

March 21, 2019

The monthly meeting of the Tyre Town Board was held Thursday, March 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 Reginal Aceto – here; Councilman James Rogers – here; Councilman Kenneth Sutterby – here; Councilman Thomas Thomson – here

Others Present: PBM’s Lawrence Kesel, Robert Seem, Henry Bickel, Karen Thomson; Magee Fire Chief and ZEO Craig Reynolds; Administrative Assistant Missy Jodeit; Assessor Philip Griswold; Bookkeeper Michael Gross; BME Associates Peter Vars; Residents – Mark Travis; Dennis Stone

Supervisor McGreevy – have had roll call – quorum present – meeting called to order at 6:33 p.m.

Supervisor McGreevy introduced Thomas Blair, Esq., Blair Law Firm

Public Hearing – del Lago Resort and Casino, LLC

Councilman Rogers moved, seconded by Councilman Thomson, that a Public Hearing open at 6:33 p.m. regarding 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 – 5; Nay – 0; Abstain – 0

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, seconded by Councilman Aceto, that the Public Hearing adjourn and will continue this public hearing at 6:34 p.m. VOTE: Yea – 5; Nay – 0; Abstain – 0

Minutes: Approval of February 21, 2019 minutes – Councilman Sutterby moved, seconded by Councilman Thomson, to dispense with reading the minutes of the February 21, 2019 meeting and they be accepted as written.

VOTE: Yea – 5; No – 0; Abstain – 0

Scheduled Speakers: None

Department Reports:

Town Clerk: Nothing to report

Highway Department: Tyre Highway Superintendent Eddington updated the Board on a fire/smoke incident at the highway building due to a furnace malfunction. Fortunately, it was caught in time. Information regarding items damaged and their replacement costs have been forwarded to the insurance company. The 2002 and 2012 trucks suffered breakdowns and needed repairs. Both are back in service. Mr. Eddington is also working on a plan for repairs to the Town roads. Estimates for roadwork projects are also being reviewed and evaluated by Town Board members. Lay Road has been closed due to safety concerns and is scheduled for resurfacing this year once a contractor is chosen and asphalt plants open. It was noted that Lay Rd. is passable for emergency vehicles. The Highway Department has also been working on repairing many potholes throughout the entire Town. Mr. Eddington reported that the new Peterbilt truck will be ready for delivery to the Town of Tyre in January 2020. An estimate was also given to the Board for the purchase of a Vermeer chipper for roadside and storm damage clean up.

Assessor: Assessment disclosures have been mailed out and Mr. Griswold has fielded a number of phone calls and is answering questions. A total of 581 notices were mailed. Informal hearings are being held followed by a grievance process.

Attorney Charles Shaffer: Absent.

Magee Fire Department: Chief Reynolds reported that the Magee Fire Department responded to the following calls: Fire – 8; EMS – 8; MVA's – 5. February 7th they responded mutual aid to Junius for a tractor trailer fire inside a

commercial building. The fire was contained to the tractor trailer. February 9th responded to the Petro for a male with a head injury. The male had to be airlifted to Strong. February 16th responded mutual aid to Fayette for a fully engulfed barn fire. February 22nd responded mutual aid to Clyde for a working garage fire. February 27th responded to the intersection of West Tyre Road and Pucker Road for the head-on of two pickups. Also, on this date responded mutual aid to Junius for a car vs school bus accident. The department's new fire truck is in service and they are just waiting to test it. Magee Fire Department will be hosting an OSHA Training on Saturday, March 23rd.

Zoning Enforcement Officer: ZEO Reynolds reports that three permits have been issued since the last Board meeting. There have been three complaints received. Residents are being directed as to who to contact (law enforcement, etc.) if necessary. "No Parking" signs will soon be installed on West Tyre Rd. near the Tyre Reformed Church. Parking at this location has become a serious safety concern. Mr. Reynolds reports that there are several new projects coming up. Some of these new projects will have to be fine-tuned before they can move forward, which takes time to review. Inspections of ongoing projects are still being conducted.

Planning/Website/Training: Planning Board Chairman Seem reported that Pineview Circle Phase II is continuing to work on the proposed roadway issue. Seneca County Chamber of Commerce is awaiting word from State Historic Preservation Office before continuing. Still no action has been taken on the Burkholder project. That project cannot move forward until they get approval from the adjacent pipeline company which is needed to address the on-site surface water management issue. Montezuma Winery has submitted their application and it has been approved for expansion of their distillery. Subdivision Application from David Rauscher – no action taken at this time. There is Wedding Venue being proposed on East Road – no action taken at this time. Mr. Kesel reports two more training completions from the Tyre ZBA. The possible update to the Town's website was also briefly discussed. Supervisor McGreevy thanked Mr. Kesel and Mr. Seem for their hard work.

Dog Control Officer: Absent this evening – Supervisor McGreevy reports that he received two inspection reports from NYS Ag & Markets – Town of Tyre is in great shape.

Bookkeeping: Mr. Gross distributed the abstract of audited vouchers No.2 February 2019. He stated the books for 2018 had been closed. Mr. Gross also reported on a meeting with Tom Lauffer of the Wager CPA firm regarding the 2016 audit. Audit reports for the years 2017 and 2018 are expected from the Office of the State Comptroller in mid-April.

Band Hall Committee: Nothing to report

Building Committee: Construction continues

Highway Committee: Estimates have been received for roads that need to be addressed this year and some contractors have been met with. Some cost estimations are being updated to address alternative remedies for Lay Rd. Moving forward as quickly as they can.

