

July 18, 2019

The monthly meeting of the Tyre Town Board was held Thursday, July 18, 2019 at 6:30 p.m. in the Tyre Municipal Building, 1082 Gravel Road, Seneca Falls, NY 13148 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 – here; Councilman Thomas Thomson – here

**Others Present:** PBM's Lawrence Kesel, Robert Seem, Henry Bickel; Magee Fire Chief and ZEO Craig Reynolds; Bookkeeper Michael Gross; Highway Superintendent Bob Eddington; Jim Sinicropi – Fingerlakes1.com; Bruce Sherman – Sessler Companies; Residents – Pat Mahoney; Marge Fahrenholz; Melissa Sutterby; David Page

Supervisor McGreevy – have had roll call – quorum present – meeting called to order at 6:32 p.m.

Supervisor McGreevy introduced Mr. Thomas Blair, Attorney – Blair Law Firm; Mr. Michael Simon – Engineering Firm of Labella Associates; Mr. Charles Shaffer, Attorney – Representing the Town of Tyre

**Public Hearing** – Proposed Local Law #2 of 2019 “Town of Tyre Amended and Restated Design and Construction Standards for Land Development Local Law”.

Councilman Rogers moved, seconded by Councilman Sutterby that a Public Hearing open at 6:34 p.m. regarding the Proposed Local Law #2 of 2019 “Town of Tyre Amended and Restated Design and Construction Standards for Land Development Local Law”. 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 our record. Supervisor McGreevy again asked for comment. None were submitted.

Councilman Thomson, seconded by Councilman Sutterby, that the Public Hearing will close at 6:35 p.m.  
**VOTE:** Yea – 5; Nay – 0; Abstain – 0

**Minutes:** Approval of the June 20, 2019 minutes – Councilman Rogers moved, seconded by Councilman Sutterby, to dispense with the reading of the minutes of the June 20, 2019 meeting and they will be accepted as written.  
**VOTE:** Yea – 5; Nay – 0; Abstain – 0

### **Scheduled Speakers:**

Mr. Jim Sinicropi – Fingerlakes1.com regarding Tyre Website Update - Mr. Sinicropi reports that they have started making the Tyre Town website ADA/W3C compliant. He reports that things are moving right along. Before the new website is launched they will run the website thru both the ADA and W3C to make sure everything is compliant with those regulations.

Mr. Bruce Sherman – Sessler Companies – Regarding Digital Advertising Sign. Mr. Sherman stated Article 10 of the Town's Zoning Law regarding signage and asked if the town would consider allowing digital signs with further discussion? Councilman Sutterby stated he has no problem with digital signs as long as there are some rules put in place regarding size and brightness. This seemed to be the general consensus of the Board. It was decided that Mr. Sherman will reach out to other municipalities and see what they have for zoning regulations in regards to digital signs and the language that is in their codes. Mr. Sherman will bring this back to the Board and things will be discussed from there.

## Department Reports:

**Town Clerk:** Nothing to report

**Highway Department:** Highway Superintendent Mr. Eddington reports that they have had to lease a broom tractor until it is decided whether or not to fix their old one. Mr. Eddington shared a quote for the purchase of a new trailer. The Town does not own a large equipment trailer and it makes it difficult to borrow any equipment from other Towns as the other Towns are usually using their trailers. Repairs are ongoing on the roads and they are working on cleaning ditches.

Mr. Simon reported that Pucker Street has gone out to bid as of 7/17/19. Bids are due by 7/31/19. After bids are received they will be reviewed and will make recommendations to the Town by 8/7/19 so Board can make a decision at their next meeting on 8/15/19 Board meeting. In regards to the highway building roof – specifications are under way and hopefully specifications will be done in the next week. Heat for the highway building – there were 3 quotes received – A+ - \$12,150; Izaac Heating - \$13,900; RL Powers \$11,600. Quotes were reviewed and the recommendation is to go with A+ – they do not use subcontractors and provide a 1 year warranty. The installation of the heating system will not take place until the roof repair has been completed. A verbal motion was made by Councilman Sutterby and seconded by Councilman Thomson to use acct A1620.4 for capital improvements to pay for this project. Mr. Eddington will contact A+ and make them aware that they will be awarded the project.

VOTE: Yea – 5; Nay – 0; Abstain – 0

**Town Assessor:** Unable to attend.

**Attorney:** Nothing to report

**Fire Department:** Fire Chief Reynolds reports for the month of June, 2019 they have had 7 fire calls; 11 EMS calls; and 3 MVA's. On June 9<sup>th</sup> they responded to Armitage Road for a serious motorcycle accident. The operator struck a deer and was ejected from the motorcycle. The male sustained some serious injuries and had to be airlifted to Upstate Medical Center for treatment. On June 15<sup>th</sup> they responded to a call of a female that had fallen down some stairs and had some serious injuries. Patient was stabilized at the scene and airlifted to Upstate Medical Center for treatment and surgery. On June 26<sup>th</sup> they responded to Route 318 for a vehicle fire. July 15<sup>th</sup> they responded to a call of a 15 year old involved in a 4 wheeler accident. A tourniquet was applied due to bleeding and bones exposed in his arm. He was flown to Upstate Medical Center where he underwent surgery. July 15<sup>th</sup> responded to a second call of an explosion with a male severely burned. The patient was airlifted to Upstate Medical Center. Fire crews are going out into the community and putting up smoke detectors for the elderly. The crews are also working on putting up 911 address signs out in the community.

