

August 18, 2022

The regular monthly meeting of the Tyre Town Board was held Thursday, August 18, 2022 at 6:30 p.m. in the Tyre Municipal Building, 1082 Gravel Road, Seneca Falls, NY 13148, in the Town of Tyre.

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

Pledge of Allegiance

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

Supervisor Partee introduced Mike Simon, LaBella Associates and Jeff Graff, Town Attorney

Others Present: Bookkeeper Michael Gross; Assessor Phil Griswold; Dallyn Jenkins; Marge Fahrenholtz; Justin Mahoney; Mike Reese; James Wilkinson; Cassandra Crimmins; Bonnie White; Richard White; Steve Skinner; Tammi Skinner; April Mollenkopf; Chuck Mollenkopf; Mark Travis; Donald Bennett Jr.; Corie Campbell; Jon Fiorelli; Linda Conley; Patricia Mahoney; Jessica Youngs; James LaRock II; John Whiteford; Donna Aceto; Leonard Visco;

Presentations:

Mr. Simon explained the process and steps it would take to extend the waterline from Pineview Circle down Route 318 to Black Brook Road and connect at Worden Road. This process could take a year and half. Mr. Simon will look at grants to see if there are any available to help with the costs for residents. There were many residents in attendance for this meeting to show that they would like to see this project move forward. Mr. Simon answered questions for the residents and at the end of the Q&A period, it was decided that he will put a proposal together to create a Map, Plan & Report to bring to the Board at the next meeting.

Open Privilege of the Floor:

Dallyn Jenkins, Dog Control Officer, spoke regarding proposing a moratorium on commercial kennels in the Town of Tyre for one year. Town Attorney Jeff Graff said that this would be a two-part process and the Town could bring in NYS Ag & Markets to discuss further. Councilman Sutterby asked how this would be enforced? Councilman Aceto stated that the Town needs to make a law. No action was taken.

Approval of Meeting Minutes: July 21, 2022 minutes

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

Vote: Aye – 5; Nay – 0; Absent – 0; Abstain – 0

Motion carried

Committee Reports:

Building Committee – Councilman Aceto reported that the committee is looking to install security cameras at the highway building and at the former Magee Fire House at the corner of Route 414 and Route 318.

Insurance and Finance Committee – All accounts have been transferred to LNB

NYS Deferred Compensation Plan – Supervisor Partee is meeting August 29, 2022 with a representative NYS Deferred Compensation and will share plan details with town employees afterwards.

Records and Communication Committee – Supervisor Partee discussed an app for mass communications within the Town. Please see the paperwork attached.

Highway Committee – Highway Superintendent Bush requested that the Board make a motion to approve the purchase of a new tractor/mower. Councilman

Bennett reported that the Town is trying to maintain a 20 year old tractor with mechanical issues. He agrees that the Town should order a new tractor/mower before the price increases. Councilman Sutterby agrees with this. Highway Superintendent Bush reports that the price of the new tractor/mower is \$127,000 and that the Town can use CHIPS money and the sale of old equipment to cover the cost of this new tractor/mower.

Motion made to purchase new tractor/mower made by Councilman Sutterby and seconded by Councilman Bennett.

VOTE: Aye – 5; Nay – 0; Abstain – 0; Absent – 0

Motion carried

Motion made to transfer \$128,000 for the purchase of the new tractor/mower for the Highway Department from Account DA599 to Account DA5130.2 made by Councilman Aceto and seconded by Councilman Bennett.

VOTE: Aye – 5; Nay – 0; Abstain – 0; Absent – 0

Motion carried

Fire Department Committee – The Committee asked Supervisor Partee to schedule a special town board meeting to be held on September 29, 2022 at the Tyre Municipal Building. The sole purpose of this meeting will be to discuss recommendations on how the Town will utilize the real property and equipment acquired as a result of the dissolution of the former Magee Volunteer Fire Department. The Fire Department Committee is working with the town’s fire protection attorney to draw up a recommended plan for moving forward. The Town Supervisor will officially schedule this special town board meeting and the Town Clerk will place a Special Meeting Notice in the Fingerlakes Times and on the Town Clerk’s bulletin board for this meeting.

Band Hall Committee – Thank you to Councilman Aceto for leading the way to find a source of water for the Band Hall and thank you to all involved for making this happen. In August a postcard invitation was sent to all residents for Saturday, August 27, 2022 at 6:30 p.m. for “bring a game....bring a friend” event. The

committee is requesting that a name be placed on the Band Hall to read: Tyre Band Hall Community Center. The committee is also asking for designated parking spots to be marked for parking at the Band Hall.

Reports of Officers and Departments:

Town Clerk: Nothing to report

Highway Superintendent: Nothing to report

Dog Control Officer: Nothing to report

Fire Chief: Chief Tavano reported that there were 18 calls in the Town. Chief Tavano also reported that there is ongoing trainings occurring including hazmat refreshers, water rescue training, and confined space team training. They are planning a large-scale water flow drill for October. They are coordinating with school and village police on revising active shooter response policies. Working on open house plan for Tyre and Galen for fire prevention week in October 2022. The Department purchased a life ring, rope throw bags and life jackets for E48 in Tyre, so when they respond to a water emergency they will at least have the basic initial mitigation equipment.

Assessor: Nothing to report

Planning Board/ZBA/Training Records: The Planning Board met remotely on July 26, 2022. There were no agenda items requiring action by the board. ZEO Heizmann updated the board on the status of potential commercial dog kennels in the Town as well as a noise complaint resulting from activities at Finger Lakes Dodge dealership. The Planning Board has relieved Larry Kesel of his secretarial and training responsibilities. Deb Geary will draft minutes to be reviewed by Chairman Seem. Chairman Seem will take over all web activities. Training responsibilities will be suspended for the time being, although members can independently pursue training. These are interim measures and the board will continue to pursue a final solution.

