

Town of Middlesex

Regular Meeting

May 14 , 2026

Present: David Adam, Supervisor
Austin Liddiard, Council Member
Leon Button, Council Member
Paul Mitchell, Council Member

Absent: Stephanie Betts, Council Member

Recording: Rebecca Moore, Town Clerk

Also Present: David Gray, Terry Mott and Ed Bronson, Yates County Legislator

Middlesex Town Board Meeting

Attendance

Date: May 14, 2026

Please print your name clearly

1. David M Gray
2. Terry Mott
3. Ed Bronson
4. _____
5. _____
6. _____

Call to Order/Pledge

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

Open Public Comments 7:01 PM

Hearing none

Close public comments 7:01 PM

OPEN PUBLIC HEARING A LOCAL LAW AMENDING THE ZONING LAW OF THE TOWN OF MIDDLESEX TO ADD REGULATIONS PERTAINING TO SOLAR ENERGY SYSTEMS 7:01 PM

Request to accept April 09, 2026 board meeting minutes was accepted by Council Member Liddiard and Council Member Button seconded approval, all in favor

Town Clerk Report Town Clerk report submitted to the Town Board.

Town Clerk Department Monthly Report

Date: 5/14/2026

Reporting Period: From 04/09/2026 to 5/13/2026

Major Tasks Completed

1. Yates County 2026 tax warrant balance due is \$746,129.91. The Town of Middlesex has more received than being requested. County Treasurer explained the penalties and interest collected in Feb and March belong to the Town. So the Town Clerk is going through the difference to ensure we are in agreement.
2. Emailed Lawn & Maintenance contract to Jason Scales for \$12,500.00. Awaiting Certificate of Insurance.
3. Worked with Yates County for Assessor Trainees posting and received 6 applicants that meet requirements. All have been emailed to the Board and Pat Grimaldi
4. Working with Tonya in Parks & Rec with Yates County regarding Lifeguards for the 2026 beach season.
5. Received a Satisfactory report from NYS Agriculture & Markets for both Municipal Shelter Inspection AND Dog Control Officer Inspection.
6. Updated website for Code per their requests
7. Spoke with Litigation attorney several times in preparation and emailed several requested docs
8. Town Clerk annual conference (see attached conference summary to board)
9. Submitted public meeting for Solar Energy Local Law for newspaper run on 4/28 to be ran 5/3
10. Emailed the board approved Library lease to the Librarian
11. Posted with Yates County HEO position on 4/29 - as of 5/13 - No applicants
12. Mailed out dog license renewal notices
13. Completed FOIL appeal responses alongside with Code department - forwarded to board

Items to Note (unexpected costs, repairs, staffing updates, revenue updates)

There are NO outstanding Engineering Fees - however - Town Clerk received an estimate of \$900.00. Waiting for confirmed invoice

Engineer Invoice date/Hours worked	Rate	TOTAL	Town Invoice Date	Payment Received	Amount Outstanding
11/03/2024	4	\$ 360.00	\$ 440.00 5/1/2025	\$ 440.00 04/28/25	XXX
4/10/2025	5	\$ 450.00	\$ 890.00 5/1/2025	\$ 890.00 04/17/25	XXX
4/10/2025	5	\$ 450.00	\$ 1,340.00 5/1/2025	\$ 1,340.00 04/17/25	XXX
4/10/2025	20.25	\$ 911.25	\$ 2,251.25 4/24/2025	\$ 2,251.25 04/17/25	XXX
7/06/2025 (1 hour @ \$150)	1	\$ 150.00	\$ 2,401.25 5/13/2025	\$ 2,401.25 04/17/25	XXX
7/06/2025 (1 hour @ \$150)	1	\$ 150.00	\$ 2,551.25 5/13/2025	\$ 2,551.25 04/17/25	XXX
05/07/2025	5	\$ 450.00	\$ 3,001.25	\$ 3,001.25	XXX
		\$ 3,001.25		\$ 3,001.25	XXX

Town of Middlesex Cash Book Transactions						
For the period 04/10/26 through 05/13/26						
Total:	\$1,615.00					Deposited:
Date	Name	Description	DEC	DL	ML	Other
04/11/26	PULLEY, KIM S. JENNIFER	0000000000 - FURNISH 100002		10.00		100.00
04/11/26	440 EAST LAKE RD	SITE PLAN REVIEW - water/sewer 2026-10-SP				100.00
04/11/26	5880 & 5884 S VINE VALLEY RD	SITE PLAN REVIEW - landscape 2026-10-SP				100.00
04/11/26	600 SPYDEN CONE	SITE PLAN REVIEW - water/sewer 2026-10-SP				100.00
04/11/26	440 UPPER HILL RD	SITE PLAN REVIEW - water/sewer 2026-10-SP				100.00
04/28/26	1272 HALE TENDRICK RD	MISCELLANEOUS REVENUE FIVE REVENUE 2026-2				50.00
04/28/26	5880 AND 5884 S VINE VALLEY RD	MISCELLANEOUS REVENUE FIVE REVENUE 2026-2				50.00
04/28/26	1272 HALE TENDRICK RD	SITE PLAN REVIEW FIVE REVENUE 2026-20-SP				100.00
04/29/26	LIBRARY, JAHN	0000000000 - FURNISH 100002		10.00		100.00
04/30/26	410 E LAKE RD	APPL FOR VARIANCE - water/sewer 2026-04-2				75.00
04/30/26	1223 S LAKE RD	APPL FOR VARIANCE - water/sewer 2026-04-2				75.00
04/30/26	600 SPYDEN CONE DR	BUILDING PERMIT - 2026-04-2				50.00
04/30/26	410 FISHBONE RD	SITE PLAN REVIEW - 2026-04-2				100.00
04/30/26	780 NEWBOLD AVE	SITE PLAN REVIEW - 2026-04-2				100.00
04/30/26	410 FISHBONE RD	SITE PLAN REVIEW - 2026-04-2				100.00
04/30/26	1223 S LAKE RD	SITE PLAN REVIEW - 2026-04-2				100.00
04/30/26	410 E LAKE RD	SITE PLAN REVIEW - 2026-04-2				100.00
05/01/26	WATKINS, PAUL	0000000000 - FURNISH 100002		10.00		100.00
05/04/26	640 SOUTH LAKE RD	BUILDING PERMIT - 2026-04-2				210.00
05/13/26	600 SPYDEN CONE	APPL FOR VARIANCE - 2026-04-2				75.00
Total:		\$1,615.00	0.00	30.00	0.00	1,585.00
Deposit Amount:		\$1,615.00				
Credit:		\$2.00				
Credit Card Amount:		\$0.00				

Upcoming/continued Projects

Scanning

Submitted By:

Name: Rebecca Moore

Title: Town Clerk/Tax Collector

For Town Board Review - Monthly Meeting Date: 05/13/2026

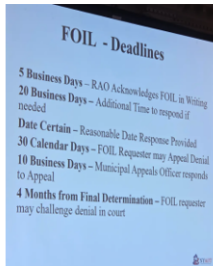
Town Clerk NYSTCA Annual 2026 Conference Summary

4/20

First session was a 'general session' where they discussed web page compliance for municipalities. I believe the [towns](#) website is already in compliance, however, I have emailed Gerard at SCT to confirm. I will report back once I have confirmation.

FOIL

I learned what constitutes a document to be a [FOILable](#) one. It was clarified that documents and/or lists should not be 'created' for FOILs. When a FOIL is requested, it is for [the request of the](#) existence of the requested document. It is not the request to create the information [in order to](#) 'fulfill' the FOIL request.



Procurement and Claims Processing

Regarding competitive bidding. Moving forward, all bids need to be received sealed and must be opened in an open public meeting.

For the inevitable verbal quotes to be received, it can be written down, dated and signed by all parties present that received the verbal quote. If the verbal quote wins, due to best choice for the town, it's to be attached to the voucher so "full story" remains with the payment.

Open Meetings Law

The most important message received was to operate keeping in mind that the public should be able to follow along with every matter and conversation.

