

At the Farmington Town Board Meeting, held in the Town Hall on the 26<sup>th</sup> day of February 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, **Dave Degear** – Water & Sewer Superintendent, **Jamie Kincaid** – Fire Marshall, **Dan Delpriore** – Code Enforcement Officer, **Adrian Bellis** – Planning Board Member, **Bill Davis** – MRB Group, **Ed Hemminger** – Planning Board Chairman, **Jim Foley** – resident, **Ms. Case** – resident, **Tammy Johnson** – resident, and **Mr. & Mrs. Jim Falanga** – residents.

#### **PUBLIC HEARINGS**

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

A motion was made by **Councilman Holtz** and seconded by **Councilman Casale**, that the minutes of the February 12, 2019, Town Board Meeting, and given to members for review, be approved. Four Voting “Aye” (Herendeen, Casale, Holtz, and Ingalsbe), One Abstention (Bowerman). Motion Carried.

##### **PRIVILEGE OF THE FLOOR:**

##### **PUBLIC CONCERNS: Solar Project**

Jim Foley, Ellsworth Road, stated that part of their objection from the beginning is the impact it will have and if no other basis than this is protected farmland and now they’re putting in an industrial use. He added that what else has been going on over the past several of months is that they hear the developers talk about this project in terms of it being state of the art, and everything is going to be done properly, it’s happening everywhere, so the fact that it is going to be a 30 year payout that one way or another they should put it aside and not think of what can happen. He added that the last time he appeared before the board he spoke at some length about the financing for this project is effectively being done by the State of New York because financial institutions have decided that it is too risky, and the more he thought about that his concern became greater about the 30 years because that is a long time and when they weigh the theory that “don’t worry everything will be fine”, it can’t be. He stated that recently the Town of Ogden allowed a solar power plant to be built in December 2018 and it was in operation for about three weeks when we had a 50 mph windstorm. Mr. Foley shared pictures of the damage to the solar panels. His concern is what happens when its 4 years in and Delaware has sold the property, as they have done before, and who’s left holding the bag because from everything else they have seen the thing Delaware doesn’t like doing is put up a bond because it is too expensive and they do not want to spend that kind of money, secondly, if they are gone and they are no longer held responsible for cleaning up what may happen then it is on them. He thinks these are the things the board needs to think about in terms of the gamble that they are being asked to make and if one of the players in the poker game pulls out we are left with an empty chair and all the chips are not going to be put back into the game by them. He brings this to the boards attention because obviously this is nature’s way of saying that there are no guarantees about anything, we are changing the dynamics of the town and we are in the situation where we do not know what in god’s name what is going to happen over the 30 years, this is just another reason to rethink this whole proposition. Mr. Foley touched on the moratorium issue by stating that when they first came and started talking about this and expressing their opposition, it was a bit confrontational and almost on two different sides, but he thinks that what they have learned is this is not a confrontational issue and that they are all in this together to make it better. Mr. Foley stated that in one of his confrontational comments he stated that the law looked like it was prepared by the developers and that Supervisor Ingalsbe and Councilman Bowerman pointed out that it was not and that they were there but he added that there is a distinct difference that when the law was written the developers had a seat at the table. Supervisor Ingalsbe stated that the developers listened in the group. Mr. Foley continued to state that they had failed to exercise their seat at the table but they are at the table now though and they do appreciate what the Planning Board and Town Board are doing. Mr. Foley stated that he was not at the last meeting but he got the impression that there was some discussion on how far back the town could go when enacting a moratorium and his impression on how it has to be done, he doesn’t think a moratorium can be successful if we allow let’s say this pending application to go forward cause then he does think the board is holding to an argument that they are discriminating, you allowed Delaware Solar to work under one set of rules and then make the rest of them work under another set of rules. He believes the only way for the moratorium to work is to be non-discriminating across the board, that they recognize that there are some problems in the law. He stated that the feasibility section needs to be looked at to preserve farming in the area as stated in the Farmland Protection Plan, therefore they want the strictest interpretation of the law. Mr. Foley stated that the Town’s Attorney has indicated that feasibility has to be in terms of the parcel itself but he thinks there is a defect in the law either way it is looked at as there is no guidance as to what is feasible and there also are no limitations on how large “large scale” will be. Mr. Foley stated that if the town is considering a moratorium, he hopes they are working in that direction, he believes the moratorium needs to be across the board and look at the areas of the law that need to be fixed or in some way tweaked to protect the town.

Mr. Falanga passed out copies of pictures of the solar panels that were destroyed by a windstorm in Ogden, New York. He also handed out a letter that the group put together asking the board to consider a moratorium again and offer their assistance as an advisory group. He stated that at the end of November there were 26 questions to

Delaware Solar to answer and he has not seen any responses to those questions. Mr. Hemminger thought they were on the website. Mr. Falanga is looking for answers to specific questions that were in that questionnaire to Delaware Solar. Mr. Hemminger stated that they will go through everything and verify everything is answered. Mr. Falanga stated that they have asked the Planning Board and Town Board for 6 additional studies (White Noise Pollution Study, Electromagnetic Field Impact Study, Energy Production Study, Traffic Study, Threatened and Endangered Species Study, and Ewaste Study) to consider and he inquired about the status of those studies.

Katrina Case, Fox Road, shared her concern about ground water should the panels get damaged and leak into the ground. She stated that the property is farmland and it needs to be kept farmland. Supervisor Ingalsbe stated that farmland has not had crops on it in many years, just cattle.