Zoning Enforcement Officer: ZEO Heizmann reported that she issued four permits: for the building that was constructed to be a dog kennel on Pucker Street. ZEO Heizmann reported that per Judge Guy the dogs have been sold so it can be considered a storage building. A permit was issued for a pool and deck on Middle Black Brook Road. A permit was issued for an addition on a barn to house AG equipment on Armitage Road Ext. more than 500' off the road. A permit was issued for a pole barn on Route 414 for storage for personal use – confirmed with the County that it does not need to go to the planning board.

ZEO Heizmann received one complaint for an unpermitted pool, but they have since received their permit.

Bookkeeper: Bookkeeper Gross has uploaded the Abstract of Audited Vouchers #7; and the Cash Receipt Summary Report. He has also uploaded the Supervisor's Monthly Report and the Supervisor's Financial Statements Report. He has received the draft copy of the audit for 2021.

Resolutions and Motions:

RESOLUTION authorizing obtaining a credit card from LNB

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 – 5; Nay – 0; Absent – 0; Abstain - 0

The Resolution was duly adopted.

RESOLUTION accepting Waterloo Water Administration Services Agreement

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

VOTE: Aye – 5; Nay – 0; Absent – 0; Abstain – 0

The Resolution was duly adopted.

RESOLUTION accepting Champion Security Services Quote for Court Security

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

VOTE: Aye – 5; Nay – 0; Absent – 0; Abstain – 0

The Resolution was duly adopted.

RESOLUTION accepting bid from Christina Benjamin for cleaning services

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

VOTE: Aye – 5; Nay – 0; Absent – 0; Abstain – 0

The Resolution was duly adopted.

RESOLUTION authorizing to make dental insurance available to town employees

The foregoing Resolution was tabled for now

The Resolution was not adopted.

RESOLUTION authorizing the scheduling of a Public Hearing for the Proposed Local Law entitled “A Local Law to Repeal Local Law 3 of the Year 2002 and to Adopt a New Water Service Law”

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 – 5; Nay – 0; Absent – 0; Abstain – 0

The Resolution was duly adopted.

Unfinished Business:

Del Lago Easement - Mike Simon, Town Engineer reports that the paperwork has been sent to del Lago for signature and we are awaiting the return of the paperwork. Mr. Simon reported that the initial cost of the transfer of this easement was \$300.00 and is now \$450.00. Mr. Simon reports that the easement has been filed and a bill of sale with a description of the water line along with the location has been created. Mr. Simon will discuss details with Attorney Graff and then send for final processing.

Motion was made by Councilman Aceto, seconded by Councilman Sutterby to pay the increased cost of the easement transfer from \$300.00 to \$450.00, and duly put to a vote, which resulted as follows:

VOTE: Aye – 5; Nay – 0; Abstain – 0; Absent – 0

Motion was passed.

Dedication of Love's Waterline Extension, Turn Lane, & Stop Lights - Mr. Simon reports that there is still no movement from DOT with the turning lanes and stop lights at Love's. Work on the dedication of the Love's waterline extension continues.

New Business: Nothing new to report

Supervisor Report/Correspondence:

July 25, 2022 – electronic notice received from the Seneca County Clerk verifying the recording of the various deeds transferring all of the real property of the former MVFD, Inc. to the Town of Tyre on July 25, 2022. Filing receipts and copies of the deeds were included.

July 26, 2022 – Letter received from NYS Department of State confirming their filing of LL3 of 2022 on July 14, 2022.

July 28, 2022 – From counsel, received electronic copies of the executed Bills of Sale for the various apparatus and the equipment and contents of the buildings from the Court Appointed Receiver of MVFD, Inc. to the Town of Tyre.

July 29, 2022 – Inquiry received from Tyde Richards regarding the property located at 1807 Route 318.

August 1, 2022 – Inquiry received from Ron Jean regarding traffic backups near the Thruway/Love's on Route 414.

August 2, 2022 – Digital Newsletter received from the Association of Towns of the State of New York.

August 8, 2022 – Electronic document received from NYSEG/RG&E regarding summer energy commodity costs and information that is available to NYSEG and RG&E customers to help them reduce energy use and get assistance with their energy bills.

August 11, 2022 – Press release received from NYS Public Service Commission – PSC Moves 5 Major Wind and Solar Projects forward (including an 80-MW solar farm in the Town of Waterloo, Seneca County).

August 15, 2022 – From the NYS Public Service Commission – Order Approving Compliance Filings 53 and 54, 58, 60, 63, 64, 71, 72, 76, 78, and 80 Subject to Conditions (Application of Trelina Solar Energy Center, LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to Develop, Construct and Operate a Solar Generating Facility with a Maximum Generating Capability of 80 MW in the Town of Waterloo, Seneca County).

Bills:

General Fund – Townwide: 116-117; 432-435; 438-460

Highway Fund : 116-117; 436; 638-646

Fire Protection District: 437; 904

Water District #1: 821-822; 824-826

Water District #2: 823-824

Trust & Agency: none

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

Adjournment:

Councilman Sutterby moved, seconded by Councilman Bickel that the meeting be adjourned at 8:45 p.m. VOTE: Aye – 5; Nay – 0; Abstain – 0; Absent – 0

Submitted by,

Carolyn Sosnowski
Tyre Town Clerk