

February 21, 2019

The monthly meeting of the Tyre Town Board was held Thursday, February 21, 2019 at 6:30 p.m. in the Tyre Municipal Building, 1695 State Route 318, Waterloo, NY 13165, in the Town of Tyre.

Pledge of Allegiance

**Roll Call:** Supervisor Ronald McGreevy – here; Councilman Reginald Aceto – here; Councilman James Rogers – here; Councilman Kenneth Sutterby – absent; Councilman Thomas Thomson – absent

**Others Present:** PBM's Lawrence Kesel, Henry Bickel, Robert Seem; Magee Fire Chief and ZEO Craig Reynolds; Administrative Assistant Missy Jodeit; DCO Dallyn Jenkins; Assessor Philip Griswold; Bookkeeper Michael Gross; BME Associates Peter Vars; Deputy Clerk Elizabeth Sutterby; Residents - Mark Travis; Greg Guy; Pathway Homes – Karen Beals, Beth Boehnke, Martie Shields, Steve Grey; Jim Sinicropi – Fingerlakes1.com; ZBA Char Verkey

Supervisor McGreevy – have had roll call – quorum present – meeting called to order at 6:30 p.m.

Supervisor McGreevy introduced Charles Shaffer, Esq., representing the Town of Tyre; Thomas Blair, Esq., Blair Law Firm; Michael Simon, PE, Labella Associates

**Public Hearing** - del Lago Resort and Casino, LLC

Councilman Rogers moved, seconded by Councilman Aceto, that a Public Hearing open at 6:31 p.m. regarding the Amended Site and Development Plan Application of del Lago Resort and Casino, LLC for the Construction of a Smoking Area Expansion to the del Lago Casino. VOTE: Yea – 3; Nay – 0; Abstain – 0; Absent – 2

Supervisor McGreevy asked if anyone wished to speak at this Public Hearing regarding this matter. Written comments will also be taken for consideration and placed in the record. Supervisor McGreevy again asked for comments. None were submitted.

Councilman Rogers moved, seconded by Councilman Aceto, that the Public Hearing adjourn at 6:33 p.m. VOTE: Yea – 3; Nay – 0; Abstain – 0; Absent – 2

**Public Hearing** – Proposed Local Law #1 of 2019

Councilman Aceto moved, seconded by Councilman Rogers, that a Public hearing open at 6:33 p.m. regarding Proposed Local Law #1 of 2019 “A Local Law to Amend the Planned Unit Development Regulations Contained in the Town’s Zoning Law”. VOTE: Yea – 3; Nay – 0; Absent – 2

Supervisor McGreevy asked if anyone wished to speak at this Public Hearing regarding this matter. Written comments will also be taken for consideration and placed in the record. Supervisor McGreevy again asked for comments. None were submitted.

Councilman Aceto moved, seconded by Councilman Rogers, that the Public Hearing close at 6:35 p.m. VOTE: Yea – 3; Nay – 0; Abstain – 0; Absent – 2

**Minutes:** Approval of January 17, 2019 minutes – Councilman Rogers moved, seconded by Councilman Aceto, to dispense with reading the minutes of the January 17, 2019 meeting and they be accepted as written.

VOTE: Yea – 3 No – 0; Abstain – 0; Absent – 2

**Scheduled Speakers:**

**Ms. Martie Shields, Director of Pathway Home of Tyre:** In the two years that they have been open they have served over 50 families. They provide 24 hour quality care as loved ones reach the end of their lives. The home is staffed primarily with volunteers. Approximate cost of caring for a patient is \$250/day. They would like to be on our budget line next year for some help if at all possible. They do not charge the clients for services. They are looking for any financial assistance that the Town is able to give as Pathways operates on donations.

**Jim Sinicropi – Fingerlakes1.com** – Mr. Sinicropi reports that the Town website is not ADA compliant. This is now a mandatory requirement for municipalities. The Town’s website is not mobile device compatible and half of the users to the Town website are using a mobile device. Mr. Sinicropi will work with Mr. Kesel and Mr. Seem to address these issues as soon as possible.

**Department Reports:**

**Town Clerk:** Nothing to report

**Highway Department:** Thank you to the Highway Department for keeping our roads clear.

**Town Assessor:** Assessor Phillip Griswold is working on monthly deeds, splits, bank codes, address changes, and STAR program. All exemption renewals are to be filed by March 1<sup>st</sup> which is only 8 days away. Assessor Griswold is continuing to work with the reval company on a daily basis. Next Thursday, February 28, 2019, there will be an informational meeting at the Magee Fire Hall starting at 6:30 p.m. to discuss and answer questions on the 2019 assessment disclosure notices.

**Attorney Charles Shaffer:** Nothing to report

**Magee Fire Department:** The Magee Fire Department responded to the following calls: Fire – 17; EMS – 6; MVA’s – 9. January was extremely busy. Part of that was due to the wind storm on New Year’s Day and the ice storm on January 7<sup>th</sup>. On January 19<sup>th</sup> there was a duty crew stand-by during the snow storm. They responded to a vehicle off the road and into the swamp down on Montezuma Flats. The new firetruck has been delivered but is not in service yet. Driver training is in process. The Fire Dept. is going to host a small open house for the public to check out the new truck, probably next month. Several Fire Dept. members are currently taking the Hazardous Material Operation Class. Magee handles the most HAZMAT incidents in the county and that is a primary result of Petro and NYS Thruway with trucks hauling all types of chemicals. A representative from Brooklyn is trying to ban gun raffles. This ban would cripple organizations such as fire departments along with other non-profit organizations. Magee Fire Department relies on their gun raffle to help purchase turn out gear and equipment.

