

December 17, 2020

The monthly meeting of the Tyre Town Board was held Thursday, December 17, 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 and moment of silence for Bookkeeper Gross's mother who passed away**

**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; Planning Board Hank Bickel; Melissa Sutterby, Dennis Stone, Mrs. Sutterby, Mr. Sutterby, Judge Greg Guy

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

Supervisor McGreevy introduced Mr. Charles Shaffer, Attorney, representing the Town of Tyre

Supervisor McGreevy and the Town Board thanked Mrs. Sutterby for her years of service and dedication to the Town of Tyre. A plaque was made and presented to Mrs. Sutterby – this plaque will be displayed outside of the Town Clerk's Office in dedication to Mrs. Sutterby.

**Minutes:** Approval of Minutes of November 19, 2020 – Councilman Sutterby moved, seconded by Councilman Thomson, to dispense with reading the minutes of the November 19, 2020 meeting and they be accepted as written.

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

**Scheduled Speakers:** None

**Department Reports:**

Town Clerk: Nothing to report

Highway Department: The new peterbuilt truck was used for the first time to plow snow. The new float system on this truck is working well and the highway department is working on adjusting it. Ron thanked the highway department for all they do for the Town.

Town Assessor: Assessor Griswold reported that he is attending zoom classes for his certification.

Attorney Charles Shaffer: Nothing to report

Fire Department: Magee Fire Department responded to the following calls during the month of November: 5 Fire, 4 EMS, 2 MVA's

Magee Fire Department had a crew that went over to Clyde for their Parade of Lights. This evening a crew and trucks are going to downtown Waterloo to do a special parade detail for those in the nursing homes. Just to let them know that they are not alone during this pandemic. Several members also attending training sessions on interior firefighting skills. Supervisor McGreevy thanked the men and women of Magee Volunteer Fire Department for all that they do and he hopes that the department will be able to overcome their internal turmoil.

Zoning Enforcement Officer: ZEO Reynolds reports holding two permits: one for Love's Travel Stops – waiting on a couple of conditions to be met before issues them a permit; and one for Dunkin' Donuts – still waiting on a couple of things as well.

ZEO Reynolds received one complaint regarding road hazard – mud on the road

The Dunkin' Donuts will have full access off Route 414. The entrance was approved by NYS DOT. There were several discussions regarding the entrance to Dunkin' Donuts. The goal is to have the entrance access at the proposed traffic control signal at the Love's project with a secondary entrance off Route 318.

The Planning Board put the AirBnb on East Road and the proposed event center on East Tyre Road on hold until Mike Simon and ZEO Reynolds can look into these projects a little further.

ZEO Reynolds met with representatives from the Petro to discuss some potential developments for their site. It was a very productive meeting.

The Iron Skillet will be removing their buffet island.

Petro is hoping that IHOP will start the remodeling in January or February at the latest.

Bob Seem and ZEO Reynolds are looking to put together a packet to send out to developers to promote the Town.

ZEO Reynolds received a couple of calls about the Town getting municipal water from Route 414 to Route 5 & 20 and have taken five calls for different contractors regarding the Love's Project.

Onsite inspections are ongoing

Planning/Website/Training: Supervisor McGreevy read the following report supplied to him by Bob Seem, Chairman of the Planning Board, as he was not in attendance at this meeting. The November meeting of the Planning Board was held remotely using the meeting application GoToMeeting, which was made available by the County Planning Department. It was our initial use of the system, but once we got started the system worked well. Unfortunately, the system was only available to us in November. Should we need to meet remotely in the future, other methods need to be used.

The Tyre Planning Board completed the approval of JFJ Holdings LLC's application to build a Dunkin' Donuts Shop on a sub-divided parcel originating from the Seneca County Chamber of Commerce's property on the corner of SR 318 and 414. Primary access to the parcel will be from SR 414 close to, but not directly across from the south entrance to Magee Country Diner. The entrance has been approved by NYS DOT. A secondary access route will be from SR 318 utilizing an easement on the western side of the Chamber's property. We are encouraging utilization of the Love's signaled entrance when further development of the 3S Gateway property. When/if that occurs, Dunkin's entrance will convert to right-in, right-out only.

