

Town Board Meeting

April 14, 2016

7:00pm

Minutes: Pending Town Board Approval

Present: Wayne Dunton, Town Supervisor
Alan Button, Town Councilman
Leon Button, Town Councilman
Peter Gerbic, Town Councilman
Jack Bauer, Town Councilman

Also Present: Todd Conway, Highway Superintendent
Dawn Kane, Code Enforcement Officer
Pat Grimaldi, Assessor
Marty DeVinney, Planning Board Chairman
Bob Multer
Arthur Radin, ZBA Chairman
Bruce St. Lawrence, Project Manager

Recording Secretary: Brenda Vowles

Supervisor Dunton opened the Public Hearing on the Senior Exemptions. He asked if there were any questions. There were not. He advised the hearing would remain open until the end of the Board Meeting.

Minutes

Supervisor Dunton requested a motion to approve the minutes from March 10, 2016. Not all Councilmen had reviewed the minutes. The motion was tabled until next month.

Town Assessor- Pat Grimaldi

The tentative roll is ready, should have it out the first of May.

Pat advised that the Town Board will need a resolution to appoint one new Board Member to The Board of Assessment Review. Dave Wilson has volunteered. He will take Councilman Leon Buttons place as Leon cannot serve on both Boards. His term would run from May 1, 2016 thru April 30, 2021. Councilman Alan Button made a motion to appoint Dave Wilson to a new term on the Board of Assessment Review and Councilman Leon Button seconded the motion.

*All in favor; none opposed-Motion carried.

The government budget has changed the way STAR is applied. Nothing will change for anyone currently on the program. New people to the program will receive a check instead of an exemption. People will need to register through Tax and Finance.

Highway Superintendent- Todd Conway

The swing set should be set up by Monday. They poured the concrete today. He questioned what to use in the area below and around the swing set. After a brief discussion it was decided they should use smooth pea

gravel. Todd asked about the mowing contract w/the county, if the town had received it. They briefly reviewed the specifics of the contract and advised it would be voted on towards the end of the meeting.

Water District- Bruce St. Lawrence, Project Manager

The bid opening for the Water Project was this past Tuesday. It was a 2 part bid. They got one bid for Contract A, which was the water tank. It was from Statewide Aquasource Inc. from East Syracuse. The bid amount was for \$388,230.00 and an additional \$4,200.00 for a name sheet on the exterior of the water tank. They received 6 bids for Contract B, the underground pipe work. The low bidder was V&B Underground Utilities Inc. from Rochester. The bid amount was for \$134,893.50 and an additional \$15,530.00 for (2) isolation valves in the PRV vault. Chatfield Engineers recommends accepting the bid from V&B Underground Utilities Inc.

Chatfield will send out the agreements tomorrow.

Supervisor Dunton asked for a motion to award the bids for the Water Project to Statewide Aquasource Inc. for Contract A and to V&B Underground Utilities Inc. for Contract B. A motion was made by Councilman Gerbic and Councilman Bauer seconded the motion.

*All in favor; none opposed-Motion carried.

Code Enforcement- Dawn Kane

Things are very busy. There is a new business on Townline Rd. It is a hydroponic u-pick strawberry farm. They got approval for the dog kennel on Bagley Rd. so that is moving forward. She is done with her schooling (continuing ed). She attended a seminar in Yates County on “active shooters”. It was a proactive overview of what to do, what to think about at a municipal level, just to have a plan. Doing regular clean up.

Planning Board Chairman- Marty DeVinney

Marty was not present. Bruce St. Lawrence advised that they did give the final approval for the dog kennel. They were supposed to have the Final Impact Statement on the Komarek property, but their (Komarek’s) attorney has delayed that for a month.

Town Clerk-Brenda Vowles

Nothing at this time.

ZBA Chairman- Arthur Radin

Nothing at this time.

Supervisor Dunton introduced Win Harper, President of the Heritage Group and Dan Robeson, Town Historian. Mr. Harper reviewed some of the projects they have been working on. They have been working on plagues for the historic houses and buildings in the area. They have obtained grants to get some of the older paintings restored. They are doing video interviews of the senior citizens from the area to get their history down for future generations. They will have the History Room open during the Fire Department Roast Beef Dinner on April 30th for anyone to visit. They reviewed their upcoming events for the year.

They would like to start a "Hometown Heroes" here in Middlesex. They would like to have banners made for all the men and women of our town that are on active duty in the military and hang them through the town. They would run about \$160.00 each for each banner. The banners would be given to the men/women when their active duty is up.

Councilman Leon Button made a motion to approve the funds for the Hometown Heroes program.

