

October 21, 2021

The monthly meeting of the Tyre Town Board was held Thursday, October 21, 2021 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; DCO Dallyn Jenkins; Mike Reese; Marge Fahrenholz; Char Verkey; Rod Verkey; Pat Mahoney; Beth Partee; Melissa Sutterby; Hank Bickel; Mark Travis

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

Introduction of Attorneys representing the Town of Tyre this evening:

Mr. Charles Shaffer, Attorney

**Minutes:** Approval of Minutes of September 16, 2021 and October 7, 2021 – Motion to amend October 7, 2021 minutes as corrected made by Councilman Aceto and seconded by Councilman Sutterby. Councilman Aceto moved, seconded by Councilman Rogers, to dispense with reading the minutes of the September 16, 2021 and October 7, 2021 meetings and they be accepted as written.

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

**Scheduled Speakers:** None

### **Department Reports:**

Town Clerk: Town Clerk Sosnowski reported the Mr. Reynolds is working diligently on making sure the parking lot lights turn on and off during the evening hours when she is at the building.

Highway Department: Highway Superintendent Eddington reports that they have started black top projects which includes Blackbrook to Stevenson Road and Dawson Road from 414

past Pucker Street. They will be doing hedge trimming down Sutterby Road and back to East Tyre Road pending approval from Montezuma. Then they will be working on cleaning ditches.

Town Assessor: Nothing to report this evening

Attorney: Nothing to report this evening

Fire Department: Supervisor McGreevy stated that Chief Tavano could not be in attendance at this evening's meeting.

Zoning Enforcement Officer: ZEO Reynolds reported there has been one permit issued for installing a double wide on Route 89. Tim Rease's in-ground swimming pool is finally being installed.

ZEO Reynolds has discussed utility easements with Mike Simon and where the Town will need these easements. So far the only three locations would be Love's, Petro, and del Lago.

The Love's Project is moving along. There have been some issues that Love's and the General Contractor are still working on. The main issue is the utilities. The sewer is hooked up. Love's has two options with water access and that is to extend the water service across from the Magee Diner or run the water line south down to Route 318. They are still waiting for NYSEG to hook up permanent electric to the property. They are also still waiting for natural gas to be hooked up as well and that is through NYSEG as well. There was a potential issue with the parking lot not passing compaction testing. In meeting with the General Contractor and the testing company it was determined that it was a computer glitch and the compaction testing was re-done and everything passed. The main access road has been built to the Town's construction and design specs.

Wilkins RV is currently working with del Lago and the County regarding water and sewer access. The water is public and the sewer is private. All parties are hopeful that the County will take possession of the water and sewer.

Dunkin Donuts have applied for an extension and it was approved. There have been several calls from contractors that have placed bids on this project.

Jason McCormick will present a concept plan to the Planning Board for condominiums on Route 414, the old Russell Hacker property.

There have also been a few inquiries about cannabis dispensaries.

Issued one violation to Roberta Austin, Austin's Collectibles and Antiques located at Simone's Corners. They failed to file for a permit. They came in and filled out an application on the same day and it will go in front of the ZBA due to an area variance.

There have been three complaints received:

- \*Sign violation
- \*Property maintenance complaint on Route 89
- \*Site work being done without first obtaining permission from the Planning Board or having a permit from DEC. An e-mail was sent to advise the property owner to cease the site work.

On -site inspections are continuing to be done.

Planning/Website/Training: Supervisor McGreevy read a statement from the Planning Board. They met remotely for their monthly meeting. The Board considered the completeness of two zoning applications: Wilkins RV sub-division, site plan, and SEQR applications; and a sub-division application by HDL Properties LLC (Joe Dendis) to separate the former Strong home and outbuildings from the main parcel of land on State Route 414. All applications were deemed to be complete enough to allow the Planning Board to hold a Public Hearing on October 26, 2021.

Supervisor McGreevy stated that in regards to the minutes he wanted to thank Councilman Aceto for raising his concern at the October 7, 2021 meeting about the Planning Board minutes and transcripts. We are working with the Town Clerk as well as bringing other stakeholders to the table and hope to bring about a revised process at the start of the new year. We have also reached out to our Planning Board Attorney regarding your statements and he is reviewing this.

Dog Control Officer: DCO Jenkins reported that she picked up two dogs this month. She also reported that they are over run with cats and can not take any more at the shelter. Supervisor McGreevy asked DCO Jenkins if there would be any changes to her budget for 2022 and she stated no there would not be and thank you to the Town for all they do.

Bookkeeping: Bookkeeper Gross submitted handouts for abstract of audited vouchers #9. He also submitted the Cash Receipts Summary for the September 16, 2021 Board Meeting along with the Supervisors Monthly Report, and the Financial Statements for September, 2021. He also reports that he has been working hard on the 2022 Budget.

