

**Town of Middlesex  
Regular Meeting  
September 14, 2023**

**Present:** David Adam, Supervisor  
Stephanie Betts, Council Member (entered at 7:20 p.m.)  
Leon Button, Council Member (entered at 7:03 p.m.)  
Austin Liddiard, Council Member  
Paul Mitchell, Council Member

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

**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 Comments - none**

**Approval of Minutes**

There were no additions or corrections to the minutes of the August 10, 2023, regular meeting. A motion to approved the minutes was made by Council Member Mitchell, seconded by Council Member Liddiard.

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

A motion was made by Council Member Liddiard, seconded by Council Member Mitchell to approve the minutes of the Special Meeting of the Board held on August 26, 2023.

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

*7:03 p.m. Council Member Button entered the meeting.*

**Assessor – Pat Grimaldi**

- School taxes have been mailed by the school district.
- At a future date the NYS DEC will be invited to explain the forest exemption program.
- Yates County Legislature adopted a local law to increase the income limits for the Partial Tax Exemption for Real Property of Senior Citizens for county taxes. Assessor Grimaldi gave a description. Pat recommends that the Town do the same. Clerk Miller will contact the Town attorney to draft a proposed local law. This would go into effect for the 2025 town/county tax bills. A motion was made by Council Member Liddiard, seconded by Council Member Button to move forward.

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

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

- The Bicentennial Celebration held on August 26<sup>th</sup> in Rushville was well attended, well supported and a huge success.
- Seneca Heritage Day held at Overackers School House on September 2<sup>nd</sup> was successful with good attendance. Thanks go out to speaker, Peter Jemison, and Bill Crouse and the Allegany River Dancers who are welcomed annually. Thanks also to the volunteers from the Middlesex Hose Company who came to set up chairs.
- A ceremony will take place on December 16, 2023 in honor of National Wreaths Across America Day. Help Middlesex Veterans honor local heroes by sponsoring a wreath to be placed on a veteran's grave this December. The cost per wreath is \$17.00. Scan the QR code from the event notice posted at the Town Hall or make a donation online at [www.wreathsacrossamerica.org/NYO458](http://www.wreathsacrossamerica.org/NYO458).
- A Veterans' Gala Event will be held November 11, 2023 as part of the Yates County Bicentennial celebration with Win Harper as the invited speaker. In conjunction, the Middlesex Heritage Group is asking any Veteran in the Town to assemble for a group photograph to be taken at 3:00 p.m. on that afternoon, November 11<sup>th</sup>, recreating and honoring the two veteran group photos on display in the Middlesex Town Hall.

#### **Court – Justice Margaret Randolph**

- Supervisor Adam welcomed Justice Margaret Randolph stating that she had asked to speak to the Town Board. Justice Randolph explained the routine of conducting a jury trial at the Town Hall. Middlesex is the only town in Yates County without a raised bench. There are grant dollars available through the Justice Court Assistance Program (JCAP) that Justice Randolph would like to apply for. The Town would put up the dollars, then get reimbursed up to \$30,000. A resolution by the Board is needed and a template for exact wording would be provided. The Board was given a handout about the JCAP grant. Justice Randolph gave examples and stressed the importance of safety.

*7:20 p.m. Council Member Betts entered the meeting.*

Supervisor Adam commented on additional updates that are needed in the building. Council Member Liddiard expressed the need to move forward with estimates. Resident Dan Paddock commented. Code Officer Kane encouraged the Board to look at improvements that would improve safety for all Town employees. Supervisor Adam encouraged Board members to brainstorm ideas. He stated that the discussion would continue at the next meeting.

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

- Shoulder work was completed on Valley View Road, Dinehart Cross Road and South Vine Valley Road. Finish work was done on Valley View Road, Bare Hill Road and Dinehart Cross Road. Additional work included ditching, cross culvert installation, tree trimming and mowing.
- Two quotes were received for repair of the roller. Both quotes were higher than hoped, one for approximately \$45,000 and the other for over \$58,500. The engine will need rebuilding. The timeframe needed will be 13 weeks. When needed, the Town is currently borrowing a roller from either Yates County, Potter or Gorham. The expectation is to have repairs done for next spring. The roller was purchased used from George & Swede. There is no warranty. The re-manufactured engine will include a 3-year warranty. Dan Paddock offered a recommendation for repair. Highway Superintendent Burnett explained that he will keep the Board informed.

- Superintendent Burnett recommends selling the Sterling Truck #8 at auction. He has been in touch with Auctions International who advises selling it as is. A new clutch is needed.
- Upcoming work includes paving to finish up and cutting shoulders. A new fence will be installed at the Vine Valley Beach.
- Superintendent Burnett interviewed a candidate for the open highway position. Further discussion will take place later during this evening's meeting.

#### **Code Enforcement – Dawn Kane**

- The Vine Valley Beach is closed for the season. The bathroom/bath house will be open the next weeks when store is open. The dock will be removed at the end of October. Arrangements will be made to have the lifeguard chair moved back away from the water. Recreation Director Kane complemented the lifeguards employed this season, saying they were a good group.
- The Planning Board held a work session prior to its September regular meeting to review zoning laws. More work sessions will be planned.
- The Planning Board reviewed 4 applications in September. Dawn read the decision made regarding the Dekouski property. This will go to the Zoning Board of Appeals for a special use permit with recommendation coming from the Planning Board. Dawn read the requirements. Council Member Mitchell asked for clarification. ZBA could have additional criteria that will be dealt with through a special use permit.
- Code Officer Kane has been working on two stop work orders. There is a meeting on Monday at Watkins location with engineers and new contractor.
- State required training will be done by the end of the year for Planning Board and Zoning Board of Appeals. Certification paperwork will be submitted and on file.
- Code Officer Kane informed the Board that she plans to invite the DEC to a future Board meeting to make a presentation on the 480A Forest Exemption program which gives a tax break to landowners.
- The cell tower is up. The access road is done. The expected finish date is the end of 2023.
- Regarding the 5-year septic evaluation program through the On-Site Waste Water Local Law, two septic systems along East Lake Road were found to be non-functioning and impacting the lake and are being replaced. Dawn explained the process.

