

**Town of Middlesex  
Regular Meeting  
January 14, 2021**

Present: Wayne Dunton, Supervisor  
Denise Adam, Councilwoman  
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, Historian/Heritage Group

Recording Secretary: Lynnette Miller, Clerk

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

**Public Hearing**

Supervisor Dunton opened the floor to comments from the public on the revised definition of a pole barn, non-agriculture use, which amends the Town of Middlesex zoning law. He stated that the Public Hearing would remain open throughout tonight's meeting for questions and/or comments.

Resident Ted Carman asked if a pole barn can be built as a stand-alone structure on an open lot. Supervisor Dunton responded. Yes, that change was made to the definition.

**Approval of Minutes**

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

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

**Assessor – Patrick Grimaldi**

- Agriculture exemptions will be mailed this week.
- Senior exemptions and NYS requirement will be discussed later in tonight's meeting.
- Re-valuations are due this year. Assessor Grimaldi began driving throughout the Town in August. Some information will be gathered through aerial viewing. All to be completed by the beginning of March.
- Appointments will be taken for residents who want to go before the Board of Assessment Review.
- Home sales in the Town are on the rise, both in numbers and dollar amounts.

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

- Snow fence was put up this week.
- Superintendent Conaway has given the Yearly Maintenance Report to Supervisor Dunton. Copies will be distributed to the Board.
- Superintendent Conaway will plan to present specs for a new truck next month.
- The year-long vacancy in the Town highway department has been filled.

**Code Enforcement Office – Dawn Kane**

- The monthly report was given to Board members.
- December was quiet. Many projects wrapping up.
- The Planning Board has an extensive agenda for next week. The meeting will be held by Zoom with Board members present at the meeting and Chairman DeVinney virtual. The public is invited to Zoom. The link is on the Town website.
- There will be a ZBA Zoom meeting next week with the consultant regarding updating zoning laws.
- Bruce St. Lawrence has agreed to come back to the Board on a short-term basis to help with some of the large projects in the wings. Code Officer Kane expressed thanks to Bruce for his willingness to help out on the Planning Board.
- Councilman Gerbic made a request for letters to be sent to some residents regarding cleaning up their property. The suggestion is for letters to be signed by Board members. Dawn will check with the Town attorney regarding past allowances that were made.

**Planning Board –**

- Supervisor Dunton requested approval from the Board for Bruce St. Lawrence to join the Planning Board. By a show of hands, all in favor; none opposed.
- Supervisor Dunton also requested approval from the Board for David Adam to join the Planning Board. All were in favor; none opposed. A short discussion took place regarding David Adam's appointment to serve on both the Board of Assessment Review and the Planning Board. Assessor Patrick Grimaldi will check with the Town attorney on the matter.

**ZBA –**

- Supervisor Dunton reported that there has been no activity for the ZBA.
- Chairperson Arthur Radin will be stepping down. A replacement is needed. Supervisor Dunton expressed thanks for Arthur for his years of service to the Town.

**Water District – No report**

**Historian/Heritage Group – Dan Robeson**

- The Heritage Group continues to meet on Wednesday mornings at the Town Hall to work on their regular activities of keeping up-to-date on obituaries & local news of interest.
- Everyone is hopeful that the two main events in the Town sponsored by the Heritage Group will take place – Citizens Appreciation Day & Seneca Heritage Day.

**Legislator's Report – Ed Bronson**

- The 2020 County sales tax revenue surpassed its projection by over \$1 million.
- Sales tax taken in by the County is paid out in aid to municipalities and a new category of aid to distressed hospitals. This amounts to approximately \$250,000.
- The County Planning Board is in need of a representative from the Town of Middlesex.
- Governor Cuomo has issued a mandate for each County to hold law enforcement collaborative meetings to gather public opinion on the County Sheriff's office. Sheriff Spike and Legislative Chairman Paddock will hold two meetings, the first on January 19<sup>th</sup> from 6-8 p.m. and the second on January 27<sup>th</sup> from 3-5 p.m. Both will be held in the Legislative Chambers of the County Office Building, as well as on Zoom.
- Soon petitions will be passed for upcoming elections. In addition to local offices up for election, County positions will include district attorney, coroner, treasurer and legislators. There will be a Zoom training on February 10<sup>th</sup>.
- FLACRA is now offering mental health services in addition to their services for drug and alcohol abuse.

**Public Comments – none**

**Town Clerk – Lynnette Miller**

- The town clerk's monthly report was given to the Board.
- Town/County tax bills were mailed December 30<sup>th</sup>. Payments are coming in.
- Clerk Miller reported that she has yet to make contacts about upgrading the Town's computer system. She will reach out to some vendors once tax collection time slows.

