

November 10, 2022

The special meeting of the Tyre Town Board was held Thursday, November 10, 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

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

Others Present: Michael Gross, Bookkeeper; Phil Griswold, Assessor

Public Hearings:

Motion made by Councilman Bennett, seconded by Councilman Sutterby to open the Public Hearing regarding the 2023 Town of Tyre Preliminary Budget, the 2023 Town of Tyre Fire Protection District Preliminary Budget, the 2023 Town of Tyre Water District #1 Preliminary Budget, and the 2023 Town of Tyre Water District #2 Preliminary Budget.

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

Public Hearing opened at 6:32 p.m.

The Town Board passed a resolution authorizing this public hearing on October 20, 2022 and official notice for tonight’s hearing was published in the Finger Lakes Times on November 3, 2022. Copies of the Preliminary Budgets have been available at the Municipal Building since October 20, 2022 and are also available on the Town website.

For those wishing to speak at the Public Hearing this evening, comments are to be limited to the 2023 Town of Tyre Preliminary Budgets which is the sole topic of this Public Hearing. The Board will hear comments and questions from the community and will consider them in its decision making process. The Board will also take written comments for consideration, and will place those comments into the record. All speakers shall come up to the podium and state their name for the record. Is there

anyone wishing to address the Board with comments specific to the 2023 Town of Tyre Preliminary Budgets?

There were no comments.

Supervisor Partee again asked if there was anyone who would like to address the Board with comments specific to the 2023 Town of Tyre Preliminary Budgets?

No comments

Supervisor Partee stated as there are no comments, is there a motion to close the Public Hearing?

Motion made by Councilman Sutterby, seconded by Councilman Aceto to close the Public Hearing regarding the 2023 Town of Tyre Preliminary Budgets.

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

Public Hearing is closed at 6:33 p.m.

Open Privilege of the Floor: None

Resolutions & Motions:

Resolution Engaging the Beverly Animal Shelter, Inc. to Provide Shelter for the Impounding of Dogs Under Article VII, Section 115 of the Agriculture and Markets Law of the State of New York for the Year 2023

Motion made by Councilman Sutterby, seconded by Councilman Bickel Engaging the Beverly Animal Shelter, Inc. to Provide Shelter for the Impounding of Dogs Under Article VII, Section 115 of the Agriculture and Markets Law of the State of New York for the Year 2023

Motion is carried by the following vote:

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

New Business:

SEQR: The Town Board, as lead agency, completed Part 2 and Part 3 of the Full Environmental Assessment Form for Proposed Local Law #5 of the 2022 “A Local Law Repealing Solar Energy Law #4 of 2018 and Amending the Zoning Law of the Town of Tyre” and addressed each question in the SEQR process one-by-one:

1. Impact on Land – Supervisor Partee explained that this question asks the reviewing agency to evaluate the potential impacts of any physical alteration of the land.

The Town Board decided that there was no impact as the proposed action is the adoption of a local law/zoning regulations, is consistent with the Town’s Comprehensive Plan, and does not involve any physical alteration of the land.

2. Impact on Geological Features – Supervisor Partee explained that this question asks the reviewing agency to evaluate potential impacts to unique or unusual land forms, and National Natural Landmarks.

The Town Board decided that there was no impact as the proposed action is the adoption of a local law/zoning regulations and is consistent with the Town’s Comprehensive Plan. As the proposed action is legislative, the proposed action does not contain nor is it adjacent to any unique geologic features or National Natural Landmarks.

3. Impacts on Surface Water – Supervisor Partee explained that this question asks the reviewing agency to evaluate the potential impacts to any wetland or other surface waterbody including streams, rivers, ponds, and lakes.

The Town Board decided that there was no impact as the proposed action is the adoption of a local law/zoning regulations, is consistent with the Town’s Comprehensive Plan, and would not affect any waterbodies that may be present.

4. Impact on Groundwater – Supervisor Partee explained that this question asks the reviewing agency to evaluate potential impacts on the use of, and contamination of, groundwater resources.

