

**Town of Middlesex
Regular Meeting
February 9, 2023**

Present: David Adam, Supervisor
Stephanie Betts, Council Member
Leon Button, Council Member
Austin Liddiard, Council Member
Paul Mitchell, Council Member

Also Present: Dawn Kane, Code Enforcement Officer
Dan Robeson, Historian/Heritage Group
Tim Soles, Highway Superintendent

Absent: Patrick Grimaldi, Assessor
Alan Williams, Water Superintendent

Pledge/Call to Order

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 – none

Public Hearing – Alternative Veteran’s Exemption

Supervisor Adam opened the floor to a public hearing regarding proposed Local Law #1 of 2023 for the Town of Middlesex, “Increasing the Alternative Veteran’s Tax Exemption from Real Property Taxation,” pursuant to Real Property Tax Law Section 458-a. The exemptions from real property taxes for veterans provided by paragraphs (a), (b) and (c) of subdivision 2 of Section 458-a of such law are hereby changed to twenty-four thousand (\$24,000), sixteen thousand (\$16,000), and eighty thousand dollars (\$80,000), respectively. The proposed exemption would not be available until the 2024 tax year (2023 assessment roll). Supervisor Adam commented that any member of the public may be heard at this time or anytime throughout tonight’s meeting on this topic.

Resident Dan Robeson commented that he is in favor of the Town adopting this local law.

Supervisor’s Comment

Supervisor Adam reported that Community Bank will be closing the Rushville branch in April. This will be a hardship for residents, businesses, the school district and municipalities in our area. Village of Rushville Mayor David LeClair is spearheading a group to keep the bank open. There are letters being written and petitions located at local businesses. Mayor LeClair will be delivering this information in person to Community Bank Senior Vice President Hal Wentworth. Supervisor Adam and Mayor LeClair were interviewed by a reporter for the Daily Messenger. The article appeared earlier this week.

Approval of Minutes

Supervisor Adam requested a motion to approve the minutes from the January 12, 2023 meeting. There were no additions or corrections. A motion was made by Council Member Button, seconded by Council Member Liddiard.

All in favor; none opposed. Motion carried.

Assessments – no report

Highway/Buildings/Grounds – Tim Soles

- Superintendent Soles reported that as of January 1, 2023 the Williamson Law Book (WLB) software is being used to track information on each truck in a maintenance log. The log is a report of work hours, labor, parts, maintenance with a description and costs associated with each vehicle. The Board was provided with a sample copy of the report. Council Member Liddiard asked if each driver is responsible for reporting. Tim responded, yes, and that he inputs the information into the computer. There was a brief discussion.
- The new 10-wheeler is at Wilbri, Inc. in Avoca. The box and plow are being installed, likely to be a couple months before it's finished.
- The smaller truck has been ordered. The approximate date for the chassis is July. There is no date set for the box.
- Due to more icy conditions this year there has been an increase in the amount of salt used on the roads.

Code Enforcement – Dawn Kane

- Code Officer Kane reported on one new house being built up near the corner of Wolfanger Road and South Hill Road.
- Planning Board – Dawn reported that the Planning Board's main order of business has been the application for a cell tower proposed for Townline Road. The PB is in the second review. They have been deemed the lead agency. A full SEQR review will take place regarding the environmental impact. The application also went to the Zoning Board of Appeals and will go to them a second time. Dawn presented the Board with a document that gives clarification on some concerns expressed. Resident Josh Rossi submitted a petition to deny. This will now proceed to the Yates County Planning Board this month. Dawn referred to the Town's protected vistas. Town Attorney Jeff Graff will attend the meeting and represent the Town. ZBA will make the final decision. The public utility overrules the Town zoning regulations. Dawn showed the board a map. She explained the location. There will be no lights, only lights at the bottom. No chain link fence, only a wooden fence. Dawn said the applicants seem sensitive to the concerns of the public. Several residents have been in attendance at the meetings. The decision timeframe is March or April.
- Code Officer Kane has been working with other code officers around Canandaigua Lake to update the Uniform Docking and Mooring Law. The purpose is to set standards of navigational access to the lake. Dawn will keep the Board informed.
- Supervisor Adam announced that Sarah Parshall has resigned as clerk for the Planning Board and Zoning Board of Appeals effective immediately in order to return to her profession.
- Code Officer Kane referred to Resident Ted Carman who attended last month's Town Board meeting and commented on the number of properties in the Town that need clean up. Dawn met with Council Member Austin Liddiard prior to tonight's meeting. A spring clean-up was one idea that was discussed – perhaps one day in the spring and one day at the end of the summer. Supervisor Adam budgeted more in the 2023 for Clean Up Days. There was a discussion. Highway Superintendent Soles commented that Sunnking no longer charges to take electronics. Dawn commented that education is important. Resident Ted Carman commented that the Town's efforts help keep items out of the gullies and streams. Codes Officer Kane explained the process currently used. Council Member Liddiard suggested getting some facts and figures

together and having a discussion at the next board meeting. Supervisor Adam asked Superintendent Soles to get in touch with dumpster companies for May. Superintendent Soles also mentioned the details of getting a DEC one-day transfer facility permit. He will look into it.

