

**Town of Middlesex  
Board Meeting  
August 8, 2019**

Present: Wayne Dunton, Supervisor  
Jack Bauer, Councilman  
Leon Button, Councilman  
Peter Gerbic, Councilman  
James Grant, Councilman

Also Present: Todd Conaway, Highway Superintendent  
Dawn Kane, Code Enforcement Officer  
Patrick Grimaldi, Assessor  
Dan Robeson, Heritage Group  
Bruce St. Lawrence, Project Manager

Recording Secretary: Lynnette Miller, Clerk

Supervisor Dunton called the meeting to order at 7:00 p.m. at the Town Hall, 1216 Route 245, Middlesex.

**Public Hearing**

Supervisor Dunton opened the Public Hearing regarding the proposed Local Law Establishing Residency Requirements for the Chairperson and Members of the Planning Board for the Town of Middlesex. Councilman Gerbic asked if the Planning Board members were unanimously in favor of the Town Board passing this law. Bruce St. Lawrence responded that that information would be in the Planning Board minutes. Supervisor Dunton told the Board he received comments from residents that included; clarification of the term temporary resident and should this be extending beyond the Planning Board to include the Zoning Board of Appeals. Additionally, would the Town want a chairperson who is not a permanent resident? A discussion ensued regarding these topics. Bruce St. Lawrence informed the Board that three candidates are interested in the vacant position on the Planning Board. One qualified candidate is a homeowner in the Town; however, the Town of Middlesex is not his primary residence. Code Officer Dawn Kane explained the process. After a lengthy discussion, Supervisor Dunton recommended that the Planning Board revisit the wording of the proposed law to include the following; establishing residency requirements for members (not to include chairperson), including ZBA (not solely the Planning Board), changing the word temporary resident to seasonal resident. Additionally, adding that the Board majority would be permanent residents. Supervisor Dunton and Code Officer Dawn Kane will work to revise the proposed law. The Public Hearing remains open.

**Approval of Minutes**

Supervisor Dunton requested a motion to approve the minutes as written for the July 11, 2019 Board meeting. A motion was made by Councilman Button, seconded by Councilman Bauer.

\*All in favor; none opposed – Motion carried.

**Assessor** – Pat Grimaldi

Nothing to report.

**Highway/Buildings/Grounds – Todd Conaway**

- Monthly report is forthcoming.
- Dumpsters are in place for Clean-Up Days this weekend. Yates County is sending 4-5 guys.
- Townline and View Board Roads have been stoned and oiled.
- The truck box, discussed at prior meetings, should be ready by November.

**Code Enforcement – Dawn Kane**

- Monthly report given to Board members.
- Code Enforcement office remains busy, several site visits have been needed.
- Civil complaints have been on the increase. Several neighbor disputes.
- There were nine agenda items for last evening's Planning Board meeting, all large projects. The ZBA is meeting this evening with three items on their agenda. A large new house is scheduled to be built on South Lake Road at a site with difficult access.
- Councilman Gerbic asked about clean-up notices sent to residents. Dawn responded that there has been a good response from residents who were sent letters.
- Everything at the beach is going well. Directional signs are in place.
- Swim lessons are over. A good turn out this year with an average of 15 swimmers.
- There have been a few civil issues at the beach involving calls to the police.
- The gazebo has been power washed. Dawn purchased the stain and staining will take place when weather allows.
- Paperwork was submitted to the County for the Beach program.

**Planning/ZBA – Bruce St. Lawrence**

- There was a lengthy meeting last evening. The Planning board is working closely with all applicants. One applicant has an extremely detailed new build. Access is at a significant steep slope. The resident has gotten access from a neighbor. Retaining walls will be needed. Septic is up hill. Large stone being hauled one at a time. Bruce explained the necessary requirements that must be met.
- Supervisor Dunton asked about ZBA zoning recommendations/changes regarding pole barns. Dawn Kane responded that the changes have been put on hold due to a large number of agenda items each month. ZBA will revisit the topic this fall.

**Historian/Heritage Group – Dan Robeson**

- Supervisor Dunton commented that Citizens Appreciation Day held August 4<sup>th</sup> went very well with a nice turn out.
- Seneca Heritage Day will be held Saturday, August 31<sup>st</sup> at Overackers Schoolhouse. Dr. Sally Roesch Wagner will present "Sisters in Spirit." The event is free to the public. The Ring of Fire will be held in the evening on the top of Bare Hill. Dan reported that the permit and certificate of insurance are in hand. The DEC is expected to inspect the site the day before.

