

**Town of Middlesex
Regular Meeting
June 8, 2023**

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

Absent: Austin Liddiard, Council Member

Also Present: Josh Burnett, Highway Superintendent
Patrick Grimaldi, Assessor
Dawn Kane, Code Enforcement Officer
Dan Robeson, Historian/Heritage Group
Bruce St. Lawrence, Project Manager

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 Comments

Supervisor Adam opened the floor to public comments requesting that all who wish to speak limit their time to 3 minutes or less. No comments. The time for public comments was closed. Supervisor Adam noted that additional time for public comments would be given near the end of tonight's meeting.

Approval of Minutes

Supervisor Adam asked if there were additions or corrections to the minutes of the May 11, 2023, regular meeting. There were none. A motion to approved the minutes was made by Council member Button, seconded by Council Member Mitchell.

*All in favor; none opposed. Motion carried.

Assessor – Pat Grimaldi

- The Board of Assessment Review met on Thursday, May 25, 2023, from 4:00-8:00 p.m. to review assessments. There were no residents in attendance to be reviewed.
- The assessor is waiting for NYS to clarify the senior citizen exemption for 2024.
- Home sales are still running high. Some home purchases are intended for short-term rental, however, not as many here as in the Penn Yan area.

Highway/Buildings/Grounds – Josh Burnett

- The guys have been busy ditching – Lindsley & Charland Roads, gravel on Wolfanger Road.
- There was a water leak on Lincoln Ave. Art from the Village of Rushville came to assist.
- Superintendent Burnett has been attending highway school in Ithaca this week – good information given. He gave copies of the agenda to the Board members.
- The Board members were given a 5-year equipment replacement schedule put together by Superintendent Burnett. An issue with the new truck breaking pullies has been repaired –

covered under warranty. One of the recommendations is to replace Truck #8 since it seems to need repair often. He suggests putting it up for auction and purchasing another.

- Council Member Betts asked about fencing for the Vine Valley Beach. Has there been a timeframe for delivery? Superintendent Burnett responded that he hasn't heard anything. Council Member Betts will check with the vendor. Superintendent Burnett commented that a load of sand was delivered to the beach today.
- Supervisor Adam asked Superintendent Burnett about his plan for summer work. Josh plans to get stone on View Board Road. Shoulders will be cut on Mertz & Hadsell Roads. The reprofiling for Gray and Loomis Roads was supposed to be done this coming week, however, the contractor's operator quit. A new operator needs to be trained. The schedule has been pushed back another month.

Code Enforcement Office – Dawn Kane

- The library charter application is pending through NYS.
- The code office is busy. There have been 2 stop work orders placed on South Lake Rd. Code Officer Kane is also working with a couple residents regarding failed septic systems. These are the result of the watershed letters and inspections as part of the On-Site Waste Water Law.
- Planning Board – 6 applications were reviewed last night. As a matter of procedure, applicants will be given signs to place on their property, "This Property Under Review." This will begin soon and it will be the responsibility of the applicant. This is meant to help inform others nearby.
- ZBA – Review of 1 application at the last meeting. Resident Jason Dekouski was in attendance with legal representation. There was a review of the special use permit. Officer Kane has been in touch with the Town attorney. The two attorneys will communicate and report back to the ZBA.
- VV Beach – Sand has been delivered. Six lifeguards have been hired – 4 returning from last year, 2 are new. Recreation Director Kane is still looking for more lifeguards. They should be referred to her. Tomorrow beach clean-up will take place, weather pending. A new sign will go up at the beach stating beach rules. Council Member Betts asked who does the clean-up. Dawn responded that the lifeguards do the clean-up.

Town Clerk – Lynnette Miller

- Clerk Miller met with Yates County Treasurer Marsha Devine on May 18th. The 2023 tax reconciliation balanced and the Town books are closed.
- Clerk Miller recommends that the Town conduct a dog census in the near future, to be discussed at a later meeting.
- This time of year, there seems to be an increase in requests for certified copies such as marriage certificates & birth certificates. Clerk Miller reported on the process.

Water District – no report

Historian/Heritage Group – Dan Robeson

- There will be a meeting of local historians here at the Middlesex Town Hall on June 21st.
- Clerk Miller reported that the Pomeroy Marker for the Pine Corners Cemetery has arrived. A gentleman from the Sons of the American Revolution will deliver the marker to the clerk's office at the Town Hall at an agreed upon time.

Bicentennial Celebration – Paul Mitchell

- A Bicentennial Committee meeting was held yesterday in Rushville.
- The number of parade participants is growing. They are looking for antique/classic cars, animals. The parade will be held in Rushville on August 26th at noon.
- There is a large (approximately 8') banner announcing the August event. Paul will ask the Bassage Family if it can go on the railing at the store/post office in Middlesex.
- The day will include a free hot dog/hamburger meal sponsored by Lion's Club, bounce house, games, puppet show, music and more.

