

**Town of Middlesex
Regular Meeting
October 13, 2022**

Present: David Adam, Supervisor
Leon Button, Councilman
Austin Liddiard, Councilman
Paul Mitchell, Councilman

Also Present: Todd Conaway, Highway Superintendent
Patrick Grimaldi, Assessor
Dawn Kane, Code Enforcement

Absent: Dan Robeson, Historian/Heritage Group

Recording Secretary: Lynnette Miller, Clerk

Pledge/Call to Order

Supervisor Adam called the meeting to order at 7:00 p.m. at the Town Hall located at 1216 State Route 245, Middlesex. He led the Pledge of Allegiance.

Public Hearing

Supervisor Adam opened the floor to comments from the public regarding the Tax Cap Override. The public hearing will remain open throughout tonight's meeting for questions and/or comments. This is a tentative budget. In the event that the Town's budget for 2023 exceeds the NYS tax cap, a local law must be adopted. Supervisor Adam commented that he was advised by the Town attorney that this might be the year we go over the tax cap, however, that has not been determined.

Public Comments

Supervisor Adam opened the floor for public comments. There were none. He closed the time for public comments, noting that there would be an additional time at the end of the meeting designated for public comments should there be any.

Approval of Minutes

Supervisor Adam asked the Board if there were any additions or changes to the minutes from the August or September meetings. There were none. A motion was made by Councilman Liddiard, seconded by Councilman Button to accept the minutes from August 11th meeting as well as the minutes from the September 8th meeting as written.

All in favor; none opposed. Motion carried.

Assessor – Pat Grimaldi

- Pat referred to a handout outlining the Alternative Veterans' Exemption Table. The greater the assessment, the better the benefit. Assessor Grimaldi explained the handout. Pat suggested a public hearing to be set for the November meeting, with voting for December. Pat will get the numbers of veterans' exemptions in the Town of Middlesex.
- Dave Wilson would like to be re-appointed to the Board of Assessment Review for the next term. Pat requests that his re-appointment is done in November or December.
- Exemption forms will be mailed at the end of December.

Library – no report

Highway/Buildings/Grounds – Todd Conaway

- The trench box discussed at the last meeting was purchased and picked up. Councilman Liddiard asked if the Village of Rushville will be paying for half. Superintendent Conaway indicated that has been the plan. The bookkeeper will bill the Village of Rushville.
- Roadwork that includes blacktopping and grader patching has been done on South Hill. Shoulder work is still being worked on.
- The highway dept is short one employee for health reasons.
- Councilman Liddiard asked about drainage for South Lake Road and if that is still in the plan for 2022. Superintendent Conaway responded, yes, that is still the plan.

Presentations – Ellen Polimeni and Doug Morrel

- Supervisor Adam explained that at the latest Canandaigua Lake Watershed Association meeting, he invited Doug Morrel and Ellen Polimeni to attend tonight's meeting. Ellen began by explaining that the Canandaigua Lake Watershed Association is a public group concerned with the water quality and preservation of Canandaigua Lake. Ellen and Doug represent the government relations committee of the CLWA. CLWA is made up of 12 municipalities and 350 miles of shoreline. Over 70,000 people get their drinking water from the watershed, including Newark & Palmyra. The watershed is represented by three groups; Canandaigua Lake Watershed Association (CLWA), Canandaigua Lake Watershed Council (CLWC), and the Watershed Commission (made up of groups that take water from the lake). All three entities work together to preserve the lake. Supervisor Adam commented that the Town of Middlesex does not have representation on the Watershed Commission, likely because the Town purchases their water from the Village of Rushville. The CLWA plan is currently under revision by CLW Council Director Kevin Olvany. CLWA is member supported group with a board of directors and committees. The CLW Council is supported by the municipalities and grants. The mission is to preserve, protect & regenerate Canandaigua Lake with a goal to engage as many people as possible. The CLWA website is a good resource. Supervisor Adam praised the work of Kevin Olvany. Over the years Kevin has obtained considerable grant dollars for the Town as well as all the CLWA municipalities.

Doug Morrel spoke about the threats to Canandaigua Lake. The main threats come from three sources; increased development, increased recreational use, and climate change. Doug explained each threat in detail. Councilman Button asked about algae blooms for 2022. Doug responded that algae blooms were down. Perhaps due to the dry weather. Doug explained that Canandaigua Lake is being extensively monitored for threats.