Tammy Johnson, Yellowmills Road, read the following..”The human spirit needs places where nature has not been rearranged by the hand of human”.

Supervisor Ingalsbe thanked them for their comments.

**REPORTS OF STANDING COMMITTEES:**

**Public Works Committee: Councilman Holtz reported:**

1. Discussed Control Building #1 - Belt Press Building #7A and Influent Building #10.
2. Discussed Building #8, Sand Filter Building Skimmer Pump #1.
3. Discussed POTW Facility Design, Planning, and Flow Management – Annual Permit Renewal/
4. Discussed Building #14, Drying Bed Replacement Roof, Phase 2.
5. Discussed various pumpstations.
6. Discussed run of bank gravel for sewer access road – County Road 41 to Beaver Creek, Phase 3.
7. Discussed sewer backup and tree root issues.
8. Discussed Sewer Flow Meters.
9. Water Breaks – None.
10. Discussed Beaver Creek 12” Waterline Replacement, Section 2.
11. Discussed Ivory Road Extension.
12. Discussed 2” Commercial Water Meter Replacement Program.
13. Discussed 4<sup>th</sup> quarter water shut offs.
14. Discussed resolutions on agenda.

**Highway & Parks:**

1. Current projects- Highway – salting and snowplowing, equipment maintenance, fixing signs and clearing debris from wind storm, and installed conduit to swap shop for gas supply.
2. Parks – salting/plowing, building maintenance, storage room built at court with grant funds, and equipment Maintenance.
3. Discussed resolutions on agenda.

**Town Operations Committee: Councilman Bowerman reported:**

1. Report from Director of Planning and Development on file and on the website.
2. Discussed resolutions on agenda.
3. Discussed Beaver Creek Park meeting, Mini Storage on Rt. 332, Alicia Sturn Dentist Office, Aldi’s Project, Farmington Market Center, and Pintail Crossing Project.

**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. Newsletter update.
2. Completed 5 year Capital Plan.
3. Started interviews for Code Enforcement Officer position and Zoning Officer position. Considering another Construction Inspector position.

**Highway& Parks Superintendent Giroux reported:**

1. Discussed how Magic Minus Zero works.

**Town Clerk Michelle Finley reported:**

1. Updated on tax collection.
2. Busy with collecting water and sewer payments.
3. Working on a few Records Management project.

**Water & Sewer Superintendent Dave Degear reported:**

1. Water Shut-off – March 6<sup>th</sup>.
2. Sewer Backup at Rt. 96 and Fairdale.
- 3.

**Code Enforcement Officer Dan Delpriore reported:**

1. Refer to Town Operations Report.

**Fire Marshall Jamie Kincaid reported:**

1. Empire Pipeline moving along.

**Director of Planning and Development Ron Brand reported: None.****Assessor Donna LaPlant reported: None.****Town Engineer reported: Bill Davis reported:**

1. Update on Victor Transmission Main.
2. Update of TownLine Road Culvert bid- no bids received-will rework scope of work and rebid it.

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

1. Submitted comments for the Farmington Market Project.
2. Next meeting – residential home and a few minor things.

**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: None.****COMMUNICATIONS:**

1. Emil to the Town Supervisor from Gerry Geist. Re: Extension of real property tax deadline for winter weather.
2. Letter to the Town Clerk from Tessa LaBrake of the Farmington Volunteer Fire Association. Re: New Member.
3. Letter to the Town Supervisor from Stacey Cardinale of Brunswick Companies. Re: Ontop Home Improvements cancellation of insurance.
4. Email to the Town Supervisor from Gary Baxter. Re: Request for deadline extension for real property tax payments.
5. Letter to the Town Supervisor from Edward Hampston of the NYS DEC. Re: POTW Facility Design, Planning and Flow Management – Annual Certification Form. SPDES Permit #NY0023531.
6. Letter to the Town Clerk from Douglas Johnson of the NYS DOT. Re: Annual sign surveillance.
7. Letter to Frances Gubler of the Preservation League of NYS from the Town Supervisor. Re: 2019 Preserve New York Grant Application.
8. Letter to Ryan DelRe of Create A Scape Enterprise from the Town Supervisor. Re: Auburn Trail Project, PIN 4755.96, Tax Exemption Project.
9. Town of Canandaigua Resolution No. 2019-055. Re: Supporting Town of Farmington in joint project: Canandaigua-Farmington Town Line Road Culvert Replacement, Beaver Creek Crossing Project; and to acknowledge Town of Farmington's formal bidding process.
10. Letter to JD Whiting from the Town Supervisor. Re: Drainage improvements.
11. Email to Beth Vercolen from the Town Supervisor. Re: Plans for Beaver Creek Park.
12. Letter to Anthony Dolan of the NYS Comptroller's Office. Re: Request for extension for filing of the AUD.
13. Letter to the Town Supervisor from Timothy Randall of NYMIR. Re: Recommendations for the Town of Farmington insurance policy.
14. Letter to the Town Supervisor from Erie Insurance Company. Re: Create A Scape Workers Compensation Insurance Cancellation Notice.
15. Letter to the Code Enforcement Officer from Luke Scannell of NYS DEC. Re: Town of Farmington Municipal Separate Storm Sewer System SPDES No. GP-0-15-003.
16. Email to the Code Enforcement Officer from Duane Weimer, Resident. Re: Shed Permit.
17. Letter to the Town Supervisor from Cornell Cooperative Extension. Re: Ontario County Agriculture Appreciation Banquet.
18. Letter to the Town Supervisor from Duane Shoen of Insero & Co. Re: Municipal Audits.
19. Letter to the Town Clerk from Raymond F. Wager, CPA, P.C. Re: 2018 Audit of Financial Statements.