Councilman Alan Button seconded the motion.

*All in favor; none opposed-Motion passed.

Vine valley Beach Project-

Leigh Williams was not present. Bruce St Lawrence reviewed some of the things in process.

Bids for selecting the engineers for designing the bath house are due in tomorrow. Bruce is meeting with the surveyor tomorrow.

Supervisor- Wayne Dunton

Supervisor Dunton handed out copies of the Town's Procurement Policy and asked the Town Board to look it over. He will go over it at next month's meeting. This should be updated each year.

Supervisor Dunton distributed financial reports for the month of March, 2016.

Supervisor Dunton advised he was going to close the Public Hearing for Senior Exemptions and asked if anyone had any questions. No one responded. Supervisor Dunton Closed the Public Hearing.

Supervisor Dunton asked for a motion to accept the Resolution Authorizing Adoption by the Town Board of the Town of Middlesex of Local Law No. 1 of 2016 Entitled "A Local Law to Increase the Tax Exemption For Persons 65 Years of Age or Over" Councilman Gerbic made the motion, Councilman Bauer seconded it.

*All in Favor; none opposed-Motion carried.

Supervisor Dunton asked for a motion to sign the Mowing Contract with the County for the year of 2016, as discussed earlier.

Councilman Leon Button made the motion, Councilman Bauer seconded it.

*All in favor; none opposed-Motion carried.

Supervisor Dunton asked for a motion to sign the Contract with The Wood Library for the year of 2016 and contribute One-thousand dollars to The Wood Library.

Councilman Alan Button made the motion, Councilman Leon Button seconded it.

*All in favor; none opposed- Motion carried.

The town received a bid from Liddiard Tree for the 2016 lawn maintenance for \$6,194.00, plus \$595.00 for maintenance of the triangle for a total of \$6,789.00. After a brief discussion Councilman Gerbic made a motion to accept the bid and Councilman Bauer seconded it.

*All in favor; none opposed-Motion carried.

Supervisor Dunton advised that the front door to the Robeson Store (discussed in last month's meeting) was re-inspected and found to be not salvageable at a reasonable cost and would need to be replaced. The cost

would be \$2,200.00, as discussed last month. After some discussion Councilman Gerbic made a motion to approve replacement of the front door, Councilman Alan Button seconded it.

*All in favor; none opposed-Motion carried.

Supervisor Dunton asked if the Town Board had anything to go over.

Councilman Bauer advised he is working on the new grader for the Highway Dept. The old one is not useable. He is gathering numbers and information for lease versus buy.

Councilman Gerbic asked about the Town Newsletter. Advised we should add the Town's hours to the Newsletter. There was a brief discussion on when the Town's Clean up days would be and it was decided they would be August 20th and 21st, 2016.

Councilman Gerbic also questioned recent and past "Road Rallies" through our area. There was brief discussion and it was tabled until next month's meeting.

Councilman Alan Button had attended the Canandaigua Watershed Meeting and advised that the Fingerlakes Land Trust was purchasing more property. There was a brief discussion on this.

Supervisor Dunton asked for a motion to pay the bills. Councilman Alan Button made a motion and Councilman Bauer seconded it.

*All in favor; none opposed- Motion carried.

General fund:	Vouchers No: 1091 -1121
Highway Fund:	Vouchers No: 2341 - 2357
Water District:	Vouchers No: 3080 - 3087
Trust & Agency:	Voucher No: 4

Councilman Gerbic made the motion to adjourn and Councilman Leon Button seconded the motion.

*All in favor; none opposed-Motion carried. Meeting adjourned at 8:20 p.m.

MONTHLY REPORT OF SUPERVISOR

TO THE TOWN BOARD OF THE TOWN OF MIDDLESEX :

Pursuant to Section 125 of the Town Law, I hereby render the following detailed statement of all moneys received and disbursed by me during the month of March, 2016:

DATED: April 14, 2016

Wayne J. Dent
4/14/16
SUPERVISOR

	Balance 02/29/2016	Increases	Decreases	Balance 03/31/2016
A GENERAL FUND - TOWNWIDE				
CASH - CHECKING	422,976.69	92,786.70	82,938.86	432,824.53
CASH - MONEY MARKET	809,549.00	26,998.37	101,057.61	735,489.76
TOTAL	1,232,525.69	119,785.07	183,996.47	1,168,314.29
DA HIGHWAY FUND				
CASH - CHECKING	15,901.06	37,748.17	48,776.90	4,872.33
CASH - SAVING	1,107,541.85	68,192.96	37,748.17	1,137,986.64
TOTAL	1,123,442.91	105,941.13	86,525.07	1,142,858.97
SF FIRE PROTECTION DISTRICT				
CASH - CHECKING	-395,582.00	0.00	0.00	-395,582.00
SAVINGS	197,791.00	0.00	0.00	197,791.00
TOTAL	-197,791.00	0.00	0.00	-197,791.00
SL LIGHTING DISTRICT				
CASH - CHECKING	416.08	0.00	123.13	292.95
SAVINGS	1,800.00	0.00	0.00	1,800.00
TOTAL	2,216.08	0.00	123.13	2,092.95
SW WATER DISTRICT				
CASH - CHECKING	2,363.53	1,577.12	1,748.52	2,192.13
MONEY MARKET	191,539.63	4,501.66	1,577.12	194,464.17
TOTAL	193,903.16	6,078.78	3,325.64	196,656.30
PN CEMETERY				
CASH - CHECKING	2,324.18	0.00	0.00	2,324.18
TOTAL	2,324.18	0.00	0.00	2,324.18
TA TRUST & AGENCY				
CASH - CHECKING	2,571.59	26,111.99	24,997.37	3,686.21
TOTAL	2,571.59	26,111.99	24,997.37	3,686.21
HA CAPITAL PROJECT - WATER NYS				
	0.00	0.00	0.00	0.00
TOTAL	0.00	0.00	0.00	0.00

**YATES COUNTY HIGHWAY DEPARTMENT
2016 MOWING CONTRACT**

This agreement made this 14TH day of APRIL, 2016 by and between Yates County (hereinafter referred to as the County) and the Town of Middlesex (herein after referred to as Municipality) as follows:

WHEREAS, the work of mowing county roadsides, may by mutual agreement, be performed by any municipality, which for the purpose of said Section 135a shall include Township, City or Village, pursuant to an agreement entered into between the governing board or body of any such municipality and the County, and

WHEREAS, the Municipality named herein is willing to perform the function so delegated to it for the work of mowing Yates County roadsides upon such terms, rules and regulations as may be within the legal authority of the Municipality and which are deemed by the Yates County Highway Superintendent to be in the best interest of the public,

NOW, THEREFORE, in consideration of the mutual covenants and benefits herein contained, the parties hereto agree as follows:

- 1) **The terms of this agreement shall be for a period of: four and one half (4.5) months, commencing May 15, 2016 and terminating September 30, 2016.** At the expiration of each four and one half month period of the term herein or any extension, such term may be extended as herein provided. The Municipality shall notify the Yates County Highway Superintendent either,
 - (a) that it requests that the terms of the agreement be extended for one year, or,
 - (b) that it intends not to extend the agreement, in which case the agreement shall expire at the end of the term. If the Municipality fails to notify the Yates County Highway Superintendent, not later than thirty (30) days prior to the end of the term, it shall be deemed that the Municipality intends not to extend the term of this agreement.
- 2) The Yates County Highway Superintendent, may, upon 30 days written notice, cancel the agreement for any reason and any payments herein provided by the County shall cease. Any such written notice shall become effective at the expiration of ten (10) days after the Yates County Highway Superintendent shall have mailed a certified copy thereof to the Clerk of such Municipality. The Municipality may terminate this agreement for any reason by giving the County 30 days written notice of its intent to terminate.
- 3) The Municipality, as an adjunct of the County in performing the function herein delegated to it by the County, shall mow the roadsides of Yates County Highways within the boundaries of such Municipality as designated by the Yates County Highway Superintendent to the extent that the Yates County Highway Superintendent may deem appropriate, all in accordance with terms, rules and regulations as may be deemed by the Yates County Highway Superintendent to be in the best interest of the public, such terms, rules and regulations,
 - (a) having been submitted to and examined by the governing board of said Municipality, prior to or simultaneously with the execution and delivery of this agreement,
 - (b) containing this agreement as a part thereof, and
 - (c) being subject to change or modification from time to time by the Yates County Highway Superintendent as he/she deems it necessary for the best interest of the public.
- 4) The Municipality shall,
 - (a) designate and hereby does designate the Highway Superintendent of the Municipality as the representative of the Municipality who shall be in responsible charge and shall have supervision of the performance of the work under this agreement,
 - (b) provide the necessary machinery, tools and equipment to perform the terms of this agreement,
 - (c) provide the necessary personnel and supplies to operate such machinery, tools and equipment and, as may be necessary for the performance of this agreement.

