

March 3, 2022

The special meeting of the Tyre Town Board was held Thursday, March 3, 2022 at 6:30 p.m. in the Tyre Municipal Building, 1082 Gravel Road, Seneca Falls, NY 13148

Supervisor Partee called the meeting to order at 6:30 p.m.

Pledge of Allegiance and a moment of silence

Roll Call: Councilman Reginald Aceto – here; Councilman Henry Bickel – here; Councilman Kenneth Sutterby – here; Supervisor Beth Partee – here

Others Present: Bookkeeper Michael Gross; Assessor Phil Griswold; Jon Partee; Char Verkey; Rod Verkey; Pat Mahoney; Dennis Stone; Richard Damaske; Mark Travis; Jeff Bennett

RESOLUTION ratifying the Supervisor’s action to reschedule the public hearing on Local Law #1 of 2022.

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

VOTE: Aye – 3; Nay – 0; Absent – 1; Abstain – 0

The Resolution was duly adopted.

PUBLIC HEARING regarding Proposed Local Law #1 of 2022 “Overriding the Tax Levy Limit Established in General Municipal Law § 3-c”

Motion made by Councilman Bickel, seconded by Councilman Aceto to open the Public Hearing at 6:32 p.m.

No comments were brought forward

Motion made by Councilman Aceto, seconded by Councilman Sutterby to close the Public Hearing at 6:34 p.m.

Motion is carried by the following vote:

VOTE: Aye – 4; Nay – 0; Absent – 0; Abstain – 0

Open Privilege of the Floor: None

Approval of Meeting Minutes: February 3, 2022 and February 17, 2022

Motion to dispense with the reading of the minutes and approve them as written made by Councilman Aceto and seconded by Councilman Bickel.

Vote: Aye – 3; Nay – 0; Absent – 1; Abstain – 0

Committee Reports: None

Reports of Officers and Departments:

Highway Superintendent: The Town of Tyre opened bids on Thursday, February 10, 2022 at 5:00 p.m. for annual rental requirements of heavy equipment on a per hour basis including operators for various Town projects. One (1) bid was received on this day from Seneca Pipe & Paving Company and was subsequently awarded. The bid prices will be effective January 1, 2022 to December 31, 2022, on an on-call bases under the direction of the Town Highway Superintendent.

Dog Control Officer: None

Fire Chief: Chief Tavano reported that the total calls for Tyre was 10 with a total of 7 firefighters responding per call. Chief Tavano reports multiple EMS calls and alarms in Tyre; several MVA calls on the NYS Thruway; and a chimney fire in Savannah. First offering of physicals has been completed with 22 attending.

Second offering of physicals is scheduled for February 17th with 19 signed up currently. CPR/Advanced First Aid/AED first class Tuesday, February 22, 2022. They will be starting the annual Hazmat first responder operations refreshers and will also be starting annual confined space and rope recertification training.

Assessor: Nothing

Planning Board/ZBA/Training Records: The monthly meeting of the Planning Board was held remotely on January 25, 2022. The final Public Hearing was held to receive public comment regarding the Wilkins RV Project. There were no written or oral comments from the public.

The regular meeting of the Planning Board commenced immediately after the Public Hearing. There were no public comments scheduled but we introduced Ms. Heizmann the new Zoning Enforcement Officer along with three of the candidates for the vacant positions on the Planning Board attending the meeting.

The primary agenda item was consideration of the Wilkins RV application for State Environmental Quality Review (SEQR), sub-division, and site plan. Consideration of the SEQR decision was based on the Full Environmental Assessment Form (FEAR) Part 1 prepared by Costich Engineering on behalf of Wilkins RV, and the FEAR Parts 2 and 3 prepared by our engineers, Labella Associates. After consideration of all of the information, the Planning Board, by resolution, declared there was little or no environmental impact (negative declaration). The applicant has resolved all issues regarding the subdivision and that application was approved. Finally, the Planning Board approved the site plan application with conditions. The condition related to unresolved determination of public water and sewer access. It is anticipated these services will become available, but on the chance they are not, alternate solutions have been defined in the resolution. All resolutions have been notarized and filed with the Town Clerk.

The Planning Board's next meeting will be held on February 22, 2022.

Zoning Enforcement Officer: ZEO Heizmann reported that there has been no new permits and no new complaints. She has contacted the open permit holders

and is issuing the Certificate of Compliance for finished projects. A spreadsheet to track open permits has been created.

Bookkeeper: Bookkeeper Gross has uploaded the Bookkeeper's Report; Abstract of Audited Vouchers #14 and #1; Cash Receipt Summary Report; 2021 AUD; and Financial Statements for year ending.

Resolutions and Motions:

RESOLUTION adopting Local Law #1 of 2022 – A local law to override the tax levy limit established in General Municipal Law § 3-c.

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

VOTE: Aye – 4; Nay – 0; Absent – 0; Abstain - 0

The Resolution was duly adopted.

RESOLUTION accepting proposal from the certified accounting firm of Mengel Metzger Barr & Co. LLP for the Justice Audit for 2021.

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

VOTE: Aye – 4; Nay – 0; Absent – 0; Abstain – 0

The Resolution was duly adopted.

RESOLUTION accepting proposal from the certified accounting firm of Mengel Metzger Barr & Co. LLP for audit of the Town's Basic Financial Statements for 2021.