20. Certificate of Liability Insurance from: Robert Dancause & Sons, Inc.; Scherer Stove & Chimney; SAE Sun and Earth Energy, Inc.; Village of Manchester and Village of Manchester Fire Department; Home Depot USA, Inc.; Ewing Lettering & Graphics, Inc.; Alpco Recycling, Inc.
21. Certificate of Workers' Compensation Insurance from: Scherer Stove & Chimney; Ewing Lettering & Graphics, Inc.

**REPORTS & MINUTES:**

1. Conservation Board Meeting Minutes – January 28, 2019.
2. Project Review Committee Meeting Minutes – February 1, 2019.
3. Farmington Senior Citizens Meeting Minutes – February 4, 2019.
4. Planning Board Meeting Minutes – February 6, 2019.
5. Report to Town Public Works and Town Operations for Town Board Meeting on February 12, 2019.

**ORDER OF BUSINESS:**

**RESOLUTION #110-2019:**

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

**RESOLUTION ACKNOWLEDGING THE ATTENDANCE OF THE TOWN CLERK TO THE NEW YORK STATE TOWN CLERKS ASSOCIATION CONFERENCE IN SYRACUSE NEW YORK**

**WHEREAS**, the New York State Town Clerks Association conference will be held in Syracuse, New York, May 5 – 8, 2019, at a cost not to exceed \$885 (\$135 for registration and \$750 for hotel), therefore be it

**RESOLVED**, the Farmington Town Board acknowledges the attendance of the Town Clerk to the New York State Town Clerks Association Conference at a cost not to exceed \$885 plus any related expenses.

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

**RESOLUTION #111-2019:**

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

**LETTER OF CREDIT – HICKORY RISE SUBDIVISION, SECTION 4 – PARTIAL RELEASE #3, IN THE TOTAL AMOUNT OF \$ 393,457.94, FOR SITE IMPROVEMENTS**

**WHEREAS**, the Town of Farmington Town Board (hereinafter referred to as Town Board) has received from the Town Planning Board a resolution dated February 20, 2019 recommending that the above referenced Letter of Credit Partial Release #3 be approved in the total amount of \$393,457.94 for work completed in Section 4 of the Hickory Rise Subdivision Tract; and

**WHEREAS**, the Planning Board has reviewed the documentation submitted for the partial release of the Letter of Credit, including the Town Letter of Credit Department Heads Signed Form (Appendix G-1.0) and the Town Letter of Credit release Form (Appendix G-2.0) for the Hickory Rise Subdivision Project, Section 4; and

**WHEREAS**, the total amount in this Letter of Credit is \$1,170,322.13, with \$276,323.15 remaining after the third partial release of funds; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby move to accept the Planning Board’s recommendation referenced above herein and authorizes the Town Supervisor to execute the partial release of the request amount from the above referenced Letter of Credit.

**BE IT FURTHER RESOLVED**, that the Town Board does hereby direct the Town Clerk to provide the Director of Planning & Development with a certified copy of this resolution.

**BE IT FINALLY RESOLVED**, that certified copies of this resolution are to be provided to the Letter of Credit holder, Gregg Bowering, Bramwell Park, LLC, 1303 Marsh Road, Suite #2, Pittsford, New York 14534; Matthew Heilmann, Town Construction Inspector; Town Code Enforcement Officer; Lance S. Brabant, CPESC, MRB Group, D.P.C., 145 Culver Road, Suite 160, Rochester, New York 14620; and the Town Project File.

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

**RESOLUTION #112-2019:**

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

**RESOLUTION ACCEPTING THE TOWN PLANNING BOARD'S REPORT AND RECOMMENDATION FOR: REZONING OF THREE PARCELS OF LAND (TAX MAP #29.00-1-39.000, -40.000 AND -41.000) CONTAINING APPROXIMATELY 18.3 ACRES OF LAND FROM GB GENERAL BUSINESS TO IZ INCENTIVE ZONING; AUTHORIZING THE DIRECTOR OF PLANNING & DEVELOPMENT TO SUBMIT THE NECESSARY DOCUMENTATION TO THE ONTARIO COUNTY PLANNING BOARD FOR ITS REVIEW, REPORT AND RECOMMENDATION TO THE TOWN BOARD; AND SCHEDULING A PUBLIC HEARING UPON THIS ACTION KNOWN AS FARMINGTON MARKET CENTER INCENTIVE ZONING PROJECT**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) has received a report and recommendation from the Farmington Town Planning Board (hereinafter referred to as Planning Board) dated February 20, 2019 on the above referenced action; and

**WHEREAS**, the Town Board has reviewed said Planning Board report and recommendations, and has received favorable input from the members of both the Town Public Works and Town Operations Committees upon said action at tonight's public meeting; and

**WHEREAS**, the Town Board has reviewed the public record established upon said action.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby agree to give consideration to the above referenced action.

**BE IT FURTHER RESOLVED**, that the Director of Planning & Development is to submit the necessary documentation, a draft local law to amend the zoning of the above referenced parcels of land, to the Ontario County Planning Board, under the provisions of the New York State General Municipal Law, Sections 239-l & -m, for its review, report and recommendation at their March 13, 2019 meeting.