Vendors

I have one vendor who would like to be added to our public bid distribution list. They also have a list of [clients](#), that they push the bids out for. There is NO cost to the municipalities for the reference, that is part of their contract with the bidders. This could assist us in the future in receiving more bids for projects.

There were several records restoration vendors there. I have a few of their contacts and will be forwarding them to the historian to see if this is something they also may be interested in for their work as well. However, the town should start looking into preserving the older records books dating back to the early 1800's.

There is a company where you can apply ANNUALLY for digitization grants. I would like the [boards backing](#) to begin applying so we can start working towards digitizing the attic files so we can further work towards record retention and being able to dispose of records that no longer require hard copies. (to which the same company will assist in disposing of the records that have been determined able to be disposed of) [This](#) will benefit the town in storage space and in any required information search.

I also have a company that works with municipalities for credit card payments. It was reported there is NO cost to the municipality, as the credit card cost is forwarded to the purchaser (much like the county already does with taxes). I am not bringing this up for tax purposes only. [In this day and age](#), those who are coming in to pay for the marriage license and/or dog license. Credit [card is](#) more commonly used as MANY do not carry cash or checks. It may be a good way to start meeting the public where they are at. I would like to call and set up a meeting. Which board member would like to be present?

4/21

Social Media

It is in the best interest for the Town of Middlesex to create a 'Town of Middlesex Official' FB page and turn OFF comments. This allows the website to be one hundred percent a tool for information only, not matters of the opinions of the public and/or the officials. The current community page should be [run](#) by a townsman. To allow a clear separation between the Towns official informational website and the towns community page that expresses it's right to the first amendment. [As](#) any avenue, the town or those who work for the town that are acting for the town, [is](#) considered town records that need to be obtained and documented. Social media is considered documents. It is the recommendation that town officials create official town personal pages and use those [in order](#) to run the [towns](#) official Facebook page. This will create the separation of any personal pages from municipal business. The continued message was to not 'blur the [lines](#)'. The Town of Middlesex would need a [Social](#) media policy. Below, there is a sample policy from a similar sized town.

Town of Schroon Social Media Policy

Purpose

This policy establishes guidelines for the use of social media platforms by the Town of Schroon as a means of conveying Town of Schroon ("Town") information to its citizens. For purposes of this policy, examples of social media include Facebook, YouTube, and Twitter. These guidelines include, but are not limited to, the Town web site and any social media platforms. The intended purpose for establishing Town of Schroon social media sites is to disseminate information from the Town, about the Town, to its citizens and visitors, and as an alternate and additional means of communication during emergency situations. Utilization of Town approved social media sites must adhere to this policy. This policy may be amended [at](#) the direction of the Town Board. The Town shall establish an "official" town-wide social media site(s) and the Site Administrator shall be the Town Clerk, who shall oversee and manage social media accounts and overall online presence. The Site Administrator is empowered to authorize town employees as Assistant Site Administrators to assist in creating and moderating all social media content.

General Policy

1. The town of Schroon does not allow public commenting on the Town of Schroon's Facebook page or other forms of social media.
2. All Town social media sites shall adhere to applicable federal, state, and local laws, regulations and policies.
3. Site Administrator or Assistant Administrator representing the Town government via Town social media site(s) must express themselves using language and content that reflects the highest standards of decorum and in accordance with all Town policies.
4. This [Social Media Policy](#) may be revised at any time by the Town board.

The [Social Media Policy](#) should list admins, and there should be at least three. In the setting up of the official websites, official email addresses should be used only.



**Agriculture
and Markets**

April 28, 2026

David Adam
Town Supervisor - Town of Middlesex
P.O. Box 147
Middlesex, NY 14507

Enclosed is the **Municipal Shelter Inspection Report** completed on **04/21/2026**. This inspection relates to Agriculture and Markets Laws and Regulations which may be viewed on the website below.

As the report indicates, dog shelter services were rated "Satisfactory". Please make note of any comments listed on the report.

Municipal dog shelters are subject to inspection by this agency on a regular basis.

Please notify this office within 30 days of any changes in municipal shelter services.

If you have any questions regarding this inspection, please call me.

Caitlyn Hanlon
Animal Health Inspector
(315) 907-7634

MUNICIPAL SHELTER INSPECTION REPORT - DL-90

Rating: **Satisfactory**365 Purpose: **Inspection**

DATE/TOA: 4/21/26 1:45 pm

YATES CO. DOG SHELTER
1216 STATE RTE. 14A
PENN YAN NY 14527Inspector: **Caitlyn Hanlon** Inspector #: **070**

These are the findings of an inspection of your facility on the date(s) indicated above:

1. Shelter is structurally sound	Yes
2. Housing area and equipment is sanitized regularly	Yes
3. Repairs are done when necessary	Yes
4. Dogs are handled safely	Yes
5. Adequate space is available for all dogs	Yes
6. Light is sufficient for observation	Yes
7. Ventilation is adequate	Yes
8. Drainage is adequate	Yes
9. Temperature extremes are avoided	Yes
10. Clean food and water is available and in ample amount	Yes
11. Veterinary care is provided when necessary	Yes
12. Dogs are euthanized humanely, by authorized personnel	Yes
13. Complete intake and disposition records are maintained for all seized dogs	Yes
14. Dogs transferred for purposes of adoption in compliance with Article 7	Yes
15. Redemption period is observed before adoption, euthanasia or transfer	Yes
16. Owners of identified dogs are properly notified	Yes
17. Redeemed dogs are licensed before release	Yes
18. Proper impoundment fees paid before dogs are released	Yes
19. Written contract or lease with municipality	Yes

Town - City - Village Information for Inspection:

TCV CODE	TCV NAME
5701	Town of Barrington
5702	Town of Berinton
5703	Town of Italy
5704	Town of Jerusalem
5705	Town of Middlesex
5706	Town of Milo
5707	Town of Potter
5708	Town of Starkey
5709	Town of Torrey

REMARKS:

REPRESENTATIVE PRESENT FOR INSPECTION: **Thomas Morris**
TITLE: **ACO**REVIEWED BY: **Emily Cacchione**
REVIEWED DATE: **04/25/2026**



**Agriculture
and Markets**

April 28, 2026

David Adam
Town Supervisor - Town of Middlesex
P.O. Box 147
Middlesex, NY 14507

Enclosed is the **Dog Control Officer Inspection Report** completed on **04/21/2026**. This inspection relates to Agriculture and Markets Laws and Regulations which may be viewed on the website below.

As the report indicates, DCO services were rated "Satisfactory". Please make note of any comments listed on the report.

Dog control officer services are subject to inspection by this agency on a regular basis.

Please notify this office within 30 days of any changes in DCO services.

If you have any questions regarding this inspection, please call me.

Caitlyn Hanlon
Animal Health Inspector
(315) 907-7634

DOG CONTROL OFFICER INSPECTION REPORT - DL-89

Rating: **Satisfactory**365 Purpose: **Inspection**

DATE/TOA: 4/21/26 1:45 pm

THOMAS MORRIS
227 MAIN ST
PENN YAN NY 14527

Inspector: Caitlyn Hanlon Inspector # 070

These are the findings of an inspection of your facility on the date(s) indicated above:

- | | |
|--|----------------|
| 1. Equipment is available for proper capture and holding | Yes |
| 2. Dogs are held and transported safely | Yes |
| 3. Equipment maintained in clean and sanitary condition | Yes |
| 4. Veterinary care is provided when necessary | Yes |
| 5. Dogs are euthanized humanely | Yes |
| 6. Complete seizure and disposition records are maintained for all seized dogs | Yes |
| 7. Dogs transferred for purposes of adoption in compliance with Article 7 | Not Applicable |
| 8. Redemption period is observed before adoption, euthanasia or transfer | Not Applicable |
| 9. Owners of identified dogs are properly notified | Yes |
| 10. Redeemed dogs are licensed before release | Yes |
| 11. Proper impoundment fees paid before dogs are released | Yes |

Town - City - Village Information for Inspection:

TCV CODE	TCV NAME
5701	Town of Barrington
5702	Town of Benton
5703	Town of Italy
5704	Town of Jerusalem
5705	Town of Middlesex
5706	Town of Milo
5707	Town of Potter
5708	Town of Starkey
5709	Town of Torrey

Additional Information for Inspection:

Number of Dogs Seized:

Number of dogs seized since previous inspection: 113

Associated Municipal Shelter(s):

Name of Shelter(s): Yates County Dog Shelter/Yates County Humane Society

Holding Facility:

Dogs held before transport to shelter? (Yes/No): No

Location(s): N/A

REMARKS:

REPRESENTATIVE PRESENT FOR INSPECTION: Thomas Morris
TITLE: ACOREVIEWED BY: Emily Cacchione
REVIEWED DATE: 04/25/2026**Tax Assessor-** Patrick GrimaldiGrievance Day is May 28th**Highway/Buildings/Grounds**

Highway Superintendent report submitted to the Town Board.

