

October 15, 2020

The monthly meeting of the Tyre Town Board was held Thursday, October 15, 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 – absent; Councilman James Rogers – here; Councilman Kenneth Sutterby – here; Councilman Thomas Thomson – here

**Others Present:** Administrative Assistant Karen Birch; Bookkeeper Michael Gross; ZEO Craig Reynolds; Planning Board Hank Bickel; Band Hall Committee – Patricia Mahoney, Marjorie Fahrenholz; Magee Fire Department Dave Page

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

Public Hearing previously scheduled for this evening for the purpose of contracting with a fire department for fire protection in the Town of Tyre has been cancelled.

**Minutes:** Approval of September 17, 2020 minutes – Councilman Rogers moved, seconded by Councilman Thomson, to dispense with reading the minutes of the September 17, 2020 meeting and they be accepted as written.

**VOTE:** Yea – 4; No – 0; Abstain – 0; Absent – 1

**Scheduled Speakers:** None

### **Department Reports:**

Supervisor McGreevy was provided with some verbal and written reports from department heads.

Town Clerk: Carolyn Sosnowski stated that the NYS Gaming Commission has sent a letter to her and the Magee Volunteer Fire Department stating that their bingo license has been suspended, as well as a fine being levied against them.

Highway Department: Highway Superintendent Bob Eddington was not in attendance. Supervisor McGreevy stated that the highway staff has been busy and he appreciated all the work they have been doing.

Town Assessor: Supervisor McGreevy stated that Phil Griswold reported no new information for this meeting.

Attorney Charles Shaffer: Nothing to report

Fire Department: Magee Fire Department responded to the following calls during the month of September: 4 Fire, 3 EMS, 3 MVA's

September 3 – Fatal PI MVA on the NYS Thruway

September 4 – Responded mutual aid to Junius for the structure fire on Route 318

September 19 – Responded to a residence on Middle Black Brook Road for a female with severe respiratory distress. The patient was airlifted to Strong and unfortunately the patient passed away last week.

September 21 – Responded to a combine fire on Durling Road

September 27 – Responded to the intersection of the NYS Thruway and Petro for the personal injury motor vehicle accident with four vehicles involved with possible entrapment. Luckily there were only minor injuries. One driver was arrested for DWI.

CPR/AED Training – Most of Magee's active first responders took the CPR/AED refresher class last month. They are looking to send non-active members to the class at a later date, but felt that it was important that the first responders had the class first as they are the ones providing the service to the community.

Zoning Enforcement Officer- ZEO Reynolds stated he issued a permit to Supervisor McGreevy for installation of a shed, as well as Tim Rease, who owns a home on Route 318 for a storage building. He stated he has handled 4 complaints this month. ZEO Reynolds stated he dealt with a condemned trailer, of which he referred to the Seneca County Building and Codes. He also looked into a tree issue on Stevenson Road and he referred this matter to the highway department. ZEO Reynolds also looked into a safety concern with the bridge project on Route 89 and referred such to the NYS Thruway Authority. Lastly, he has been removing illegal signs throughout the town due to no permits being issued to post them. ZEO Reynolds stated he has been working on the Dunkin' Donuts project and there are a lot of moving parts to this

project with a lot of time being spent with the entire town's team. He has been putting together packets for the county board regarding the Dunkin' Donuts project. There continues to be more work regarding a resolution for the Airbnb on East Road. He stated that Ryan May is planning to build a conference center at 1306 East Tyre Road. He and his brother will be meeting with the Planning Board to present their concept plan. Questions remain that need to be answered on this project. ZEO Reynolds stated he has worked on an area variance application for Tim Rease of 1720 Route 318 as he wanted to put up a storage building. The ZBA just recently approved his plan do so. ZEO Reynolds stated he continues to work on several loose ends to the Love's project regarding the access road. He concluded stating that he has also been busy conducting onsite inspections.

Planning/Website/Training: The Planning Board had another busy meeting on September 22, 2020. They welcomed Mr. Donald Young as attorney for the Planning Board.

The most significant action by the Board was completion of the permitting process for Empty Pockets LLC (Burkholder truck garage on SR 414). The Board had completed the SEQR on June 8, 2020 and at the September meeting they completed the subdivision and site plan applications. Approval was given for the subdivision and site plan with their standard set of requirements and conditions.