**BE IT FURTHER RESOLVED**, that the Town Board does hereby schedule a public hearing upon said action to be held on Tuesday, April 9, 2019 commencing at 7:00 p.m. Eastern Daylight Savings Time, to be held in the main meeting room of the Farmington Town Hall, 1000 County Road 8, Farmington, New York 14425.

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to publish a legal notice for said public hearing in the Town's Official Newspaper, to post notice thereof on the Town's Website and Town Hall Bulletin Board, and to provide notices of the proposed action as provided for in the Town Code.

**BE IT FURTHER RESOLVED**, that the Town Code Enforcement Officer is hereby directed to post public notification signs on the property, one along State Route 96 frontage and the other along the east side of Mertensia Road, at least ten days prior to the scheduled public hearing.

**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 Officers; Angelo Ingrassia, Farmington Center LLC, 550 Latona Road, Rochester, New York 14626; and Michael Montalto, Costich Engineering, 217 Lake Avenue, Rochester, New York 14608.

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

**RESOLUTION #113-2019:**

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

**DESIGNATING LEAD AGENCY STATUS, UNDER THE PROVISIONS OF ARTICLE 8 OF NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW, PART 617, STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) REGULATIONS, FOR THE FARMINGTON MARKET CENTER INCENTIVE REZONING PROJECT; AND MAKING A DETERMINATION OF SIGNIFICANCE THEREON**

**WHEREAS**, the Farmington Town Board (hereinafter referred to as Town Board) has, by adopting Resolution #113 of 2019, dated February 26, 2019, decided to give consideration to a request from Angleo Ingrassia, Farmington Center LLC, to rezone land identified as Tax Map Numbers 29.00-01-39, 29.00-01-40 and 29.00-01-41.1, from GB General Business to IZ Incentive Zoning (hereinafter referred to as Action); and

**WHEREAS**, the rezoning Action that involves only a local legislative decision to determine compliance with technical requirements set forth in the Town Code; and

**WHEREAS**, a decision by the Town Board upon this Action does not entitle or permit the applicant to commence the Action until all requirements of Part 617 have been fulfilled.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby designate itself as the Lead Agency for making the Determination of Significance upon the above referenced Action.

**BE IT FURTHER RESOLVED**, that the Town Board does determine that the proposed rezoning Action is classified as an Unlisted Action as set forth in Section 617.5.

**BE IT FURTHER RESOLVED**, that the Town Board has reviewed and accepted Part 1 of the Short Environmental Assessment Form.

**BE IT FURTHER RESOLVED**, that the Town Board has completed Part 2 of the Short Environmental Assessment Form.

**BE IT FURTHER RESOLVED**, that based upon the information and analysis above and the supporting documentation, the Board determines that the proposed Action WILL NOT result in any significant adverse environmental impacts.

**BE IT FINALLY RESOLVED**, that the Board directs that copies of this determination be filed as provided for under the SEQR Regulations.

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

**RESOLUTION #114-2019:**

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

**CONFIRMING RESOLUTION FOR SANITARY MANHOLE REHABILITATION FOR I & I IMPROVEMENTS WITHIN THE FARMINGTON & VICTOR SANITARY SEWER DISTRICTS- MANHOLE REPAIRS- PHASE #7, ONTARIO COUNTY PUBLIC WORKS TERM CONTRACT RESOLUTION NO. 303-2017, B-17038 AWARDED TO SKANEX PIPE SERVICES**

**WHEREAS**, by Board Resolution 249 of 2018 dated June 12, 2018, the Town Board authorized sanitary manhole rehabilitation work utilizing the Ontario County Department of Public Works Manhole Rehabilitation Service Contract with Skanex Pipe Services, (Resolution 303-2017, B-17038, effective for the period of May 15, 2017 through May 14, 2019 Term Contract with Ontario County) which was piggy backed off of for sanitary sewer manhole rehabilitation, and

**WHEREAS**, rehabilitation of the sanitary sewer manholes along with I & I improvements had been identified by the Water and Sewer Supt. and The MRB Group within both the Farmington and Victor Sewer Districts that required the specialized work provided by Skanex Pipe Services, and

**WHEREAS**, per the term contract the Ontario County pricing for the specialized work under Item 1, Mobilization is \$0.00 Lump Sum; Item 2 Chemical Grouting of Manholes at \$50.00 Each; Item 3, Chemical Grout at \$50.00 per gallon;. Item 4, Cementitious Restoration of Manholes at \$250.00 per vertical foot; Item 5, Manhole Rehabilitations with Polymer System at \$300.00 per vertical foot for application of the epoxy coating system; and Item 10, Manhole Adjustments Over 1 Vertical Foot is \$150.00 per vertical foot for removal of deteriorated portions of the manhole bench and repairs, and

**WHEREAS**, chemical grouting was required for six (6) sanitary manholes #188, 189, 401, 410 and 644 at a cost of \$50.00 each and ninety-five gallons of chemical grout for a total cost of \$5,050.00, and

**WHEREAS**, additional channel rebuilding of ten (10) sanitary manholes ( #189, 190, 1113, 1114, 1115, 1492, 1494, 1658 and 1659) was also required at an agreed cost of \$6,750.00, and

**WHEREAS**, due to unforeseen conditions and deterioration of the manholes due to age and gases, additional Cementous Restoration was required at the 48" diameter manhole #401 (at 7.5 VF) and #644 (at 9.5 VF), and one 60" diameter manhole #410 (at 10.0 VF) for an agreed cost of \$6,124.86, and

