

January 23, 2020

The monthly meeting of the Tyre Town Board was held Thursday, January 23, 2020 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: Administrative Assistant Karen Birch; Bookkeeper Michael Gross; ZEO Craig Reynolds; Judge Kathy Jans-Duffy; PBM’s Lawrence Kesel, Robert Seem, Henry Bickel; Peter Vars, BME Associates; Meredith Smith, del Lago; Residents – Mark Travis, Mary Sloan

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

Supervisor McGreevy introduced Mr. Charles Shaffer, Esq., representing the Town of Tyre and Mr. Thomas Blair, Attorney – Blair Law Firm

Minutes: Approval of December 30, 2019 and January 2, 2020 minutes – Councilman Rogers moved, seconded by Councilman Aceto, to dispense with reading the minutes of the December 30, 2019 and January 2, 2020 meeting and they be accepted as written.

VOTE: Yea – 5; No – 0; Abstain – 0; Absent – 0

Scheduled Speakers: BME Associates regarding Proposed Hilton Garden Inn at del Lago – Mr. Vars is here on behalf of Indus, LLC in regards to the site plan approval dated 2/21/19. They are still working on plans and would like to request an extension with no changes to the already submitted site plan dated 2/21/19. The Tyre Town Board agrees to vote to have Mr. Blair draft a resolution – all were in agreement.

Motion made by Councilman Aceto and seconded by Councilman Rogers. 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.

Department Reports:

Town Clerk: No update from the NYS Gaming Commission in regards to the Magee Fire Department Bingo License. Oaths of office were done for Councilman Sutterby and Councilman Rogers.

Highway Department: Highway Superintendent Eddington reports that the excavator has been returned to the shop with \$20,344.70 worth of repairs. A lot of the parts that are needed for future repairs can no longer be found. Highway Superintendent Eddington and Councilman Sutterby are searching pricing for new machines. Road work is continuing in the Town and they are repairing potholes and keeping the roads clear of snow and ice. The roof project has been completed but the company will be coming back to repair the yard that was damaged during the project.

Town Assessor: Nothing to report

Attorney Charles Shaffer: Nothing to report

Fire Department: Chief Reynolds reports that the Magee Fire Department responded to the following calls for the month of December 2019: Fire – 3; EMS – 6; and MVA – 2

Chief Reynolds advised the board that there has been several heroin laced with fentanyl overdoses in Tyre that they have responded to. They have been fortunate to revive people with Narcan. Unfortunately, he indicated there were 2 recent deaths in Geneva due to overdoses. However, what used to be one dose of Narcan to revive people is now taking between 4-7 doses to revive individuals. Due to the lacing of fentanyl with the heroin, this is highly deadly to users. Chief Reynolds stated this has become a nationwide epidemic and training is available in Seneca County for the use of Narcan to those that wish to learn about it.

Chief Reynolds reports the following snapshot for the year 2019:

8 working structure fires

13 uses of the jaws of life with 7 of the incidents with victims with serious life threatening Injuries

3 fatalities – one victim being a 6 year old child

2 drug overdoses

2 cardiac arrests where CPS was performed by fire personnel

4 major multiple casualty incidents

Several incidents with victims with severe trauma
13 victims were air lifted to a trauma center
2 elevator rescues
1 large hazardous material incident

Effective January 10, 2020 Magee Fire Department has placed Junius Fire Department on automatic mutual aid from Monday through Friday from 6:00 a.m. to 6:00 p.m. for any fires, possible fires, or motor vehicle crashes. This is due to losing 8 of their active members for a variety of reasons. These 8 members were in the top 11 responders and were in the top 10 for training.

Zoning Enforcement Officer: Supervisor McGreevy thanked ZEO Reynolds and PBM's Henry Bickel for hanging all of the pictures in the building that were donated by Kevin Colton. ZEO Officer Reynolds reported that he worked on a FOIL request for the Love's Attorney regarding information on the previously proposed 3S Gateway projects. He has been in communication with Jason McCormick regarding the Burkholder project. ZEO Reynolds reports that as of yesterday the water to the Empty Pocket's Trucking was turned off for an illegal water hook up and failure to comply with zoning requirements. ZEO Reynolds is working with DEC regarding violations at Burkholder's facility. DEC found one violation. Working with County Codes regarding a building code violation with Burkholder also.

ZEO Reynolds had responded to three complaints: Michael Schmucker is trying to put in a home business without a permit; a dog complaint on Strang Road which was in the Town of Junius; and a complaint about horses not being taken care of on Route 414. ZEO Reynolds is also reviewing a home business application from Michael Schmucker – there is still a lot of information required before the application can be deemed completed.

Planning/Website/Training: Mr. Seem reports that they are still working on the Burkholder project and the Chamber of Commerce project. In regards to the update on the vacancy on the ZBA – Mr. Seem has reached out to a couple of folks and hopefully will have some applicants by next month's board meeting.

Mr. Kesel gave a yearly snap shot for 2019 and reports that it was a very busy year. He also reports that everyone is right on schedule for having all of their trainings completed. Each member has to have 4 (four) hours of certified training and all copies of certificates have been given to the Town Clerk to keep on file. In regards to the website it is still under construction.

Dog Control Officer: Nothing to report

Bookkeeping: Bookkeeper Gross provided 2 handouts of abstract of audited vouchers #12 and #13. Auditors are finishing up with 2017 and 2018 audit.

Band Hall Committee: Nothing to report

Building Committee: Nothing to report

Highway Committee: The repairs on the highway building have come together nicely. They are working on a couple of driveway projects. The new truck is at Clays Viking and highway personnel will be going tomorrow to go over the final build sheet.