Band Hall Committee: Attorney Shaffer discussed the application for the Band Hall useage. Attorney Shaffer asked if the Band Hall has a checking account? Pat Mahoney stated that yes

there is a checking account for the Band Hall. Attorney Shaffer suggested that on the application for useage it should have stated at the bottom “make check payable to whatever name is listed on the Band Hall checking account”.

Attorney Shaffer also went on to suggest that in regards to the Band Hall Use Agreement Document paragraph #7 at the end, should be stated “as printed on the attached sheet”. Ms. Fahrenholz stated that the Band Hall Committee would like this to be voted on tonight as there are a couple of residents interested in renting the Band Hall and she will make the suggested changes to the paperwork. Councilman Aceto stated that if there is anything further that comes up that paperwork can be amended down the road as well if needed. He also stated a thank you to the Band Hall Committee for all of their hard work and would like to see Senator Nozzolio sent a letter of thanks for helping to secure the grant that the Band Hall received for restoration and repairs. Councilman Rogers thanked Dennis Stone for the work that he has done for the Band Hall as well. Councilman Sutterby reminded everyone that the water issue still has not been resolved and they may need to not rent out the Band Hall if the water freezers. Highway Superintendent Eddington asked that the Band Hall Committee have non-slip material put on the ramp and front steps and Councilman Aceto agreed with this request.

A motion was made by Councilman Aceto and seconded by Councilman Thomson to bring The Resolution for Use of the Band Hall to the Board later in this meeting.

VOTE: Yea – 5; NO – 0; Abstain – 0; Absent - 0

Building Committee: Nothing to report at this time

Highway Committee: Nothing to report at this time

**Old Business:** None

**New Business:**

Resolution regarding to Amend the General Fund (A Fund) 2022 Town of Tyre Preliminary Budget as presented.

The adoption of the foregoing Resolution was moved by Councilman Thomson, and seconded by Councilman Rogers, and duly put to a vote, which resulted as follows:

	YEA	NAY	ABSTAIN	ABSENT
Councilman Thomson	X			
Councilman Rogers	X			

Councilman Sutterby	X
Councilman Aceto	X
Supervisor McGreevy	X

Resolution duly adopted. Resolution follows.

Resolution regarding to Amend the Highway Fund (DA Fund) 2022 Town of Tyre Preliminary Budget as presented.

The adoption of the foregoing Resolution was moved by Councilman Rogers, and seconded by Councilman Sutterby, and duly put to a vote, which resulted as follows:

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

Resolution duly adopted. Resolution follows.

Resolution regarding to Create New Account Code A1620.11 Building-Building Maintainer-Personal Services, and to Amend the General Fund (A Fund) 2022 Preliminary Budget.

The adoption of the foregoing Resolution was moved by Councilman Rogers, and seconded by Councilman Sutterby, and duly put to a vote, which resulted as follows:

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

Resolution duly adopted. Resolution follows.

Resolution regarding to Schedule a Public Hearing to be held Thursday, November 4, 2021 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 2022 Town of Tyre Preliminary Budget, the Fire Protection District 2022 Preliminary

Budget, the 2022 Town of Tyre Water District No. 1 Preliminary Budget and the 2022 Town of Tyre Water District No. 2 Preliminary Budget.

The adoption of the foregoing Resolution was moved by Councilman Aceto, and seconded by Councilman Sutterby, and duly put to a vote, which resulted as follows:

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

Resolution duly adopted. Resolution follows.

Resolution regarding the Use of the Tyre Band Hall Building

The adoption of the foregoing Resolution was moved by Councilman Aceto, and seconded by Councilman Sutterby, and duly put to a vote, which resulted as follows:

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

Resolution duly adopted. Resolution follows.

**Supervisor Correspondence/Report:**

NOTE: Response completed on 9/17/21 to FOIL Request dated 8/13/21 from Henry Bickel regarding miscellaneous Tyre financial documents

NOTE: Response completed on 10/6/21 to FOIL Request dated 8/30/21 from John Houck regarding miscellaneous Tyre financial information and miscellaneous fire department related documents. Supervisor McGreevy stated that the legal fees to complete this request ran in excess of \$1800.00

NOTE: Letter dated 9/24/21 from LaBella Associates Michael Simon, Senior Project Manager regarding proposed Wilkins RV Service and Sales Center site plan Review and compliance with SEQRA

**Financial – Bills:**

General Fund – Town Wide – 120-121; 473-499; 700-707

Highway Fund – 120-121; 473; 484; 550-556

Water District #1 – 828-830

Water District #2 – 828

Trust & Agency – 17-18

Councilman Sutterby moved, seconded by Councilman Rogers 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 7:39 p.m. VOTE: Yea – 5; Nay – 0; Abstain – 0 Absent - 0

Submitted by,

Carolyn Sosnowski  
Town Clerk