

November 19, 2015

The monthly meeting of the Tyre Town Board was held Thursday, November 19, 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.

Pledge of Allegiance.

Roll Call: Supv. Ronald McGreevy-here, Councilman Reginald Aceto-here, Councilman Joseph DelPapa-here, Councilman James Rogers-here, Councilman Thomas Thomson-here.

Supv. McGreevy - have had roll call - quorum present - meeting called to order at 7:46 P.M.

Supv. McGreevy introduced Adam Cummings, P.E. - Barton & Loguidice - representing the Town of Tyre, and Town Attorney Charles Shaffer.

Others present: Assessor Philip Griswold, PBM's - Chairman Robert Seem, Larry Kesel, Karen Thomson, Henry Bickel; ZCEO David Page, Bookkeeper Nancy McGreevy, Highway Supt. Cassius Shumway and Magee Fire Chief Craig Reynolds.

Town Attorney Shaffer was just informed that there was confusion as to where the meeting is to be held. The attorney asked the Town Board to bear with the problem until these other people are in attendance.

Minutes

Councilman Aceto moved, seconded by Councilman Rogers and carried, to dispense with reading the minutes of October 15, 2015 and they be accepted as written. Vote: Yea-4, Nay-0, Absent-0.

Department Reports

Highway - Highway Supt. Shumway reported that the roadside mowing is finished for fall.

The 1970's Bush Hog SM60 Mower was put in the auction at Hill Top Auction, St. Rt. 318, Junius. The mower sold for \$170.00, \$25.50 was paid as the auction commission. The Town received a check for \$144.50.

The new mower works very, very well. We appreciate the Board's help in acquiring the new mower.

Councilman Aceto inquired of the salt supply. Supv. Shumway stated the town is committed to Cargill for 500 tons this year and 300 tons are left in the barn from last year.

Assessment - Assessor Philip Griswold reported the Ag Assessment meeting was well attended. Seneca Falls Assessor Donald Collins taught a good class.

Exemption renewals will be mailed the 1st week in December.

An Assessor's meeting with IDA Bob Aronson and Kelly Kline was cancelled as there wasn't a quorum. The meeting was postponed until January.

Magee Fire Department - Magee Fire Chief Craig Reynolds presented the Fire Department report. The department responded to Fire, EMS and MVA calls. The Chief and Firefighter Paul Sheridin attended heavy metal "large vehicle" extrication training in Bath, which was intense and great training. The Magee Department handles the most large vehicle accidents in Seneca County.

One of the department's members, Kattie Laggen, lost her battle with cancer on Tuesday, November 17th. She will truly be missed.

Supv. McGreevy reported the Town Board and all the town staff appreciates the work the fire department is doing.

ZCEO - ZCEO David Page reported having issued 2 permits.

Planning - Planning Board Chairman Robert Seem spoke of the Public Hearings to be held November 17, 2015 at the Magee Volunteer Fire Department Building, relating to the proposed Pineview Circle Project: Site Plan Review, Subdivision of 10+ Acres, Special Permit for Multi-Family Housing and State Environmental Quality Review Act ("SEQRA").

Training - PBM Larry Kesel apologized for the error on the Website of tonight's meeting to be held in the Band Hall, on Lamb Road.

Mr. Kesel also informed the Town Board that all the Planning Board and Zoning Board of Appeals members have completed the required training except one member.

The following members have all completed the required training, and the Planning Board recommends the reappointment to the Planning Board for a 4 year term:

Robert Seem - commencing January 1, 2016 - December 31, 2019

Alan Smith - commencing January 1, 2016 - December 31, 2019

Henry Bickel - commencing January 1, 2016 - December 31, 2019

Zoning Board of Appeals - 5 year term:

Beverly Smith - commencing January 1, 2016 - December 31, 2020

The Bookkeeper informed any new employees to be sure the Bookkeeper has their paperwork by December 18th.