There is an extreme heat warning that has been issued by the Seneca County Office of Emergency Management as temperatures are forecast to reach between 100 and 105 degrees. The Seneca County Office of Emergency Management in conjunction with the Magee Fire Department will be opening a “cool shelter” for residents on Friday and Saturday from 10:00 a.m. to 7:00 p.m. at the Magee Fire Department.

**Zoning Enforcement Officer:** ZEO Reynolds reported that he issued 3 permits – Mary True is putting in shed; Andrew Worden is building a pole barn; and Judy Duncan is looking to put in an above ground pool. ZEO Reynolds has put together several packets for the Town Assessor, Greg Fishel from Allied Signs, Attorney Charlie Shaffer, the County Planning Board, and the Town of Tyre Planning Board. Inspections were conducted at the Magee Diner, Circle K, Petro, Councilman Aceto's house, and the Burkholder's project on Chase Road. He has handled 3 complaints since our last meeting in regards to concerns about Crusoe Cemetary, Blind spot coming down Chase Road from Route 414, a gentleman on Route 318 found black stuff floating on top of the water in his well – he was referred to the Seneca County Health Department. There have also been several residents that have inquired as to information on Spectrum.

**Planning/Website/Training:** Mr. Seem reports that the Planning Board is very busy. They have tidied up the Pineview Circle Phase II – a formal resolution was passed suspending their application until 6/2020. SHPO has issued a letter to the Chamber and they will be moving forward with their application. Burkholder project is at a stand still. Planning

Board will keep everyone informed in regards to this project. Rauscher property and the Amidon property will be looking to subdivide.

Mr. Kesel reports that trainings are continuing and that the Board is very busy.

**Dog Control Officer:** Unable to attend. Supervisor McGreevy reported that he received the Municipal Shelter Inspection Reports from NYS Ag and Markets.

**Bookkeeping:** See handouts of unaudited vouchers 007. Mr. Gross has completed the Supervisors Report for 2019. The AUD Document for 2018 is completed. The Wager audit continues and have received all records for 2017/2018.

**Band Hall Committee:** The Band Hall Committee is looking for one more person to join this committee to replace someone that will be leaving. It was suggested to put a request for new member on the website with contact information.

**Building Committee:** Supervisor McGreevy reports that the Town has contracted with a landscaping firm. They are also working on a punch list of items that need to be completed in the new building.

**Highway Committee:** Councilman Sutterby reported that Highway Superintendent Mr. Eddington is doing well in his position and is creating a better working relationship with his employees. At this time the Board is choosing to table the request for the purchase of a trailer and further discussion will be held on this matter.

**Old Business:**

Spectrum/Charter Communications Update: After multiple attempts to contact Ms. Lauren Kelly, Director of Government Affairs for the Finer Lakes – Subsequent 7/17/19 phone conversation in which she noted Charter’s recent settlement with NYS PSC, apologized for not following up with us sooner, the delay in contacting us was not just due to the lack of a franchise agreement (which their director is still working on), Tyre is just one of many, many municipalities Charter is working with, she also requested that the NDA (Non-Disclosure Agreement) be signed ASAP. ZEO Reynolds had a discussion with Donald Young, Strategic Account Manager, and a scheduled meeting was set for next week 7/24. It was discussed that hopefully after 7/24 meeting the Town will have more answers to give residents. Further discussion to follow.

**Resolution:** Resolution regarding Proposed Local Law #2 of 2019 “Town of Tyre Amended and Restated Design and Construction Standards for Land Development Local Law”. Councilman Sutterby motioned to dispense reading of this resolution, seconded by Councilman Rogers.

Motion made by Councilman Sutterby and seconded by Councilman Thomson. 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 the Seneca County Chamber of Commerce Letter of Support.

Motion made by Councilman Rogers and seconded by Councilman Thomson. 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 Increasing Appropriation for Account A1620.45 Building-Rental/Lease

Motion made by Councilman Aceto and seconded by Councilman Sutterby. 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 to Adopt the Corrective Action Plan (CAP) in Response to the NYS OSC 2019 Report of Examination.

Motion made by councilman Aceto and seconded by Councilman Sutterby. 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:**

6/21/19 Letter from Bradley Hutton, Deputy Commissioner, NYS Department of Health regarding Proposed del Lago Smoking Area Expansion.

6/27/19 Letter from C. Mitchell Rowe, County Manager, Seneca County regarding Response to 6/21/19 NYS Department of Health Bradley Hutton Letter.

6/28/19 Letter from Richard W. Lee, NYS Thruway Authority regarding NYS Thruway Authority Implementation of Statewide Cashless Tolling.

7/15/19 Letter from Gary Palumbo, Sr. Planner, AECOM regarding NYPA Communications Backbone Execution Plan.

Tyre Community Garage Sale will be August 23<sup>rd</sup> – August 25<sup>th</sup> Flyers are available here at the Tyre Municipal Building as well as appearing on our website @ [www.tyreny.com](http://www.tyreny.com)

**Financial – Bills:**

General Fund – Town Wide – 113; 114; 369 – 401

Highway Fund – 113; 114; 369; 563; 564; 566-576;

Municipal Building Fund – 376; 401; 1042-1046

\*Councilman Aceto declined to approve payment – 1042.

Water District #1 Fund – 818-820

Water District #2 Fund – 818

Trust & Agency – 11; 12

Councilman Rogers moved, seconded by Councilman Thomson that the bills be approved for payment:

VOTE: Yea – 5; Nay – 0; Abstain – 0

**Adjournment:**

Councilman Thomson moved, seconded by Councilman Aceto that the meeting adjourn at 9:05 p.m.

Submitted by,

Carolyn Sosnowski  
Town Clerk