

Town of Middlesex  
Regular Meeting  
August 13, 2020

Present: Wayne Dunton, Supervisor  
Denise Adam, Councilwoman  
Leon Button, Councilman  
Peter Gerbic, Councilman

Absent: James Grant, Councilman  
Lynnette Miller, Clerk

Also Present: Todd Conaway, Highway Superintendent  
Patrick Grimaldi, Assessor  
Dawn Kane, Code Enforcement Office  
Dan Robeson, Historian/Heritage Group

Recording Secretary: Sabra Dunton, Bookkeeper/Reading Center Director

Supervisor Dunton called the meeting to order at 7:00 p.m. at the Town Hall, 1216 Route 245, Middlesex. Everyone in attendance wore face masks and social distanced, following recommended CDC guidelines during the COVID-19 pandemic.

#### **Approval of Minutes**

Supervisor Dunton requested a motion to approve the minutes from the July, 2020 meeting. A motion was made by Councilman Button, seconded by Councilman Gerbic.

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

#### **Assessor -Pat Grimaldi**

Notice has been received from the Governor's office that any NYS resident who is behind in paying taxes (last year's and the current year's) will have their STAR Exemption revoked.

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

- Clean-Up Day plans are in place and ready for this weekend, Saturday and Sunday from 8 a.m. – 5 p.m.
- The rented loader has worked out well. Highway Superintendent Conaway would like the Board's approval to purchase the loader. Further discussion will take place further down tonight's agenda under Resolutions.
- Highway Superintendent Conaway will get in touch with Town Clerk Lynnette Miller to place an ad in the paper for an additional heavy equipment operator. The vacancy left open in the fall of 2019 has not been filled. Todd would like this position filled before winter.

#### **Code Enforcement – Dawn Kane**

- Code Officer Kane has been working with residents on cleaning up their property in conjunction with Town Clean-Up Days. She is advising people on the steps that will be taken further if their property is not cleaned up and maintained.
- Code Office Kane has responded to several Pause Complaints through the Yates County Sheriff's Office. These are sensitive situations that she has never had to deal with in the past. She

assured the Board that she is taking an educational approach while working toward a solution with residents.

- Supervisor Dunton referred the Board to Code Officer Kane's monthly report showing permits issued.
- An informational sign provided by Yates County will be installed at the Vine Valley Beach this week regarding blue-green algae blooms.
- The Vine Valley Beach has been very busy this summer with few concerns raised considering the lack of swimming with no lifeguards. The septic tank has been pumped twice, indicating a high level of beach use and also considering dock use.

**Planning Board –**

- In Chairman Marty DeVinney's absence, Code Officer Dawn Kane reported that the Planning Board continues to work on amending the Town zoning laws, specifically defining pole barns for non-agriculture use. A copy of the proposed law was given to Board members. The proposed law will be posted on the website. Supervisor Dunton made a request to the Board that a date is set for a public hearing to take comments on the proposed law.

A motion was made by Councilman Button, seconded by Councilman Gerbic to hold a public hearing on the proposed law, "Amending the Town of Middlesex Zoning Law" regarding Pole Barn-Non-Agricultural Use.

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

- The camping unit definition/change to the zoning law is still being reviewed by the Town's attorney.

**ZBA –**

No report.

**Water District -**

No report.

**Historian/Heritage Group – Dan Robeson**

Seneca Heritage Day has been canceled this year as well as the Ring of Fire bonfire on Bare Hill.

**Legislator's Report – Doug Paddock**

- The County is authorizing the adoption of the Multi-Jurisdiction Mitigation Plan Update.
- Dan Long has sent the Town an agreement regarding the dock and boat launch. Supervisor Dunton commented that he has not seen that come through. Legislator Paddock will double-check. He is proposing that the Town's attorney will want to look it over.
- The County adopted a local law renewing the mortgage tax.
- The County is in the process of putting together a report due in September regarding how to configure with the new fiber USDA grant. The next step will be to determine service providers. The broadband grant is for five years, hoping to have everything done in three years.
- Legislator Pat Killen introduced himself to the Board as a District 1 Representative. Legislator Terry Button was also in attendance representing District II.
- A free rabies clinic will be held September 14<sup>th</sup> at the Town of Italy Highway Barn from 7-8 pm.