Bookkeeper - Bookkeeper Nancy McGreevy has completed the Supervisor's monthly report for October 2015.

Tyre Sewer District No. 1

Attorney Shaffer provided information regarding a meeting for Tyre Sewer District No. 1 which was held at the Seneca County Office Building.

Those attending were the IDA, some members of the Board of Supervisors, Tyre Supv. Ronald McGreevy, John Condino - Engineer for Seneca Falls, Adam Cummings, P.E. - Barton & Loguidice for the Town of Tyre, special counsel for The Town of Tyre - Paul Reichel, Esq. - Bond, Schoeneck & King, LLC.

Paul Reichel, Esq., presented those in attendance with a time line for completion by December 18th. Each person is responsible to complete a task assigned to them. Seneca Meadows was absent. Seneca Falls is well informed of what has to be done with Seneca Meadows and they assured those in attendance they would be responsible to see that it was done. If everything stays on course, this matter can be completed by December 18th.

Attorney Shaffer stated that all that can be done is to continue to work on the issue until all the tasks are completed.

Town of Tyre Water District No. 1, Extension No. 1

Adam Cummings, P.E. - Barton & Loguidice, spoke of the matter is the Extension of Water District No. 1, specifically including Charles VanArsdale. A draft resolution is before the board that describes the extension.

Mr. Cummings met with Charles VanArsdale and explained the map, plan and report. Mr. VanArsdale understands the plan and is agreeable with it. He understands the procedure to install the water under St. Rt. 414 and into his house. Mr. VanArsdale also submitted a formal petition to New York State. That brings us to the next stage of the process and that is a resolution to schedule a Public Hearing and the SEQRA process, which are both required.

Tyre Water District No. 1, Extension No. 1 - Public Hearing

The Town Board reviewed the draft resolution to schedule a required public hearing. Two corrections were made in the resolution:

The 2nd Whereas should read:

WHEREAS, the District Extension Boundaries are described in Exhibit A to this resolution;

The 8th Whereas should read:

WHEREAS, properties in the District that connect to the Water Line will pay a water use charge to the Village of Waterloo, etc.

Supv. McGreevy read the amended resolution scheduling a Public Hearing Regarding the Establishment of Town of Tyre Water District No. 1, Extension No.1. The Town Board will hold a public hearing to hear all persons interested in the establishment of Town of Tyre Water District No. 1, Extension No. 1, which public hearing shall be held at the Magee Fire Department, 1807 NYS Route 318, Seneca Falls, NY 13148, in the Town of Tyre, on December 17, 2015 at 7:30 P.M. The Town Clerk will give notice of such hearing by publishing in the official Town newspaper a certified copy of this resolution and by posting a certified copy of this resolution on the Town's official sign-board not less than ten nor more than twenty days before such hearing.

Councilman Thomson moved this resolution as amended and it was seconded by Councilman DeIPapa.

Roll Call Vote:	Yea	Nay	Absent	Abstain
Councilman Thomas Thomson	X			
Councilman Reginald Aceto	X			
Councilman James Rogers	X			
Councilman Joseph DeIPapa	X			
Supv. Ronald McGreevy	X			

This resolution was duly adopted.

Resolution follows.

Financial - Highway - Loader

Attorney Shaffer has prepared a Bond Resolution dated October 15, 2015 authorizing the purchase of a 2016 John Deere 624K Wheel Loader and Other Equipment under NYSOGS Contract #22063 - 40603 Wheel Loader Statewide. The Supervisor and Town Clerk can now proceed to the lending bank, Community Bank, N.A., 5 Seneca Street, Geneva, NY to execute the document along with a check in the amount of \$145,000.00.

Old Wheel Loader

Councilman Aceto moved, seconded by Councilman Rogers and carried, that the 1984 Case WC Serial No. 9155816 be declared as surplus. Vote: Yea-4, Nay-0, Absent-0, Abstain-0.

