

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

Present: David Adam, Supervisor
Stephanie Betts, Council Member
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
Dan Robeson, Historian/Heritage

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

Public Hearing – Solar Moratorium

Supervisor Adam opened the floor to a public hearing regarding a proposed local law that would place a moratorium on solar farms entitled, “Establishing a Moratorium on Solar Collection Systems and Solar Farms.” Code Officer Dawn Kane reported the proposed law was put before the Town of Middlesex Planning Board and Zoning Board of Appeals with no further input from them. Supervisor Adam reported that there were no issues raised with the Yates County Planning Board. There were no further comments or questions.

Public Hearing – Tax Exemption for Persons 65 Years of Age and Over

Supervisor Adam opened the floor to a public hearing regarding a proposed local law entitled, “Increasing the Income Limits of the Tax Exemption for Persons 65 Years of Age and Over.” Assessor Patrick Grimaldi reported that this proposed local law follows the same income limits adopted as a local law by the Yates County Legislature. There were no further comments or questions.

Public Hearing - 2024 Preliminary Budget

Supervisor Adam opened the public hearing on the 2024 Preliminary Budget. He explained that the highway superintendent’s salary was placed in two categories prior to the election at the recommendation of the Town Attorney. Since the highway referendum was not passed in the recent election, the amount has been taken out of the highway budget and remains in the general fund. In addition, the library budget does not come through the Town budget any longer. Library funds come through the dollars raised by school taxes. Supervisor Adam gave an explanation of the Town bookkeeper’s role in taking care of the library dollars.

Resident Wayne Dunton had several questions about the budget – employee benefits, expenditures since August, overspending, fund balance, water rates, cemetery increase, employee salary increase, bookkeeper pay, ambulance contract. Supervisor Adam responded. A discussion ensued. County Legislator Tim Cutler added that the County taxes will remain flat. Council Member Liddiard thanked Resident Dunton for his comments.

Approval of Minutes

There were no additions or corrections to the minutes of the October 12, 2023 regular meeting. A motion to approve the minutes was made by Council Member Liddiard, seconded by Council Member Betts.

*All in favor; none opposed. Motion carried.

A motion was made by Council Member Mitchell, seconded by Council Member Liddiard to accept the minutes of the Special Meeting – Public Hearing to Override the Tax Levy Limit.

*All in favor; none opposed. Motion carried.

Assessor – Pat Grimaldi

- Assessor Grimaldi reports that things are quiet. Things will pick up when tax bills are mailed.

Highway/Buildings/Grounds – Josh Burnett

- A shoulder machine has been borrowed from Yates County with help from Potter on Mertz Rd. and Hadsell Rd.
- Repair on several roads has been done including ditching, sweeping & mowing.
- The fence was installed at the Vine Valley Beach.
- The Pomeroy sign was installed at the cemetery on Gray Road.
- The trucks are being outfitted for winter with plows, etc.
- 7 out of 10 lights that were out in the hamlet are now working.
- Roller – engine quote from Woodstone Repair - \$23,900 or replacing the engine with a 3-year warranty for \$27,485. This amount is almost ½ of the other prices received. A decision is not needed tonight.
- Truck #8 was auctioned. The check came yesterday.
- The CHIPS paperwork has been filed in Hornell.
- Snow fence will be installed along State Route 364. Ditching will be done on Elwell Rd.
- The new truck is built and is expected to be delivered to Wilbri in the spring.
- Resident Terry Mott asked how many miles of road there is in the Town of Middlesex. Josh responded that there are 41 miles of Town road, not including state and county roads that get plowed under contract.

Code Enforcement Office – Dawn Kane

Code Officer Kane reported on the following:

- Four Certificates of Occupancy have been issued this month – 6 are pending.
- Vine Valley Beach grant paperwork has been submitted. Yates County will replace the sign board.
- The Planning Board will hold a work session this month. 8 applications will be reviewed this month.
- Updated training will be happening for Planning Board and ZBA.

- ZBA is slowing. Re-appointment regarding term limits will be forthcoming.
- The Library is still waiting to receive its charter. Grant money to remodel the library along with a better bathroom is being worked on. Dawn will keep the Board informed.

Planning Board – Case Smeenk

No report

Zoning Board of Appeals – Rebecca Parshall

No report

Town Clerk – Lynnette Miller

- The Board was given a copy of the town clerk's monthly report.
- Nate from SCT Computers was here today to run updates on computers. Clerk Miller explained that Nate solved the issue with the Town website not updating. He also suggests the Town look into cyber insurance and says it will be mandated by NYS in January. The Town's insurance policy is up for renewal in March. Nate left Clerk Miller with an estimate done for another town as an example. Legislator Cutler recommended that the Town contact Tim Groth at Yates County for further information.
- Word has been received from the Town attorney that Local Law #2 for 2023, Tax Cap Override, has been sent to Albany for filing with the Secretary of State.
- The Town credit card through Community has rewards points associated. Clerk Miller cashed in points equating to \$100 that will be sent to the Town as a check. Clerk Miller plans to use that money to buy greeting cards to have on hand.
- Justice Margaret Randolph has been notified that the JCAP grant she applied for has been received and it is complete.