**NOW, THEREFORE BE IT RESOLVED**, that the Farmington Town Board acting on behalf of the Farmington and Victor Sanitary Sewer District hereby authorizes the payment for the Invoice #4927; #4929 and #4930 for the I&I Sanitary Sewer Manhole Repairs to Skanex Pipe Services Inc., Victor, New York 14564 for a total expenditure cost being \$17,924.86, and

**BE IT FURTHER RESOLVED**, that payment for this I&I work will be paid under the 2019 Sewer Budget lines SS -8120.49 (I&I) and SS- 8120.49V (I&I Victor), and

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

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

**RESOLUTION 115-2019:**

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

**REQUEST TO PURCHASE THREE (3) BADGER 1-1/2 INCH AND THREE (3) 2 INCH WATER METERS AND ITRON READERS FOR THE CANANDAIGUA-FARMINGTON WATER DISTRICT, TOWN OF FARMINGTON**

**WHEREAS**, in 1998 the Water and Sewer Department was authorized by Resolution 153-98 and 154-98 to make improvements to its billing and meter-reading capabilities and the Water and Sewer Department had purchased and installed New Billing Software (BAS) including the Itron Automated Meter Reading System, and

**WHEREAS**, also in 1998 the Water and Sewer Superintendent was authorized by Resolution 201-98 to start a Meter Replacement Program with standardization of the purchase of the Badger and Itron AMR System, and

**WHEREAS**, Badger/Itron water meters and remote readers will be required for Pintail Crossing Section 1 housing and apartment project located in the Canandaigua-Farmington Water District, Town of Farmington, and

**WHEREAS** a written quote dated February 15, 2019 in the amount of \$3,006.22 has been received from Area Representative of Badger Meters and Itron readers for the following water meter items:

Two (2) Badger M120 EL Long 1-1/2" Recordall Disc Meters with Test Plug, Bare Long ELIP FLG, Part #BM9009 at a cost of \$431.00 each or total cost of \$862.00

One (1) Badger M120 EL Short 1-1/2" Recordall Disc Meters with Test Plug, Bare Long ELIP FLG, Part #BM9009 at a cost of \$431.00 each.

Three (3) # Badger M120 HR-E 6 Dial Encoder with Itron inline connectors and Itron 100W PIT Endpoint gallon, less meter at a cost of \$243.00 each or a total cost of \$729.00, and

One (1) Badger M170 EL Long Recordall Disc Meter with Test Plug, bare, Part #BM9009 at a cost of \$647.00 each.

One (1) Badger M170 HR-E 6 Dial Encoder with Itron inline connectors and Itron 100W PIT Endpoint gallon, less meter at a cost of \$243.00 each, and

Two (2) 2inch bronze meter flanges with gasket at a cost of \$47.11 each for a total cost of \$94.22.

**NOW, THEREFORE BE IT RESOLVED**, that the Farmington Town Board acting on behalf of the Water and Sewer Districts hereby authorizes the Water and Sewer Superintendent to purchase Badger/Itron 1-1/2" and 2" water meters from Blair Supply Corp. of 785 Beahan Road, Rochester New York at a cost of expense not to exceed \$3,006.22, and

**BE IT FURTHER RESOLVED**, that funding for the purchase of water meters is appropriated under expense line SW1-8340.41 (Contractual Meters), and

**LASTLY LET IT BE FURTHER RESOLVED**, that a copy of this Resolution will be supplied from the Town Clerk to the Water and Sewer Superintendent and the Principal Account Clerk.

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

**RESOLUTION #116-2019:**

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

**RESOLUTION SETTING THE ANNUAL SPRING CLEANUP DATES FOR THE TOWN OF FARMINGTON AS MAY 2, 3, & 4, 2019**

**WHEREAS**, the Town of Farmington holds an Annual Spring Cleanup for three (3) days each May to give Town Residents an opportunity to rid themselves of unwanted waste and various household items,

**NOW THEREFORE BE IT RESOLVED**, that the Town Board sets the 2019 Spring Cleanup for May 2, 3 and 4, 2019 from the hours of 8 AM to 6 PM Thursday and Friday and 8 AM to 3 PM on Saturday, and

**THEREFORE BE IT RESOLVED**, that the Rules and Regulations of the Annual Spring Cleanup, such as that only Town Residents may take part and only certain items are accepted as set by the Highway/Parks Superintendent and posted on the Town of Farmington's website, and

**BE IT FURTHER RESOLVED**, that the Town Clerk forward copies of the Resolution to the Highway/Parks Superintendent, the Water and Sewer Superintendent, the Deputy Clerks (for posting) and the Confidential Secretary for posting on the website.