#### **Town Clerk – Lynnette Miller**

- The Board was given a copy of the town clerk's monthly report.
- Clerk Miller also gave the Board members a written monthly report that included the following topics:
  - Annual renewal registration was completed for the System Award Management (SAM), a requirement of doing business with the federal government for grant dollars.
  - Update on the NYS Low Income Household Water Assistance Program which has been closed. --
  - Proposed local law on the solar farm moratorium sent to the YC Planning Board will be on their agenda for October 26, 2023.
  - The new Toshiba copier will be delivered tomorrow. Clerk Miller will be here. Copies can be made; however, the networking will take place on 9/20/23.
  - Information on the requirements for Open Meetings Law was given.

**Water Superintendent - Alan Williams**

- Supervisor Adam stated there is no formal report from Superintendent Williams this month. A meeting has been scheduled between Highway Superintendent Burnett, Superintendent Williams and Supervisor Adam regarding the future of the water department.

**Bicentennial Celebration – Paul Mitchell**

- No report. Items were covered in the Historian/Heritage Group report.

**Legislator’s Report – Ed Bronson**

- Construction of the new Yates County Highway Barns is moving along. The salt barn is complete.
- The Board of Elections would like their deputies to become full-time, approximately a \$3,900 increase to the nearly \$25,000 currently paid by the Town of Middlesex for elections.
- YC Soil and Water Department will be doing an inventory of culverts in the Town next year.
- Cornell Cooperative Extension is hoping to bring back the Northwest New York Dairy Team as a service to local farms. An informational meeting will be held 10/4/23 at 2 p.m. in the County auditorium.
- The Communications Tower project is closing out their punch list and winding down.
- NYS is initiating spousal liability coverage on all automobile insurance policies amounting to a \$20-80 increase in premiums. Everyone is enrolled automatically.
- The Broadband project is moving along. The footers for the utility hut in the Town of Middlesex have been poured.
- There will be a traveling Vietnam Veteran’s Memorial Wall in Auburn this week. Yates County Veterans Director is hoping to have this in our area next year.
- Local EMS is planning a lithium battery fire training.

**Supervisor’s Report – David Adam**

- South Lake Road drainage is scheduled to begin on September 18<sup>th</sup>.
- Lu Engineers has submitted the professional services proposal for the South Lake Road Rehabilitation Design – Phase 3 - \$16,500.00. After a discussion, it was determined that the Board would put this on hold for another meeting.
- MRB Water Project – 2 Resolutions for the 2023 Amended Water System Improvement Project. SEQR Resolution Designating Lead Agency & SEQR Resolution Determination of Environmental Significance. See Resolutions below.
- An additional budget work session is needed. The date was set for September 28, 2023, at 7:00 p.m. Supervisor Adam gave the Board copies of the tentative budget as far as he has gotten it to date. He gave an explanation that this is not the pre-tentative budget.
- The solar moratorium was discussed during the town clerk’s report regarding the review by the YC Planning Board.

**Public Comments-** none

**Resolutions**

**Resolution #50-23**

**SEQR Declaring the Town of Middlesex as Lead Agency for Water Improvement Project**

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

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

RESOLVED that the Town Board of the Town of Middlesex does hereby designate itself as the lead agency for the Water Improvement Project.

**Resolution #51-23**

**SEQR Determination of Significance for Water Improvement Project**

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

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

RESOLVED that the Town Board does hereby make a Determination of Non-Significance and the Town Supervisor is hereby directed to sign the Full Environmental Assessment Form (EAF) Part 3, the Negative Declaration, as evidence of the Town Board Determination of environmental significance.

**Resolution #52-23**

**Audit of Claims**

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

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

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

General Fund	Vouchers No. 190-226	\$ 21,690.01
Highway Fund	Vouchers No. 156-169	\$159,111.32
Water District	Vouchers No. 26-28	\$ 6,998.25
Trust & Agency	Vouchers No. 15	\$ 4,133.22

**Executive Session**

The Board entered executive session at 8:41 p.m. for the purpose of discussing personnel. A motion was made by Council Member Mitchell, seconded by Council Member Betts.

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

**Meeting Reconvened**

On a motion by Council Member Liddiard, seconded by Council Member Button, the regular meeting of the Middlesex Town Board reconvened at 8:54 p.m.

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

Resolution #53-23

**Heavy Equipment Operator - Hire Jachary Lyons**

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

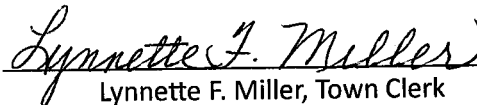
RESOLVED to hire Jachary Lyons as a heavy equipment operator at a starting rate of \$23.00/hour. His start date to be as soon as he is available.

Other Business:

- Council Member Liddiard asked about updating the employee handbook. Supervisor Adam said he and Clerk Miller will look into that.
- There was a discussion about additional forms and paperwork/training that needs to be filled out by employees.

**Adjourn**

With no further business, a motion was made by Council Member Liddiard, seconded by Council Member Betts to adjourn the regular meeting of the Town Board of the Town of Middlesex at 9:15 p.m.

  
Lynnette F. Miller, Town Clerk