

**Town of Middlesex
Regular Meeting
December 9, 2021**

Present: Wayne Dunton, Supervisor
Denise Adam, Councilwoman
Leon Button, Councilman (entered at 7:02 p.m.)
Peter Gerbic, Councilman

Absent: James Grant, Councilman

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

Recording Secretary: Lynnette Miller, Clerk

Call or Order

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 floor to a public hearing regarding proposed Local Law #3 for the Town of Middlesex for 2021, "Opting Out of Allowing Cannabis Dispensaries and On-Site Cannabis Consumption Sites in the Town of Middlesex That Would Otherwise Be Allowed Under Article 4 of the Cannabis Law." Supervisor Dunton commented that any member of the public may be heard at this time or anytime throughout tonight's meeting until the public hearing is closed. There were no questions or comments at this time.

Approval of Minutes

Supervisor Dunton requested a motion to approve the minutes from the November 11, 2021 regular meeting. A motion was made by Councilman Gerbic, seconded by Councilwoman Adam.

*All in favor; none opposed. Motion carried.

Assessor – Pat Grimaldi

- Forms will be mailed next week to low-income seniors and those with agriculture exemptions.

Highway – Todd Conaway

- The Town employees remain working on South Lake Rd. along the area of the bank collapse in the fall.
- The pipe-work has been completed along Haggerty Road.
- The 2013 Mack truck #5 is back in service after repairs that were reported at the November meeting. An invoice for the repair has not been received.
- Truck #8 is currently not being used since Superintendent Conaway is waiting for a chain to the sander that is on back order.

- The hole at the end of Bagley Rd. has been fixed.
- Supervisor Dunton asked about the invoice for socket sets that were purchased. Todd explained the need for them. Snap On Tools had a sale so it was a good time to get them with a lifetime guarantee.

Code Enforcement Office – Dawn Kane

- The Planning Board remains busy.
- ZBA has a couple upcoming cases.
- Lynn Lersch will be retiring at the end of the month as clerk for the Planning Board and ZBA. There has been one applicant interested in the position.
- There are four applicants in the pool applying for vacant positions on the Planning Board.

Historian/Heritage Group – Dan Robeson

- The group continues to meet on Wednesday mornings at 9:00 a.m. at the Town Hall.
- Heritage Group President Dave Charland has moved out of state and given up his office as president. Win Harper has agreed to fill the position. Dan expressed thanks to Dave for his leadership and service to the Heritage Group.
- Dan thanked Supervisor Dunton and the Town Board for providing the Town Hall as a meeting place for the Heritage Group as well as for the support given to the group. Supervisor Dunton responded that the Heritage Group performs an invaluable service for the Town of Middlesex and the Board appreciates all they do.

Library – No report

Legislator's Report – Tim Cutler

- The County's 2022 budget has been passed. The tax base has been flat so the tax levy is going down. Sales tax has increased significantly.
- The County has appointed Jeff Ayers as its new planner.
- Clerk to the Legislature Connie Hayes is retiring at the end of the year. Emilee Miller, who formerly worked in the Real Property Tax Service, is the new clerk of the Legislature.
- The broadband project is moving along. Construction is delayed yet still on target. Marion Walrath is overseeing the project.
- Regarding the Public Safety Communications Project, a new tower will be built on Italy Hill, Emerson Rd. Another will be built in the Town of Barrington and the Town of Jerusalem. Councilman Gerbic commented that this will greatly improve the County's public safety communications.
- The Legislature will meet on Monday. Items to be acted on include revisiting security and the local laws regarding weapons in County office buildings.
- A committee has been formed to plan for the County's Bicentennial in 2023.
- Supervisor Dunton stated that he will be attending the meeting tomorrow regarding the Inter-Municipal Water Study Grant at the Chamber of Commerce.

Public Comments

- Resident Nate Duffy introduced himself to the Board. He has applied to be a Planning Board member after attending several of their meetings. He interviewed with the Planning Board members and also wanted to express that interest to the Town Board.

Town Clerk – Lynnette Miller

- A copy of the town clerk's monthly report was given to the Board members.
- Clerk Miller informed the Board that two new computers were purchased from SCT Computers in Penn Yan. They will be delivered and installed on December 16th. One will be for the new bookkeeper/water clerk and the other will be for the town clerk.
- Councilman Elect Paul Mitchell asked who communicates with the Town's webmaster. Clerk Miller explained that several of the Town employees make requests for additions or changes to the website. Code Officer Kane makes contact with Barry Orlando regarding Code Enforcement, Planning Board and ZBA. The town clerk contacts Barry regarding Board minutes, public notices, the calendar and general updates. Justice Margaret Randolph handles notices for the Town Court.