Water District – no report

Heritage Group – Dan Robeson

- The Heritage Group has been continuing with its usual activities. The quarterly newsletter is out and extra copies are here if anyone would like one. The group is always in need of volunteers.

Legislator's Report – Doug Paddock

- 2023 is the bicentennial of the founding of Yates County. A reception was held on 2/06/23 as the official kickoff event. The County plans to replace the historic marker in Vine Valley (Indian Burials) and refurbish other older historic markers, such as Friend's Home in Jerusalem and Round Schoolhouse in Potter.
- Regarding the Broadband project, Yates County Highway Department will be pouring the pad for the Point of Presence (PoP) as schedules and weather allow.
- The Communications project consists of 4 new towers, reinforcement of towers at 2 sites and extension of the existing tower in Middlesex. The contractor (Patriot Towers) expected to complete the extension this month.
- A coordinator has been hired to oversee staffing of County ambulances. Authorization to hire EMTs and paramedics is expected to occur at next week's legislature meeting. Keuka Park, Dundee, Middlesex and Benton calls to 911 will defer to the local ambulance before going to Yates County.
- The County will be conducting a review of the agricultural district. This is the 8-year review that allows people to withdraw land from the district if desired. A public hearing on the SEQR Short EAF is scheduled for next week's legislature meeting.
- The new Director of Public Health, De. Douglas Sinclair, started on February 6 and will be officially appointed at next week's legislature meeting.
- In-person interviews will be conducted for a full-time County Administrator next week. The person hired will work with Nonie Flynn prior to her retirement at the end of May.
- Bids for abrasive sand, crushed stone, gravel, etc. will be accepted at Monday's legislature meeting. Towns are able to piggyback from the County bid if they so choose.
- Plans are proceeding for the Highway/Office of Emergency Services/Public Health facility in Benton. A public meeting/facility tour is scheduled for 6:00 p.m. on February 22 at the Highway facility in inform people of the project and answer questions. Bidding is planned for the next month. Public Health will use the facility for drive-through clinics and will not be moving there as has been reported.
- Yates County received a \$10K points-based grant from NYSERDA for its Clean Energy Community participation. Yates is the only rural county of the 5 counties in the state to achieve a grant such as this.
- Yates County has also received at \$150K grant (\$15K match) to update its Hazard Mitigation Plan.
- The Town of Middlesex is lacking a member of the County Planning Board. The Town Board may wish to nominate someone to assure its interests are represented.

Town Clerk – Lynnette Miller

- The Town Board members received a copy of the town clerk's monthly report.
- As of March 28, town clerks in New York State are required to issue, to anyone who applies, a one-day marriage officiant license. The issuing clerk will collect at \$25.00 fee. A suggested application has been given to all town clerks with an affirmation by the applicant that can be adopted by each Town. (See resolution page).
- Board Members were given a sample packet of reports run daily by the tax collector. The detailed reports along with the bank receipt of dollars deposited represent the checks and balances taking place each day of tax collection.
- Clerk Miller reported on tax collection to date.