Included: New truck arrival may be December (2 years from ordering date)

Highway Department Monthly Report

Date: 5/6/26

Reporting Period: From 4/9/26 to 5/14/26

Major Tasks Completed

1. Hauled CR1 and 5/8 stone
 2. Swept roads around town
 3. Installed 3 new driveway pipes
 4. Replaced cross culvert at Bare hill and Townline
 5. Replaced cross culvert on Van Epps road
 6. Clean ditches various spots
 7. Took plow equipment off trucks
-

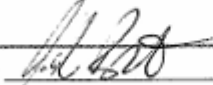
Items to Note (unexpected costs, repairs, staffing updates)

Brakes on truck 6

Serviced CAT loader

Upcoming Projects

Ditching
Haul stone for stock pile
Replace cross culverts
Grade and put stone on gravel roads
Start mowing roadsides

Submitted By: Signature: 

Name: Josh Burnett

Title: Highway Superintendent

Date: 5/6/26

For Town Board Review – Monthly Meeting Date: 5/14/26

Water District Superintendent – Alan Williams

Leak 5/9/26 that created boil water advisory due to the tank being emptied.

Code Enforcement Officer – Alan Pierce

Zoning Board –

Historian – Amberle Kelly – gearing up for the 250 anniversary - Introduced David Grey as Heritage Group President

Yates County Legislature – Ed Bronson

Pre-emption road bridge is on schedule. Fergeson Corner bridge is a longer detour (over 7 miles) as the cost for a temp one lane on the bridge during construction would be too expensive. Medicare changes in Jan include able bodied persons work 80 hours a month or community service. Public Health Department is pushing tick safety. There are various departments within the 5 year capital project. Updates will be forthcoming. June primary is for Democrats only. New Jail news upcoming. Boat Creek project is in the early pre- permit stage.

THIS IS NOT A PERMIT

 **New York State Department of Environmental Conservation**
Notice of Complete Application

Date: 04/30/2026

Applicant: NEWAGO COVE CORPORATION
6340 GLENN AVE
MIDDLESEX, NY 14507

Facility: CANANDAIGUA LAKE TRIB - BOAT CREEK
ALONG BOAT CREEK, W TO CANANDAIGUA LAKE IN VINE VALLEY RD - S SIDE
S VINE VALLEY - N SIDE
Middlesex, NY

Application ID: 8-5728-00176/00001

Permit(s) Applied for: 1 - Article 15 Title 5 Stream Disturbance

Project is located: in MIDDLESEX in YATES COUNTY

Project Description:
Proposed stream restoration project along approximately 1,300 linear feet of a Canandaigua Lake Tributary known as Boat Creek (Class C(TS)), downstream of the Vine Valley Road to the confluence Canandaigua Lake at Willow Grove Point. The goal is to create a stable channel form that will improve aquatic function and reduce flood threats. Improvements will consist of the removal of excess stone deposits within the channel and lake confluence (which has been deposited by recent storm events), the removal of failing timber walls and the installation of stepped bank stabilization structures.

Availability of Application Documents:
Filed application documents, and Department draft permits where applicable, are available for inspection during normal business hours at the address of the contact person. To ensure timely service at the time of inspection, it is recommended that an appointment be made with the contact person.

State Environmental Quality Review (SEQR) Determination
Project is an Unlisted Action and will not have a significant impact on the environment. A Negative Declaration is on file. A coordinated review was performed.

SEQR Lead Agency: NYS Department of Environmental Conservation

State Historic Preservation Act (SHPA) Determination
A cultural resources survey has been completed and cultural resources were identified. Based on information provided in the survey report, the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) has determined that the proposed activity will have no adverse impact on registered or eligible archaeological sites or historic structures. No further review in accordance with SHPA is required.

DEC Commissioner Policy 29, Environmental Justice and Permitting (CP-29)
It has been determined that the proposed action is not subject to CP-29.

New York State Department of Environmental Conservation
Division of Environmental Permits
NYSDEC Region 8 Headquarters
6274 E Avon-Lima Rd
Avon, NY 14414
(585) 226-2466

April 30, 2026

DAVE CERRONE
23 GLAD BROOK RD
PITTSFORD, NY 14534

Re: DEC ID # 8-5728-00176/00001
CANANDAIGUA LAKE TRIB - BOAT CREEK

Dear Applicant Agent :

Please be advised that your application for a DEC permit(s) is complete and a technical review has commenced. Notice and the opportunity for public comment is required for this application. Enclosed is a Notice of Complete Application for your project. Please have the Notice published in the newspaper identified below once during the week of 05/04/2026 on any day Monday through Friday.

DAILY MESSENGER
MESSENGER POST PUBLICATIONS
73 BUFFALO ST
CANANDAIGUA, NY 14424

On the Notice of Complete Application, that information presented between the horizontal lines, on the enclosed page(s) should be published. Do not print this letter or the information contained below the second horizontal line. Please request the newspaper publisher to provide you with a Proof of Publication for the Notice. Upon receipt of the Proof of Publication promptly forward it to this office. You must provide the Proof of Publication before a final decision can be rendered on your application. You are responsible for paying the cost of publishing the Notice in the newspaper.

Notification of this complete application is also being provided by this Department in the NYSDEC Environmental Notice Bulletin.

This notification does not signify approval of your application for permit. Additional information may be requested from you at a future date, if deemed necessary to reach a decision on your application. Your project is classified major under the Uniform Procedures Act. Accordingly, a decision is due within 90 days of the date of this notice unless a public hearing is held, which may extend this time frame. If a public hearing is necessary, you will be notified.

If you have any questions please contact me at the above address or phone number above.

Sincerely,

ROBERT B CALL
Division of Environmental Permits

Availability For Public Comment

Comments on this project must be submitted in writing to the Contact Person no later than 05/21/2026 or 15 days after the publication date of this notice, whichever is later.

Contact Person

ROBERT B CALL
NYSDEC
6274 E Avon-Lima Rd
Avon, NY 14414

CC List for Complete Notice

Chief Executive Officer
NEWAGO COVE CORPORATION
ENB

David Adam, Supervisor

Assessor trainee discussion – more applied than anticipated and more with experience than thought. Going to move forward with interviews and decide what to do thereafter.

Comptroller exit interview review - comptroller asked that findings not be made public yet until they have been able to officially complete out the audit. There was a brief, in office discussion between auditors and supervisor. Once officially completed, the town will publicize the findings.