**Zoning Enforcement Officer:** ZEO Reynolds reports that there are a lot of follow ups going on. There are a number of new projects going on in the Town. Two complaints have been received since the last meeting and have been looked into.

Planning/Website/Training: Mr. Seem reports that they are continuing to work with Pineview Circle Phase 2 and this includes road design and entrance to NYS Route 414. Seneca County Chamber of Commerce application has been accepted for the renovations to the Magee House. Website is being discussed along with changes that are needed to make necessary improvements to the website. Mr. Kesel reports that the Planning Board has been extremely busy and that every member of the Planning Board has their trainings for this year completed.

Dog Control Officer: Dallyn reports that she had 7 calls and picked up 2 dogs. There were some complaints on horses and she had a vet look at them and noted that they had what was required under the law. The horses were basically in good shape at that time. The Annual Dinner Dance was a success and they had a net of \$9800.00.

Bookkeeping: Bookkeeper Michael Gross submitted January reports: Abstract of Unaudited Vouchers #14; and OSC Auditors completed on 2/8/19 and the results were mostly positive. The Town needs to put some additional policies in place for future bookkeeping including changing from cash to modified accrual accounting basis.

Band Hall Committee: Nothing to report

Building Committee: Nothing to report

Highway Committee: Nothing to report

**OLD BUSINESS:**

Resolution: Regarding the “Resolution of the Town Board of the Town of Tyre Regarding a Site Plan Permit Extension Requested by Indus 414 LLC for its Proposed Hilton Garden Inn at del Lago Casino. – Indus, via a BME Associates’ letter dated February 14, 2019, petitioned the Town Board to consider extending the length of its site plan permit for an additional six month period to allow for Indus to complete certain tasks and conditions required by the Town Board as part of its September 20, 2018 conditional site plan approval. Motion made by Councilman Aceto and seconded by Councilman Rogers to dispense the reading of this Resolution. Adopted by a roll call vote as follows:

	Yea	Nay	Abstain	Absent
Councilman Reginald Aceto	X			
Councilman James Rogers	X			
Councilman Kenneth Sutterby				X
Councilman Thomas Thomson				X
Supervisor Ronald McGreevy	X			

Resolution duly adopted. Resolution follows.

Proposed del Lago Construction of a Smoking Area Expansion – This matter brought for discussion only at this meeting. No formal action to be taken at this meeting. Peter Vars, PE on behalf of del Lago referenced the two letters directed to the Town Board which addressed the concerns of the Planning Board and the Town Board relating to the project. One of the concerns of both boards dealt with the ventilation system proposed. Supervisor McGreevy asked Mr. Vars if architectural drawings of this ventilation system could be submitted so that the Town personnel could gain a better understanding of what is being proposed. Mr. Vars stated he would look into this and report back. Mr. Vars stated that there are ongoing discussions between the

applicant and County officials regarding code compliance matters. This matter will be brought for further discussion at the Town Board's March 21<sup>st</sup>, 2019 meeting.

**NEW BUSINESS:**

**Resolution:** Regarding Adopting a Blanket Undertaking in Compliance with New York State Public Officers Law Section 11 (2). Motion made by Councilman Rogers, seconded by Councilman Aceto. Adopted by roll call vote as follows:

	Yea	Nay	Abstain	Absent
Councilman Reginald Aceto	X			
Councilman James Rogers	X			
Councilman Kenneth Sutterby				X
Councilman Thomas Thomson				X
Supervisor Ronald McGreevy	X			

Resolution duly adopted. Resolution follows.

**Resolution:** Regarding Exercising Option to Renew Lease at 1695 NYS Route 318, Waterloo, NY 13165 for an additional one month. Motion made by Councilman Aceto; seconded by Councilman Rogers. Adopted by roll call vote as follows:

	Yea	Nay	Abstain	Absent
Councilman Reginald Aceto	X			
Councilman James Rogers	X			
Councilman Kenneth Sutterby				X
Councilman Thomas Thomson				X
Supervisor Ronald McGreevy	X			

Resolution duly adopted. Resolution follows.

**Supervisor Correspondence/Report:** None to report

**Financial – Bills:**

- General Fund – Town wide – 102; 103; 104; 211; 212 – 253
- Councilman Aceto declined to approve payment – 221.
- Community Mitigation Fund – 50 – 53
- Highway Fund - 102 – 104; 211; 215; 506 – 510
- Municipal Building Fund – 1001 – 1006
- Water District #1 Fund – 802 – 805
- Water District #2 Fund – 802
- Trust and Agency Fund – 1; 2

Councilman Rogers moved; seconded by Councilman Aceto that the bills be approved for payment.  
VOTE: Yea – 3; Nay – 0; Abstain – 0; Absent – 2

**Adjournment:**

Councilman Aceto moved; seconded by Councilman Rogers that the meeting adjourn at 8:05 p.m.

VOTE: Yea – 3; Nay – 0; Abstain – 0; Absent – 2

Submitted by,

Carolyn Sosnowski  
Town Clerk