The Town Board decided that there was no impact as the proposed action is the adoption of a local law/zoning regulations, is consistent with the Town's Comprehensive Plan, and does not include any of the following:

- Excavation, mining, or dredging during or after construction
- A new or additional demand for water
- A public, private, or commercial potable water source that will be added or impacted by the proposed action
- Generating any liquid waste, including but not limited to wastewater
- Bulk storage of more than 1,100 gallons of petroleum or chemical products
- Use of pesticides, herbicides, or insecticides during or after construction of a commercial, industrial, or recreational use
- Commercial generation, treatment, storage, or disposal of hazardous wastes

5. Impact on Flooding – Supervisor Partee explained that this question asks the reviewing agency to evaluate whether or not the proposed action will result in development on lands subject to flooding.

The Town Board decided that there was no impact as the proposed action is the adoption of a local law/zoning regulations, is consistent with the Town's Comprehensive Plan, and will not result in any development of lands subject to flooding.

6. Impacts on Air – Supervisor Partee explained that this question asks the reviewing agency to determine if the proposed action will include a state regulated air emission source.

The Town Board decided that there was no impact as the proposed action is the adoption of a local law/zoning regulations, is consistent with the Town's Comprehensive Plan, and the information from Part 1 indicates no state regulated air emissions are part of the proposed action.

7. Impact on Plants and Animals – Supervisor Partee explained that this question asks the reviewing agency to evaluate potential impacts to plants and animals.

The Town Board decided that there was no impact as the proposed action is the adoption of a local law/zoning regulations, is consistent with the Town's Comprehensive Plan, and will not involve any loss of flora and its associated fauna.

8. Impact on Agricultural Resources – Supervisor Partee explained that this question asks the reviewing agency to evaluate potential impacts on agriculture.

The Town Board decided that there was no impact as the proposed action is the adoption of a local law/zoning regulations and is consistent with the Town's Comprehensive Plan.

9. Impact on Aesthetic Resources – Supervisor Partee explained that this question asks the reviewing agency to explore consistency in land use between the proposed action and other land uses that may be seen from or part of a scenic or aesthetic resource.

The Town Board decided that there was no impact as the proposed action is the adoption of a local law/zoning regulations, is consistent with the Town's Comprehensive Plan, and will not result in an obvious change or sharp contrast in land uses.

10. Impact on Historic and Archeological Resources – Supervisor Partee explained that this question asks the reviewing agency to determine whether or not the proposed action may occur in or adjacent to a historic or archeological resource.

The Town Board decided that there was no impact as the proposed action is the adoption of a local law/zoning regulations and is consistent with the Town's Comprehensive Plan. As the proposed action is legislative, the proposed action will not occur in or adjacent to a historic or archeological resource.

11. Impact on Open Space and Recreation – Supervisor Partee explained that this question asks the reviewing agency to determine whether or not the proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.

The Town Board decided that there was no impact as the proposed action is the adoption of a local law/zoning regulations and is consistent with the Town's Comprehensive Plan. As the proposed action is legislative, there are no

recreational or open space resources that will be lost as a result of this proposed action.

12. Impact on Critical Environment Areas – Supervisor Partee explained that this question asks the reviewing agency to determine whether or not the proposed action may be located within or adjacent to a critical environmental area (CEA).

The Town Board decided that there was no impact as the proposed action is the adoption of a local law/zoning regulations and is consistent with the Town's Comprehensive Plan. As the proposed action is legislative, there are no CEAs associated with this proposed action.

13. Impact on Transportation – Supervisor Partee explained that this question asks the reviewing agency to determine whether the proposed action may result in a change to existing transportation systems.

The Town Board decided that there was no impact as the proposed action is the adoption of a local law/zoning regulations and is consistent with the Town's Comprehensive Plan. The proposed legislative action will not result in a change to existing transportation systems.

14. Impact on Energy – Supervisor Partee explained that this question asks the reviewing agency to determine whether the proposed action may cause an increase in the use of any form of energy.

The Town Board decided that there was no impact as the proposed action is the adoption of a local law/zoning regulations and is consistent with the Town's Comprehensive Plan. As the proposed action is the adoption or amendment of a local law, the proposed action will not have an increase in the use of energy.

