

**Town of Middlesex
Regular Meeting
April 11, 2024**

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
Dawn Kane, Code Enforcement Officer
Amberle Kelly, Historian/Heritage Group
Patrick Grimaldi, Assessor
Bruce St. Lawrence, Project Manager

Recording Secretary: Lynnette Miller, Clerk

Call to Order/Pledge

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

Public Comments – none

Approval of Minutes

Supervisor Adam requested a motion to accept the minutes of the March 14, 2024, regular meeting. A motion was made by Council Member Liddiard, seconded by Council Member Button.

*All in favor; none opposed. Motion carried.

Assessor – Pat Grimaldi

- The Board of Assessment Review will meet at the Town Hall on Thursday, May 30, 2024. This is a time for residents to meet with the BAR to discuss their assessments.
- Assessments will be updated in 2025.

Highway/Buildings/Grounds – Josh Burnett

- Ditching done on Williams St. and Mill St. in the hamlet, currently working on Valley View.
- The excavator is back from repair, seems to be working well.
- The highway employees went out 4 days in the month of March to weather-related events.
- Last year the Town went through 2500 tons of salt, this year 1400 tons. Superintendent Burnett explained the quota and amount that must be ordered by May 1st. A good amount has been stockpiled for the start of the next winter season.
- Superintendent Burnett explained that the Canandaigua Lake Watershed is encouraging municipalities to use more salt, less sand. Josh explained.
- Boom mowing continues, road signs replaced, snow fence has been removed, boulders on Whiskey Point were moved, road sweeping has begun.
- Roller should be back from repair by the end of April.

- The new pickup was delivered, waiting for license plates to arrive.
- Superintendent Burnett went to Wilbri in Avoca to check on the new 1-ton truck ordered last January. The truck should be ready in about 3 weeks. Josh would like to place truck #2 (2016 F-550) in the online auction as soon as possible.
- USDA contacted the Town to get permission to place boxes to collect cherry fruit tree flies and box tree moths at areas around the Town.
- Over the next few weeks, the highway employees will continue ditching and working on gravel roads.
- The following will be working as extra help for Clean Up Day on April 20th: Paul Lee, Robert Quayle, Carson Soles and Daniel Nemitz.
- Council Member Betts mentioned that a couple loads of sand will be needed at the Vine Valley Beach as part of the grant that was received in 2023.

Code Enforcement – Dawn Kane

- **Vine Valley Beach** – Work on the dock is being taken care of through ACS Docks. The Lifeguard Services contract with Yates County will be signed this evening by Supervisor Adam. A couple lifeguards from last year are returning. Recreation Director Kane is asking for new applicants to contact her at her email.
- **Code Office** – Working on sending letters to residents who need to clean up their property. Information sent includes encouraging people to take advantage of Clean Up Day on 4/20.
- **Zoning Board of Appeals** – The ZBA reviewed two cases this month. In May, the Board will complete their 2024 required training.
- **Planning Board** - The PB has six (6) applications for the upcoming month. They will also begin working on the Solar Farm local law. Supervisor Adam asked if members of the Town Board should plan to attend a planning board meeting regarding the solar farm moratorium local law. Code Officer Kane asked for some time to get back to the Board on that.
- **Library** – The library budget allows for some upgrades to the library. The library Board is researching ideas and plans. They will keep the Town Board informed as plans progress.

Water District –

- Supervisor Adam reported that he has been in discussion with Water Superintendent Alan Williams regarding a new computer to replace the outdated one. He explained the ideal relocation of the new computer to the Town barn. There is an issue with the water tower communicating with the computer in a location other than the town hall due to positioning of the antenna. A quote was received from SCT Computers for \$891.00. SCT will be checking into the possibility of moving the computer to the Town barn.

Historian/Heritage Group – Amberle Kelly

- Middlesex will be hosting the Memorial Day Parade this year from 10 a.m. – noon. Following the parade, speakers and honors will be held at the fire hall. Any Veterans who would like to take-part are asked to contact the Middlesex Heritage Group.
- National Historic Marker Day is April 26th. The Town has nine (9) markers to be cleaned. The Lion's Club has volunteered. The Heritage Group is asking for \$50.00 from the Town to cover expenses that included \$25 for instruction to volunteers and \$25 for the cleaning supplies. Supervisor Adam asked that an invoice be submitted to Town Bookkeeper Denise Adam.

- Win Harper spoke about The Wall That Heals, a replica of the Vietnam Veterans Memorial, that will be in Penn Yan Fireman's Field, 110 Hicks St. August 8-11, 2024. Admission is free. Visit www.TheWallThatHealsYatesCounty.com for further information along with opportunities to volunteer.
- Win Harper explained the Hometown Heros Banners that are displayed on the light poles in the Middlesex hamlet. These banners have photos of active-duty service members. Contact the Middlesex Heritage Group if you or a member of your family from Middlesex is serving in the military.

