

**Town of Middlesex
Regular Meeting
September 10, 2020**

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

Recording Secretary: Lynnette Miller, Clerk

Supervisor Dunton opened the meeting 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 Public Hearing regarding adoption of a Local Law of the Town of Middlesex entitled, "A Local Law Amending the Town of Middlesex Zoning Law." This Local Law would amend the Town's Zoning Law by adding a new definition of "Pole Barn – Non-Agricultural Use." The public may be heard at this time or any time throughout tonight's meeting until the closing of the Public Hearing.

Guest Speaker

Resident Dan Paddock introduced Boy Scout Zach Jones who presented a proposal to the Board for improvements to the Pine Corners Cemetery on Gray Road that would complete his Eagle Scout Project. Details in his handout include installing a 20 ft. telescopic flagpole, roadside clean-up, and installation of a ramp to replace the current steps. The sign currently there will remain the same. Funds have been raised by Zach and there will be no dollars needed from the Town. Councilman Gerbic expressed concern about weed killer and requested that Zach use as little as possible. Zach answered questions regarding material to be used for the ramp. Once Zach receives the OK from the Town, he will present his plans to the Boy Scout Council. Supervisor Dunton thanked Zach for his research and for his willingness to improve the Pine Corners Cemetery. All Board members present were in favor of Zach proceeding with his plan.

Approval of Minutes

Supervisor Dunton requested a motion to approved the minutes from the August, 2020 meeting. A motion was made by Councilman Button, seconded by Councilwoman Adam.

*All in favor; none opposed. Motion carried.

Assessments – Pat Grimaldi

- School taxes were mailed at the beginning of September through the school.
- The STAR exemption is being handled by NYS.

Highway/Buildings/Grounds – Todd Conaway

- The new loader has been put to use this month.
- The guys have been keeping busy doing road shoulder work and patching.
- The crosswalk in town will be painted the weekend of September 21st.
- Clean Up Days went well. There were three extra dumpsters ordered. Dumpsters have not been charged yet. It was a very busy day/weekend.

Code Enforcement

- The Finger Lakes Land Trust has completed their purchase on North Vine Valley Rd., connecting the land to the NYS Bare Hill Unique Area.
- An insurance services audit was completed of the Code Office this month for the period 2019. This happens every 4 years as a review of processes. The report is pending. Code Officer Kane will update the Board when the report is received.

Planning Board

Code Officer Kane reported in Chairperson Marty De Vinney's absence that the Planning Board is looking for new members. There is one interested person, however, there are still vacancies to be filled. Chairperson De Vinney is the contact person.

Zoning Board

No report. No activity during the pandemic.

Water District

No report.

Historian/Heritage Group – Dan Robeson

All major programs were cancelled this year due to the pandemic. The Heritage Group continues to meet on Wednesday mornings at the Town Hall with masks and social distancing while responding to inquiries from citizens. We recently answered 18 emails, continue to keep up with local news and obituaries. The group's newsletter will be mailed about October 1st. Donations are always welcome.

Legislator's Report – Tim Cutler

- The Williams Street bridge will be open next month. Construction has been coming along.
- The County budget still has uncertainty.
- County sales tax is holding at the same as last year. It seems to have come back well even during the pandemic.
- The newly appointed County Highway Superintendent is Craig Prior.
- The County is working on completing a contract to provide a GIS system. Citizens will be able to get live data through their personal devices regarding real property.

- The County is moving along on the broadband grant. The engineering portion is expected to begin soon. The scope of the grant is to bring broadband to unserved and underserved residents of Yates County.
- In preparation for the Presidential election the Board of Elections met with the County Legislature. They report that they are gearing up for a large number of absentee balloting. Challenges will be many.

Public Comments

- Resident Tom Hansen asked the Board if it is possible to construct a pole barn without a structure (residence) already in place on a property. There was also a question regarding a pole barn being built on a separate adjacent parcel. Code Officer Kane responded that the pole barn structure is meant to be an accessory and uninhabitable. Resident Ted Carmen commented that the Town is struggling to enforce what is currently in place and he feels adding more regulation is not needed. Code Officer Kane explained that this is not a new regulation, but clarification of a definition. Code Officer Kane recommended that this go back to the Planning Board for clarification adding that the earlier points are valid and further discussion needs to take place.
- Resident Tom Hansen asked for clarification of where public hearing notices are posted. Clerk Miller responded that notices are placed in the Daily Messenger, on the Town website, inside the building and outside the building on bulletin boards. Posting for tonight's public hearing was completed August 22, 2020.
- Tonya Fox submitted a letter of intent to lease the Robeson Store. The ad ran for 2 weeks. There have been no other letters of interest. Supervisor Dunton explained to Mrs. Fox that the Board is not prepared this evening to make a formal decision regarding the store lease. The Board members will be given a copy of the lease agreement and further discussion will take place before the next meeting.
- Leigh Williams asked about the Waste Water Law. Supervisor Dunton explained that it was put on hold. It is still in the background. Some questions and concerns need to be referred to the Planning Board for a work session.
- Gordon Stringer gave an update on the Vine Valley Community House. There were a couple mishaps that have required repair to building – a vehicle hit the south wall several weeks ago and during a storm a tree fell on the west side of the building. Currently the deck is being power washed and re-stained. There are plans to re-pave the parking lot, install a new floor and install air conditioning. Local contractor Don Miller is building new kitchen cabinets and there will be some landscaping done on the west side of the building where the tree came down. Gordon thanked Code Officer Kane for her help in getting the permits. He asked everyone to watch for an announcement in the spring to celebrate the opening of the refurbished Community House. Code Officer Kane thanked Gordon for his efforts in getting all this accomplished.