Water District – Alan Williams

No report

Historian/Heritage Group – Dan Robeson

- There are photos of Civil War and WWI veterans in the Town Hall. Thanks to Heritage Group President Win Harper, these photos appeared in the Daily Messenger and the Democrat & Chronicle recently. An updated photo of local veterans will be taken this Saturday, 11/11 at the Middlesex Town Hall.
- After 14 years, Dan will be stepping down as Town Historian at the end of the year. Dan reported on his work history. He thanked the Town of Middlesex for support over the years. Supervisor Adam and members of the Board thanked Dan for his service to the Town of Middlesex.

Legislator's Report – Tim Cutler

- Election results are in. There will be three new district legislators. No changes from District 1.
- Tim will be retiring at the end of the year. The Committee from District 1 will nominate a person to fill the remainder of Tim's 4-year term which ends in December 2025. Supervisor Adam thanked Tim for his service to the Town of Middlesex and Yates County.
- The Preliminary County Budget is expected to be down slightly for 2024. Some County revenue will be shared with the towns. A workshop will be held on November 16th in the Legislative Chambers on the topic.

- The Public Safety Communications Project is wrapping up.
- The Highway Project is moving along.

Supervisor's Report – David Adam

- Special Projects – South Lake Road Drainage Update – Bruce and David met last night to discuss the drainage project. They should finish up in the next few days. All cross-pipes are done as well as ditching. Several challenges were faced locating water lines and electric lines. Final cleaning of all sluce pipes will happen after Thanksgiving. Surveying for Phase 3 will begin soon with the goal of minimizing erosion.
- Vine Valley Beach – invoicing will be taken care of by the bookkeeper.

Close Public Hearing – Solar Moratorium

At this time the public hearing on the proposed local law regarding the solar moratorium is closed. There were no comments. 8:11 p.m.

Close Public Hearing – Tax Exemption for Persons 65 Years of Age and Over

At this time the public hearing on the proposed local law to increase the income limits of the tax exemption for persons 65 years of age and over is closed. There were no comments. 8:11 p.m.

Close Public Hearing – 2024 Preliminary Budget

There were no comments or questions regarding the 2024 Preliminary Budget. Supervisor Adam declared the public hearing closed. 8:12 p.m.

Public Comments –

- Resident Terry Mott asked about replacement of the Town's water line. Supervisor Adam stated that MRB Group is already studying replacement of the waterline from Rushville to approximately the ambulance building. Council Member Button explained the corrosion and repair.
- Resident Mott suggests the Town invest in video equipment to record meetings. He gave supporting reasons for this suggestion. A discussion ensued.

Resolutions

Resolution #66-23

Authorize Adoption of Local Law #3 of 2023 entitled, "Establishing a Moratorium on Solar Collection Systems and Solar Farms" in the Town of Middlesex.

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 adoption by the Town Board of the Town of Middlesex Local Law No. 3 of 2023 entitled, "Establishing a Moratorium on Solar Collection Systems and Solar Farms" in the Town of Middlesex for one year.

Resolution #67-23

Authorize Adjustment to the 2024 Preliminary Budget to Delete the Highway Superintendent's Salary and Employee Benefits from the Highway Budget.

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 to authorize Supervisor Adam to adjust the 2024 Preliminary Budget to remove the highway superintendent's salary and employee benefits from the highway budget.

Resolution #68-23

Authorize Update to the 2024 Preliminary Budget to Reflect the Library Budget Removed.

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 to authorize Supervisor Adam to remove the Town Library budget from the 2024 Preliminary Budget of the Town of Middlesex.

Resolution #69-23

Authorize Adoption of Local Law No. 4 of 2023 entitled, "Increasing the Income Limits of the Tax Exemption for Persons 65 Years of Age and Over."

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

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

RESOLVED to authorize adoption of Local Law No. 4 of 2023 for the Town of Middlesex entitled, Increasing the Income Limits of the Tax Exemption for Persons 65 Years of Age and Over."

Resolution #70-23

Approve Transfer of \$400,000 from DA 201 to DA 5110.4

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

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

RESOLVED to authorize Supervisor Adam as Budget Officer to transfer \$400,000 from account DA 201 to account DA 5110.4

Resolution #71-23

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 November 2023 Abstract have been reviewed by the Town Board and are authorized for payment in the following amounts:

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General Fund	Vouchers No. 250-270	\$ 8,693.36
Highway Fund	Vouchers No. 184-197	\$294,776.63
Water District	Vouchers No. 33-35	\$ 1,364.43

Resolution #72-23

2024 Town Budget for the Town of Middlesex

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 to adopt the 2024 Town Budget for the Town of Middlesex as proposed in the Preliminary Budget with authorized adjustments.

Adjourn

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



Lynnette F. Miller, Town Clerk