Special Project – Bruce St. Lawrence

- GeoStabilization International began work this week at the bank/road collapse site on South Lake Road. Bruce gave a day-by-day outline of the project. The shoulder will be built out leaving room for a guiderail. Pavilion Drainage Supply will be contacted to place guiderail. In-the-mean-time and for safety concerns, reflectors and cones will be used. Supervisor Elect Dave Adam asked about the materials used for guiderails. Bruce responded that NYS DOT guidelines are being used. Supervisor Dunton explained that this was clearly an emergency situation that had to move forward as quickly as possible. The contract with GSI will be signed after the resolution is made later in tonight's meeting.
- Supervisor Dunton added that this emergency repair has led to identifying an additional critical area on the road that needs stabilization. After a brief discussion, Bruce St. Lawrence clarified that there will be some stabilization work done along with drainage in Phase II of the South Lake Rd. project.
- The Water System Improvement Project is moving forward. The federal dollars received through covid relief will be spent here. There was a meeting this week between Bill Williams, Alan Williams, MRB Group and Supervisor Dunton in order to discuss waterline/valve repairs on State Route 245 between Dudley Poultry and Gray Road. MRB is looking into available grant money. Councilman Button asked where the Town of Middlesex water district begins. Highway Supervisor Conaway responded that the line is in Grover's front yard near Rushville.

Supervisor's Report – Wayne Dunton

- Town Hall gutters & downspouts – Superintendent Conaway commented that this project is still on the list to be completed.
- At this time Supervisor Dunton asked if there are any comments on tonight's public hearing regarding the Cannabis Law. There were no questions or comments. On a motion by Councilwoman Adam, seconded by Councilman Button, Supervisor Dunton declared the public hearing closed at 7:41 p.m.
*All in favor; none opposed. Motion carried.
- Copies of the Village of Rushville/Town of Middlesex Water Rate Charge Evaluation Contract were given to Board members. Supervisor Dunton explained the contract and asked the Board to pass a resolution or table this item until the December 30, 2021 meeting. After a brief discussion, a resolution was passed. See Resolutions listed further.

- The Friendship House is making a request to place a propane tank on Town property, noting that the Town will not be liable for any damage. After a brief discussion, the Board agreed to allow the Friendship House to go ahead with the plan to place a propane tank in the area where the clothing drop-off shed is located. Supervisor Dunton will take care of a Letter of Agreement.
- The Year End Meeting has been set for Thursday, December 30, 2021 at 5:00 p.m.
- Board members were given copies of the Monthly Report and Line-Item Transfers. No questions or comments from the Board.

Resolutions

Resolution #63-21

GeoStabilization International Contract – Emergency Repair

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 and allow Supervisor Dunton to sign the contract with GeoStabilization International for emergency repairs to a collapsed area on South Lake Road.

Resolution #64-21

Village of Rushville/Town of Middlesex Water Rate Charge Evaluation Contract

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 and allow Supervisor Dunton to sign the Village of Rushville/Town of Middlesex Water Rate Charge Evaluation Contract.

Resolution #65-21

Cannabis Law Opt-Out

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 that the Board of the Town of Middlesex hereby adopts proposed Local Law #3 for the year 2021, Opting-Out of Allowing Cannabis Dispensaries and On-Site Cannabis Consumption Sites in the Town of Middlesex That Would Otherwise Be Allowed Under Article 4 of the Cannabis Law.”

Resolution #66-21

Legal Notice – Proposed Local Law #3 Subject to Public Referendum

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 approve the town clerk to post and publish a legal notice stating that the adoption of Local Law #3, to Opt-Out of the Cannabis Law, is subject to permissive referendum.

Resolution #67-21

Audit of Claims

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 that the bills contained in the December 2021 Abstract have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund	Vouchers No: 293-315	\$ 16,813.84
Highway Fund	Vouchers No: 221-242	\$102,045.51
Water District	Vouchers No: 53-56	\$ 3,101.20

Additional Business

- Councilman Gerbic expressed his gratitude for the years he has spent as a Town Board member. Clerk Miller thanked Councilman Gerbic for his dedicated years of service. Peter has given countless hours toward improving the Town of Middlesex. A round of applause was conveyed to honor Peter.

With no further business, on a motion by Councilman Gerbic, seconded by Councilman Button, the meeting was adjourned at 7:59 p.m.



Lynnette F. Miller, Town Clerk