Ellen spoke about the education program, explaining that CLWA is proud to work with the Marcus Whitman School District as well as other schools in the area. Teachers go into the classroom to talk about the wonderful resource Canandaigua Lake provides locally. Students learn about the water cycle, invasive species and other aspects of the watershed. She noted that in 1989, she asked for a gathering of local officials that would be called, "Groups Concerned with Canandaigua Lake." As a member of that group, Middlesex resident and Board Member

Leon Button, Sr. was instrumental in gathering local interest in preserving Canandaigua Lake. That was the beginning of what now has become the Canandaigua Lake Watershed Association.

Town of Middlesex Resident Ted Carmen shared that he is a past CLWA Board member. Ted reported on tributary testing at different times of year. Ted shared details of the stream testing in Vine Valley Creek. Testing shows human or mammal waste showing in e coli counts. Readings have been much higher than average of late. Wild animals, improperly functioning septic systems, intense storm events and weather are some of the reasons that readings could run high.

Supervisor Adam thanked Ellen and Doug for their informative presentation to the Board this evening.

Code Enforcement Office – Dawn Kane

- There are ten (10) new homes being built in the Town. South Lake Road is seeing the most activity.
- Library – The air quality remediation has been completed. The final inspection was completed and found to be within normal range.
- Beach – The beach and the store are both stored for the season.
- A letter was received by the Town in reference to the communications tower on South Hill. Dawn plans to attend a Zoom meeting along with the Town's attorney to the Planning Board on November 8th.
- Application has been made for a cell phone tower to be located on Townline Road. Dawn will keep the Board informed as the process moves forward.

Planning Board –

- Code Officer Kane reported that there were 5 applications this month for the Planning Board's review.

ZBA –

- Code Officer Kane reported that the Zoning Board will review 2 applications. There will be an administrative review against Code Officer Kane regarding the Uniform Dock and Mooring Law. Dawn explained the steps involved.

Water District – no report

Historian/Heritage Group – no report

Legislator's Report – Doug Paddock

- The Legislature voted to support Operation Green Light for active military service members in transition to civilian life. The County is asking residents to display one green light between October 11th and November 11th.
- Broadband – Construction may begin in October or November on the trunk route (Phase 1). Florida hurricane is affecting the availability of personnel. The county intends to apply for an additional USDA grant that will cover areas in Potter. No local match will be required. Councilman Mitchell asked how many customers are serviced in the Broadband Project. Doug responded that he will contact the Project Director Marion Walwrath.

- The Yates County Communications project consists of 4 new towers. All towers are erected; Dundee, Italy Hill, YC Public Safety Building and Sherman Hill/Hollow. After further analysis, a 30-foot extension is needed for the existing South Hill tower in the Town of Middlesex in order to provide reliable microwave performance. The County intends to be lead agency, accepting responsibility for reviewing documents and issuing permits. A letter with information to the Town is forthcoming. Councilman Mitchell asked about the necessity of a light on the top for air traffic. Legislator Paddock responded that a light will not be needed since the height is below air traffic regulations. He also clarified that the communications towers are for emergency and highway services, not associated with residential cell use.

Town Clerk – Lynnette Miller

- The Board received a copy of the town clerk’s monthly report.

Supervisor’s Report – David Adam

- Special Projects – Regarding South Lake Road, a revised price has been received from Soil Nail for \$133,000. The town must provide some structural support (a ledge) for them to work from. Jeremy Field will come next week to look at the project. Field Construction has some equipment that could accomplish what is needed. Councilman Mitchell asked when the Town needed to confirm with Soil Nail. Supervisor Adam said the price will hold for several weeks.
- South Lake Road Speed Limit – The Town received a letter from the NYS Office of Traffic Safety and Mobility Region 6, changing the speed limit on South Lake Road to 25 mph. Highway Superintendent Conaway will order signs.
- 2023 Town Budget – Supervisor Adam referenced the tentative 2023 Budget figures given to the Board. He emphasized that the General Fund and Highway Fund have increased by about \$.77 per \$1000. Increased costs indicate an additional \$1.40 per \$1000 increase. There will be a meeting at the end of the month. Supervisor Adam asked for comments from the Board. At this time the budget exceeds the tax cap by approximately \$200,000 without any further changes. Resident Ted Carmen asked if the water district was self-supporting. Assessor Grimaldi answered, yes.
- **At 8:48 p.m. Supervisor Adam asked for comments or questions regarding the Tax Cap Override. There were none. The Public Hearing was closed.**
- Preliminary Budget Meeting - October 26th at 6:00 p.m. was the date and time set for the Preliminary Budget meeting at the Town Hall.