**YATES COUNTY HIGHWAY DEPARTMENT
2016 MOWING CONTRACT**

- 5) **The Municipality shall mow roadside ditches and back slopes a maximum of two (2) complete times around the total centerline mileage being mowed by the municipality including the front slope and back slope of the ditch and headland where necessary. The two rounds should be completed in June and late August/early September. The first round should be done sometime between June 15th and June 30th and should include mowing the roadside shoulders and front slopes of ditches only. The second round should be done sometime between August 30th and September 20th and should include the shoulders, front and back slopes and headland if necessary for sight distance improvement. Mowing more than two complete (2) rounds, without pre-authorized approval of the Yates County Highway Superintendent or his/her designee shall be at the Municipality's expense. Mowing of headland shall be limited to the highway Right-of-Way only. Damage caused to shrubs, trees, lawns and/or other property within or outside the Right-of-Way shall be repaired or replaced at the Municipality's expense.**
- 6) The Municipality shall install and observe a system of accounting and a form of accounting to the end that there shall be established and maintained a uniform method of bookkeeping, filing and rendering accounts for the purpose of this agreement.
- 7) In consideration of the performance of the Municipality, Yates County agrees to pay the Municipality each year or portion thereof, during the term of this agreement at an **established rate of \$155 per centerline mile.**
- 8) The Municipality shall transmit by July 25th and October 25th of each year during the terms of this agreement, properly executed mowing tickets and time sheets which will be provided by Yates County. Payment will be made to the Municipality in the next available monthly audit.
- 9) The terms, conditions and amounts to be paid will be updated annually at the time this agreement is extended as provided in paragraph No. 1.
- 10) Town shall at all times save harmless the County of Yates from all claims, damages or judgments or for the defense or payment thereof, based on any claim, action or cause of action whatsoever, including but not limited to personal injury, or any affiliated claims, by reason of any act or failure to properly act on the part of the Town and in particular as may arise from the performance under this contract.
- 11) The Municipality specifically agrees that this Agreement shall be deemed executed only to the extent of the monies available, and no liability shall be incurred by the County beyond the monies available for this purpose.
- 12) This agreement shall bind the successors and assigns of the parties hereto.

IN WITNESS WHEREOF: This Agreement has been executed by the County, acting by and through the duly authorized representative of Yates County, which has caused this Agreement to be executed by its duly authorized officer on the date and year first above written.

YATES COUNTY

BY _____ Date _____
(Yates County Legislature Chairman)

MUNICIPALITY

BY Wayne O. Duff Date 4/14/2016
(Town of Middlesex Supervisor)

TOWN OF MIDDLESEX

1216 Route 245 * Main St. * P.O. Box 147 * Middlesex, New York 14507

Phone (585) 554-3607 * Fax (585) 554-4615

TDD (800) 662-1220

Wayne Dunton,
Supervisor

Brenda Vowles,
Town Clerk

**RESOLUTION FOR TOWN OF MIDDLESEX
TO AWARD WATER IMPROVEMENTS PROJECT CONSTRUCTION**

WHEREAS, the Town of Middlesex has been awarded NYS CDBG (HUD) funding to perform improvements to its municipal water system; and

WHEREAS, as part of the requirements of HUD funding, construction shall be competitively bid, to include award recommendations by Chatfield Engineers, the involved engineering firm; and

WHEREAS, Chatfield Engineers recommends accepting the base bid received for Construction Contract A (Water Storage Tank Replacement) from Statewide Aquastore Inc. for the amount of \$388,230, and to award Construction Contract A to this firm; and

WHEREAS, Chatfield Engineers recommends accepting the base bid received for Construction Contract B (Water System Improvements) from V & B Underground Utilities Inc. for the amount of \$134,893.50, and to award Construction Contract B to this firm; and

WHEREAS, Statewide Aquastore Inc. submitted a cost of \$4200 for the requested bid alternate for a name sheet on the exterior of the water storage tank, and V & B Underground Utilities Inc. submitted a cost of \$15,530 for the requested bid alternate to add (2) isolation valves in the PRV vault, and

WHEREAS, both Construction Contract A and B base bids, along with the two desirable bid alternates stated above, total \$542,853.50, which is \$46,396.50 less than the total construction budget of \$589,250 for the project, therefore be it

RESOLVED, that the Town Board of the Town of Middlesex agrees to award construction contracts to both recommended contractors listed above, to include the bid alternates submitted.

WAYNE DUNTON, Town Supervisor
JACK BAUER, Councilman
ALLAN BUTTON, Councilman
PETER GERBIC, Councilman
LEON BUTTON, Councilman

<u>AYE</u>	<u>NAY</u>
✓	—
✓	—
✓	—
✓	—
✓	—



Dated: 4-14-2016

Brenda Vowles
Town Clerk – Town of Middlesex

Contract Agreement

Agreement, made this 25 day of March 2016 **between the Wood Library Association** of the City of Canandaigua, County of Ontario, State of New York, party of the first part, **and the Town of Middlesex**, County of Yates, the party of the second part.