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

**RESOLUTION 117-2019:**

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

**APPROVAL FOR EMERGENCY PURCHASE SEWER PUMP PARTS FOR VICTOR SEWER DISTRICT LIFT STATION PS-14 AT COBBLESTONE**

**WHEREAS**, during the normal maintenance operations of our sewer collection system within the Victor Sewer District on February 12, 2019, W&S employee Mike Abraham informed the Water & Sewer Supt. that the existing Gorman Rupp T-6 rotating element in the pump housing at the high volume lift station PS-14 located at #70 Cobble Creek Lane was severely leaking and required immediate replacement to handle the high sewer flows from the Victor Sewer District including the flows at the East View Mall areas, and

**WHEREAS**, the Water and Sewer Department received a price quote dated from February 13, 2019 Siewert Equipment to replace the Gorman Rupp Part #44163-263 Standard Super T-6 rotating element and the standard wear plate Part #46451-723-24150 at a cost of \$3,608.11, and

**WHEREAS**, W&S Supt. authorized the purchase of the emergency replacement parts which were installed by our crews at PS-14 Cobblestone on 2/13/19, and

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of Farmington acting on behalf of the Farmington Sanitary Sewer District hereby authorizes the Water and Sewer Superintendent to pay the invoice from Siewert Equipment Co. for the total cost of \$3,608.11, and

**BE IT FURTHER RESOLVED**, that this purchase will be expended from the Sanitary Sewer Budget lines SS-8120.4V (CE-Victor), and

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

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

**RESOLUTION #118-2019:**

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

**RESOLUTION SETTING THE PUBLIC BID OPENING DATE FOR THE ANNUAL 2019 CANANDAIGUA-FARMINGTON WATER DISTRICT (CFWD) WATER SUPPLIES AND THE FARMINGTON-VICTOR SEWER DISTRICT- SEWER SUPPLIES**

**WHEREAS**, on January 2, 2019 at the 2019 Town Organizational Meeting, the Farmington Town Board authorized the Water and Sewer Superintendent to bid water and sewer supplies, materials and equipment for the Canandaigua-Farmington Water and Sewer Districts (Board Resolution 37 of 2019) for the operation and maintenance required by the CFWD and the Farmington-Victor Sewer Districts, and

**BE IT RESOLVED**, this resolution established that Public Bidding will be advertised and sealed bids will be received until 10:00 A.M. on March 19, 2019 at the office of the Farmington Town Clerk, 1000 County Road 8, Farmington, NY 14425 at which time bids all sealed will be publicly opened and read aloud, and.

**BE IT FURTHER RESOLVED**, that funding for the water and sewer materials have been budgeted in the approved 2018 Budget lines as follows: SW1-8340.4 (Transmission and Distribution-Contractual); SS- 8120.4 (CE); and SS-8120.4V (CE Victor), and

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

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

**RESOLUTION #119-2019:**

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

**JASON PHILLIP'S SUCCESSFULL COMPLETION OF PROBATIONARY PERIOD**

**WHEREAS**, Jason Phillip was hired by the Highway/Parks Superintendent in the Summer of 2018, with a start date of August 20, 2018, and on February 20, 2019 has successfully completed the required six-month probationary period, and

**WHEREAS**, has shown knowledge base and per employee policy, upon the successful competition of a probationary period, the hourly employee maybe granted a wage adjustment, and

**WHEREAS**, the current Highway Superintendent deems that Jason has displayed exemplary job duties, now therefore be it



**RESOLVED**, that the Town Board hereby grants a \$.25 per hour wage increase as stated on the board resolution for Jason to be effective beginning with Payroll # 6 pay period (February 24-March 9, 2019), and

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

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

**RESOLUTION #120-2019:**

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

**RESOLUTION AUTHORIZING PURCHASE OF ROOFING PANELS AND ROOFING MATERIALS FOR THE WWTP BUILDING #14 DRYING BED ROOF, BAYS #2 AND #3**

**WHEREAS**, the Water and Sewer Superintendent had identified a need to replace the existing green roofing panels overtop of the 105 foot long WWTP Drying Bed Building #14 structure with a clear panels to allow for additional sunlight to penetrate for improved drying of the pressed sludge, and

**WHEREAS**, new clear roof panels for Building 14 Drying Bed Bay #1 was replaced in 2018 and was included in the 2019 Budget for replacing Bay #2 and Bay #3 as a building maintenance item, and

**WHEREAS**, in accordance with the Town of Farmington Purchasing Policy, the Water and Sewer Supt. had received three (3) quotes from EB. Martin Roofing; HEP Sales; and BL Wholesale Supply for 10' and 12' wide all metal ribbed Polycarp clear roof panels with miscellaneous roofing materials including gable trim; ridge cap; ridge vent and 1.5" and 2" screws, and

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Farmington acting on behalf of the Farmington Water and Sewer Department hereby authorizes the purchase from the lowest quote being by EB Martin Roofing Supply, 2845 State Route 364, Penn Yan, New York 14527 at a cost not to exceed \$3,100.00, and

**BE IT RESOLVED**, that funding for said roof replacement will be from 2019 Budget Code SS 8130.4 (CE), and

**LASTLY LET IT BE FURTHER RESOLVED**, that a copy of this Resolution will be supplied from the Town Clerk to the Water and Sewer Superintendent and the Principal Account Clerk.

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

**RESOLUTION #121-2019:**

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

**APPROVAL TO PURCHASE GORMAN RUPP AUSTERMPERED DUCTILE IRON ROTATING ELEMENT AND SELF CLEANING ADI WEAR PLATE FOR THE VICTOR SEWER DISTRICT LIFT STATION PS-14 LOCATED AT #70 COBBLE CREEK ROAD IN THE TOWN OF VICTOR**

**WHEREAS**, the Water and Sewer Department Supt. had requested an evaluation of the existing condition of the Gorman Rupp Super T-6 sewer pumps located at the high volume sewer lift station PS-14 and during scheduled maintenance operations, it was determined that the rotating element and wear plate for Pump #2 was recommended by our maintenance crew be replaced, and

**WHEREAS**, the Farmington Water & Sewer Supt. had requested a quote from the Gorman Rupp area representative, Siewert Equipment, for the replacement of the existing Super T-6 rotating assembly and the wear plate needed for the Wastewater Collection System, and

**WHEREAS**, the Siewert Equipment has submitted a price quote #WR-19-22199-F dated February 15, 2019 for one Part #44163-331 ADI rotating element with self- cleaning wear plate assembly plus an estimated shipping of \$250.00 for a total of \$5,636.19, and

**NOW, THEREFORE BE IT RESOLVED** that the Town Board of Farmington acting on behalf of the Victor & Farmington Sewer Districts hereby authorizes the Farmington Water and Sewer Superintendent to purchase the Gorman Rupp T-10 ADI rotating element and wear plate assembly at a cost not to exceed \$5,650.00 and.

