

**Town of Middlesex  
Regular Meeting  
November 14, 2019**

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

Also Present: 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, 1216 State Route 245, Middlesex.

**Public Hearing(s)**

Supervisor Dunton explained that there are two public hearings on the agenda this evening. Both are open for public comment at this time.

*Community Development Block Grant (CDBG)*

Supervisor Dunton presented an explanation of the grant and asked if there were any questions or comments from the floor. There were none.

*Proposed Local Law, "Changing Residency Requirements for Members of the Planning Board and Zoning Board of Appeals"*

Supervisor Dunton introduced the proposed law and asked for questions or comments from the floor. He requested those in attendance who wished to speak to state their name and address. The following residents spoke to the Board; Dave Moynihan, Ted Carman, Linda Shieve, Scott Naramore, Susan Carman, Ed Nemitz, Joe Gray, Leigh Williams, Paul Mitchell, Bob Multer, Wally Robarge, Deborah Bronson, Ed Bronson, Ben Carpenter, Win Harper, Gordon Stringer & Dan Robeson. All comments were opposed to the adoption of this local law.

**Approval of Minutes**

Supervisor Dunton requested a motion to accept the October 10, 2019 minutes as written, A motion was made by Councilman Gerbic, seconded by Councilman Button.

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

**Assessor – Pat Grimaldi**

- The file has been sent to the County for the January 2020 Town/County tax bills.
- Assessor Grimaldi informed the Board that Patricia Stringer is up for reappointment to the Board of Assessment Review to serve a term of 10/01/2019-9/30/2024. Supervisor Dunton asked for Board approval. No motion needed. The town clerk will notify the Real Property Tax Office at the County.

\*All in favor; none opposed.

**Highway/Buildings/Grounds -**

Supervisor Dunton reported in the absence of Highway Superintendent Todd Conaway.

- One truck is out of service and being repaired at the County.
- Preparations are underway for salting and snowplowing season.
- Residents Linda Shieve and Tom Hansen commented on the condition of South Lake Rd. and asked about the Town's plans for repairs. Bruce St. Lawrence, project manager for the Town, commented on the need to update the 2007 long range plan for South Lake Rd.

**Code Enforcement – Dawn Kane**

- The monthly report was given to the Board members.
- The Planning Board facilitated five applications this month. The ZBA had two applications.
- The clean up was done on East Lake Road at the site of a failed septic.
- Ferrell Gas has been approved for a distribution center to be installed on Route 364.
- Inspections at the Solar Farm will be completed on Wednesday.
- Clean up is underway at the old Document Reprocessing building.
- An Article 78 was heard in Yates County this past week, will move to trial in January.

**Planning/ZBA**

ZBA Board Member Edward Carman reported in Chairperson Marty De Vinney's absence.

- The ZBA had two applications to review at the last meeting.
- There are two vacancies currently on the Planning Board. Supervisor Dunton presented two names to the Board. After discussion and comments, the Board agreed to hold off on voting. No appointments made. No motion made.  
\*All in favor; none, opposed.

**Historian/Heritage Group – Dan Robeson**

- The Heritage Group continues to support the NYS Path Through History program.
- Citizen Appreciation program in 2019 was a huge success.
- Seneca Heritage Day in September was also well attended.
- The history group is working on cataloging.
- The group's finances are good.
- Volunteers are always needed.
- The next newsletter will be out before Christmas.

**Water District – Alan Williams**

No report

**Legislator's Report – Doug Paddock**

- The County tax levy is up ½%, the tax rate will go down about \$.24/\$1000.
- Positions are being added to the district attorney's office.
- There will be a public hearing on sustainable energy for commercial buildings.
- The County has a contract with the Town of Middlesex to replace the Williams Street Bridge, which will start in the spring.
- Regarding the Fiber Optic grant, the County had a request for clarification. Only two entities applied.
- According to the new bail reform, as of January 1<sup>st</sup>, 16 Yates County prisoners will be released.
- Newly elected officials will be sworn in by Judge Cook at the Yates County Court House on December 30, 2019.

**Open Discussion**

No comments.

**Vine Valley Beach Improvement Project –**

Dawn Kane reported that the bathrooms are closed. The docks and swim lines are coming out with coordination from the County.

**Town Clerk – Lynnette Miller**

Copies of the town clerk monthly report were given to the Board.

**Supervisor's Report – Wayne Dunton**

- Supervisor Dunton thanked Bruce St. Lawrence for the work he did preparing for and meeting with the State auditor for the Community Development Block Grant (CDBG) held a few weeks ago.

*At 8:08 p.m. Supervisor Dunton asked if there were any further comments or questions regarding the public hearings; one on the CDBG grant, the other on the Proposed Local Law, "Changing Residency Requirements for Members of the Planning Board and Zoning Board of Appeals." No questions or comments. Supervisor Dunton declared the public hearings closed.*

- Resident Bill Williams will attend a workshop on November 15, 2019 in Batavia regarding grants for water distribution repair/replacement.
- The Yates County Public Officials workshop (EMC&T) was held October 24, 2019 from 5:30-8:30 p.m. Highway Superintendent Conaway attended.
- A public hearing on the proposed 2020 Town Budget was held October 30, 2019 at 6:00 p.m. at the Town Hall.
- The Board was given copies of the monthly report.

**Resolutions**

Resolution 58-19

**Proposed Local Law, "Changing Residency Requirements for Members of the Planning & Zoning Board of Appeals for the Town of Middlesex."**

Supervisor Dunton requested a roll call to vote on the proposed Local Law. No motion made. The resolution was not adopted.

\*All opposed; none in favor – Dunton, Bauer, Button, Gerbic, Grant

Resolution 59-19

**Yates County 2020 Snow & Ice Agreement**

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

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

                  Nays    0

Resolved to accept and allow Supervisor Dunton to sign the 2020 Snow & Ice Agreement with Yates County.

Resolution 60-19

**2019 Proposed Town Budget**

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

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

                  Nays    0

Resolved to adopt the 2020 Town of Middlesex Budget as proposed.

Resolution 61-19

**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 Transfers to date for November 2019.

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Resolution 62-19

**Audit of Claims**

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

General Fund	Vouchers No: 1293-1326	\$11,699.98
Highway Fund	Vouchers No: 2223-2250	\$30,342.93
Water District	Vouchers No: 3050-3054	\$ 5,399.71

With no further business, on a motion by Councilman Button, seconded by Councilman Gerbic, the meeting was adjourned at 8:13 p.m.

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Lynnette F. Miller, Town Clerk