Witnesseth:

Whereas, the party of the first part is engaged in the conduct and operation of a public library upon North Main Street in the City of Canandaigua, New York, which is open to the public without charge and

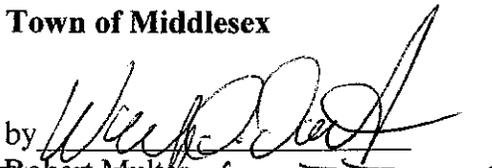
Whereas, The **Town of Middlesex** is desirous of contributing support to the operation of said public library which is open to the public without charge

Now, therefore, it is mutually covenanted and agreed as follows:

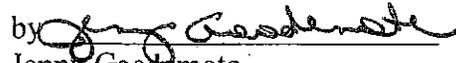
1. The party of the first part agrees to maintain and operate a public library upon North Main Street, Canandaigua, New York, during January through December 2016. The said library to be open to the public at least the minimum number of hours per week as required by the State of New York, except the party of the first part may close the library on such local, State and National holidays and other days as it approves, not to exceed thirteen.
2. The party of the first part agrees to make no charge to the general public of the **Town of Middlesex** for use of its services or for participation in its programs except for penalties and charges imposed on all library patrons in accordance with library policy.
3. The party of the second part agrees to contribute to the party of the first part the sum of One Thousand Dollars (**\$1000**) for January through December 2016.
4. The term of the contract shall be for the calendar year 2015.

In witness Whereof, the parties have hereunto affixed their hands and seals.

Town of Middlesex

by 
Robert Muller
Supervisor

Wood Library Association

by 
Jenny Goodemote
Library Director

RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF MIDDLESEX OF LOCAL LAW NO. 1 OF 2016 ENTITLED "A LOCAL LAW TO INCREASE THE TAX EXEMPTION FOR PERSONS 65 YEARS OF AGE OR OVER"

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Middlesex for a public hearing to be held by said Town Board on April 14, 2016, at 7:00 p.m. at the Middlesex Town Hall, 1216 Route 245, Middlesex, New York, to hear all interested parties on a proposed Local Law entitled, "A Local Law To Increase The Tax Exemption For Persons 65 Years Of Age Or Over"; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Middlesex, on March 22, 2016 and other notices required to be given by law were properly served, posted or given; and

WHEREAS, said public hearing was duly held on April 14, 2016, at 7:00 p.m. at the ~~Middlesex Town Hall, 1216 Route 245, Middlesex, New York,~~ and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

WHEREAS, the Town Board of the Town of Middlesex, after due deliberation, finds it in the best interest of the Town of Middlesex to adopt said Local Law.

WHEREAS, this action by the Town Board is a "Type 2" action under the regulations promulgated by authority contained in the State Environmental Quality Review Act (SEQRA), which appear in 6 NYCRR Part 617.5 (20) and (27), thereby requiring no further action by the Town Board.

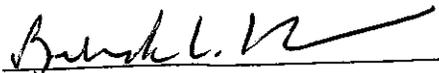
NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Middlesex hereby adopts said Local Law No. 1 of 2016, entitled "A Local Law To Increase The Tax Exemption For Persons 65 Years Of Age Or Over", a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Middlesex, and to give due notice of the adoption of said local law to the Secretary of State of New York.

I, Brenda Vowles, Town Clerk of the Town of Middlesex do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Middlesex on April 14, 2016, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Wayne Dunton	✓	_____
Peter Gerbic	✓	_____
Allan Button	✓	_____
Leon Button	✓	_____
Jack F. Bauer Jr.	✓	_____

Dated: April 14, 2016


Brenda Vowles, Town Clerk

SEAL

Liddiard's Tree Experts

996 Hadsell Road
Middlesex, New York 14507
(585) 554-6769

Residential ~ Commercial
Tree Surgeons

Servicing Individuals, Municipalities,
Cemetery Associations,
and Construction Companies

4-7-16

Town of Middlesex
P.O. Box 147
Middlesex, N.Y. 14507

Lawn Maintenance for 2016

Pine Corners Cemetery	1862.00
Hamlet Cemetery	1862.00
Town Hall and Parking Area	900.00
Vine Valley Park	700.00
Community Center	870.00
	<hr/>
	6194.00

(price has remained the same since 2013)

TRAXLE - WEEDS plant \$ 375.00
MULCH - \$ 220.00

\$ 6,789.00

Wayne D. Smith
4/14/2016