Old Business:

Spectrum Update – Supervisor McGreevy stated he had an update regarding Spectrum and asked Attorney Tom Blair to report to the board on the update. Attorney Tom Blair explained to the board that he had recently sent an email to Lauren Kelly, at Spectrum, giving her a deadline to respond to us and had indicated that his recommendation to the town would be to pull out of any further negotiations, if they did not respond. Spectrum did respond on the due date with a proposed franchise agreement. However, this was a copy of a franchise agreement for another municipality, with their names crossed out and the Town of Tyre inserted. Attorney Blair advised the board that Spectrum had not addressed any of the issues he asked them to address, quite some time ago. He furthermore, emailed Lauren Kelly asking for their exhibits and cost estimates and she responded that she was working on it. Attorney Blair stated the agreement had indicated a 0% return of finances to the town, where there is normally franchise fees that are shared with the town, up to a certain percent. Attorney Blair and his paralegal are working on this draft franchise agreement, of which was only recently submitted to the Town and will get back to Lauren Kelly with further questions. Supervisor McGreevy thanked Attorney Blair for his work on this issue.

New Business:

Resolution of the Town of Tyre Town Board to Adopt a Personnel Policy/Employee Handbook Governing All Town Employees, Appointed and Elected Town Officials

Motion made by Councilman Sutterby and 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.

Resolution Appointing Mary Lou Sloan to the Town of Tyre Board of Assessment Review

Motion made by Councilman Rogers and 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 Accepting Proposal from the Certified Accounting Firm of Mengel Metzger Barr & Co. LLP. Raymond F. Wager, CPA, P.C. Division, for Accounting Services in Connection with Audit of the Basic Financial Statements of the Town of Tyre for the Year Ended December 31, 2019

Motion made by Councilman Aceto and seconded by Councilman Rogers. Adopted by roll call vote as follows:

	YEA	NAY	ABSTAIN	ABSENT
Supervisor McGreevy	X			
Councilman Sutterby	X			
Councilman Rogers	X			
Councilman Aceto	X			
Councilman Thomson	X			

Resolution duly adopted. Resolution follows.

Resolution Accepting Proposal from the Certified Accounting Firm of Mengel Metzger Barr & Co. LLP. Raymond F. Wager, CPA, P.C. Division, for Accounting Services in Connection with Audit of the Justice Accounts of the Town of Tyre for the Year Ended December 31, 2019

Motion made by Councilman Aceto and seconded by Councilman Sutterby. Adopted by roll call vote as follows:

	YEA	NAY	ABSTAIN	ABSENT
Supervisor McGreevy	X			
Councilman Sutterby	X			

Councilman Rogers	X
Councilman Aceto	X
Councilman Thomson	X

Resolution duly adopted. Resolution follows.

Resolution of the Town Board of the Town of Tyre to Declare Building Equipment Located at the Town Highway Garage as Surplus, and to Direct that it be Sold and the Profits Realized from the Sale to be Deposited into the General Fund Checking Account (A Fund)

Motion made by Councilman Thomson and seconded by Councilman Sutterby. Adopted by roll call vote as follows:

	YEA	NAY	ABSTAIN	ABSENT
Supervisor McGreevy	X			
Councilman Sutterby	X			
Councilman Rogers	X			
Councilman Aceto	X			
Councilman Thomson	X			

Resolution duly adopted. Resolution follows.

Resolution to Adopt the Agreement for the Expenditure of Highway Money

Motion made by Councilman Rogers and seconded by Councilman Aceto. Adopted by roll call vote as follows.

	YEA	NAY	ABSTAIN	ABSENT
Supervisor McGreevy	X			
Councilman Sutterby	X			
Councilman Rogers	X			
Councilman Aceto	X			
Councilman Thomson	X			

Resolution duly adopted. Resolution follows.

Resolution to Update the Banks and Trust Companies Authorized for Deposit of Monies Under Article VII of the Town of Tyre's Investment Policy

Motion made by Councilman Rogers and seconded by Councilman Sutterby. Adopted by roll call vote as follows.

	YEA	NAY	ABSTAIN	ABSENT
Supervisor McGreevy	X			
Councilman Sutterby	X			
Councilman Rogers	X			
Councilman Aceto	X			
Councilman Thomson	X			

Resolution duly adopted. Resolution follows.

Resolution to Reschedule the Tyre Town Board Meeting from 2/20/20 to 2/27/20

Motion made by Councilman Aceto and seconded by Councilman Thomson. Adopted by roll call vote as follows.

	YEA	NAY	ABSTAIN	ABSENT
Supervisor McGreevy	X			
Councilman Sutterby	X			
Councilman Rogers	X			
Councilman Aceto	X			
Councilman Thomson	X			

Resolution duly adopted. Resolution follows.

Supervisor Correspondence/Report:

Reminder – A Town Hall Meeting for Congressman Tom Reed is scheduled for Saturday, January 25, 2020 from 10:30 a.m. to 11:30 a.m. at the Tyre Town Municipal Building.

Financial – Bills:

General Fund – Town Wide – 788-796; 101; 102;200-221

Highway Fund – 637-639; 101; 102; 201; 204; 205; 501; 502; 504-506

Water District #1 – 836-837; 800; 801

Water District #2 - 836

Trust and Agency – 24

Councilman Aceto moved, seconded by Councilman Sutterby that the bills be approved for payment: VOTE: Yea – 5; Nay – 0; Abstain – 0; Absent – 0

Adjournment:

Councilman Aceto moved, seconded by Councilman Rogers that the meeting be adjourned at 7:58 p.m. VOTE: Yea – 5; Nay – 0; Abstain – 0 Absent - 0

Submitted by,

Carolyn Sosnowski
Town Clerk