

Town of Middlesex  
Regular Meeting  
May 11, 2023

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

Also Present: Josh Burnett, Highway Superintendent  
Patrick Grimaldi, Assessor  
Dawn Kane, Code Enforcement Officer  
Win Harper, Historian/Heritage Group  
Alan Williams, Water Superintendent

Absent: Stephanie Betts, Council Member

Recording Secretary: Lynnette Miller, Clerk

**Pledge/Call to Order**

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

**Public Hearing**

Supervisor Adam opened the public hearing regarding proposed Local Law #2 of 2023 for the Town of Middlesex, "Abolishing the Elective Office of Highway Superintendent and Creating the Appointed Office of Highway Superintendent of the Town of Middlesex, New York." There were no comments or questions. The public hearing will remain open throughout tonight's meeting.

**Public Comments** – Supervisor Adam asked for public comments. He made a request that public comments will be limited to 3 minutes or less. There were none. The time for public comments was closed.

**Approval of Minutes**

Supervisor Adam requested a motion to approved the minutes of the April 13, 2023 regular meeting. There were no additions or corrections. A motion was made by Council Member Liddiard, seconded by Council Member Mitchell.

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

**Assessor – Pat Grimaldi**

- The Board of Assessment Review will meet at the Town Hall on Thursday, May 25, 2023, from 4:00 – 8:00 p.m. to review assessments.
- BAR member David Wilson completed the required training.

### **Highway/Buildings/Grounds – Josh Burnett**

- Spring Clean Up Day on Saturday, April 29<sup>th</sup> was successful. There was a line of vehicles much of the time, keeping the guys busy.
- The guys are busy with ditching. Top soil was delivered to Loomis Road as the final part of the road resurface project last summer.
- The cross-culvert on View Board Road was replaced.
- The Village of Rushville came to help with a water main break near Gray Road.
- Shoulder work has been done on South Vine Valley Road.
- Mowing roadsides has begun.
- The banners and flags were put in place today in the hamlet.
- Supervisor Adam, Highway Superintendent Burnett and Council Member Liddiard will meet next week on Wednesday at 5:30 p.m. regarding quarterly plans for the highway department.

### **Code Enforcement – Dawn Kane**

- Code office is busy, picking up.
- Cell Tower – On schedule, approvals have been given, at the building permit stage. Andrew Collini, an engineer from Pittsford who deals specifically with cell towers, will be reviewing the specs as well as the application. All expenses will be paid by Blue Sky. FAA has cleared the height of the tower. A 911 number has been issued. The bond, required by the Planning Board, has been created, yet Code Officer Kane is waiting for it to be issued. It is hopeful to have construction begin by the end of the year.
- Planning Board had a full agenda for their May 3<sup>rd</sup> meeting. The Dekouski property was on the agenda, however, there was no representation in attendance. The Planning Board is recommending that the Town Board not reissue the special use permit, that the property owners start over.
- ZBA – No meeting in May
- Reading Center – The Reading Center board of directors is working to complete the charter paperwork for the bylaws.
- Vine Valley Beach – The dock is in. The water has been turned on and the bathrooms will be ready in coordination with the store opening. The operating permit has been submitted to the DOH in Geneva along with insurance certificates. The safety plan has been updated and submitted for the season. Dawn and Council Member Betts have been working on a blurb for the Town's Facebook page that will go to Denise Adam. Council Member Mitchell asked about new ropes. Dawn responded the new rope will be purchased and installed as necessary.
- The NYS group home on South Vine Valley Road is now vacant. Code Officer Kane has been in contact with the State. Someone is checking on the house weekly to make sure it is secure. Please contact Code Officer Kane if there is activity at the house.

### **Additional Business**

- Supervisor Adam thanked Gordon Stringer, Community House President for allowing Council Member Liddiard to bring the portable sign down to the Community House to advertise Spring Clean Up.
- Supervisor Adam reported on a meeting with Code Officer Kane, Council Member Betts, Highway Superintendent Burnett and himself regarding the Natural Resources grant awarded to the Town. Council Member Betts will inquire about picnic tables to be made. Hopefully fencing can be made of the same material. Highway Superintendent Burnett checked to make sure the material



used is heavy enough that it will not get blown around. They also discussed having the lifeguard chair/chairs built of the same material.