Water Dept. Spare absolute filter (9-10 week lead time)

BAN – working on completing the BAN

Planning Board member addition – this was cancelled since the planning board is working on this line item

Yates County Highway Department 2026 Mowing Contract (radio towers)

YATES COUNTY HIGHWAY DEPARTMENT 2026 MOWING CONTRACT	YATES COUNTY HIGHWAY DEPARTMENT 2026 MOWING CONTRACT
This agreement made this <u>1st</u> day of <u>May</u>, 2026 by and between Yates County (hereinafter referred to as the County) and the <u>Town of Middlesex</u> (herein after referred to as Municipality) as follows: WHEREAS, the work of mowing the Counties radio tower properties, may be mutual agreement, be performed by the municipality as requested by the County, pursuant to this agreement; and WHEREAS, the Municipality named herein is willing to perform the function so delegated to it for the work of mowing Yates County radio towers 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) <u>The terms of this agreement shall be for a period of five and one half (5.5) months, commencing May 1, 2026 and terminating October 17, 2026.</u> At the expiration of each five- 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 radio towers of Yates County 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. 5) <u>Mowing of the radio tower properties between the dates noted in item #1 above shall take place three (3) times annually.</u> The goal of mowing the radio towers is to keep grass and vegetation cut down to allow access and mobility throughout the property for access by the County and it's vendors, contractors, etc.	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 a <u>rate of \$138.00/hour</u> for the mowing of the radio tower sites. 8) The Municipality shall transmit by July 15th, August 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. 13) The Municipality shall maintain commercial general liability insurance in an amount satisfactory to the County, with such insurance policy naming the County as additional insured. 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 _____ (Chair, Yates County Legislature) MUNICIPALITY BY <u>[Signature]</u> Date <u>5/14/2026</u> (Town of Middlesex Supervisor)
1 of 2	2 of 2

Website discussion for reformatting – determined to get department heads together to discuss next steps and wish list for website.

ZBA Chair from Ted Carman to David Wilson – discussed Ted's decision to step down into the alt role so David Wilson can become chairman.

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 April, 2026.

DATED: May 7, 2026

SUPERVISOR

	Balance 03/31/2026	Increases	Decreases	Balance 04/30/2026
A GENERAL FUND - TOWNWIDE				
CASH - CHECKING	65,483.17	91,724.16	94,741.40	62,465.93
CASH - MONEY MARKET 9144	1,853,808.37	11,545.96	91,724.16	1,773,630.17
PETTY CASH	162.04	0.00	0.00	162.04
TOTAL	1,919,453.58	103,270.12	186,465.56	1,836,258.14
DA HIGHWAY FUND				
CASH - CHECKING	58,001.57	40,827.53	45,447.97	53,381.13
CASH - SAVING	1,699,933.13	4,813.99	40,827.53	1,663,919.59
HWY EQUIPMENT RESERVE	82,339.23	236.87	0.00	82,576.10
TOTAL	1,840,273.93	45,878.39	86,275.50	1,799,876.82
HA ROAD REPAIR CAPITAL PROJECT				
CASH - CHECKING	1,508.89	0.00	0.00	1,508.89
TOTAL	1,508.89	0.00	0.00	1,508.89
L MUNICIPAL LIBRARY				
CASH - CHECKING	12,788.31	2,008.57	2,464.54	12,332.34
CASH SAVINGS	84,562.82	219.96	2,008.57	82,774.21
TOTAL	97,351.13	2,228.53	4,473.11	95,106.55
PN CEMETERY				
CASH - SAVINGS 9144	0.00	0.00	0.00	0.00
	2,328.61	0.00	0.00	2,328.61
TOTAL	2,328.61	0.00	0.00	2,328.61
SF FIRE PROTECTION DISTRICT				
	0.00	0.00	0.00	0.00
TOTAL	0.00	0.00	0.00	0.00
SL LIGHTING DISTRICT				
CASH - CHECKING	1,717.20	0.00	107.84	1,609.36
SAVINGS	9,100.00	0.00	0.00	9,100.00
TOTAL	10,817.20	0.00	107.84	10,709.36
SW WATER DISTRICT				
CASH - CHECKING	34,603.00	17,268.14	41,230.40	10,640.74

Page 1 of 2

MONTHLY REPORT OF SUPERVISOR

	Balance 03/31/2026	Increases	Decreases	Balance 04/30/2026
MONEY MARKET	501,242.83	15,273.83	17,268.14	499,248.52
TOTAL	535,845.83	32,541.97	58,496.54	509,891.26
TA TRUST & AGENCY				
CASH - CHECKING	5,307.84	46,828.40	45,501.65	6,634.59
HRA ACCOUNT	8,713.49	0.00	1,405.58	7,307.91
TOTAL	14,021.33	46,828.40	46,907.23	13,942.50
TOTAL ALL FUNDS	4,421,600.50	230,747.41	382,727.78	4,269,620.13

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Open PUBLIC COMMENTS @ 7:44 PM

Terry: asked for clarification regarding the accessor training position posted. Asked what the proper procedure should be for public comments/letters regarding planning board projects. Currently, planning board members are receiving letters to their direct homes. Supervisor asked town clerk to investigate this procedure. Town clerk agreed to look into and advise back. Lastly, mentioned available for any comprehensive planning that may be in the future.

Close PUBLIC COMMENTS at 7:57 PM

CLOSE PUBLIC HEARING A LOCAL LAW AMENDING THE ZONING LAW OF THE TOWN OF MIDDLESEX TO ADD REGULATIONS PERTAINING TO SOLAR ENERGY SYSTEMS 7:58 PM

Motions

Motion to formally authorize Supervisor Adam and Town Clerk Moore to make all necessary decisions, including the execution of contracts up to \$123,000.00, regarding the Bond Anticipation Note 2026 (renewal) in between board meetings, provided such actions are consistent with the previously approved budget and project charter, with all actions reported at the next board meeting :June 11, 2026.

Motion by Council Member Mitchell – seconded by Council Member Liddiard, the following motion was adopted:

ADOPTED: Ayes 4 Adam, Liddiard, Button, Mitchell

Nays 0

Motion to accept Ted Carman resignation as Chairman for the Zoning Board of Appeals (ZBA) effective today, May 14, 2026. Ted Carman is remaining on the ZBA as an alt member. The Town of Middlesex thanks Ted for his time as chairman.

MOTION by Council Member Button – seconded by Council Member Mitchell, the following motion was defeated

ADOPTED: Ayes 4 Adam, Liddiard, Button, Mitchell

Nays 0

Motion to approve David Wilson as Chairman for the Zoning Board of Appeals effective today, May 14 2026 until end of term of December 31, 2026.

Motion by Council Member Button – seconded by Council Member Liddiard, the following motion was adopted:

ADOPTED: Ayes 4 Adam, Liddiard, Button, Mitchell

Nays 0

RESOLUTIONS

Resolution # 46-26

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF MIDDLESEX,

YATES COUNTY, NEW YORK,

DETERMINATION OF SIGNIFICANCE – LOCAL LAW NO. 2 OF 2026

WHEREAS, the Town of Middlesex Town Board, hereinafter referred to as Town Board, has determined proposed Local Law No. 2 of 2026 to be a Type 1 Action under the State Environmental Quality Review (SEQR) Regulations, and,

WHEREAS, the Town Board has reviewed and accepted the Environmental Record prepared on said action, and

WHEREAS, the Town Board has considered the potential impacts associated with said action.

NOW, THEREFORE, BE IT RESOLVED THAT the Town Board makes this Determination of Non-Significance based upon: the Long Environmental Assessment Form prepared for this action, Town Board Public Hearing Record on said action; and, the Environmental Record prepared on said action.

BE IT FURTHER RESOLVED THAT, the Town Board makes this Determination of Non-Significance based on the following reasons supporting this determination:

1. The Town Board considered the action as defined in subdivisions 617.2(b) and 617.3(g) of Part 617 of the SEQR Regulations; and,
2. The Town Board did review the EAF, the criteria contained in subdivision (c) of 617.7 and other supporting information to identify the relevant areas of environmental concern; and,
3. The Town Board did thoroughly analyze the identified relevant areas of environmental concern to determine if the action may have significant adverse impact on the environment; and
4. The Town Board did set forth its determination of significance in written form containing a reasoned elaboration and providing reference to all supporting documentation.