**Water District**

- An audit by NYS will be held at the Town Hall on August 20<sup>th</sup> at 3:00 p.m. regarding dollars received by the Town a few years back to improve the water tower. Bruce St. Lawrence has done considerable work getting paperwork ready. He, along with Supervisor Dunton and Town Clerk Lynnette Miller will be present.

**Legislator's Report – Doug Paddock**

- There was a meeting today with Lieutenant Governor Kathy Hochul to announce the winners of the Downtown Revitalization Initiative. Penn Yan received a \$10,000,000 grant to renovate and upgrade 15 projects/buildings over the next couple years, encouraging people to move downtown.
- Yates County will sponsor a Household Hazardous Waste & E-Waste drop-off on September 21<sup>st</sup> at the highway barns in Benton. Details are on the Yates County website. Advance sign-up is required.
- The County Legislature's meeting on Monday will include a report by the Chamber of Commerce as well as information from STN who handles the dark fiber network. Yates County was one of two entities that applied for a grant to extend broadband services.

**Vine Valley Beach Improvement Project**

Supervisor Dunton commented on the meeting in August at the Vine Valley Beach regarding the fence. Bruce St. Lawrence reported that he put together a bid package that is due August 16<sup>th</sup>.

**Town Clerk – Lynnette Miller**

- Monthly Report given to Board Members
- Town newsletter was mailed in July. Extra copies are available.
- Governor Cuomo has announced free fishing (no license required) for NYS residents and visitors on Lake Ontario (including the lower Niagara River) and the St. Lawrence River. This is effective through Labor Day, September 2<sup>nd</sup> at 5:00 p.m. The purpose is to encourage tourism to the areas effected by flooding this past spring.
- A letter has been received from the Office of Consumer Services announcing Public Hearings regarding rate increased requested by NYSEG and RG&E. Copies of the letter and dates of public hearings are available in the Town Clerk's office.

**Supervisor's Report – Wayne Dunton**

- Each department head is being asked to submit their 2020 budget forecast by the end of August. Paperwork has been distributed.
- Board members were given copies of the Monthly Report. To date we are within budget.
- Regarding the Town water dispute with the Village of Rushville, Supervisor Dunton will meet with Deputy Mayor Holly Krossber on Saturday at 4:00 p.m. for further discussion.
- Supervisor Dunton explained that the On-Site Waste Water Law Resolution on the agenda this evening is a re-vote due to a misunderstanding at the time of the original vote in January 2019. Resolution 01-19 was a vote for the draft law, not the final law resulting in documentation not filed properly. Attorney Jeff Graff suggested that the process be redone from the start.
- Supervisor Dunton asked if there were further comments regarding the Public Hearing on the proposed local law Establishing the Residency Requirements for the Chairperson and Members of the Planning Board for the Town of Middlesex. The Public Hearing was closed at 7:45 p.m.

**Resolutions**

Resolution 42-19

**On-Site Waste Water Law**

On a motion by Councilman Gerbic, seconded by Councilman Grant, the following resolution was

ADOPTED      Ayes    5            Dunton, Bauer, Button, Gerbic, Grant  
                     Nays    0

Resolved to hold a Public Hearing for the On-Site Waste Water Law on Thursday, September 12, 2019.

Resolution 43-19

**Establishing Residency Requirements for the Chairperson and Members of the Planning Board**

At the recommendation of Supervisor Dunton and after a lengthy discussion, this resolution was tabled in order for the Planning Board to make changes to the proposed local law. Board members were in agreement. No motion needed.

Resolution 44-19

**Monthly Report/Line Item Transfers**

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

ADOPTED      Ayes    5            Dunton, Bauer, Button, Gerbic, Grant  
                     Nays    0

Resolved to accept the Monthly Report and Line Item Transfer to date for August 2019.

Resolution 45-19

**Audit of Claims**

On a motion by Councilman Gerbic, seconded by Councilman Grant, the following resolution was

ADOPTED      Ayes    5            Dunton, Bauer, Button, Gerbic, Grant  
                     Nays    0

Resolved that the bills contained in the August 2019 Abstract have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund	Vouchers No: 1206-1230	\$ 7,286.24
Highway Fund	Vouchers No: 2160-2177	\$15,138.19
Water District	Vouchers No: 3037-3040	\$ 884.82

With no further business, on a motion by Councilman Gerbic, seconded by Councilman Button, the meeting was adjourned at 8:05 p.m.

\*All in favor; none opposed – Motion carried.

Middlesex Town Board  
Regular Meeting  
2019-08-08