Resolutions

Resolution #45-22

Audit of Claims

On a motion by Councilman Liddiard, seconded by Councilman Mitchell, the following resolution was

ADOPTED Ayes 4 Adam, Button, Liddiard, Mitchell
 Nays 0

RESOLVED that the invoices contained in the October 2022 Abstract have been reviewed by the Town Board and are authorized for payment in the following amounts.

General Fund	Vouchers No. 205-227	\$ 15,076.69
Highway Fund	Vouchers No. 148-169	\$ 69,810.18
Water District	Vouchers No. 40-44	\$ 23,338.95

Trust & Agency	Vouchers No. 9	\$ 5,134.73
Library Fund	Vouchers No. 14	\$ 20.32

Resolution #46-22

Line-Item Transfers

On a motion by Councilman Mitchell, seconded by Councilman Liddiard, the following resolution was

ADOPTED Ayes 4 Adam, Button, Liddiard, Mitchell
 Nays 0

RESOLVED to approve the line-item transfers for the month of October 2022.

Resolution #47-22

Advertisement for Full-time Heavy Equipment Operator

On a motion by Councilman Button, seconded by Councilman Liddiard, the following resolution was

ADOPTED Ayes 4 Adam, Button, Liddiard, Mitchell
 Nays 0

RESOLVED for the town clerk to contact the Daily Messenger and the Genesee Valley Pennysaver to place ads for a full-time Heavy Equipment Operator at the same pay range as advertised in the spring of 2022.

Resolution #48-22

Revolutionary War Marker for Pine Corners Cemetery

On a motion by Councilman Mitchell, seconded by Councilman Liddiard, the following resolution was

ADOPTED Ayes 4 Adam, Button, Liddiard, Mitchell
 Nays 0

RESOLVED that permission and right-of-way are granted by the Town Board authorizing a Pomeroy Patriot Marker be placed at the Pine Corners Cemetery by the Rochester Chapter of the Sons of the American Revolution.

Resolution #49-22

Middlesex Ambulance Service 2023 Contract

On a motion by Councilman Liddiard, seconded by Councilman Button, the following resolution was

ADOPTED Ayes 4 Adam, Button, Liddiard, Mitchell
 Nays 0

RESOLVED to authorize Supervisor Adam to sign the 2023 Contract Agreement with the Middlesex Valley Ambulance Service.

Resolution #50-22

Adopt Local Law #2 for 2022 - Override the Tax Cap for the 2023 Town Budget

On a motion by Councilman Mitchell, seconded by Councilman Liddiard, the following resolution was

ADOPTED Ayes 4 Adam, Button, Liddiard, Mitchell
 Nays 0

RESOLVED to adopt Local Law #2 for 2022 – to Override the Tax Cap for the 2023 Town Budget.

Resolution #51-22

Public Hearing - Adjusting the Alternative Veterans' Exemption

On a motion by Councilman Button, seconded by Councilman Liddiard, the following resolution was

ADOPTED Ayes 4 Adam, Button, Liddiard, Mitchell
 Nays 0

RESOLVED to authorize a Public Hearing regarding adjusting the Alternative Veterans' Exemption as presented to the Board by Assessor Patrick Grimaldi.

Resolution #52-22

Public Hearing - 2023 Preliminary Budget Workshop

On a motion by Councilman Button, seconded by Councilman Liddiard, the following resolution was

ADOPTED Ayes 4 Adam, Button, Liddiard, Mitchell
 Nays 0

RESOLVED to hold a Public Hearing on Wednesday, October 26, 2022 at 6:00 p.m. to discuss the Preliminary 2023 Budget for the Town of Middlesex at the Town Hall.

Public Comments – none

Executive Session

At 9:01 p.m. the Board entered executive session for the purpose of discussing personnel issues.

Meeting Re-Convened

At 9:32 p.m. the meeting resumed.

- Councilman Mitchell asked about the highway surplus amount shown on the Supervisor's Monthly Report. Clarification was given. Supervisor would like to propose a discussion regarding setting up reserve funds for specific purposes.
- For the purpose of having a record, Clerk Miller made a request that Supervisor Adam inform the Board of the audit. Supervisor Adam reported that an audit officially started yesterday through the Bonadio Group. They have begun the process of reviewing the Town procedures and best practices. Supervisor Adam explained that he had delivered bank statements to the auditor on Tuesday. An auditor was at the Town Hall today, meeting with David and Denise. At some point she will want to look at the Town Clerk's procedures. Clerk Miller commented on not having been informed this was taking place.

Adjourn

With no further business, on a motion by Councilman Mitchell, seconded by Councilman Button, the regular meeting of the Town Board of the Town of Middlesex was adjourned at 9:36 p.m.

Lynnette F. Miller, Town Clerk

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2022-10-13