I, Rebecca Moore, 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 May 14, 2026, by the following vote:

	<u>Aye</u>	<u>Nay</u>
David Adam	X	_____
Leon Button	X	_____
Austin Liddiard	X	_____
Paul Mitchell	X	_____
Stephanie Betts	ABSENT	_____

Resolution # 47-26

RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF MIDDLESEX OF LOCAL LAW NO. 2 OF 2026 ENTITLED

“A LOCAL LAW AMENDING THE ZONING LAW OF THE TOWN OF MIDDLESEX TO ADD REGULATIONS PERTAINING TO SOLAR ENERGY SYSTEMS”

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 May 14, 2026, 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 Amending the Zoning Law of the Town of Middlesex to Add Regulations Pertaining to Solar Energy Systems”; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Middlesex, on May 03, 2026 and other notices required to be given by law were properly served, posted or given; and

TOWN OF MIDDLESEX
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that a public hearing will be held by the Town of Middlesex on the 14th day of May 2026, at 7:00 p.m., at the Middlesex Town Hall, 1216 Route 245, Middlesex, New York, regarding the adoption of a Local Law of the Town of Middlesex for the year 2026, entitled "A Local Law Amending the Zoning Law of the Town of Middlesex to Add Regulations Pertaining to Solar Energy Systems". This Local Law would amend the Town of Middlesex Zoning Law by adding new definitions pertaining to solar energy systems, by amending the Schedule of Land Uses or Activities to add various types of solar energy systems as either permitted, permitted with a special use permit or not permitted and by adding new regulations pertaining to various types of solar energy systems. Any person shall be entitled to be heard upon said proposed Local Law at such public hearing. Copies of said proposed Local Law are available for review at the Town of Middlesex Town Hall, 1216 Route 245, Middlesex, New York. This by Resolution of the Town Board of the Town of Middlesex. Rebecca Moore, Town Clerk
May 3 2026
LNYS0509755

WHEREAS, said public hearing was duly held on May 14, 2026, 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, pursuant to part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law it has been determined by the Town Board that adoption of said Local Law would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQR; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Middlesex hereby adopts said Local Law No. 2 of 2026, entitled "A Local Law Amending the Zoning Law of the Town of Middlesex to Add Regulations Pertaining to Solar Energy Systems", 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, to publish an abstract of this local law in the Town's official newspaper and to post a copy of this local law on the Town of Middlesex sign board.

I, Rebecca Moore, Town Clerk, do hereby certify that the Town Board of the Town of Middlesex adopted the aforementioned resolution on May 14, 2026, by the following vote:

	<u>Aye</u>	<u>Nay</u>
David Adam	X	_____
Leon Button	X	_____
Austin Liddiard	X	_____
Paul Mitchell	X	_____
Stephanie Betts	ABSENT	_____

Local Law Filing

Pursuant to Municipal Home Rule Law §27

Local Law Number ascribed by the legislative body of the local government listed below:

2 of the year 2026

Local Law Title: A Local Law Amending the Zoning Law of the Town of Middlesex to Add Regulations Pertaining to Solar Energy Systems

Be it enacted by the Town Board of the
(Name of Legislative Body)

 County City X Town Village

of Middlesex as follows on the
attached pages:

For Office Use Only

Department of State Local Law Index Number: of the year 20 2026

(The local law number assigned by the Department of State for indexing purposes may be different from the local law number ascribed by the legislative body of the local government.)

DOS-0238-e1 (Rev. 02-25)

Section 1. Article II (Definitions) of The Zoning Law of the Town of Middlesex is hereby amended with the insertion of the following new definitions (said new definitions to be inserted alphabetically with all existing and new definitions being appropriately renumbered accordingly) to read as follows:

Abandonment Solar energy system or portions of a solar energy system shall be considered abandoned after 12 consecutive months without electrical energy generation and must be removed from the property. Applications for extensions can be made to the Zoning Board of Appeals, which shall have authority to grant six-month extensions.

Ground-Mounted Solar Energy System. A solar energy system that is anchored to the ground and attached to a pole or other mounting system, detached from any other structure for the primary purpose of producing electricity for on-site or off-site consumption.

Roof-Mounted Solar Energy System. A solar panel system located on the roof of any legally permitted building or structure for the purpose of producing electricity for on-site or off-site consumption.

Solar Energy Equipment. Electrical energy storage devices, material, hardware, inverters, or other electrical equipment and conduit of photovoltaic devices associated with the production of electrical energy.

Solar Energy System. An electrical generating system composed of a combination of both solar panels and solar energy equipment.

Solar Panel. A photovoltaic device capable of collecting and converting solar energy into electrical energy.

Tier 1 Solar Energy Systems. Roof-mounted and building-integrated solar energy systems with a nameplate capacity up to 20 kW, or with a total solar panel surface area of up to 2,000 square feet; ground-mounted solar energy systems with a nameplate capacity up to 20 kW, or with a total solar panel surface area of up to 2,000 square feet; and on-farm solar energy systems designed to support an existing agricultural operation in the community.

Tier 2 Solar Energy Systems. Roof and ground-mounted solar energy systems with a nameplate capacity larger than 20 kW and up to 100kW, or a facility area of up to four acres, that generate no more than 110% of the electricity consumed on-site over the previous 12 months, and the electricity generated from the system is used primarily on-site.

Tier 3 Solar Energy Systems. Larger principal uses with greater impacts. Tier 3 systems are those not included in Tier 1 or Tier 2 solar energy systems that have a nameplate capacity of up to 5 MW or a facility area of up to forty acres in size, depending on the tier type selected by the municipality.

Tier 4 Solar Energy Systems. Large-scale systems that are not included under Tier 1, Tier 2, or Tier 3 solar energy systems. Tier 4 solar energy systems include all projects subject to the state-level siting process administered by the Office of Renewable Energy Siting (ORES); this extends to all new solar projects with a nameplate capacity of 5 MW or greater, as well as new solar projects which elect to seek a permit through ORES.

Section 2. Section D. (Utility & Miscellaneous Uses) in Schedule I (Schedule of Land Uses or Activities), included in Section 402 of The Zoning Law of the Town of Middlesex and being a part thereof, is hereby amended as follows:

A. The Land Use or Activity designated as "8. Wind mill, solar panel, similar alternative energy sources" is hereby amended to read "8. Wind mill, similar alternative energy sources except solar energy systems".

B. The addition of the following Land Uses or Activities to be numbered 15, 16, 17, 18, 19, 20, 21 and 22, along with their corresponding designations:

15. Tier 2 or higher solar energy systems on South Hill, Bare Hill, or on any state and federal lands

Agricultural/Residential District (AR): Not Permitted (N)
Lake Residential (LR): Not Permitted (N)
Hamlet Residential (HR): Not Permitted (N)
Low Density Residential (LDR): Not Permitted (N)
General Business (GB): Not Permitted (N)
Highway Business (HB): Not Permitted (N)
Site Plan: Not Permitted (N)
Required Article VII: Sec. 502.2.10

16. Ground-mounted solar energy systems with any portion being in the Scenic Viewshed Overlay District or in a Steep Slope Protection Area

Agricultural/Residential District (AR): Not Permitted (N)
Lake Residential (LR): Not Permitted (N)
Hamlet Residential (HR): Not Permitted (N)
Low Density Residential (LDR): Not Permitted (N)
General Business (GB): Not Permitted (N)
Highway Business (HB): Not Permitted (N)
Site Plan: Not Permitted (N)
Required Article VII: Sec. 502.2.10

17. Energy Battery Storage Systems resulting in 1 MW storage or more

Agricultural/Residential District (AR): Not Permitted (N)
Lake Residential (LR): Not Permitted (N)
Hamlet Residential (HR): Not Permitted (N)

Low Density Residential (LDR): Not Permitted (N)
General Business (GB): Not Permitted (N)
Highway Business (HB): Not Permitted (N)
Site Plan: Not Permitted (N)
Required Article VII: Sec. 502.2.10

18. All other Tier 1 solar energy systems that exceed 2,000 sq. ft. in total area

Agricultural/Residential District (AR): Special Use Permit Required (SP)
Lake Residential (LR): Special Use Permit Required (SP)
Hamlet Residential (HR): Special Use Permit Required (SP)
Low Density Residential (LDR): Special Use Permit Required (SP)
General Business (GB): Special Use Permit Required (SP)
Highway Business (HB): Special Use Permit Required (SP)
Site Plan: Yes (X)
Required Article VII: Sec. 502.2.10
Sec. 700.0