Town Clerk Report – Lynnette Miller

- The town clerk's monthly report was given to the Board.
- This month ads were placed in the Daily Messenger and on the Town website to hire a heavy equipment operator as well as the Robeson Store lease. Individuals responding to the employment ad are asked to respond to the Yates County Personnel Office.
- Clerk Miller suggested that at some point the Town should consider doing another dog census. There was a brief discussion. The topic will be considered at a later date.

Supervisor' Report – Wayne Dunton

- South Lake Road – Bruce St. Lawrence reported that this morning he, Highway Superintendent Conaway and Scott Prior met at the Community House and walked to the north side of Diane Harris' property on South Lake Road. The purpose was to identify and mark with paint the area recommended for deep road repair. A shorter distance, if proposed, would end at the Krautwurst property (1/2 mile). They also examined culverts for repair. They looked at road width – more than 16 ft. wide at some points yet trying to maintain that width the entire area of repair. It is hoped that a bid package can go out late in 2020 so that a contractor can be named to start in the spring. In addition, the Town's highway department can do preparatory work. Kevin Olvaney of the Canandaigua Lake Watershed has identified some funding sources. Lu Engineers will pursue funding. It has been recommended that the Town consider a fee structure for the large trucks that are traveling on South Lake Road in order for this recommended repair to hold up. The project will basically run on time and materials in phases. When the dollars are gone, the work would stop. Rick Dollinger thanked the Board for addressing the South Lake Road issues. He appreciates that the Town is looking at repair to the shoulders. He asked about the next phase and when would that begin? Bruce commented that this is budget driven, however, the Town is going to try to complete some each year. Lu Engineers has offered to help the Town with sources of funding. More discussion needs to take place. Tom Hansen commented it would be nice to have the whole road redone in three years. Does any of this consider guardrails? Supervisor Dunton explained that will all come out in the engineer's report.
- Supervisor Dunton explained that Kevin M. O'Neill Esq/Lippman O'Connor are representing the Town regarding the Dan O'Brien/Elli's South Lake Rd. property lawsuit. Code Officer Kane gave further explanation. A court conference was held on August 20th looking for remediation. Bruce St. Lawrence also commented.
- The first draft of the budget was given to the Board members. Supervisor Dunton gave explanation and asked the Board to review it carefully. A work session will be held.

Resolutions

Resolution 35-20

Yates County Highway 2020-21 Snow & Ice Control Agreement

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 Yates County Highway 2020-21 Snow and Ice Control Agreement.

Resolution 36-20

Yates County Inter-Municipal Agreement – Vine Valley Beach Boat Launch Site & Dock Project

Dawn Kane discussed liability. After a lengthy discussion the resolution was tabled until October so Jeff Graff can review the agreement.

Resolution 37-20

Public Hearing – Tax Cap Override

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 approve a Public Hearing to Override the Tax Levy Limit on October 8, 2020 at 7:00 p.m. at the Town Hall, 1216 Route 245, Middlesex.

Resolution 38-20

Line Item Transfers

None

Resolution 39-20

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 September 2020 Abstract have been reviewed by the Town Board and are authorized for payment in the following amounts.

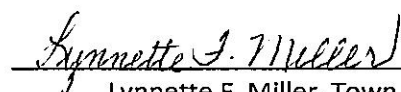
General Fund	Vouchers No: 1211-1234	\$ 9,123.97
Highway	Vouchers No: 2440-2454	\$138,570.77
Water District	Vouchers No: 3038-3042	\$ 2,493.50

Close Public Hearing

At 8:16 p.m. Supervisor Dunton asked for a motion to close the Public Hearing. On a motion by Councilman Button, seconded by Councilman Gerbic the Public Hearing.

*All in favor; none opposed – Motion carried.

With no further business, on a motion by Councilman Gerbic, seconded by Councilman Button, the meeting was adjourned at 8:18 p.m.



Lynnette F. Miller, Town Clerk