Yates County Legislator – Doug Paddock

- The historic marker on North Vine Valley Road dedicated to American Indian burial grounds will be replaced. The new one is on order. Others in the Town of Middlesex at the Vine Valley Store, Overacker's School House, and the Middlesex train station have been cleaned.
- The broadband phase 1 construction has begun in Barrington. The concrete pad for the Middlesex utility building will be poured this week or next. Construction bids are due later this summer.
- The Emergency Communications project is up and working as of May 24th. There are 2 concrete structures that came out of former tower sites that are being declared surplus (12'X20' with generator inside) and will be disposed of unless there is interest. Contact the YC Sheriff's Dept.
- Yates County has declared a State of Emergency regarding asylum seekers and illegal immigrants.
- County offices will be closed on June 19th in honor of the Juneteenth holiday.
- The YC website has a tab where residents and interested persons can ask to be notified of meetings through email or text.
- The adopted NYS budget will change Medicaid rates costing Yates County an additional \$500,000+ per year.
- The new Yates County ambulance service will start June 11th.
- A Household Hazardous Waste Day will be held on September 23rd at the Yates County Fairgrounds in Penn Yan. Registration (required) opens August 1st on the YC website.
- Work has begun on new County highway/emergency services building in Benton. Ground was broken June 1st. Cost to be \$27,600,000. No funds will be borrowed.
- There will be a public notice posted regarding the renewal of additional mortgage tax and 1% sales tax. This is a renewal, not a new tax.
- The County Planning Board is in need of representation from the Town of Middlesex.
- Funds are available to the Town of Middlesex for the Yates County Natural Resources Grant that was awarded last month.
- The County Legislature approved the position of Planner Assistant.
- Legislator Paddock gave further explanation about the new Yates County Ambulance Service. There will be 2 additional ambulances during the day – Dundee and Keuka Park. At night, there will be an ambulance in Keuka Park. For this area, the Middlesex Ambulance will always be dispatched. If the Middlesex ambulance is unavailable, and depending on the location of need, the call goes out to the Yates County ambulance in Keuka Park or mutual aid through Finger Lakes Ambulance Service.
- Legislator Paddock left a brochure on safe boating with Clerk Miller.

Supervisor's Report – David Adam

- Special Projects – Supervisor Adam informed the Board that the Town, initially awarded funding, was turned down for the FEMA grant due to the work having been completed on South Lake Road. FEMA does not take into consideration the safety factor or that the road was about to fail making repair imminent. Project Manager Bruce St. Lawrence, Lu Engineers and Supervisor Adam had conversations about how to proceed hoping for reconsideration. Congresswoman Tenny's office in Victor was contacted. Bruce wrote a detailed letter. The decision stands. FEMA stands firm that funding is not given out after the fact. Lu Engineering had a conversation with Assemblyman Phil Palmesano's office. No word. FEMA says the Town can re-apply for different sections of the road. Council Member Mitchell asked about contacting Senators Schumer or Gillibrand. Supervisor Adam is not hopeful. Council Member Button commented that it would probably be best to apply for funding for another part of the road that needs work. Bruce St. Lawrence commented that the Town should not give up on the first grant. We were awarded the dollars. Bruce outlined the details and justified the Town's reaction. Lu Engineers has sent a letter to Assemblyman Palmesano. Bruce skimmed the document and saw nothing about an appeal.
- The bid package for South Lake Road drainage is complete and will be going out soon. A notice will appear in the Daily Messenger as well as be sent to contractors that do that type of work. Package is set up with a start date after Labor Day and to finish around Thanksgiving. The drainage work to be done is extensive; replacement of culvert pipes and ditch cleanout. All needs to be done to support paving. A discussion ensued. Bruce added that a survey by the engineers indicated which pipes were to be done with the number being approximately 50. Supervisor Adam has a set of drawings if any member of the Board would like to see them. Bruce needs to update the email list to keep residents informed. Road will be closed at times and people need to stay informed.
- Supervisor Adam explained that he is leaving Town Board work sessions on the agenda, giving the Board notice that there might be a need to call a special meeting of the Board in the event that something transpires with one of these projects.
- MRB Water Project – Supervisor Adam had a phone call today informing him that the Board's request to re-evaluate the additional 8,000 ft. of water line back to Rushville will take an additional 3 or 4 months. The SEQR will need to be amended, possibly re-done. Supervisor Adam read the specifications required. MRB is requesting further information in order to begin. Discussion. Supervisor Adam explained MRB's scope. Council Members Mitchell and Button feel that they should start from the beginning, where the water line for Middlesex begins near Rushville. Supervisor Adam will inform Water Superintendent Alan Williams. Alan will ask for a detailed proposal from MRB.
- Solar Farm – After a lengthy discussion of the details of a moratorium, the Board was in agreement that further information needs to be gathered. Council Member Mitchell will research. Code Officer Kane commented that the Town has no applications pending. The Board agreed to rescind Resolution #32-23 from the May Board meeting to hold a public hearing on a solar farm moratorium (See motion made following resolutions). This resolution was not acted upon after referencing Town Attorney Jeff Graff.