19. All other roof-mounted and building-integrated solar energy systems

Agricultural/Residential District (AR): Permitted as of Right (P)
Lake Residential (LR): Permitted as of Right (P)
Hamlet Residential (HR): Permitted as of Right (P)
Low Density Residential (LDR): Permitted as of Right (P)
General Business (GB): Permitted as of Right (P)
Highway Business (HB): Permitted as of Right (P)
Site Plan: Permitted as of Right (P)
Required Article VII: Sec. 502.2.10

20. All other Tier 1 ground-mounted solar energy systems

Agricultural/Residential District (AR): Special Use Permit Required (SP)
Lake Residential (LR): Special Use Permit Required (SP)
Hamlet Residential (HR): Special Use Permit Required (SP)
Low Density Residential (LDR): Special Use Permit Required (SP)
General Business (GB): Special Use Permit Required (SP)
Highway Business (HB): Special Use Permit Required (SP)
Site Plan: Yes (X)
Required Article VII: Sec. 502.2.10
Sec. 700.0

21. All other Tier 2 ground-mounted solar energy systems

Agricultural/Residential District (AR): Special Use Permit Required (SP)
Lake Residential (LR): Not Permitted (N)
Hamlet Residential (HR): Not Permitted (N)

Low Density Residential (LDR): Special Use Permit Required (SP)
General Business (GB): Special Use Permit Required (SP)
Highway Business (HB): Special Use Permit Required (SP)
Site Plan: Yes (X)
Required Article VII: Sec. 502.2.10
Sec. 700.0

22. All other Tier 3 and Tier 4 ground-mounted solar energy systems

Agricultural/Residential District (AR): Special Use Permit Required (SP)
Lake Residential (LR): Not Permitted (N)
Hamlet Residential (HR): Not Permitted (N)
Low Density Residential (LDR): Not Permitted (N)
General Business (GB): Special Use Permit Required (SP)
Highway Business (HB): Special Use Permit Required (SP)
Site Plan: Yes (X)
Required Article VII: Sec. 502.2.10
Sec. 700.0

Section 3. Section 502.0 (Special Use Permit) of Article V (Regulations Governing Special Conditions and Special Use Permits) of The Zoning Law of the Town of Middlesex is hereby amended with the insertion of a new Sec. 502.2.10 to read as follows:

502.2.10. SOLAR ENERGY SYSTEMS.

502.2.10.1 PREAMBLE:

1. In keeping with the Yates County Looking Ahead Master Plan, no Tier 2 or higher solar energy systems are allowed on South Hill, Bare Hill, or on any state and federal lands in the Town of Middlesex. Bare Hill (Gemundewah) and South Hill (Sundayag) are areas of rich cultural and historical significance, their history has been detailed in many books, and the Seneca Nation has oral and written accounts of their importance in Seneca culture, history and heritage.

Dr. Arthur C. Parker, Director Emeritus of the Rochester Museum and Science Center, made many archaeological excavations on Bare Hill and South Hill. Evidence shows that the Seneca Nation considers these hills to be the ancestral Birthplace of the Seneca Nation. There are several stone mounds on South Hill (especially near Clark's Gully) that are considered by some to be Hopewell Mounds. A yearly ceremony (Seneca Heritage Days) is still held on Bare Hill to commemorate ancient Seneca harvest rituals.

2. Visual Impact Assessment. The Planning Board may require the applicant to undertake a visual impact assessment which may include:

- a. A "Zone of Visibility Map" to determine locations where the solar

installation may be seen.

- b. Pictorial representations of "before and after" views from key viewpoints, both inside and outside of the town, including but not limited to: State highways and other major roads, state and local parks, other public lands, Canandaigua Lake, historic sites normally open to the public, and from any other location where the site is visible to a large number of visitors, travelers and tourists. The Planning Board may request up to three separate locations and shall determine the appropriate key sites at a pre-submission conference with the applicant.

502.2.10.2 REGULATIONS AND REQUIREMENTS

1. In keeping with the Yates County Looking Ahead Master Plan, no Tier 2 or higher solar energy systems are allowed on South Hill, Bare Hill, or on any state and federal lands in the Town of Middlesex.

2. Roof-mounted and building-integrated solar energy systems are permitted in all zoning districts.

3. Ground-mounted solar energy systems are only permitted in certain zoning districts of the Town of Middlesex and, depending on the size classification of the Ground-mounted system as either a Tier 1, Tier 2, Tier 3, or Tier 4, through the issuance of a Special Use Permit based on the size classification.

- a. Tier 1 ground-mounted solar energy systems are permitted through the issuance of a Special Use Permit, provided no portion of the parcel is identified by the Code Enforcement Officer as being in the Scenic Viewshed Overlay District or in a Steep Slope Protection Area, in the following zoning districts: Agricultural Residential District (AR), Lake Residential District (LR), Hamlet Residential District (HR), Low Density Residential District (LDR), General Business District (GB), Highway Business District (HB), subject to the requirements set forth in this section, including site plan approval.

- b. Tier 2 ground-mounted solar energy systems are permitted through the issuance of a Special Use Permit by the Zoning Board of Appeals, after the application first receives preliminary approval by the Town Planning Board, provided no portion of the parcel is identified by the Planning Board as being in the Scenic Viewshed Overlay District or in a Steep Slope Protection Area, in the following zoning districts: Agricultural Residential District (AR), Low Density Residential District (LDR), General Business District (GB), Highway Business District (HB), subject to the requirements set forth in this section, including site plan approval.

- c. Ground-mounted Tier 3 and Tier 4 solar energy systems are permitted

through the issuance of a Special Use Permit by the Zoning Board of Appeals after the application first receives preliminary approval by the Town Planning Board, provided no portion of the parcel is identified by the Planning Board as being in the Scenic Viewshed Overlay District or in a Steep Slope Protection Area; they are to be located only on parcels in the following zoning districts: Agricultural Residential District (AR), General Business District (GB), Highway Business District (HB), subject to the requirements set forth in this section, including site plan approval. Tier 3 and Tier 4 solar energy systems are prohibited in Steep Slope Protection Areas.

- d. Energy Battery Storage Systems resulting in 1 MW storage or more as either stand alone or combined with a large-scale ground mounted solar energy system shall not be permitted in any zoning district of the Town of Middlesex.

4. Tier 1 and Tier 2 solar energy systems are considered an accessory use or accessory structure. Tier 3 and Tier 4 solar energy systems are considered principal uses.

5. Roof-mounted solar energy system requirements:

- a. Roof-mounted solar energy systems that use the electricity onsite or offsite are permitted as an accessory use in all zoning districts when attached to any lawfully existing and lawfully permitted building.

- b. Roof-mounted solar energy systems shall not exceed the maximum height restrictions of the zoning district within which they are located.

- c. Roof-mounted solar energy system installations shall incorporate, when feasible, the following design requirements:

- i. Panels facing the front yard must be mounted at the same angle as the roof's surface, with a maximum distance of eighteen inches between the roof and the highest edge of the system.

- ii. Solar energy systems should be color-compatible with the primary structure.

6. Tier 1 solar energy system requirements:

- a. Tier 1 solar energy systems shall adhere to the setback requirements for accessory structures of the underlying zoning districts.

- b. Tier 1 ground-mounted solar energy systems shall not exceed fifteen feet in height. Tier 1 roof-mounted or building integrated solar energy systems

shall not exceed the building code height requirements.

- c. Tier 1 ground-mounted solar energy systems shall not cause the total lot coverage of the parcel on which it is mounted to exceed the maximum lot coverage requirements set forth in the Zoning Code. The entire surface area of the solar panels shall be included in the total lot coverage calculation, regardless of the method by which the panels are supported or attached to the ground, or the angle at which they are placed. All solar energy equipment shall be included in the lot coverage calculation.

- d. Tier 1 solar energy systems may exceed 2,000 square feet in total area by obtaining a Special Use Permit but must remain at a nameplate capacity of 20kW or less.

- e. All Tier 1 ground-mounted solar energy systems in residential zoning districts shall be installed in the side or rear yards. No portion of a ground-mounted solar system shall be installed in the front yard.