OLD BUSINESS:

Proposed del Lago Construction of a Smoking Area Expansion – Supervisor McGreevy reported that discussions continue between del Lago and Seneca County/NYS Health Departments. Mr. Vars gave an update on the current plan which has been modified from the original. Seneca County Health Dept. has requested detailed engineering drawings and Mr. Vars stated that these have been ordered and are being prepared. Escrow account has been funded and the applicant has assured it will continue to be funded. It was agreed that the Town will send the redesign to the County Planning Board for their internal review. Motion was made by Councilman Aceto and seconded by Councilman Thomson for the continuation of the Public Hearing at April 18, 2019 meeting at 6:30 p.m. regarding del Lago smoking expansion. No discussion.

VOTE: Yea – 5; No – 0; Abstain – 0

Proposed Pine View Circle Phase 2 Update – The issue of the proposed roadway including sewer and water infrastructure, sidewalks, street trees and lighting along this roadway was discussed. The Town Board agreed that at this point in time, the Town will not consider being responsible for the care or maintenance of any sidewalks, trees, or lighting for the proposed Pine View Circle Phase 2 project noting that this should be the sole responsibility of developers or landowners.

Tyre Planning Board Chairman Seem stated that a meeting in early April with INHS and the Dendis group will be necessary to continue these discussions.

Spectrum/Charter Communications Update - A meeting was held on 3/13/19. In attendance was Supervisor McGreevy, ZEO Craig Reynolds, Administrative Assistant Missy Jodeit, Ms. Lauren Kelly, Director, Govt Affairs-Fingerlakes, and Mr. Donald Young, Strategic Account Manager. A proposed franchise agreement between Town of Tyre and Spectrum/Charter Communications was discussed. Attorney Blair will be working with Ms. Kelly to review a proposed agreement and report back to the Town.

NEW BUSINESS:

Resolution: Regarding Accepting Proposal from Raymond F. Wager, CPA, P.C. in Connection with Basic Financial Audit of 2017. Motion made by Councilman Aceto, seconded by Councilman Sutterby. Adopted by roll call vote as follows:

	Yea	Nay	Abstain	Absent
Councilman Thomson	X			
Councilman Rogers	X			
Councilman Aceto	X			
Councilman Sutterby	X			
Supervisor McGreevy	X			

Resolution duly adopted. Resolution follows.

Resolution: Regarding Accepting Proposal from Raymond F. Wager, CPA, P.C. in Connection with Basic Financial Audit of 2018. Motion made by Councilman Sutterby, seconded by Councilman Aceto. Adopted by roll call vote as follows:

	Yea	Nay	Abstain	Absent
Councilman Thomson	X			
Councilman Rogers	X			
Councilman Aceto	X			
Councilman Sutterby	X			
Supervisor McGreevy	X			

Resolution duly adopted. Resolution follows.

Resolution: Regarding Authorizing a Part-Time Court Clerk for the Tyre Town Justices. Motion made by Councilman Thomson, seconded by Councilman Sutterby. Adopted by roll call vote as follows:

	Yea	Nay	Abstain	Absent
Councilman Thomson	X			
Councilman Rogers	X			
Councilman Aceto	X			
Councilman Sutterby	X			
Supervisor McGreevy	X			

Resolution duly adopted. Resolution follows.

Resolution: Regarding Increasing Hours of the Tyre Zoning Enforcement Officer. Motion made by Councilman Thomson, seconded by Councilman Sutterby. Adopted by roll call vote as follows:

	Yea	Nay	Abstain	Absent
Councilman Thomson	X			
Councilman Rogers	X			
Councilman Aceto		X		
Councilman Sutterby	X			
Supervisor McGreevy	X			

Resolution duly adopted. Resolution follows.

Resolution: Regarding Authorizing Purchase of Vermeer BX1000 Brush Chipper for Highway Department. The Board discussed with Mr. Eddington that no additional equipment should be considered for purchase in 2019 as there has been a significant amount of money spent on equipment and highway building repairs so far this year, noting the amount of costly road re-surfacing that is currently being planned. Motion made by Councilman Aceto, seconded by Councilman Sutterby. Adopted by roll call vote as follows:

	Yea	Nay	Abstain	Absent
Councilman Thomson	X			
Councilman Rogers	X			
Councilman Aceto	X			
Councilman Sutterby	X			
Supervisor 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 Sutterby, seconded by Councilman Thomson. Adopted by roll call vote as follows:

	Yea	Nay	Abstain	Absent
Councilman Thomson	X			
Councilman Rogers	X			
Councilman Aceto	X			
Councilman Sutterby	X			
Supervisor McGreevy	X			

Resolution duly adopted. Resolution follows.

Supervisor Correspondence/Report:

3/15/19 Receipt of 2nd FOIL Request of William Evans.

3/19/19 Receipt of email from Tyre Resident Joshua Olschewske regarding closure of Lay Road

Financial – Bills:

General Fund – Town Wide – 105; 106; 254-281

Community Mitigation Fund – 54-56

Highway Fund – 105; 106; 254; 511-517

Municipal Building Fund – 1007-1013

Water District #1 Fund – 806-809

Water District #2 Fund – 806

Trust and Agency Fund – 3; 4

Councilman Rogers moved; seconded by Councilman Aceto that the bills be approved for payment.

VOTE: Yea – 5; Nay – 0; Abstain – 0

Adjournment:

Councilman Aceto moved; seconded by Councilman Thomson that the meeting adjourn at 8:52 p.m.

VOTE: Yea – 5; Nay – 0; Abstain – 0

Submitted by,

Carolyn Sosnowski
Town Clerk