

**Town of Middlesex
Regular Meeting
September 8, 2022**

Present: David Adam, Supervisor
Leon Button, Councilman
Austin Liddiard, Councilman
Paul Mitchell, Councilman

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

Absent: Patrick Grimaldi, Assessor

Recording Secretary: Lynnette Miller, Clerk

Call to Order/Pledge

Supervisor Adam called the meeting to order at 7:00 p.m. at the Town Hall, 1216 State Route 245, Middlesex. He led the Pledge of Allegiance.

Public Comments

Supervisor Adam opened the floor to public comments. There were none. The time for public comments was closed.

Approval of Minutes

Supervisor Adam informed the Board that due to technical issue with the clerk's laptop, the minutes from the August meeting will be presented at the October meeting.

Assessor – No report.

Supervisor Adam announced that Assessor Grimaldi would not be present this evening due to a conflict.

Library – no report

Highway/Buildings/Grounds – Todd Conaway

- Clean Up Days went well. There was a brief discussion about some questionable items that were brought in. The Board will take this into consideration for next year. Resident Dan Paddock made a request for the hours for next years' Clean Up Days be extended to 3:00 on Sunday.
- Highway Superintendent Conaway expressed that the Town needs to hire another highway employee before the end of the year or not sign the NYS contract. A discussion ensued that included the lack of applicants the last time a position was advertised and the extensive training required for a CDL license. Councilman Mitchell asked if the per diem contract was still in place and the possibility of hiring someone seasonally. Supervisor Adam suggested that he and Todd find a time next week to discuss the details.

- Superintendent Conaway is hopeful that within the next couple weeks Yates County will help the Town complete the shoulders on the three roads that were resurfaced recently. Millings from YC will be used until gone, then gravel.
- Councilman Mitchell asked for an update on the Friendship House water/swale issue. Supervisor Adam added that he met with Pat Stringer. Pat said there is a plan in place that they are working toward.
- Superintendent Conaway informed the Board that Village of Rushville Water Superintendent Art Rilands and Town employee Ed Snyder went to look at a used trench box that appears to be good condition. The Town will split the cost with the Village of Rushville. A trailer will eventually be needed, but not necessary initially.
A motion was made by Councilman Liddiard, seconded by Councilman Button to purchase the used trench box.
*All in favor; none opposed. Motion carried.
- Two of the Town trucks are currently down and waiting for parts; one has a new seat on order, the other needs a new gear pump.
- No word on the status of the new truck that is on order.
- Supervisor Adam asked Superintendent Conaway about CHIPS dollars which are expected to be \$181,000 spent on the 3 roads just resurfaced. He confirmed.
- As soon as the weather allows, grader work will be done.

Presentations – none

Code Enforcement Office – Dawn Kane

- Library - Code Officer Kane reported that remediation was completed to remove mold/mildew in the Town library. Dawn explained the process. The final inspection by the assessment company is scheduled. The library Board of Trustees have been meeting monthly. Training will be given to the library staff by the Southern Tier Library System. Charter paperwork will be filed with NYS by the end of 2022. Sabra Dunton has resigned her position on the Board of Trustees to become the library assistant director. The library is its' own entity, handled similarly to the association between the Town and the fire department. Quarterly reports will be provided to the Town Board.
- Vine Valley Beach – The beach is closed. Dawn reported that the lifeguards that worked this year did a fine job. She has drafted a letter complementing the five lifeguards and she would like the Town Councilmen to sign the letter. The dock will remain in the water through the fall. ACS will take care of the removal. There has been damage to the dock where someone ran into it with a boat. Dawn also reported that the septic tank at the beach is full. When Warners came to empty the tank they found that the bolts were stripped. Dawn expressed concern that the lid needs to be secured properly. The bathrooms will remain locked until the tank is pumped. Supervisor Adam said that he and Water Superintendent Alan Williams will take care of securing the lid.
- Code Office – Code Officer Kane reported that there have been 6 new builds in Vine Valley; 1 behind the store and 5 down South Lake Road so her office has been busy. Property clean up letters will go out in the next few weeks. Code Office Kane reported on the first round of clean up letters. Two of the sites will receive visits. If there is no change, they will be turned over to the authorities. Regarding the On-Site Waste Water Law, Code Officer Kane and Canandaigua Lake Watershed Inspector Tyler Ohler, have been working on a failed septic review. A Notice of

Violation was given. The homeowners have been cooperating. Councilman Mitchell asked about some of the permit applications. Dawn responded.