7. Tier 2 and larger ground-mounted solar energy systems may be permitted through the issuance of a Special Use Permit, subject to the requirements set forth in the code.

8. Abandonment: Solar energy systems or portions of a solar energy system shall be considered abandoned after twelve consecutive months without electrical energy generation and must be removed from the property. Applications for extensions can be made to the Planning Board, which shall have authority to grant six-month extensions.

9. A site development permit shall be required for any type of solar energy system installed within the Town of Middlesex.

502.2.10.2 APPLICATION

1. Applications for the installation of a Tier 2 or larger solar energy system shall be reviewed by the Code Enforcement Officer and referred, with comments, to the Planning Board for its review and action, which can include approval, approval with conditions, or denial. If approved, the application will then require a Special Use Permit from the Zoning Board of Appeals.

2. The requirements of this section shall apply to all solar energy systems installed or modified in the Town of Middlesex, excluding general maintenance and repair.

3. Special Use Permit application requirements: In addition to the requirements set forth in the Town Zoning Code, the following information must be included with an application for a Special Use Permit for Tier 2 or larger solar energy

systems:

- a. All applicants must present a conceptual plan to the Planning Board prior to submitting preliminary engineered plans and specifications for consideration.
- b. If the property of the proposed project is to be leased, legal consent between all parties, specifying the use(s) of the land for the duration of the project, including easements and other agreements, shall be submitted.
- c. A site plan showing the layout of the solar energy system signed by a professional engineer or surveyor shall be required and must include:
 - i. A fifty-foot buffer zone from all public roadways, property boundaries, or residential buildings comprised of densely planted trees, shrubs, or bushes. If a buffer does not exist at the time of planning, a buffer shall be planted using native varieties of vegetation. At the time of planting the buffer shall be comprised of several rows of evergreen vegetation to create a minimum six feet high buffer. The planned buffer must be submitted and approved by the Planning Board.
 - ii. Screening to protect against panel glare, including orientation of panels away from residential or commercial establishments, and demonstration of minimal visual impact on neighboring properties through installation of vegetative or other screening designed to soften the view impact.
 - iii. Zone of Visibility Impact Assessment, including line-of-sight analysis.
 - iv. Noise level projections including decibel level points from any motors, inverters, etc., depicted at the corners of the parcel.
- d. The equipment specification sheets shall be documented and submitted for all photovoltaic panels, significant components, mounting systems, rack motors, batteries, and inverters that are to be installed.
- e. Property operation and maintenance plan: Such plan shall describe continuing photovoltaic maintenance and property upkeep, such as moving and trimming, buffer and landscaping maintenance, safety concerns, emergency access, and right to use. The property operation and maintenance plan shall include details about the proposed use or uses of the remaining property not used for the solar energy system, as well as ingress and egress to all portions of the property.
- f. Construction schedule: Applicants must submit a proposed schedule for the completion of the project, including the proposed start date and the proposed date of substantial completion, the expected date of connection to

the power grid, and the expected date on which operation of the photovoltaic system shall commence.

- g. Decommissioning Plan: To ensure the proper removal of solar energy systems, a decommissioning plan shall be required as part of any Special Use Permit approvals issued by the Zoning Board. Compliance with this plan shall be a condition of the issuance of a Special Use Permit under this section.
 - i. The decommissioning plan must specify that if any portions of the solar energy system is abandoned it shall be removed by the applicant or any subsequent owner.
 - ii. The plan shall demonstrate how the removal of all infrastructure and the remediation of soil and vegetation shall be conducted to return the parcel to its original state prior to construction.
 - iii. The plan shall also include an expected timeline for execution. (Decommission must be completed within 270 days of abandonment).
 - iv. The plan shall include a cost estimate detailing the projected cost of executing the decommissioning plan, which shall be prepared by a professional engineer. Cost estimates shall take inflation into account.
 - v. The plan shall note that the removal of the solar energy system must be completed in accordance with the decommissioning plan.
 - vi. The plan shall note that if the solar energy system is not decommissioned after being considered abandoned, the Town or the Town's duly appointed representative or agent(s) may remove the system and restore the property, and the Town may impose a lien on the property to cover these costs to the municipality, in addition to any other remedies available to the Town.
 - vii. The Town will require a decommissioning bond to cover the full cost of decommissioning. See Decommissioning below.
 - viii. The plan shall demonstrate adherence to the NYSDAGM "Guidelines for Solar Energy".
 - ix. The plan shall detail planned disposal of solar panels in accordance with New York State laws for hazardous waste.
 - x. The plan shall detail compliance with post decommissioning soil samples; these shall be required at a rate of two per acre and show the comparison of pre and post construction soil samples in order to validate

the soil is in its original state; these samples shall be provided to the Town of Middlesex and the landowner.

h. Decommissioning:

- i. Upon a solar energy system becoming abandoned and/or not producing electricity for a period of one year, the Town may notify the owner and/or operator to implement the decommissioning plan. Within 180 days of notice being served, the owner and/or operator can either restore operation to 80% of approved capacity or implement the decommissioning plan. If the owner and/or operator fails to fully implement the decommissioning plan within the one-hundred-eighty-day time period, the Town may, at its discretion, provide for the restoration of the site in accordance with the decommissioning plan and may make a claim against the surety bond and/ or recover all costs and expenses incurred for such activities from the defaulted owner and/or operator. The costs incurred by the Town shall be assessed against the property, shall become a lien and tax upon the property, and shall be enforced and collected with interest by the same officer and in the same manner as other taxes.
- ii. A decommissioning plan, accepted by the Town and signed by the owner and/or operator of the solar energy system shall be submitted by the applicant, addressing the following:
 - (1) The cost of removing the solar energy system.
 - (2) The time required to decommission and remove the Solar Energy System and all ancillary structures.
 - (3) The time required to repair any damage caused to the property by the installation and removal of the Solar Energy System.
- iii. Security.
 - (1) The deposit, executions, or filing with the Town Clerk of cash, bond, or other form of security reasonably acceptable to the Town attorney, shall be in an amount sufficient to ensure the good faith performance of the terms and conditions of the permit issued pursuant hereto and to provide for the removal and restorations of the site subsequent to removal. The amount of the bond or security shall be 125% of the cost of removal of the Tier 3 or Tier 4 Solar Energy System and restoration of the property with an escalator of 2% annually for the life of the solar energy system.

(2) In the event of default upon performance of such conditions, after proper notice and expiration of any cure periods, the cash deposit, bond, or security shall be forfeited to the Town, which shall be entitled to maintain an action thereon. The cash deposit, bond, or security shall remain in full force and effect until restoration of the property as set forth in the decommissioning plan is completed.

(3) In the event of default or abandonment of the solar energy system, the system shall be decommissioned as set forth herein.

4. Special Use Permit standards: No Special Use Permit for Tier 2 or larger solar energy systems shall be issued unless the Zoning Board of Appeals specifically finds that the proposed project complies with each of the following:

- a. The Zoning Board of Appeals shall determine that the use of the land required by the proposed project shall not cause a loss of valuable agricultural land to the Town of Middlesex. The Planning Board shall take into consideration comments from the Town's Agricultural Advisory Committee, Environmental Conservation Board, the Town's adopted Agricultural Enhancement Plan, the Town's Comprehensive Plan, and any other planning documents or experts deemed necessary by the Planning Board.
- b. Solar energy systems shall adhere to the setback requirements for accessory structures of the underlying zoning district.
- c. Ground-mounted solar energy systems shall not exceed fifteen feet in height.
- d. A solar energy system that is ground-mounted shall not cause the total lot coverage of the parcel on which it is mounted to exceed the maximum lot coverage requirements set forth in the Zoning Code. The entire surface area of the solar panels, including all structures on the parcel, shall be included in the total lot coverage calculation, regardless of the method by which the panels are supported or attached to the ground, or the angle at which they are placed.
- e. All Solar Energy Systems shall be completely enclosed by a minimum seven feet high and maximum eight feet high fence to prevent unauthorized access, unless the Zoning Board of Appeals determines that fencing will cause environmental or ecological problems, or that such fencing is unnecessary. If the Zoning Board of Appeals makes such a determination, then the applicant must provide for other means, acceptable to the Zoning Board of Appeals, to prevent access to circuit conductors and other electrical components of the system. Warning signs with the property

owner's contact information and emergency contact information shall be placed on the entrance and perimeter of the property and on the solar energy system at locations acceptable to the Zoning Board of Appeals. Any fencing installed shall be acceptable to the Zoning Board of Appeals and shall include screening of said fencing as required by the Planning Board.