The Planning Board also accepted the application of JFJ Holdings LLC for the construction of a Dunkin Donuts on the subdivided property owned by the Seneca County Chamber of Commerce (SCCC) at the corner of SRs 318 and 414. The acceptance means that the SEQR process will be started and reviewing the subdivision and site plans will begin. Initial determination found that the subdivision frontage on SR 414 was 7 feet short of the required 150 foot minimum frontage. With the agreement of SCCCC, we think a simple correction can be made by resetting the pins and redrawing the plat. Presently we are seeking involved and interested agency comments on the SEQ and Seneca County Planning comments.

The Planning Board also recommended to the Zoning Board of Appeals approval of a variance application by Mr. Tim Rease of 1720 SR 318, Waterloo to allow a 5 foot side yard set back (30 foot is required in Commercial West Zone).

Applications are not complete and therefore no action has been taken on a proposed small event center and B & B rental special use application.

The Planning Board will meet on October 27, 2020

Dog Control Officer: Nothing to report

Bookkeeping: Bookkeeper Gross submitted the abstract of audited vouchers #9 and the monthly Supervisor's Report for 9/2020. Bookkeeper Gross has also been working on the 2021 Budget.

Band Hall Committee: Marjorie Fahrenholz stated that the Band Hall committee has only met one time this year. They wish to plan for an open house at the band hall and recently invited Town Historian Kathy Jans-Duffy to attend their meeting to discuss the possibility of featuring the history of Tyre at their open house. She stated she would like to get some of the band instruments repaired for display at this open house and is also looking into "Tyre Memories" an account that she has been told appears on Facebook, of which she cannot find. She was hoping the board might be able to help her locate this account. Further, she stated she has a problem with the water at the Band Hall and has spoken to Councilman Ken Sutterby about the options for this issue. Lastly, she stated that she wants to work on obtaining a not for profit status for the band hall, as this would enable her to apply for several grants to assist in Band Hall plans. She made mention of Dennis Stone and thanked him for his volunteer work in fixing several things at the Band Hall. Ms. Fahrenholz stated she would like to use the town's newsletter to advertise the Band Hall.

Building Committee: Nothing to report

Highway Committee: Councilman Sutterby reported that there was one complaint that was handled and nothing else to report at this time.

**Old Business:** Supervisor McGreevy advised the board members that on 09-22-20, the town received the countersigned franchise agreement but we do not yet have verification of the filing with the PSC.

There was no further old business.

### **New Business:**

Resolution regarding Approving Intermunicipal Agreement for the NYS Route 318/414 Municipal Sewer System

Motion made by Councilman Rogers and 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 to Amend the General Fund (A Fund) 2021 Town of Tyre Preliminary Budget as presented

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 regarding to Amend the Fire Protection Fund (SF Fund) 2021 Town of Tyre Preliminary Budget as presented

Motion made by Councilman Sutterby 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.

Resolution regarding to Schedule a Public Hearing to be held Thursday, November 5, 2020 at 6:30 p.m. at the Tyre Municipal Building, 1082 Gravel Road, Seneca Falls, NY 13148 in the Town of Tyre, for the purpose of hearing Public Comment for or against any item or items in

the 2021 Town of Tyre Preliminary Budget, the Fire Protection District 2021 Preliminary Budget, the 2021 Town of Tyre Water District No. 1 Preliminary Budget and the 2021 Town of Tyre Water District No. 2 Preliminary Budget

Motion made by Councilman Rogers and 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 to Schedule a Public Hearing to be held Thursday, November 5, 2020 at 6:35 p.m. at the Tyre Municipal Building, 1082 Gravel Road, Seneca Falls, NY 13148 in the Town of Tyre, for the purpose of hearing Public Comment for or against the adoption of Proposed Local Law No. 2 of 2020 – Property Tax Override

Motion made by Councilman Thomson and 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.

### **Supervisor Correspondence/Report:**

Letter from NYS Canalway Water Trail regarding Request to Monitor Signage

Letter dated 9/29/20 from Town of Waterloo Town Clerk regarding 10/26/20 Public Hearing

Foil Request received 10/8/20 from Mr. John Houck regard Magee Volunteer Fire Department – This request for documentation was granted on 10/14/20

**Financial – Bills:**

General Fund – Town Wide – 120-121; 470-499

Highway Fund – 120-121; 470; 579-589

Water District #1 – 827

Water District #2 - 827

Trust and Agency –17-18

Councilman Sutterby moved, seconded by Councilman Thomson that the bills be approved for payment: VOTE: Yea – 4; Nay – 0; Abstain – 0; Absent – 1

**Adjournment:**

Councilman Rogers moved, seconded by Councilman Sutterby that the meeting be adjourned at 7:27 p.m. VOTE: Yea – 4; Nay – 0; Abstain – 0 Absent - 1

Submitted by,

Carolyn Sosnowski  
Town Clerk