- Code Officer Kane contacted Glovers Masonry regarding brick/mortar repair at the Town Hall. She anticipates having a quote for the next meeting.
- Code Officer Kane requested support from the Board regarding rocks that have been placed by a homeowner on South Lake Road at Whiskey Point. The rocks have been placed on both sides of the road. On the first bend, the placement seems to be in the right-of-way. Highway Superintendent Conaway agreed. Dawn will call the homeowner as well as send a letter. If the rocks cannot be moved back, they need to be removed. Bruce St. Lawrence commented that the set-back needs to be 6 feet off the shoulder of the road.
- Code Office Kane reported that she has been informed by the NYS Department of Health that the Rochester Folk Art Guild has applied and been approved for a non-community water supply grant as part of their marketing for public events. She will keep the Board updated as the process moves forward.
- Resident Dan Paddock asked Code Officer Kane about non-registered, non-trailer boats in the Town. Code Officer Kane explained there is little recourse for businesses. This is a delicate topic. After a brief discussion, Dawn added that the Planning Board will be setting criteria and making recommendations. As Code Officer, Dawn stated that she will continue to work with all businesses and homeowners regarding the maintenance of their property.
- Bruce St. Lawrence asked about the status of the propane storage facility that had been discussed many months ago for State Route 364. Code Office Kane responded that the plans fell through.

Planning Board –

- Code Officer Kane reported. The Planning Board has 5 applications to review in September. The Planning Board is back up and working with a 4-member board. Attorneys Rob Brenner and Tom Palumbo remain advising the Board.

Zoning Board –

- Code Officer Kane reported that there are 2 applications on the agenda this month for ZBA. She also reported that there is an Administrative Review filed against herself regarding the Uniform Dock and Mooring Law. Dawn explained.

Water District –

- Supervisor Adam reported that Water Superintendent Alan Williams submitted a letter to the Board requesting approval to sell (5) Eddy Lower Hydrant stems with left-hand threads as surplus equipment. They had been ordered two years ago as right-hand threads, however, mistakenly the company shipped left-handed threads. The company will not take them back. *See resolutions below.
- Supervisor Adam informed the Board that the latest water test came back with a reading over the recommended allowance. The Town recently spent money on an additional flushing machine and batteries. Water Superintendent Williams feels confident that this is not an issue. The August reading is typically high. The Town will send a letter out to all water district residents informing them of the situation.

Historian/Heritage Group – Dan Robeson

- The Heritage Group received the mural of the round brick schoolhouse in Potter that has been out for refurbishing. It was delivered to the Potter Town Hall, where it will hang, although the Middlesex Heritage Group is the owner.
- Seneca Heritage Day was a great success. There were approximately 100 people in attendance. Donations were made by the East Lake Road Association. Dan mentioned a special thank you to everyone who contributed to the day.

Legislator's Report – Tim Cutler

- Yates County Sheriff's week has been designated as September 18-14, 2022.
- Work is being done on construction of the new public safety towers in the county. Modifications may be needed to the tower in the Town of Middlesex on South Hill. The County will be contacting the Town if necessary.
- Yates County will be raising the veterans' exemption. The information will need to be submitted by March 1, 2022. The County is also looking to increase the exemption for seniors that would take effect in 2024.
- The engineering is moving forward for construction of a new County highway barn.
- Ed Bronson will act as County Chair of the Legislature for a few weeks.
- Construction of the trunks for the Broadband Project is set to begin. Supervisor Adam added that the utility building scheduled to be built on Water Street, Middlesex will be moved slightly to keep it out of the flood plain.