**BE IT FURTHER RESOLVED**, that is purchase is budgeted as part of the ongoing maintenance this expenditure for the Victor Sewer District Sanitary Sewer Budget line SS-8120.4V (CE), and

**LASTLY LET IT BE FURTHER RESOLVED**, that a copy of this Resolution will be supplied from the Town Clerk to the Water and Sewer Superintendent and the Principal Account Clerk.

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

**RESOLUTION #122-2019:**

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

**RESOLUTION TO CLOSE OUT THE PEDESTRIAN BRIDGE CAPITAL PROJECT**

**WHEREAS**, all requirements for the Pedestrian Bridge Capital Project have been completed and all financial obligations have been satisfied,

**Now Therefore be it RESOLVED**, the current fund balance in the Capital Project of \$23,362.50 will be transferred to the Beaver Creek Park Capital Project,

**Fully RESOLVED**, that the Town Clerk of the Town of Farmington forward copies of this resolution to the Principal Account Clerk.

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

**RESOLUTION #123-2019:**

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

**RESOLUTION AUTHORIZING SAMPLING AND TESTING OF METHANE GAS AT THE WASTE WATER TREATMENT PLANT**

**RESOLUTION TO CLOSE OUT THE WWTP DISINFECTION IMPROVEMENTS CAPITAL PROJECT**

**WHEREAS**, a final bill has been received for Profession financial services rendered for this project,

**Now Therefore be it RESOLVED**, that the Town Board authorizes the following budget amendment for the expense:

Appropriated Fund Balance	HU 599	\$2793	
Administrative Fees	HU8197.24		\$2793

**Now Therefore be it RESOLVED**, the final balance in the Capital Project of \$28476.88 plus any interest earned, will be transferred to the Sewer Savings Account.

**Fully RESOLVED**, that the Town Clerk of the Town of Farmington forward copies of this resolution to the Principal Account Clerk.

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

**RESOLUTION #124-2019:**

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

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE GENERAL FUND**

**WHEREAS**, the expense line A1660.4 for Central Storeroom Contractual was underbudgeted for the 2019 year, and an expense line for Highway Construction inspection needs to be funded

**WHEREAS**, the Town Court was awarded a grant in the amount of \$9510.00 and this amount will be tracked in expense line A1110.22

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

From:	A1990.4 Contingency	\$12,400	
To:	A1660.4 Central Storeroom Contractual		\$9,000
To:	A5010.11 Highway Construction Inspection		\$3,400
Debit:	A3021 State Aid – Court	\$9510	
Credit:	A1110.22 Town Justice State Aid		\$9510

**BE IT RESOLVED**, that the Principal Account Clerk transfers the amount above

**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 #125-2019:**

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

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN PROPOSALS FOR PHASE I ENVIRONMENTAL SITE ASSESSMENT AND PHASE II PRE-DEMOLITION ASBESTOS SURVEY WITH FISHER ASSOCIATES REGARDING 5648 COLLETT ROAD PROPERTY**

**WHEREAS**, the Town Supervisor has received two quotes for environmental services for the property located at 5648 Collett Road, and

**WHEREAS**, Bergman returned a quote for \$10,255.00 and Fisher Associates returned two quotes totaling \$7,350.00,

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of Farmington hereby authorizes the Town Supervisor to sign two proposals from Fisher Associates, one for Phase I Environmental Site Assessment at a cost not to exceed \$3,270.00 and the second for Phase II Pre-Demolition Asbestos Survey at a cost not to exceed \$4,080.00 and be it

**FURTHER RESOLVED**, that copies of this resolution be submitted by the Town Clerk to the Principal Account Clerk, Highway/Parks Superintendent, J. Joseph Dorety of Fisher Associates, 180 Charlotte Street, Rochester, NY 14607 and the Building/Code Department.

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

**RESOLUTION #126-2019:**

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

**Abstract 4-2019**

<b>FUND CODE</b>	<b>FUND NAME</b>	<b>TOTAL FOR EACH FUND</b>	<b>VOUCHER NUMBERS</b>
A	GENERAL FUND	148,311.88	278,280-329,401-402
DA	HIGHWAY FUND	77,017.81	292,293,300,302,305-307,310,316,320, 330-347
HU	WWTP DIS IMP CAP PROJ	2,792.46	279
HW	WATER TANK REPAIR	949.00	279
HA	AUBURN TRAIL PROJECT		
HZ	TOWNLINE CAP PROJ		
SD	STORM DRAINAGE	1,818.86	292
HN	NORTH RD CAP PROJ		
HM	FUEL STATION CAPITAL PROJECT		
SS	SEWER DISTRICT	90,204.95	281,289,292,305,348-389
SL1	LIGHTING DISTRICT	7,449.70	313
SW1	WATER DISTRICT	21,721.00	281,292,305,348,350,352,358-400
TA200	<b>PAYROLL DEDUCTIONS(TA85UNI,TA20,TA20D,TA86)</b>	6,649.49	182,209-211
	<b>TOTAL ABSTRACT</b>	<b>\$ 356,915.15</b>	

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

**TRAINING UNDER \$100:**

1. Dan Delpriore and Jamie Kincaid to attend Johnson Controls "Faster Testing, Easier Code Compliance" training at Quality Inn & Suites in Batavia on March 7, 2019 at no cost.