Supervisor's Report – David Adam

- South Lake Road – Supervisor Adam and Bruce St. Lawrence have spoken regarding the schematic for trenching across the road. Lu Engineers have been asked to simplify the project. Once done, it will go to the Planning Board. The homeowner has been contacted. A drainage assessment has been done. Lu Engineers has been working on a bid package.
- The Town received a letter from NYS DOT regarding the change of speed limit on South Lake Road to 25 mph. The Town is now able to change the signs.
- At this time Supervisor Adam asked if there are any comments on tonight's public hearing regarding the Local Law #1 of 2023, "Increasing the Alternative Veteran's Tax Exemption from Real Property Taxation". There were no questions or comments. On a motion by Council Member Button, seconded by Council Member Liddiard, Supervisor Adam declared the public hearing closed.
*All in favor; none opposed. Motion carried.
- Site Plan Review – Resident Bruce Lindsay is in attendance representing his client, Jason Dekouski. Bruce introduced himself. He is here to address a conditional approval that was granted in 2018 to property at 3438 State Route 364. Bruce explained the situation his client is in and asked the Board what is needed. He has an interest in making sure the conditional approvals are met. Code Officer Kane explained that the Planning Board cannot proceed without an amended special use permit to run a business at this location and add a single family home. Mr. Dekouski would also like to convert an existing structure into a home. Criteria must be met in a special use permit. The original application was for marine sales. There are no longer sales of boats. There are no employees. Council Member Mitchell asked about the 18 boats on the property. A discussion followed about boat salvage vs. boat parking vs. boats being stored vs. boat repair. Jason Dekouski needs to submit an updated business plan to the Planning Board. Supervisor Adam read the conditions. Bruce Lindsay stated that the conditional approval needs to be followed. Code Officer Kane asked where the work will take place now that the current barn will be living space.

Council Member Liddiard made a motion for this to go to the Planning Board for review. Further discussion continued. Council Member Mitchell seconded the motion.

*All in favor; none opposed. Motion carried.

Public Comments – Ed Carman thanked the Board for hearing his comments in January regarding property clean up.

Resolutions

Resolution #17-23

Alternative Veteran's Exemption – Local Law #1 of 2023

On a motion by Council Member Liddiard, seconded by Council Member Button, following resolution was

ADOPTED Ayes 5 Adam, Betts, Button, Liddiard, Mitchell
 Nays 0

RESOLVED to authorize adoption of Local Law No. 1 of 2023, "Increasing the Alternative Veteran's Tax Exemption from Real Property Taxation."

Resolution #18-23

Audit of Claims – December 31, 2022

On a motion by Council Member Liddiard, seconded by Council Member Betts, the following resolution was

ADOPTED Ayes 5 Adam, Betts, Button, Liddiard, Mitchell
 Nays 0

RESOLVED that the invoices contained in the December 31, 2022 Abstract have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund	Vouchers No. 280-296	\$14,383.28
Highway Fund	Vouchers No. 205-210	\$19,164.37
Trust & Agency	Vouchers No. 10	\$ 5,790.59

Resolution #19-23

Audit of Claims

On a motion by Council Member Betts, seconded by Council Member Button, the following resolution was

ADOPTED Ayes 5 Adam, Betts, Button, Liddiard, Mitchell
 Nays 0

RESOLVED that the invoices contained in the February 2023 Abstract have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund	Vouchers No. 18-37	\$ 7,629.23
Highway Fund	Vouchers No. 20-34	\$74,682.00
Water District	Vouchers No. 4-5	\$ 616.29

Resolution #20-23

Public Hearing for Local Law #2 of 2023, "Abolishing the Elective Office of Highway Superintendent and Creating the Appointed Office of Highway Superintendent of the Town of Middlesex, New York"

On a motion by Council Member Mitchell, seconded by Council Member Betts, the following resolution was

ADOPTED Ayes 5 Adam, Betts, Button, Liddiard, Mitchell
 Nays 0

RESOLVED to authorize a public hearing to be held Thursday, March 9, 2023 at 7:00 p.m. to solicit public comment upon a proposed Local Law abolishing the elective office of Highway

Superintendent and create the appointed office of Highway Superintendent of the Town of Middlesex.

Resolution #21-23

One-Day Marriage License

On a motion by Council Member Betts, seconded by Council Member Liddiard the following resolution was

ADOPTED Ayes 5 Adam, Betts, Button, Liddiard
 Nays 1 Mitchell

RESOLVED to allow Town Clerk Lynnette Miller and deputy clerks to issue One Day Marriage Official Licenses to applicants for a fee of \$25.00.

Executive Session

At 8:44 p.m. Supervisor Adam requested that the Board enter executive session for the purpose of discussing employment.

Meeting Reconvened

The meeting resumed at 9:11 p.m.


A motion was made by Council Member Liddiard, seconded by Council Member Betts to hire Josh Burnett as highway superintendent for the Town of Middlesex effective February 27, 2023 to fill the vacancy for the remainder of the elected term ending December 31, 2023.

*All in favor; none opposed. Motion carried.

Adjourn

With no further business, on a motion by Council Member Mitchell, seconded by Council Member Button, the regular meeting of the Town Board of the Town of Middlesex was adjourned at 9:20 p.m.

*All in favor; none opposed. Motion carried.



Lynnette F. Miller, Town Clerk