Office Space

Supv. McGreevy inquired of Councilman Thomson if he had information regarding the issue of Office Space.

The Councilman replied he had worked out a tentative proposal for the possibility of renovating the Band Hall Building so it could be used in the winter.

Councilman Aceto spoke of the need to find office space so the Bookkeeper/Secretary and the Supervisor would not have to work out of a home. The Councilman felt it would be prudent of the board to look at what improvements could be made to the Band Hall Building. Councilman Aceto felt the Town Board needed to investigate their options - winterize the Band Hall Building and the office rental proposal of Mr. Mills.

Councilman Thomson will contact Mark Travis, Crescent Logistics, for an estimate on renovation of the Band Hall Building for winter use.

Supv. McGreevy inquired of Councilman Rogers if he was in agreement on this issue and he replied yes. The Supervisor also asked Councilman DePapa, and Councilman DePapa replied in the affirmative.

Updated Engagement Letters - Bond, Schoeneck & King PLLC and Sive, Paget & Riesel, PC

Supv. McGreevy informed the Town Board of the updated Engagement Letter from Bond, Schoeneck & King, PLLC, and Retainer Agreement from Sive, Paget & Riesel P.C.

Supervisor McGreevy inquired of the Town Attorney if he would like the Supervisor to read the following resolution, to which the Attorney replied yes:

Resolution to Engage the Law Firms of Bond, Schoeneck and King, PLLC and Sive, Paget and Riesel, PC to Represent the Town Board of the Town of Tyre, the Town of Tyre, and David Page as the Code Enforcement Officer of the Town of Tyre in an Article 78 Proceeding Entitled Casino Free Tyre Et Al vs. Town Board of the Town of Tyre, Et Al, Index 49749, Filed on November 2, 2015 in the Supreme Court of the State of New York, County of Seneca.

Councilman Thomson moved this resolution and it was seconded by Councilman Rogers.

Roll Call Vote:	Yea	Nay	Abstain	Absent
Supervisor Ronald McGreevy	X			
Councilman Thomas Thomson	X			
Councilman Reginald Aceto	X			
Councilman James Rogers	X			
Councilman Joseph DePapa	X			

This resolution was duly adopted.

Resolution follows.

Meeting Date

Councilman Aceto moved, seconded by Councilman DePapa and adopted, that the Year End Meeting will be held Wednesday, December 30, 2015 at 7:30 P.M. at the Magee Fire Department Building, 1807 St. Rt. 318, Seneca Falls, NY 13148, in the Town of Tyre. Vote: Yea-4, Nay-0, Abstain-0, Absent-0.

Supervisor Correspondence/Report

Supv. McGreevy reported on the Notice of Claim re: Fatal Motor Vehicle Accident on NYS Route 5 & 20 in August:

Ralph C. Brown 50-H Hearing scheduled for January 25, 2016.

Debra J. Backus received November 12, 2015 and forwarded to Town Insurance Company.

Note on Monday November 16, 2015 Casino Free Tyre Filed a Motion for a Preliminary Injunction to Stop Work at the Lago Site pending the outcome of litigation. This Motion is scheduled to be heard before the Hon. W. Patrick Falyey on December 8, 2015 at 1:30 P.M. in the Yates County Courthouse in Penn Yan.

Supv. McGreevy wished everyone a Happy Thanksgiving!!

Financial - Bills

Councilman Thomson moved, seconded by Councilman DePapa and carried, that the following bills be approved for payment: General Fund: 121-123,372-379, 381-402; Highway: 121-123,371,376,583-591; Water: 840-845. Vote: Yea-4, Nay-0, Abstain-0, Absent-0.

Adjournment

Councilman Thomson moved, seconded by Councilman DePapa and carried, that the meeting adjourn at 9:00 P.M. Vote: Yea-4, Nay-0, Absent-0, Abstain-0.

Submitted by:

Elizabeth Sutterby
Town Clerk