- f. All solar energy systems shall include a drainage and stormwater management plan that is acceptable to the Planning Board.
- g. All Tier 2 and larger solar energy systems shall provide access, maintenance, and utility easements that are acceptable to the Planning Board.
- h. If the solar energy system will be operated by any entity other than the property owner, a copy of a lease or legal agreement between the property owner and solar facility owner, indicating that an agreement exists and will remain in effect for the duration of the system until decommissioning is complete, shall be submitted with the application.
- i. The Zoning Board of Appeals shall approve a decommissioning plan as part of the review and Special Use Permit approval process for solar energy systems. The Zoning Board of Appeals shall require that the applicant or property owner post an automatically renewing annual security bond for construction, maintenance, and removal/decommissioning of solar energy systems. The decommissioning plan must note that a lapse of the security bond shall result in a violation of the conditions of approval of the Special Use Permit and automatically revoke the Special Use Permit approval. The decommissioning plan shall note the Town of Middlesex Town Board may impose a lien against the property and/or draw from the surety/maintenance bond if the Special Use Permit expires or is revoked for any reason, or if the Town Board determines the removal of the system is warranted for any reason and the property owner has failed to remove the system within one hundred twenty days (120 days) after receiving notice from the Town of Middlesex Town Board.
- j. The Zoning Board of Appeals must approve the property operation and maintenance plan submitted by the applicant.
- k. All access roads and paths required for the project shall be integrated into other uses on the property, if possible. Access road siting and grading shall be designed to minimize any negative impacts from stormwater drainage.
- l. All Tier 2 and larger solar energy systems shall be adequately screened, as determined by the Zoning Board of Appeals, to avoid adverse aesthetic impacts.

m. Any application under this section shall meet any substantive provisions contained in local site plan requirements in the Zoning Code that, in the judgment of the Zoning Board of Appeals, are applicable to the system being proposed.

n. Zoning Board of Appeals may impose conditions on the approval of any Special Use Permit under this section including annual inspections to enforce the standards referred to in this section, or to discharge its obligations under the State Environmental Quality Review Act (SEQRA).

o. No site development permit shall be issued for a large-scale solar energy system unless and until the Zoning Board of Appeals has issued a Special Use Permit pursuant to Town Zoning Code.

p. Application fees for the following permits shall be set by the Town Board in the Town Fee Schedule:

- i. Site Plan Review and Building Permit for solar energy system as an accessory structure
- ii. Site Plan Review, Special Use Permit and Building Permit for a small-scale solar energy system
- iii. Site Plan Review, Special Use Permit and Building Permit for a large-scale solar energy system

q. Nothing contained herein shall be construed to eliminate the requirements for site plan approval or other permits contained elsewhere in this Town Zoning Code.

Section 4. If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been ordered.

Section 5. This local law shall take effect immediately upon filing with the Secretary of State.

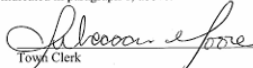
(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.),

I hereby certify that the local law annexed hereto, designated as Local Law No. 2 of 2026 of the Town of Middlesex was duly passed by the Middlesex Town Board on May 14, 2026, in accordance with the applicable provisions of law.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.


Town Clerk

(Seal)

Date: May 14, 2026

Resolution # 48-26

RESOLUTION AUTHORIZING THE TRANSFER OF SURPLUS FUNDS

WHEREAS, the Town of Middlesex received FEMA funds in the amount of \$74,000.00 in late 2025 that were not included in either the 2025 or 2026 budget; and

WHEREAS, the full amount of these funds was deposited and credited to budget line DA 909.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Middlesex deems the full amount of these FEMA funds, totaling \$74,000.00, to be surplus funds; and be it further

RESOLVED, that the Town Board hereby authorizes the transfer of the full \$74,000.00 of these FEMA funds from budget line DA 909 to line DA 9730.6; and be it further

RESOLVED, that the Town Board does hereby approve the expenditure of the full \$74,000.00 of these FEMA funds to pay towards the principal of the highway bond anticipation note.

I, Rebecca Moore, Town Clerk, do hereby certify that the Town Board of the Town of Middlesex adopted the aforementioned resolution on May 14, 2026, by the following vote:

	<u>Aye</u>	<u>Nay</u>
David Adam	X	_____
Leon Button	X	_____
Austin Liddiard	X	_____
Paul Mitchell	X	_____
Stephanie Betts	ABSENT	_____

Resolution # 49-26

RESOLUTION AUTHORIZING THE TRANSFER OF A FUND BALANCE

WHEREAS, the Town of Middlesex has an unexpended fund balance in budget line SW 909 in the amount of \$25,000.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Middlesex hereby authorizes the transfer of the full \$25,000.00 of this unexpended fund balance from budget line SW 909 to line SW 8340.4; and be it further

RESOLVED, that the Town Board does hereby approve the expenditure of the full \$25,000.00 of this unexpended fund balance to pay towards 300 feet of water supply line and installation.

I, Rebecca Moore, Town Clerk, do hereby certify that the Town Board of the Town of Middlesex adopted the aforementioned resolution on May 14, 2026, by the following vote:

	Aye	Nay
David Adam	X	_____
Leon Button	X	_____
Austin Liddiard	X	_____
Paul Mitchell	X	_____
Stephanie Betts	ABSENT	_____

Resolution # 50-26

RESOLVE to sign the Yates County Highway Department 2026 Mowing Contract which outlines a mowing period of five and one half (5.5) months effective May 1 2026 until October 17 2026 at an agreement rate of \$138.00 per hour.

On a resolution by Council Member Button – seconded by Council Member Liddiard, the following resolution was adopted:

ADOPTED: Ayes 4 Adam, Liddiard, Button, Mitchell

Nays 0

Resolution # 51-26

RESOLVED to pay audit of claims. May 14, 2026:

- Highway Fund claims Nos. 69-85 in the amount of \$35,768.06 as set forth in abstract No 005 dated 05/14/2026
- Water District claims Nos. 11-17 in the amount of \$21,216.28 as set forth in abstract No 005 dated 05/14/2026
- General Fund – Townwide claims Nos. 92-129 in the amount of \$23,872.69 as set forth in abstract No 005 dated 05/14/2026

On a resolution by Council Member Mitchell – seconded by Council Member Liddiard, the following resolution was adopted:

ADOPTED: Ayes 4 Adam, Liddiard, Button, Mitchell

Nays 0

Resolution # 52-26

RESOLVE for Line Item transfer for 05/14/2026

\$58,179.21 from A1910.1 Insurance to A1910.4 Contingent – Insurance Error, wrong code

On a resolution by Council Member Liddiard – seconded by Council Member Mitchell, the following resolution was adopted:

ADOPTED: Ayes 4 Adam, Liddiard, Button, Mitchell

Nays 0

Resolution # 53-26

RESOLVE to publicly post Standard work day and reporting resolution for elected and appointed officials for a minimum of 30 days for the following NYSLRS members:

- **Council Member Stephaine Betts**
- **Town Clerk Rebecca Moore**
- **Highway Superintendent Joshua Burnett**
- **Alan Pearce Code Enforcement Officer**

On a resolution by Council Member Button – seconded by Council Member Liddiard, the following resolution was adopted:

ADOPTED: Ayes 4 Adam, Liddiard, Button, Mitchell

Nays 0

Adjourn

With no further business to discuss, a motion was made by Council Member Liddiard – seconded by Council Member Button, with all in favor to adjourn the regular meeting of the Town Board of the Town of Middlesex at 8:20 PM.