

September 21, 2023

The regular monthly meeting of the Tyre Town Board was held Thursday, September 21, 2023 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 Jeffrey Bennett – here; Councilman Henry Bickel – here; Councilman Kenneth Sutterby – here; Supervisor Beth Partee – here

In Attendance: Dennis Stone, Marge Fahrenholz, Mike Reese, Pat Mahoney

Public Hearing: Motion made by Councilman Sutterby to open the public hearing regarding Proposed Local Law #5 of 2023 “A Local Law to Amend the Town of Tyre Zoning Law to Provide for a Setback from Solar Energy Systems and Ground Mounted Battery Energy Storage Systems to Residential Dwellings”, seconded by Councilman Bennett.

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

Motion carried and public hearing opening at 6:31 p.m.

The Town Board passed a resolution authorizing this public hearing on August 17, 2023; and official notice for tonight’s hearing was published in the Finger Lakes Times on August 23, 2023. Copies of the Proposed Local Law have been available here at the Municipal Building since August 17, 2023.

For those wishing to speak at the public hearing this evening, comments are to be limited to Proposed Local Law #5 of 2023 “A Local Law to Amend the Town of Tyre Zoning Law to Provide for a Setback from Solar Energy Systems and Ground-Mounted Battery Energy Storage Systems to Residential Dwellings” 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.

Is there anyone who would like to address the Board with comments specific to the creation of Proposed Local Law #5 of 2023 “A Local Law to Amend the Town of Tyre Zoning Law to Provide for a Setback from Solar Energy Systems and Ground Mounted Battery Energy Storage Systems to Residential Dwellings”? No comments

Again, is there anyone who would like to address the Board with comments specific to Proposed Local Law #5 of 2023? No Comments

Motion made by Councilman Sutterby to close the public hearing; seconded by Councilman Bickel.

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

Public Hearing closed at 6:33 p.m.

Open Privilege of the Floor: None

Approval of Meeting Minutes: August 17, 2023 and September 6, 2023

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

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

Motion carried

Reports of Officers and Departments:

Town Clerk: Nothing

Highway Superintendent: Nothing

Dog Control Officer: Things have been fairly quiet in the Town and there were only two calls for the month.

Fire Department: Nothing

Assessor: Nothing

Planning Board/ZBA/Training Records: Nothing

Zoning Enforcement Officer: Nothing

Bookkeeper: Abstract of audited vouchers #8 with cash receipts summary report, Supervisor's monthly report, and the financial report. Continuing to work on the multi-year financial plan, capital plan, and the tentative budget.

Reports of Committees:

Highway Committee:

FLAP Grant – Once official FY23 actions are complete, we will receive a detailed letter for our FY24 project. This letter will outline the scope of work, programmed funding including the year funds are available, maintenance commitment, and other important project/program information.

Building Committee:

Municipal Building's HVAC Unit needs to be inspected and serviced. Two cost estimates have been received and discussed. Modular was chosen to perform this service by the Board.

Financial Management Committee:

Multi-year capital and financial plans – The workshop for these plans occurred on September 6, 2023. Updating of these plans is ongoing with the changes that were discussed in this meeting. Hopefully the final versions will be available to the Board to approve next month.

Town Liability Insurance – Agreement signed with NYMIR. Effective starting date 9/22/23.

Health Insurance – Tabled for further discussion

Cybersecurity Webinars – Supervisor Partee will be attending two cybersecurity webinars with the Office of the State Comptroller next month.

Budget Workshop – Will be held Thursday, October 5, 2023 at 6:30 p.m.

Sewer & Water Committee: Proposed Water District #3 Application – All information required for creating/submitting the proposed Water District #3 application to the NYS Comptroller is currently in the hands of the Attorney for the Town.

Fire Protection Committee:

A Special Town Board Meeting was held this past Monday, September 18th to discuss matters relating to rebuilding a local fire department in the Town of Tyre. We had 23 residents in attendance and currently have 11 residents that left their contact information with the Board expressing their interest in becoming volunteer operational firefighters.

Supervisor Partee stated that she wanted to be clear about something as there seems to be some misinformation going around. To be clear, the Galen-Clyde Fire District contacted her on August 17th letting her know that they were not interested in an intermunicipal agreement with the Town to help train members of the proposed Tyre Fire Company. Rather, they were looking to just renew their contract for fire protection. At that point, the Supervisor, along with the members of the Town Board, determined that there were two priorities:

#1 – To engage with other nearby departments to see if any other department would be interested in doing an IMA with the Town.

#2 – To have the meeting that was held this past Monday (9/18) to gauge community interest and commitment in rebuilding our own local fire department

in order to determine which direction we were going to take. If the volunteer numbers were insufficient or non-existent, then the Board would know that the IMA was not necessary and the Town could just continue doing what we are currently doing – contracting with a nearby department for fire protection services.

Supervisor Partee has had conversations with both Chief Tavano and Chairman Tavano since the meeting Monday night. It seems apparent that the Board of Commissioners did not fully understand what the Town was trying to accomplish with the IMA previously. They do now.