Legislator's Report – Doug Paddock

- Regarding the Broadband project, the buried fiber has been completed. The contract for installation of the distribution lines in the Italy/Middlesex phase of the project has been awarded. The work on the Middlesex hub is complete.
- Construction at the new County Building that will house Highway & Office of Emergency Services is proceeding. Completion is expected in the late fall.
- NYS DOT will be improving the sidewalk at the corner of Water St. and State Route 245 in the Town of Middlesex.
- There will be three public hearings held by Yates County on May 13, 2024: A Local Law Extending the YC Pilot Youth Deer Hunting Program Through 12/31/25, A Local Law Transitioning and Moving Elections of Yates County Legislators to Even-Numbered Years, and A Local Law Establishing the Position of Deputy Director of Finance.
- Yates County has employment opportunities available. Check the YC website.
- Yates County is in good financial standing according to the auditors.
- The Legislature authorized a contract for masonry work to the annex north of the court house along Court Street that used to be the prior clerk's office.
- National Crime Victims' Rights week is recognized by the County Legislature, April 21-27.
- The YC occupancy tax revenue for 2023 is \$1.177 million.
- April 14-20 is recognized as National Public Safety/Telecommunications Week.

Town Clerk – Lynnette Miller

- The Board was given a copy of the town clerk's monthly report.
- Clerk Miller gave an update on tax collection season, stating that all unpaid taxes have been turned over to the Yates County Treasurer's Office for collection.
- Clerk Miller received word today that she has been awarded a \$250 scholarship toward education expenses for the New York State Town Clerk's Association (NYSTCA) Annual Conference in Albany to be held April 21-24, 2024.

Supervisor's Report – David Adam

- The BAN/Bonding Resolution for the South Lake Road Paving project will need to be re-voted on this evening. A 2/3 vote is required in order for the resolution to pass. At last month's meeting, there was a 3/5 vote with one Council Member absent and another Council Member voting nay. Supervisor Adam went on to explain that since last month he has lowered the amount to be approved for the BAN to be \$450,000 rather than the \$900,000 as written in the March resolution. Each Council member has been given a copy of the new resolution.

- Williamson Law Books contracts with the Town to supply software programs. This month we need to approve the building and codes program used by the code enforcement office.
- NYSEG has sent the Town an agreement regarding swapping out the Town's current street lights with LED. There will be a charge to the Town for the remaining life of the current light fixtures, yet converting to LED will be a significant cost savings.
- The Great Hill Ultra Trail Run will be held July 13, 2024. The run starts in Honeoye and will pass through a small portion of the Town of Middlesex. The run ends on Cayward Cross Road. Supervisor Adam has responded with no concern.
- The Mowing contract with Yates County has been received.
- An advertisement was placed in the local PennySaver for mowing and lawn maintenance. One bid has been received and it is in line with last year's bid.
- Lyons National Bank has purchased the bank building in Rushville. They are hopeful to open in mid-August. Supervisor Adam has suggested that we start moving some of the Town's accounts although he opened it up to comments from the Board. Council Member Betts suggested that we wait until more information is known. Supervisor Adam suggested that a representative from LNB be asked to attend a Board meeting to give further information.
- Special Projects Manager Bruce St. Lawrence gave a report on the work done by Seneca Stone on the South Lake Road Paving project. Bruce will be keeping residents updated through email as the work continues. Supervisor Adam reported that the millings from the project belong to the Town. The millings will be used on the South Lake Road shoulders. If there are leftovers, the millings will be used by the Town Highway Department.

Public Comments –

- Resident Dan Paddock spoke about the Memorial Day Parade to be held in Middlesex this year. Dan is heading up the Committee organizing the events for that day. He will be submitting an invoice for \$150 to the Town toward expenses for the parade and awards.
- Bruce St. Lawrence acknowledged the recent passing of Marty DeVinney. Marty was a well-respected community resident and business owner. As a long-time member of the Planning Board, Marty also served as chair for several years. Condolences are expressed to Marty's family. He will be missed in the Middlesex/Vine Valley community.

Resolutions

Resolution #37-24

Authorizing General Obligation Serial Bonds to Finance Road Improvements on South Lake Road, Authorizing the Issuance of Bond Anticipation Notes in Contemplation Thereof, the Expenditure of Sums for Such Purpose, and Determining Other Matters in Connection Therewith.

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

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

WHEREAS, the Town, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"), has completed its environmental review and, on March 14, 2024, has duly determined and found the purpose to be a type II action

which will not have a significant impact on the environment and is not subject to any further environmental review under SEQRA; now therefore, be it

RESOVED BY THE TOWN BOARD OF THE TOWN OF MIDDLESEX, NEW YORK (hereinafter referred to as the "Town"), by the favorable vote of not less than two thirds of all the members of such Board as follows:

Section 1. The Town of Middlesex shall undertake the construction of street improvements to include, without limitation, production cold milling of the existing surface and placement of a new asphalt pavement binder and top course on South Lake Road, and asphalt full depth pavement reconstruction and pavement cross-slope corrections utilizing a truing and leveling pavement course and other incidental improvements in connection therewith that may be required in connection therewith for such construction and Town use (hereinafter referred to as "purpose"), and general obligation serial bonds in an aggregate principal amount not to exceed \$450,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Town are hereby authorized to be issued to finance said purpose.