- Facebook Page – Denise Adam has started a Town of Middlesex Facebook page. She will update and monitor. Win Harper commented that perhaps the Heritage Group and the Town group could collaborate with this.
- The current picnic table at the Vine Valley Beach were made and donated by the Lion's Club. The tables will be re-purposed as picnic tables and placed at the Town Park near the Friendship House. Lion's Club will be notified.

#### **Water District – Alan Williams**

- After completing a study, MRB Group provided the Town with an estimate to update the water district. Water Superintendent Williams referred to the spreadsheet provided via email from Scott Mattison of MRB Group. This is a preliminary estimate showing a breakdown of cost by location. Council Member Button asked where the Rushville waterline ends and the line for the Town of Middlesex begins. Alan gave details. Supervisor Adam asked why the quote didn't include north of Gray Road. Alan explained that historically there hadn't been leaks in that area. Council Member Mitchell asked where the funds would come from – ARPA Funds, Water District funds. There was a discussion. All agreed this list includes lines that are vulnerable. Supervisor Adam suggested that the Town contact MRB asking them to add another location to the list that includes going beyond Gray Road. After a lengthy discussion, Superintendent Williams will get in touch with Scott Mattison to say the Town plans to move forward.
- **Resolution** to move forward with the Water Project. AL/PM All in favor; none opposed. Carried.

#### **Historian/Heritage Group – Win Harper**

- Win thanked Highway Superintendent Burnett for installing the Hometown Heros banners. Please contact the Heritage Group if you know of any active-duty servicemen/women in the Town so they can also be honored.
- The Greater Hudson Heritage Network sponsored a historic marker cleaning. The Heritage Group cleaned the markers at the Vine Valley Store, the Vine Valley Methodist Church and Overackers Schoolhouse. Additional markers will be cleaned next year.
- The Daughters of the American Revolution sponsors a program called Wreaths Across America. The Heritage Group is hoping to place wreaths on the graves of service members at Christmastime.
- In 1996 a photograph of the Middlesex Valley School was given to the Heritage Group. The photograph has been in storage since 1953. A grant was received for restoration which should be completed in June.
- The Memorial Day Parade will be held in Rushville this year, 10:00 a.m.
- Resident Gordon Stringer commented that there will be flag raising ceremony at the Vine Valley Community House on May 27<sup>th</sup> at noon to honor veterans.

#### **Bicentennial Celebration – Paul Mitchell**

- Council Member Mitchell attended a meeting yesterday in Rushville. The Town will receive an invoice from the Village of Rushville regarding our contribution. There will be music, food, a puppet show. For the parade they are looking for tractors, cars, animals. The wagon issue has been resolved. LandPro Equipment in Hall will provide a trailer that will be used only for the Rushville parade. The planning is going well.



**Legislator's Report – Tim Cutler**

- The Legislature recognized the following with proclamations:  
May 15 – Peace Officers' Memorial Day  
May 7-13 - National Corrections Officers Week  
May 26 – Yates County Poppy Day  
May 29 – Memorial Day  
June 12 – Women Veteran's Day  
June 14 – U.S. Army Birthday
- The County Highway/EMS/Public Health Building will be breaking ground soon. Natural gas will be brought up to the new highway facility. Benton residents were asked about their interest in connecting to natural gas.
- Nearing the end of the Public Safety Communications project. Motorola installed. Testing to be done next week. All towers are now owned by the County located on county property except South Hill. The goal is to improve the quality and reliability of the network for emergency communications.
- The Legislature has been working on updating the Farmland Protection Plan. A draft of the update will be ready next month. Each town will receive a copy to have available to the public. Several towns are bringing together local ag groups to review.
- The prep is done for the Broadband building on Water Street. Legislator Cutler reported that to date there is no date for that completion.

**Town Clerk – Lynnette Miller**

- The Board received a copy of the town clerk's monthly report.
- A get-well card was sent to Historian Dan Robeson from the Town employees following his recent surgery.
- SCT Computers was at the Town Hall today to run quarterly updates. Clerk Miller and Gerad discussed that there remains an issue with the Town Hall computers not recognizing updates to the Town website. Gerad and Nate at SCT Computers will discuss and Nate will hopefully be able to solve at the next quarterly update. Supervisor Adam commented that SCT suggested many months ago that we should consider a new server.
- Clerk Miller is hoping to meet with YC Treasurer Marsha Devine next week to reconcile the 2023 tax collection for the Town.
- Jeff Friend from Lyons National Bank made a visit to the clerk's office today. Lyons National Bank is interested in the vacant bank space in Rushville with further information forthcoming.

