	GENERAL FUND	125,333.06	626-669,724-726
CW	LOCAL SOLID WASTE MANAGEMENT	0.00	
DA	HIGHWAY FUND	14,038.92	645,653,666,670-679
HA	AUBURN TRAIL PROJ	0.00	
HB	BEAVER CREEK PARK	42,828.56	653,687,688,700
HM	FUEL STATION CAP PROJ	0.00	
HN	NORTH RD CAP PROJ	9,200.00	653
HP	TOWN PARK IMPROVEMENTS	0.00	
HS	PUMP STATION 2	2,881.61	653,707
HW	WATER TANK REPAIR	336.00	653
HZ	TOWNLINE CAP PROJ	22,194.80	653,681
SD	STORM DRAINAGE	12,294.79	653,680,712
SF	FIRE PROTECTION DISTRICT	0.00	
SL1	LIGHTING DISTRICT	0.00	
SM	SIDEWALKS	0.00	
SS	SEWER DISTRICT	55,037.51	653,654,668,680,682-712,725
SW1	WATER DISTRICT	263,556.09	653,654,668,680,683,685,689-691,693,697,698,705,708,711-723,725
TA93	LETTER OF CREDIT (CASH)	0.00	
TA200	PAYROLL DEDUCTIONS(TA85UNI,TA20,TA20D,TA86)	73.80	690,691,726
	TOTAL ABSTRACT	\$ 547,775.14	

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

TRAINING UNDER \$100:

WAIVER OF THE RULE: No Objection.

RESOLUTION #181-2019:

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

APPROVE HIRING OF ROADTEK'S DRIVEWAY PAVER FOR 2019 SEASON

WHEREAS, 3 quotes were requested for daily rates Roadtek Inc (\$1,700), Ruston Paving (doesn't rent equipment), All County didn't respond, and

WHEREAS, upon review of the pricing shows that Roadtek's quote for daily rate of \$1,700 and \$100 mobilization cost will be utilized for the 2019 paving season, and therefore be it

RESOLVED, that the Town Board authorizes the Highway/Parks Superintendent to accept the quote from Roadtek Excavating and Paving to be expended to code DA-5110.4 (Highway General Repairs), and therefore be it,

RESOLVED, that the Town Clerk forward copies of this Resolution to the Highway/Parks Department, Town Supervisor's Secretary and the Principal Account Clerk.

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

RESOLUTION #182-2019:

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

RESOLUTION AUTHORIZING SETTLEMENT OF PENDING TAX CERTIORARI ACTIONS BY 1370 CR8 LLC AND BUCKINGHAM PROPERTIES, LLC

WHEREAS, tax certiorari proceedings were commenced by 1370 CR8 LLC and Buckingham Properties, LLC ("Petitioners") regarding property located at 1370 County Road 8 in the Town of Farmington ("Property") for final tax assessment rolls filed in 2017 and 2018 and are currently pending in Ontario County Supreme Court (Index Numbers: 115902-2017 and 119180-2018)("Pending Actions"), and

WHEREAS, negotiations for settlement were entered into regarding the Pending Actions and the Petitioner has agreed to a proposed disposition and the attorney for the Town in this matter and the Assessor have recommended the settlement, finding that the proposed settlement is in the best interests of the Town, and now, therefore, it is

RESOLVED, that the Town Board authorizes a settlement with Petitioners that reduces the 2017 and 2018 assessment from \$1,100,000 to \$850,000 and that requires Petitioner to waive any and all refunds and interest that would have been paid on these reduced assessments and that also may entitle Petitioner to benefit from a prospective reduced assessment by operation of RPTL §727 in 2019, 2020 and 2021, even in the event of a Town-wide revaluation; and it is further

RESOLVED, that the proposed settlement is in the best interests of the Town; and it is further

RESOLVED, that the Town Supervisor and the attorney for the Town are authorized to prepare and execute all documents necessary to finalize the settlement; and it is further

RESOLVED, that the Town Clerk forward copies of this Resolution to Sheila Chalifoux, the Assessor's Office and the Principal Account Clerk.

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

DISCUSSION: None.

EXECUTIVE SESSION: None.

With no further business before the Board, **Councilman Casale** offered a motion to adjourn the meeting at 8:10 p.m., seconded by **Councilmen Herendeen**. Motion **CARRIED**.

Michelle A. Finley, MMC, RMC -Town Clerk: _____