

September 9, 2015

A Special Meeting of the Tyre Town Board was held Thursday, September 9, 2015 at 7:30 P.M. at the Magee Volunteer Fire Department Building, 1807 St. Rt. 318, Seneca Falls, NY 13148, in the Town of Tyre.

The purpose of the meeting was to discuss matters relating to the Planned Unit Development ("PUD") District Application, Development Plan and Site Plan and related project documents for the Lago Resort and Casino project submitted to the Town Board by Lago Resort and Casino, LLC on July 16, 2015 and thereafter, and any other matters properly brought before the Town Board.

Roll Call: Supv. Ronald McGreevy-here, Councilman Reginald Aceto-absent, Councilman Joseph DeI Papa-here, Councilman James Rogers-here, Councilman Thomas Thomson-here. Councilman Reginald Aceto arrived at 8:05 P.M.

Supv. McGreevy - have had Roll Call - quorum present - meeting called to order at 7:30 P.M.

Supv. McGreevy introduced the Attorneys and Engineers present: Virginia Robbins, Esq., Michelle Billington, Esq., Kathleen Bennett, Esq., Thomas Smith, Esq., Jennifer Ammerman-Stenographer - Bond Schoeneck & King - representing the Town of Tyre; Adam Cummings, P.E., - Barton & Loguidice - representing Town of Tyre; Michael Simon, P.E., Peter Vars, P.E.- BME Associates - representing Lago, John Mancuso, Esq. - Harris Beach - representing Lago, Alan Knauf, Esq.- representing Lago, Town Attorney Charles Shaffer.

Others present: Kathy Jans-Duffy, PBM's Robert Seem, Henry Bickel, Deborah Geary.

Minutes

Councilman Thomson moved, seconded by Councilman DeI Papa and carried, to dispense with reading the minutes of August 20, 2015 and August 27, 2015 and they be accepted as written. Vote: Yea-3, Nay-0, Absent-1.

Proposed Lago Resort and Casino Project

Councilman Rogers moved a resolution scheduling public hearings on the Planned Unit Development District Application and Development Plan for the proposed Lago Resort and Casino and on proposed Local Law No. 5 of 2015, and rescheduling the time of the October 1, 2015 special meeting of the Town Board, and scheduling a special meeting of the Town Board for October 8, 2015.

Councilman DeI Papa seconded this resolution and it was duly put to vote which resulted as follows:

	Yea	Absent
Supervisor Ronald F. McGreevy	X	
Councilman Joseph DeI Papa	X	
Councilman James Rogers	X	
Councilman Reginald Aceto		X
Councilman Thomas Thomson	X	

The resolution was thereupon duly adopted.
Resolution follows.

Mike Simon, Engineer- BME Associates, delivered a September 9, 2015 letter responding to Barton & Loguidice's comments from their September 3, 2015 letter.

Adam Cummings, P.E., Barton & Loguidice, briefly discussed the letter and indicated he would review it in detail and would discuss as needed at future meetings.

Virginia Robbins, Esq., Bond, Schoeneck & King, reviewed Part 1 of the Full Environmental Assessment Form and clarified that the NYS Gaming Act requires the applicant to submit to the Gaming Commission a community mitigation plan, which is one of the types of approvals required by the Town Board. Also, information received from the project applicant shows that the project will incorporate an integrated pest management plan, though the Part 1 form completed earlier had checked no on that question.

Adam Cummings reviewed the Development Plan recently submitted for the project and how the changes conform to the Site Plan that was submitted in July, and reviewed the criteria under the Town's zoning law for submission of a development plan.

Virginia Robbins, Esq., Kathleen Bennett, Esq., and Adam Cummings, P.E. reviewed with the Town Board the sections of Part 2 of the FEAF on potential impacts from the project to surface water, groundwater, flooding, agricultural resources, critical environmental areas, and human health. Questions were asked of the applicant's consultant, BME Associates-Mike Simon and Peter Vars, as needed. The Town Board completed a Part 3 analysis if it found something in those categories could have a potential moderate to large impact. The Town Board found no significant and adverse environmental impacts relating to these categories.

Meeting Date

Supv. McGreevy reminded everyone that the next Tyre Town Board meeting will be held at the Magee Volunteer Fire Department Building on Monday, September 14th, 2015 at 7:30 P.M.

Pine View Circle Project - Housing

Attorney Shaffer reminded the Town Board that in keeping with the local law, the Town cannot proceed to review the application of Pine View Circle until a check in the amount of \$8,750.00 is received and an escrow account established for same.

A proposed Professional Services Agreement with Barton & Loguidice regarding the Pine View Circle Project was discussed. Attorney Shaffer advised the Town to be sure the services provided by Barton & Loguidice are covered at the Barton & Loguidice bill rate in the fee to be paid; and make sure the developer is aware of the need to engage the services of an engineer and law firm.

Dog Control Officer

The Supervisor received a call from Tyre Dog Control Officer Dorothy Comerford, in which she advised Mr. McGreevy that she intends to retire from that position at the end of the year. She may have some information for a possible replacement.

The Supervisor suggested the Board give this subject some thought and consideration over the next couple of months.

Supervisor Correspondence/Report

Supv. McGreevy received a Letter dated August 23rd from Tyre resident Andrea Lawrence supporting the actions of the Tyre Town Board regarding the proposed Lago Resort and Casino project, commenting on the benefits this project would provide to the town of Tyre and the surrounding area, stating quote "first hand experience" of needing to travel far away from home for a good paying job.

The Supervisor received a letter dated August 29th from Tyre resident Charles VanArsdale providing a written petition to have his property at 1526 NYS Rt. 414 included in Tyre Water District No. 1.

Mr. McGreevy received a letter from Karen Thomson stressing the need to vote on September 10, 2015. Ms. Thomson is also concerned whether the candidates have an understanding of what is best for the whole town, not just a few in the town.

Water

Adam Cummings, P.E., Barton & Loguidice, provided copies to the Town Board of a Procedural Flow Chart, Water District Formation or Extension.

Adjournment

Councilman Thomson moved, seconded by Councilman Aceto and carried, that the meeting adjourn at 1:20 A.M. Vote: Yea-4, Nay-0, Absent-0.

Submitted by:

Elizabeth Sutterby
Town Clerk