**WAIVER OF THE RULE: No Objection.**

**RESOLUTION #127-2019:**

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

**RESOLUTION AUTHORIZING THE WATER AND SEWER SUPERINTENDENT TO PURCHASE ENZ MODEL SPECIALIZED CHAIN CUTTING KIT- ROOT CUTTING NOZZLE**

**WHEREAS**, by Resolution #513 of 2014 dated December 23, 2014, the Town Board authorized the purchase one (1) new and unused 2016 Vactor model 2100 Plus Sewer Combination Truck from Vactor Manufacturing with standardization of the ENZ USA, Inc. sewer flusher basic nozzles for the maintenance of the Canandaigua-Farmington Sewer District and the Victor Sewer District, and

**WHEREAS**, by Resolution 80 of 2016 dated January 26, 2016 the Water and Sewer Supt. was authorized to purchase two additional ENZ model specialized nozzles to be used for grease removal within the sanitary sewer pipes and for breaking up the sewage blanket within the thirty-three (33) lift stations, and

**WHEREAS**, the Water and Sewer Supt. has identified a need to purchase a ENZ model No. 10.125TR, 8-12 Set

Chain Root Cutter Kit that has been demonstrated and proven by the Monroe County Pure Waters; various larger municipal sewer departments; and sewer contractors to be the best sewer root cutting/sewer pipe cleaning nozzle, and

**BE IT RESOLVED**, the Farmington Town Board authorizes the Water and Sewer Superintendent to purchase one (1) ENZ USA, Inc. Chain Cutting Nozzle at a cost of \$3,965.00 plus shipping of \$45.00 for the total being a cost not to exceed \$4,010.00 from the authorized ENZ authorized distributor being Joe Johnson Equipment, Rochester, New York (see attachments), and

**LET IT FURTHER RESOLVED**, the funds are appropriated for purchasing in the 2019 Budget lines for the sewer department SS-8120.20 (Minor Equip.) and SS-8120.20 (Minor Equip. Victor) and SS-8130.20 (Minor Equip), and

**LASTLY LET IT BE FURTHER RESOLVED**, that a copy of this Resolution will be supplied from the Town Clerk to the Water and Sewer Superintendent and the Principal Account Clerk.

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

**DISCUSSION: Solar Moratorium**

**Councilman Bowerman** stated that they had met with the Town Attorney to discuss options for a moratorium. He added that he does not see a need for it at this point because they are still in the middle of the process for a solar law that we put in place. Councilman Bowerman stated that all the comments they are received from outside agencies praised the town for how comprehensive the law was. He understands that there are a lot of complaints on it and a lot of issues have been brought up like the town is going to be stuck with it if the solar farm goes under which is not true at all, this is private property and the land owner wants to enter into a business agreement with a private company, if the solar farm goes under that's on them, if someone wants to build a barn and the farm goes under the town doesn't make them have a contingency in place for decommission to the barn to turn it back into farmland, we are doing that with the solar project. He feels the law they have in place is comprehensive and covers as much as they can think of, and this project is still going through the process there is no guarantee it will go through, there are variances that would need to be in place. He added that putting a moratorium in place would be targeting one applicant, there is only application in the process right now, and it would be discriminating against one project. He added that this is still going to be farmland, this is one way the farmer can offset their cost and supplement their income so they can continue to farm it. He added that they can't say their only going to allow solar panels on industrial properties because then someone like the Sheldon's couldn't have put in their solar farm. Councilman Bowerman stated that he has heard comments from the group saying that they would be okay with the project if it were smaller, but his question is then if 8 acres would be okay then why is 10 acres an issue when you're talking about the whole scale of the project. He added that if the applicant doesn't get variance for the internal zoning, they could still spread it out across more of the project. He stated that this is the ability for the farmer to continue to farm the property while also taking land that is not being used for anything right now and supplementing their income.

Councilman Herendeen stated that they don't necessarily have to have a moratorium to revisit the code, they need to let Planning Board do their job and they can revisit the code and do what they need too and make adjustment if needed.

Supervisor Ingalsbe stated that a moratorium at this time in not the way to go, they want the Planning Board and the Zoning Board go through the process. He added to let the process work, they think they have a good law in place so he is not in favor of a moratorium at this time.

Councilman Casale agreed with Supervisor Ingalsbe and would like to see the process go through. He added that they haven't received all the information yet, it's still early on.

Councilman Holtz agreed with what Councilman Herendeen stated, he doesn't think a moratorium is necessary right now. He added that he would like to hear any suggestions on any of their codes that people would like see amended or changed, they take all public comments into consideration. He stated a moratorium is not deemed right now and going backwards to do a retroactive moratorium is something he would not be in support of.

**EXECUTIVE SESSION: None.**

With no further business before the Board, **Councilman Casale** offered a motion to adjourn the meeting at 7:55 p.m., seconded by **Councilmen Bowerman**. Motion **CARRIED**.

Michelle A. Finley, MMC, RMC -Town Clerk: \_\_\_\_\_