**Supervisor's Report – Wayne Dunton**

- The lease agreement on the Robeson Vine Valley Store has been finalized. They are hoping to open in April.
- The Yates County Inter-Municipal Agreement regarding the Vine Valley Boat Launch Site & Dock project remains on hold. It is currently being reviewed by the Town attorney.
- Town Hall Rain Gutter/Down Spouts – Councilman Button has tried getting in touch with his contact, left voicemails but has not gotten a return call. Councilman Gerbic talked to Roto-Rooter. They can come to clean and run a camera through the down spouts. Supervisor Dunton asked Councilman Gerbic to get an estimate then the Board would decide. Peter will make the call.
- The Town of Italy speed reduction on Sunnyside Road, discussed last month, has been denied by Yates County DOT.
- Monthly Report – copies given to Board members.
- Supervisor Dunton and Bob Multer met with Village of Rushville Mayor David LeClair regarding the ongoing water dispute. The Village is requesting the Town of Middlesex pay the arrears amount. The Village has agreed to show that other entities were paying the increased amount. Supervisor Dunton has not heard back from the Town's attorney who is reviewing the matter. The Board is in agreement that the arrears payment is made to the Village of Rushville.

**At 7:33 p.m. Supervisor Dunton asked if there were further comments/questions about the definition of a pole barn. There were none. The Public Hearing was closed.**

Supervisor Dunton explained that there is paperwork (SEQR) that needs to be brought before the Board in order for the Town to proceed with revising the definition of a pole barn. Code Officer Kane gave copies to Board Members. She briefly explained the State Environmental Quality Review Act (SEQR) and why it needs to be completed. Officer Kane proceeded to read each item with explanation as needed. Board members showed understanding and gave approval when asked. Approval was given for Supervisor Dunton to sign the document.

**At 7:50 p.m. Councilman Grant left the meeting.**

### **Resolutions**

Supervisor Dunton made a request for the Board to consider the following resolutions:

#### **Resolution 01-21**

##### **Authorization to Assessor**

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

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

Resolved for the Town Assessor to request application if the applicant has a change in primary residence or ownership on their deed.

#### **Resolution 02-21**

##### **Assessment Update Authorization**

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 for the Town Board to support the Town Assessor in updating all assessments in the Town of Middlesex to 100% of fair value for the roll year 2021.

#### **Resolution 03-21**

##### **Standard Work Day**

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

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

Resolved to set the Town's Standard Work Day as 8:00 a.m. to 5:00 p.m., Monday through Friday.

Resolution 04-21

**Board Meeting Dates/Time**

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

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

Resolved to set the Town Board meetings as the 2<sup>nd</sup> Thursday of each month at 7:00 p.m.

Resolution 05-21

**Appoint Town Attorney**

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 appoint Jeffrey D. Graff, Esq. as Attorney for the Town.

Resolution 06-21

**Appoint Health Officer**

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 appoint Robert J. Ostrander, M.D. to the position of Town Health Officer.

Resolution 07-21

**Designate Bank**

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 to accept Community Bank as the designate bank for the Town.

Resolution 08-21

**Designate Newspaper**

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

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

Resolved to designate the Daily Messenger as the official Town newspaper.

Resolution 09-21

**Appoint Deputy Supervisor**

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 appoint Peter Gerbic to the position of Deputy Supervisor with the ability to sign payroll checks and accounts payable in the absence of Supervisor Dunton.

Resolution 10-21

**Voucher Payment Out of Abstract**

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

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

Resolved to approve the payment of vouchers out of the abstract prior to a Town Board meeting. This includes, but is not limited to, utilities, fuel, insurance, etc.

Resolution 11-21

**Appoint Deputy Highway Superintendent**

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	

Resolved to appoint Tim Soles as Deputy Highway Superintendent.

Resolution 12-21

**Line-Item Transfers**

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 Line-Item Transfers as reported to date for January 2021.

Resolution 13-21

**Audit of Claims**

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

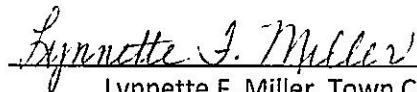
ADOPTED	Ayes	5	Dunton, Adam, Button, Grant, Gerbic
	Nays	0	
	Absent	1	Grant

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

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General Fund	Vouchers No: 1001-1032	\$14,890.59
Highway Fund	Vouchers No: 2001-2023	\$62,859.42
Water District	Vouchers No: 3002-3059	\$15,621.65
Trust & Agency	Vouchers No: 4001	\$ 5,363.41

With no further business, on a motion by Councilman Gerbic, seconded by Councilwoman Adam, the meeting was adjourned at 8:04 p.m.

  
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Lynnette F. Miller, Town Clerk