Public Comments – none

Additional Business –

- Vine Valley Beach Lifeguards - Supervisor Adam requested a motion to hire the following as lifeguards at the Vine Valley Beach for the 2023 season; Natalie Cotroneo, Celia DeMallie and

Fisher Finnan. The rate of pay to be \$15.19/hour. A motion was made by Council Member Betts, seconded by Council Member Button.

*All in favor; none opposed. Motion carried.

- Vine Valley Beach Lifeguard – Supervisor Adam requested a motion to hire Madison Christiansen, pending Yates County Civil Service approval, as a lifeguard at the Vine Valley Beach at a rate of \$14.20/hour. A motion was made by Council Member Mitchell, seconded by Council Member Betts.

*All in favor; none opposed. Motion carried.

Resolutions

Resolution #35-23

Yates County Natural and Recreational Resources Grant

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

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

RESOLVED to authorize Supervisor Adam to sign the Yates County Natural and Recreational Resources Grant in the amount of \$7,629.00.

Resolution #36-23

Yates County Lifeguard Services Contract

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

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

RESOLVED to authorize Supervisor Adam to sign the Memorandum of Understanding between the Yates County Legislature and the Town of Middlesex.

WHEREAS, the Town of Middlesex will receive an allocation of \$1,026.00 from the 2023 Yates County budget.

Resolution #37-23

Audit of Claims

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

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

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

General Fund	Vouchers No. 121-143	\$26,424.94
Highway Fund	Vouchers No. 99-114	\$62,277.94
Water District	Vouchers No. 16-18	\$ 285.80
Trust & Agency	Vouchers No. 12	\$ 7,377.44

Resolution #38-23

Line-Item Transfers

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

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

RESOLVED to approve the Line-Item Transfers for June 2023.

Resolution #39-23

Lu Engineer Contract – Drainage for South Lake Road

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

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

RESOLVED to authorize Supervisor Adam to sign the contract with Lu Engineers for the South Lake Road bid package.

Motion to Rescind Resolution #32-23 – Public Hearing

A motion was made by Council Member Mitchell, seconded by Council Member Button to rescind Resolution #32-23 of the May 2023 regular meeting setting a public hearing on a solar farm moratorium.

*All in favor; none opposed. Motion carried.

Additional Comments

- Clerk Miller informed the Board that following the May 2023 Town Board meeting where Resolution #33-23 authorized 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,” she contacted the Yates County Board of Elections. Commissioner Rob Schwarting requested wording of the proposition to be added to the November ballot. Clerk Miller then contacted Town Attorney Jeff Graff for the wording of the proposition. Jeff will draw that up. Clerk Miller will send it to the Board of Elections.

Executive Session

At 8:35 p.m. Supervisor Adam requested that the Board enter executive session for the purpose of discussing employment. A motion was made by Council Member Betts, seconded by Council Member Mitchell.

*All in favor; none opposed. Motion carried.

Meeting Reconvened

On a motion by Council Member Mitchell, seconded by Council Member Betts, the regular meeting of the Middlesex Town Board reconvened at 9:57 p.m.

*All in favor; none opposed. Motion carried.

Resolution #40-23

Employee Resignation – Ed Snyder

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

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

RESOLVED to accept the resignation of Ed Snyder effective June 22, 2022.

Resolution #41-23

Employee Hire – Elizabeth Altemus

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

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

RESOLVED to hire Elizabeth Altemus as secretary to the Planning Board and Zoning Board of Appeals of the Town of Middlesex. Pay rate to be \$20.00/hour. This is part-time hourly position.

Resolution #42-23

Job Posting – Heavy Equipment Operator

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

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

RESOLVED for Clerk Miller to contact Yates County Personnel to post a position available in the Town of Middlesex highway department for heavy equipment operator. Pay range to be \$20-22.00 per hour depending on experience.

Adjourn

With no further business, on a motion by Council Member Betts, seconded by Council Member Button, the regular meeting of the Town Board of the Town of Middlesex was adjourned at 10:04 p.m.


Lynnette F. Miller, Town Clerk