15. Impact on Noise, Odor and Light- Supervisor Partee explained that this question explores whether the proposed action will increase noise, air conditions, or lighting levels.

The Town Board decided that there was no impact as the proposed action is the adoption of a local law/zoning regulations and is consistent with the Town's Comprehensive Plan. As the proposed action is legislative, no increase in noise, odor or lighting is expected as a result of the adoption of this local law.

16. Impact on Human Health – Supervisor Partee explained that this question asks the reviewing agency to evaluate the potential impacts from exposure to any solid or hazardous substances and contaminants.

The Town Board decided that there was no impact as the proposed action is the adoption of a local law/zoning regulations and is consistent with the Town's Comprehensive Plan. As the proposed action is legislative, there will be no related impacts.

17. Consistency with Community Plans – Supervisor Partee explained that this question asks the reviewing agency to evaluate whether the proposed action is not consistent with adopted land use plans.

Councilman Aceto stated that this is very consistent with our comprehensive plan and the needs and wants of the Town, and the Town Board agreed that the proposed action IS consistent with the Town's Comprehensive Plan. The Town Board decided that there was no impact.

18. Consistency with Community Character – Supervisor Partee explained that this question asks the reviewing agency to determine whether the proposed project is inconsistent with the existing community character.

The Town Board decided that the proposed legislative action IS consistent with the existing community character and therefore there was no impact.

After completing Part 2 and taking a hard look at the possible negative environmental impacts, there was a Motion by Councilman Aceto, seconded by Councilman Sutterby authorizing Supervisor Partee to fill out the Part 3 Determination of Significance page concluding that the proposed action will not have a significant adverse environmental impact – a Determination of Non-Significance.

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

Motion is carried

SEQR: Having determined that proposed Local Law No. 6 of 2022 to be an Unlisted Action under the State Environmental Quality Review (SEQR) Regulations, the Town Board, as lead agency, completed Part 2 and 3 of the Short Environmental Assessment Form for Proposed Local Law #6 of 2022 “A Local Law Amending the Town of Tyre Site Plan Review Regulations” and addressed each question in the SEQR process one-by-one:

1. Supervisor Partee asked: Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?

The Town Board decided that there was no impact.

2. Supervisor Partee asked: Will the proposed action result in a change in the use or intensity of use of land?

The Town Board decided that there was no impact.

3. Supervisor Partee asked: Will the proposed action impair the character or quality of the existing community?

The Town Board decided that there was no impact

4. Supervisor Partee asked: Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?

The Town Board decided that there was no impact

5. Supervisor Partee asked: Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?

The Town Board decided that there was no impact

6. Supervisor Partee asked: Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonable available energy conservation or renewable energy opportunities?

The Town Board decided that there was no impact

7. Supervisor Partee asked: Will the proposed action impact existing:
 - Public/private water supplies?
 - Public/private wastewater treatment utilities?

The Town Board decided that there was no impact

8. Supervisor Partee asked: Will the proposed action impair the character or quality of important historic, archeological, architectural or aesthetic resources?

The Town Board decided that there was no impact

9. Supervisor Partee asked: Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?

The Town Board decided that there was no impact

10. Supervisor Partee asked: Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?

The Town Board decided that there was no impact

11. Supervisor Partee asked: Will the proposed action create a hazard to environmental resources or human health?

The Town Board decided that there was no impact

Having checked “No or small impact may occur” for **ALL** eleven questions in Part 2, there was a Motion made by Councilman Aceto stating that after conducting a hard look of possible effects of the proposed local law that there are no adverse environmental impacts (a Determination of Non-Significance) and that Supervisor

Partee is directed to check the second box at the bottom of Part 3 on page four and fill out the remainder of the form, seconded by Councilman Bennett.

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

Motion is carried

Congratulations to Councilman Bennett as the newly elected official for the one year Town Council vacancy.

Adjournment:

Councilman Bickel moved, seconded by Councilman Aceto that the meeting be adjourned at 7:20 p.m. VOTE: Aye – 5; Nay – 0; Absent – 0; Abstain – 0

Submitted by,

Carolyn Sosnowski
Tyre Town Clerk