Section 2. The estimated maximum aggregate cost of said purpose, which may include preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$750,000, and such amount is hereby appropriated therefor. The plan for financing the costs of said purpose is to provide (i) up to \$300,000 from current funds available for such purpose, and (ii) up to \$450,000 by the issuance of bonds or bond anticipation notes as herein authorized.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 20(b) of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is hereby restricted to five (5) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will not be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are not issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Town and all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes.

Section 5. It is hereby determined and declared that the Town reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, including without limitation, the authority to determine whether to accept bids electronically to the extent allowed by the Local Finance Law, is hereby delegated to the Town Supervisor, the Town's chief fiscal officer. The Town Supervisor and the Town Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Town of Middlesex.

Section 7. The faith and credit of the Town of Middlesex, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. This resolution, or a summary hereof, shall be published in full by the Town Clerk of the Town of Middlesex together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law. The validity of said bonds and bond anticipation notes issued in anticipation of the sale of said serial bonds, may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall take effect immediately upon its adoption.

Resolution #38-24

Authorize Use of Funds for South Lake Road Paving Project

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

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

RESOLVED to use the following funds toward payment of the South Lake Road Paving Project:

CHIPS - \$200,000

American Rescue Plan Act (ARPA) - \$137,251.21

Resolution #39-24

Approve Contract with Williamson Law Book for Buildings and Codes Software

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

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

RESOLVED to approve the contract with Williamson Law Book for the buildings and codes software.

Resolution #40-24

Approve Computer Purchase for Water District from SCT Computers

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 approve the purchase of a new computer for the Water Department from SCT Computers, Inc. of Penn Yan for the amount of \$891.00

Resolution #41-24

Approval to Clean Markers at Pine Corners Cemetery

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 to approve cleaning of markers at Pine Corners Cemetery in the Town of Middlesex to include an invoice for orientation services provided to volunteers as well as the cost of cleaning supplies. Estimated cost to be \$50.00

Resolution #42-24

Authorizing the Town Clerk to Send the Notice of Estoppel Regarding the South Lake Road Paving Project to be Published in the Daily Messenger

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

RESOLVED to authorize Town Clerk Lynnette Miller to send the Notice of Estoppel regarding the South Lake Road Paving Project to be published in the Daily Messenger on or as near as possible to the 16th of April, 2024.

Resolution #43-24

Authorizing the Lifeguard Contract with Yates County

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

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

RESOLVED to authorize Supervisor Adam to sign the 2024 Lifeguard Contract with Yates County which gives reimbursement to the Town of Middlesex toward lifeguard payroll.

Resolution #44-24

Accept the 2024 Mowing Contract with Yates County

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

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

RESOLVED to accept the 2024 Mowing Contract with Yates County

Resolution #45-24

Approval for Truck #2 2016 F-550 to be Auctioned

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

RESOLVED to approve Highway Superintendent Josh Burnett to place the 2016 F-550 truck, also known as Truck #2 on the Auctions International website.

Resolution #46-24

Audit of Claims

On a motion by Council Member Liddiard, 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 April 11, 2024 Abstract have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund	Vouchers No. 68-91	\$ 9,495.40
Highway Fund	Vouchers No. 52-76	\$109,021.46
Water District	Vouchers No. 14-18	\$ 23,616.00
Library Fund	Vouchers No. 3	\$ 143.73

Resolution #47-24

Accept Lawn Maintenance Bid

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
 Abstain 1 Liddiard

RESOLVED to accept the lawn maintenance bid presented by Don Liddiard of Liddiard's Tree Experts in the amount of \$13,885.00.

Executive Session

At 8:29 p.m. Supervisor Adam requested that the Board enter executive session for the purpose of discussing personnel matters. A motion was made by Council Member Mitchell, seconded by Council Member Button.

*All in favor; none opposed. Motion carried.

Meeting Reconvened

The meeting resumed at 8:31 p.m.

Resolution #48-24

Approve Extra Staff to Work at Spring Clean Up Day on April 20, 2024

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 compensate at a rate of \$30.00/hour the following people who will be working at Town of Middlesex Clean Up Day on April 20, 2024: Paul Lee, Robert Quayle, Carson Soles, Daniel Nemitz.

Adjourn

With no further business, a motion was made by Council Member Button, seconded by Council Member Betts to adjourn the regular meeting of the Town Board of the Town of Middlesex at 8:34 p.m.



Lynnette F. Miller, Town Clerk