The only other pending projects are Bruce Smith's AirBnB property off East Road and Ryan May's small event center off East Tyre Road. We have asked both applicants to hold until the Town Board considers updates to the Zoning Law. ZEO Reynolds and Mike Simon are preparing updates for consideration by the Town Board.

The Planning Board is scheduled to meet on December 22, 2020. However, currently we have no agenda items of importance for December. We are considering cancellation of the meeting due to lack of agenda items. If we do cancel, it will be properly noticed to the public.

Dog Control Officer: Nothing to report

Bookkeeping: Bookkeeper Gross submitted Abstract of Audited Vouchers #11; Supervisor's Monthly Report; Trial Balance Summaries for November; and is currently working on the 2019 Audit.

Band Hall Committee: Band Hall is closed for the winter

Building Committee: There are continuing issues with lighting. Councilman Rogers and Councilman Aceto will meet with ZEO Reynolds to discuss and come up with possible solutions.

Highway Committee: Councilman Sutterby stated he knew of the new truck snowplowing on today's date. He suggested that the Highway Department should put a plan in place to notify a homeowner if the highway department is going to work near their homes. He feels this could alleviate a lot of issues. Councilman Aceto stated he lives on a county road and his mailbox was already hit due to snowplowing and he hopes our highway department will be careful with mailboxes.

**Old Business:** Spectrum/Charter Communications Update – Last request for a Franchise Agreement status update (confirmation of filing with the PSC) was made on 12/1/20 which Ms. Kelly responded “We are still waiting on this information. I will send it as soon as I have it”. Agreement was finalized on 9/22/20.

**New Business:**

Resolution regarding Adoption of the New Local Government Records Retention Schedule

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 to Schedule a Special Meeting of the Tyre Town Board for the Purpose of the Town of Tyre Town Board 2020 End of Year Meeting

Motion made by Councilman Thomson 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 to Schedule a Special Meeting of the Tyre Town Board for the Purpose of the Town of Tyre Town Board Organizational Meeting for the Year 2021

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 Approving Agreement With Seneca Security Services for Court Security and to Operate the Magnetometer for The Tyre Municipal Building

Discussion: Attorney Shaffer commented on this agreement. He states that this is the only company locally that provides justice services in the county. There is no “cap” listed in the contract for the year. He asks the judges to be mindful how quickly \$2600.00 can be spent. Judge Guy responded that these services have been budgeted only for ADA Day which is one day per month for each justice.

Attorney Shaffer also commented that paragraph 15 – the term is for one year but renews automatically unless written notice is received within 30 days of the end of the contract. Attorney Shaffer asks that each judge circle November 1<sup>st</sup> on their calendars to discuss services and if not okay with the services they can cancel by November 30<sup>th</sup> to fall within the contract parameters.

Attorney Shaffer also asked Judge Guy if the OCA has to approve the security provider. Judge Guy reported that yes they have to approve before they place the magnetometer.

Councilman Aceto inquired about paragraph #11 and hold harmless. Attorney Shaffer responded that the Security Company is being hired as an independent contractor.

Motion made by Councilman Sutterby 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 Increasing the Appropriation For Account A1420.44 Attorney – Contractual – Legal and Professional Services

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.

Resolution of the Tyre Town Board Increasing the 2020 Appropriation for Account A1620.4 Building - Contractual

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.

## **Supervisor Correspondence/Report:**

Note – 12/9/20 Letter sent to MVFD President David Page and Chief Reynolds noting 12/31/20 expiration date of 2020 Contract and also thanking them and MVFD for their many years of service to the Town of Tyre. Also note receiving email on 12/13/20 from Mr. Page thanking the Town for its years of support.

REMINDER: End of Year Meeting on Thursday, December 31, 2020 at 6:30 p.m.

## **Financial – Bills:**

General Fund – Town Wide – 124; 125; 730-733; 736-760

Highway Fund – 124; 125; 599-605; 730; 734; 735

Water District #1 – 834; 835

Water District #2 - 835

Trust and Agency –21; 22

Municipal Building – 1063

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

## **Adjournment:**

Councilman Sutterby moved, seconded by Councilman Rogers that the meeting be adjourned at 7:39 p.m. VOTE: Yea – 5; Nay – 0; Abstain – 0 Absent - 0

Submitted by,

Carolyn Sosnowski  
Town Clerk