Town Clerk – Lynnette Miller

- The Board was given the town clerk's monthly report.

Supervisor's Report – David Adam

- Budget Workshop – Supervisor Adam asked if the Board could meet at 6:00 p.m. on September 22, 2022 to further discuss the formulation of the 2023 Town Budget. All agreed. Clerk Miller will post.
- Special Project – Bruce St. Lawrence reported on Phase 2 of the South Lake Road project as recommended by Lu Engineers. The plan is similar to Phase 1. The initial work will include drainage with road work to follow. Bruce reported that there are a couple additional issues that need to be addressed. The first is a retaining wall that was identified in 2008 as being needed at the south end of South Lake Road. This is a major liability for the Town. The Town was hopeful that FEMA money would cover the cost of this repair. FEMA dollars do not appear to be coming through. Geo Stabilization sent a revised proposal with an increased price. The Town can consider alternatives. Kevin Olvany has been contacted in that regard. Another alternative is to consider taking CHIPS money that has been allocated for Phase 2 and move it to this project. Bruce also reported that the road continues to fracture. Spring is the likely time-frame for this work to be done. There was a detailed lengthy discussion. There are a couple areas of concern within Phase 2 that also need to be addressed. Supervisor Adam suggested a meeting between Kevin Olvany, the engineers and the Town to look into alternative ideas. Bruce will arrange a meeting.

Resolutions

Resolution #39-22

Audit of Claims

On a motion by Councilman Liddiard, seconded by Councilman Mitchell, the following resolution was

ADOPTED Ayes 4 Adam, Button, Liddiard, Mitchell
 Nays 0

RESOLVED that the invoices contained in the September 2022 Abstract have been reviewed by the Town Board and are authorized for payment in the following amounts.

General Fund	Vouchers #175-204	\$ 18,473.26
Highway Fund	Vouchers #133-147	\$ 86,537.40
Water District	Vouchers # 33-39	\$ 14,212.57
Library Fund	Vouchers # 13	\$ 200.73

Resolution #40-22

Line-Item Transfer

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

ADOPTED Ayes 4 Adam, Button, Liddiard, Mitchell
 Nays 0

RESOLVED to approve the line-item transfers for the month of September 2022.

Resolution #41-22

Public Hearing – Tax Cap Override

On a motion by Councilman Mitchell, seconded by Councilman Liddiard, the following resolution was

ADOPTED Ayes 4 Adam, Button, Liddiard, Mitchell
 Nays 0

RESOLVED to approve a Public Hearing to Override the Tax Levy Limit for the 2023 Town Budget on October 13, 2022 at 7:00 p.m. at the Town Hall, 1216 Route 245, Middlesex.

Resolution #42-22

Eddy Lower Hydrant Stems (5) – Declare as Surplus

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

ADOPTED Ayes 4 Adam, Button, Liddiard, Mitchell
 Nays 0

RESOLVED to declare (5) Eddy Lower Hydrant Stems as surplus equipment to be sold online by Water Superintendent Alan Williams.

Resolution #43-22

Town of Middlesex Designate as Lead Agency for MRB Water System Project

On a motion by Councilman Liddiard, seconded by Councilman Mitchell, the following resolution was

ADOPTED Ayes 4 Adam, Button, Liddiard, Mitchell
 Nays 0

RESOLVED to name the Town of Middlesex as the lead agency for the Water System Project conducted by MRB Group.

Resolution #44-22

MRB Environmental Study for Water System Project

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

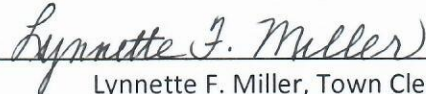
ADOPTED Ayes 4 Adam, Button, Liddiard, Mitchell
 Nays 0

RESOLVED to accept the environmental study conducted by MRB Group for the Water System Project.

Public Comments – none

Adjourn

With no further business, on a motion by Councilman Button, seconded by Councilman Liddiard, the regular meeting of the Town Board of the Town of Middlesex was adjourned at 8:39 p.m.



Lynnette F. Miller, Town Clerk