- Legislator Paddock asked for confirmation that the Town did not have lifeguards on duty this summer. Beach Supervisor Dawn Kane responded that there were no lifeguards because there were not enough applicants to fill the positions, which was a concern across the region.

**Public Comments –**  
None.

**Town Clerk –**  
The town clerk monthly report was given to the Board members.

**Supervisor’s Report – Wayne Dunton**

- The Board received a copy of the Water District Quarterly Report.
- The water dispute with the Village of Rushville is still ongoing. Leclair Korona Cole LLP, who represents the Town, would like to have another discussion. All Board members were in agreement.
- Bruce St. Lawrence reported on the proposal with Lu Engineers regarding South Lake Rd.
- The three acknowledgement forms given to employees must be returned to Wayne or Sabra as soon as possible. These are mandated forms by the State.
- Supervisor Dunton introduced Tonya Fox. Tonya and a partner, Melissa Talaria, are interested in leasing the Robeson Store. They presented the Board with a letter of interest. Supervisor Dunton explained that the notice will need to be posted in the newspaper to see if there is interest from others.
- The Supervisor’s Monthly Report was given to the Board. Supervisor Dunton commented that the highway budget is slim for the remainder of the year.

**Resolutions**

Resolution 29-20

**Yates County All Mitigation Update Plan**

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

ADOPTED	Ayes	4	Dunton, Adam, Button, Gerbic
	Nays	0	
	Absent	1	Grant

Resolved for the Town of Middlesex to adopt the Yates County All Mitigation Update Plan. This plan assists the Town to receive FEMA funds, if needed.

Resolution 30-20

**Lu Engineers Revised Proposal**

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

ADOPTED	Ayes	4	Dunton, Adam, Button, Gerbic
	Nays	0	
	Absent	1	Grant

Resolved to allow Supervisor Dunton to sign a revised proposal of the mapping of South Lake Rd. and bid package to pave 8/10 mile @ \$22.00/foot to included milling and relaying in the amount of \$18,600.

Resolution 31-20

**NYS Retention and Disposition Schedule of Records**

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

ADOPTED      Ayes    4            Dunton, Adam, Button, Gerbic  
                     Nays    0  
                     Absent 1       Grant

Resolved to adopt the updated NYS Retention and Disposition Schedule of Records. This schedule directs towns in the manner their records are to be kept, stored and retained for future reference.

Resolution 32-20

**Hyundai Wheel Loader Purchase from George & Swede**

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

ADOPTED      Ayes    4            Dunton, Adam, Button, Gerbic  
                     Nays    0  
                     Absent 1       Grant

Resolved for the Town of Middlesex to purchase a Hyundai Loader for \$115,00 plus additional implements for a total of \$121,986 from George & Swede. Additional warranty will be discussed at a later meeting.

Resolution 33-20

**Monthly Report/Budget Line Items Transfer**

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

ADOPTED      Ayes    4            Dunton, Adam, Button, Gerbic  
                     Nays    0  
                     Absent 1       Grant

Resolved to accept the Supervisor's Monthly Report and Budget Line Item Transfers to date for August 2020.

Resolution 34-20

**Audit of Claims**

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

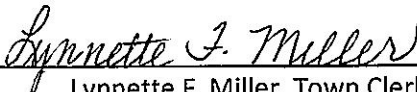
ADOPTED      Ayes    4            Dunton, Adam, Button, Gerbic  
                     Nays    0  
                     Absent 1       Grant

Resolved that the bills contained in the August 2020 Abstract have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund	Vouchers No: 1180-1210	\$ 7,928.39
Highway	Vouchers No: 2414-2439	\$39,507.33
Water District	Vouchers No: 3033-3037	\$22,385.30

Middlesex Town Board  
Regular Meeting  
2020-08-13

With no further business, on a motion by Councilman Button, seconded by Councilwoman Adam, the meeting was adjourned at 7:50 p.m.

  
\_\_\_\_\_  
Lynnette F. Miller, Town Clerk