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

VOTE: Aye – 4; Nay – 0; Absent – 0; Abstain – 0

The Resolution was duly adopted.

RESOLUTION instituting the Agricultural Farmland Preservation Advisory Committee as an Ad Hoc Committee of the Tyre Town Board. The Agricultural Farmland Preservation Advisory Committee serves town residents, farmers, and the interests of the Town Board in maintaining and preserving the agriculture business and land use interests in the Town.

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

VOTE: Aye – 4; Nay – 0; Absent – 0; Abstain – 0

The Resolution was duly adopted.

RESOLUTION that the Tyre Town Board appoint Richard Damaske as Chairman to the Agricultural Farmland Preservation Advisory Committee.

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

VOTE: Aye – 4; Nay – 0; Absent – 0; Abstain – 0

The Resolution was duly adopted.

RESOLUTION authorizing scheduling of Public Hearing for a proposed Local Law entitled “A Local Law to Provide that the Exemption for Energy Systems Pursuant to Real Property Tax Law Section 487 shall not be applicable within the Town of Tyre”.

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

VOTE: Aye – 4; Nay – 0; Absent – 0; Abstain – 0

The Resolution was duly adopted.

Unfinished Business: Councilman Aceto nominates Jeff Bennett to fill the Councilman seat left vacant by James Rogers resignation, seconded by Supervisor Partee, and duly put to a vote, which resulted as follows:

VOTE: Aye – 4; Nay – 0; Absent – 0; Abstain - 0

New Business:

Water rates for commercial businesses – Mike Simon and Mike Gross are reviewing these rates to make sure charges are correct.

Polling location for Tyre town residents – It is being moved from the Band Hall to the Tyre Municipal Building beginning with the 2022 Primary Election in June.

Proposed Local Law to provide that the exemption for energy systems pursuant to Real Property Tax Law Section 487 shall not be applicable within the Town of Tyre.

RESOLUTION Authorizing Scheduling of Public Hearing for a Proposed Local Law Entitled “A Local Law to Provide that the Exemption for Energy Systems Pursuant to Real Property Tax Law Section 487 Shall Not Be Applicable Within the Town of Tyre”. The Public Hearing is scheduled for Thursday, March 17, 2022 at 6:30 p.m. at the Tyre Town Hall, 1082 Gravel Road, Seneca Falls, NY 13148.

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

VOTE: Aye – 4; Nay – 0; Absent – 0; Abstain – 0

The Resolution was duly adopted.

Broadband Survey – All Tyre residents are encouraged to complete the statewide Broadband Survey by March 18, 2022 to ensure accurate representation of broadband needs within the community. If you are unhappy with your high-

speed internet access, or lack thereof, this is something you can do that might just help you out. It's free, easy, and it doesn't take much time to complete. Please visit www.senecacountybroadband.com by March 18, 2022 to complete the survey and speed test. Alternatively, call the toll-free broadband assessment line at 1-855-NYBBMAP (1-855-692-2627) if you would prefer to receive a paper copy by mail.

Supervisor Report/Correspondence:

February 9, 2022 - Completed the necessary Notices of Award or Notices of Cancellation for four of the seven outstanding public work contracts let by the Town of Tyre. Working with the Town Engineer to get the required information to complete the remaining three.

February 10, 2022 – Communication with Junius Town Supervisor Ernie Brownell and Town Attorney Jeff Graff regarding a local law Junius recently created eliminating the tax exemption for solar projects.

February 11, 2022 – Communication with Farmington Town Supervisor Peter Ingalsbe and Farmington Director of Planning and Development Ron Brand regarding the Farmington Farmland Protection Plan they created for the Town of Farmington, as well as some legislation they recently passed regarding farmland protection regulations. Ron Brand advised us to contact the NYS Department of Agriculture and Markets to apply for a Municipal Agricultural and Farmland Protection Planning Grant as the first step in developing a town-level agriculture and farmland protection plan.

February 12, 2022 – Received communicated from Stefanie Barnes (court appointed Receiver) for the dissolution of the Magee Fire Department asking a couple of questions. Attempted to call her back to discuss the matter but discovered she was on vacation.

February 18, 2022 – Received a message from Helen Foulkrod regarding wanting to discuss the Town Tax Collector. Returned her call multiple times and left messages.

February 28, 2022 – Spoke with Stefanie Barnes (court appointed Receiver for the dissolution of the Magee Fire Department) and provided her with contact information for Jeff Graff, Esq. (Tyre Town Attorney) and Mark Butler, Esq. (special counsel for the Town of Tyre with regards to fire protection services).

March 1, 2022 – Spoke with Lance Young (General Manager for del Lago) requesting some information regarding the transfer of del Lago from Peninsula Pacific to Churchill Downs so that the Town Board can ensure the transfer will not harm the Town’s interests.

March 2, 2022 - Received quote from J.E.L. Lawn & Landscape, LLC for services for the 2022 – 2023 season. There was approximately a 14% increase in their fee. If there are no objections, I will renew the contract. No objections were voiced so contract will be renewed.

Bills: None

Adjournment:

Councilman Bickel moved, seconded by Councilman Aceto that the meeting be adjourned at 7:02p.m. VOTE: Aye – 4; Nay – 0; Abstain – 0; Absent – 0

Submitted by,

Carolyn Sosnowski
Tyre Town Clerk