**Supervisor's Report – David Adam**

- The supervisor's monthly report was given to Board members.
- Supervisor Adam attended the Association of Towns seminar in Geneva. He found it beneficial and passed out a booklet from the NYS Comptroller, "Information for Town Officials" dated January 2022.
- FEMA Grant Update – The Town has received word that FEMA doesn't typically offer funding toward projects that have been completed. He explained the timeline as well as the necessity of safety measures that had to be taken. Bruce St. Lawrence has written a lengthy letter of explanation that will be sent off to Tom Collins, the contact person. In addition, Tom Collins has informed the Town that he will no longer be the contact person.

- Supervisor Adam, Highway Superintendent Burnett & Project Manager Bruce St. Lawrence met this afternoon to review the draft of the drainage project outlined by Lu Engineers. Bruce will get back to Lu with the proposed changes. This work would be done after Labor Day.
- The Town has received word that we were not selected for the EV charging station grant funding.
- Solar Farms Moratorium – Council Member Mitchell reported that the Farmland Protection Plan referenced by Legislator Cutler this evening is tied into this. Any protected farmland in the Town would be affected. Council Member Button commented that there is no protected farmland in the Town. The zoning ordinance has nothing specific about the rules for solar farms. Council Member Mitchell feels it would be good for the Town to have a plan. The process would be accomplished through the Planning Board. Many nearby towns have gone through the process; Gorham and Livonia are two. There is no referendum required. Assessor Grimaldi suggested that the Town opt out of the exemption as the first step. He explained. Meghan Kincaid can advise how to set this up. Dawn added there are two residents currently showing interest. She recommends the sooner the better.
- One application has been received for the open Planning Board/ZBA secretary. David called and said we would get back to her next week.
- Town of Middlesex Facebook Group – discussed earlier.
- Council Member Liddiard asked about the brickwork that needs to be done on the Town Hall. Supervisor Adam added that now that the gutter work has been completed, we should move forward on the brick work. Glovers and Pete Roth both provided estimates a while back. Council Member Liddiard will get another estimate. Jolly is another contact given by Assessor Grimaldi.

**Public Comments** – none

### **Public Hearing**

Supervisor Adam asked if there were any comments regarding tonight's public hearing. There were none. The public hearing was closed at 8:32 p.m.

### **Resolutions**

Resolution #31-23

#### **Recognize MRB Estimate and Agreement to Move Forward**

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

ADOPTED	Aye	4	Adam, Button, Liddiard, Mitchell
	Nay	0	
	Absent	1	Betts

RESOLVED to move forward with the Water Project as proposed by MRB Group. Water Superintendent Williams will call Scott Mattison at MRB Group to have another location added to the list, extending north of Gray Road.

Resolution #32-23

#### **Public Hearing - Solar Farm Moratorium**

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

ADOPTED	Aye	4	Adam, Button, Liddiard, Mitchell
	Nay	0	
	Absent	1	Betts



RESOLVED to hold a Public Hearing on June 8, 2023 at 7:00 p.m. regarding the establishment of a moratorium on solar farms in the Town of Middlesex.

Resolution #33-23

**Abolishing the Elective Office of Highway Superintendent and Creating the Appointed Office of Highway Superintendent of the Town of Middlesex, New York – Local Law #2 of 2023**

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

ADOPTED      Ayes    4            Adam, Button, Liddiard, Mitchell  
                     Nays    0  
                     Absent 1        Betts

RESOLVED to authorize adoption of Local Law No. 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.

AND BE IT FURTHER RESOLVED that Clerk Miller will notify the Yates County Board of Elections and Town Attorney Jeff Graff of the adoption of this Local Law.

Resolution #34-23

**Audit of Claims**

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

ADOPTED      Ayes    4            Adam, Button, Liddiard, Mitchell  
                     Nays    0  
                     Absent 1        Betts

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

General Fund	Vouchers No. 92-120	\$ 22,594.95
Highway Fund	Vouchers No. 85- 98	\$ 12,939.61
Water District	Vouchers No. 12- 15	\$ 2,547.26
Library Fund	Vouchers No. 20	

**Adjourn**

With no further business, on a motion by Council Member Liddiard, seconded by Council Member Button, the regular meeting of the Town Board of the Town of Middlesex was adjourned at 8:41 p.m.

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

  
\_\_\_\_\_  
Lynnette F. Miller, Town Clerk