At this time, we are engaged with multiple nearby departments requesting proposals for fire protection services for 2024, as well as how much it will cost to provide training, operational oversight, and supervision to potential new “Tyre Fire Company” personnel with Town provided apparatus and equipment.

Unrelated, Supervisor Partee stated that Hazmat Training for a 4 county hazmat team will be occur on 10/14/23 at the public safety building on the corner of 318/414. Supervisor Partee confirmed that she received the certificate of insurance from the county naming the Town as an additional insured.

Band Hall Committee: Marge spoke and the Band Hall Committee is requesting an outside storage area; removal of the hot water tank in the closet; putting in an on-demand hot water tank; and a sign for the front of the building that reads “Tyre Community Center”. The Committee also re-did the use policy and application for the Band Hall. They are removing the rental fee for all residents. Supervisor Partee is going to check with legal counsel to make sure this is okay to do. Further discussion to follow on requested items for the Band Hall.

Unfinished Business:

Tyre Dog Laws – more information next month

New Business:

The Town Board completed Part 2 and Part 3 of the Short Environmental Assessment Form for Proposed Local Law #5 of 2023 “A Local Law to Amend the Town of Tyre Zoning Law to Provide for a Setback from Solar Energy Systems and Ground-Mounted Battery Energy Storage Systems to Residential Dwellings

The Town Board considered and answered questions 1-11 to complete Part 2:

1. Response to question – No
2. Response to question – No
3. Response to question – No
4. Response to question – No
5. Response to question – No
6. Response to question – No
7. Response to question – No
8. Response to question – No
9. Response to question – No
10. Response to question - No
11. Response to question - No

Part 3 – Based on the responses in Part 2 of the Environmental Assessment Form, the Town Board determined that this project will result in no significant adverse impacts on the environment and an environmental impact statement does not need to be prepared. Therefore, a motion to direct Supervisor Partee to check the appropriate box on the Environmental Assessment Form Part 3, indicating that a negative declaration is issued was made by Councilman Sutterby, seconded by Councilman Bennett.

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

Motion is carried.

Resolutions and Motions:

Resolution for the Town Board to accept the resolution authorizing adoption of Local Law #5 of 2023 entitled “A Local Law to Amend the Town of Tyre Zoning Law

to Provide for a Setback from Solar Energy Systems and Ground-Mounted Battery Energy Storage Systems to Residential Dwellings”

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; Abstain – 0; Absent – 0

The Resolution was duly adopted.

Resolution accepting and approving a one-year agreement with the Village of Waterloo for water administration 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 – 4; Nay – 0; Abstain – 0; Absent – 0

The Resolution was duly adopted.

Resolution accepting the proposal from LaBella Associates for professional engineering services for the proposed Delaware River Solar Project

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 – 4; Nay – 0; Abstain – 0; Absent – 0

The Resolution was duly adopted.

Resolution to accept the Town of Tyre 2024 Tentative Budget

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

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

The Resolution was duly adopted.

Resolution to accept the Town of Tyre Fire Protection District 2024 Tentative Budget

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 – 3; Nay – 0; Abstain – 1 (Councilman Bickel); Absent – 0

The Resolution was duly adopted.

Resolution to accept the Town of Tyre Water District No. 1 2024 Tentative Budget as Presented

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

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

The Resolution was duly adopted.

Resolution to accept the Town of Tyre Water District No. 2 2024 Tentative Budget as Present

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 – 4; Nay – 0; Abstain – 0; Absent – 0

The Resolution was duly adopted.

Resolution to Adopt the Town of Tyre 2024 Tentative Budget as the Town of Tyre 2024 Preliminary Budget

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

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

The Resolution was duly adopted.

Resolution to Adopt the Town of Tyre Fire District 2024 Tentative Budget as the Town of Tyre Fire District 2024 Preliminary Budget

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 – 4; Nay – 0; Abstain – 0; Absent – 0

The Resolution was duly adopted.

Resolution to Adopt the Town of Tyre Water District No. 1 2024 Tentative Budget as the Town of Tyre Water District No. 1 2024 Preliminary Budget

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 – 4; Nay – 0; Abstain – 0; Absent – 0

The Resolution was duly adopted.

Resolution to Adopt the Town of Tyre Water District No. 2 2024 Tentative Budget as the Town of Tyre Water District No. 2 2024 Preliminary Budget

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 – 4; Nay – 0; Abstain – 0; Absent – 0

The Resolution was duly adopted.

Resolution to Schedule a Special Meeting of the Tyre Town Board for the Purpose of Holding a 2024 Budget Workshop

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

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

The Resolution was duly adopted.

Resolution accepting the Quotation from Phelps Guide Rail, Inc. for Guide Rails on Middle Black Brook Road

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

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

The Resolution was duly adopted.

Resolution Accepting the Quotation from Seneca Stone Corp. for Paving .4 miles of Marsh Road

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 – 4; Nay – 0; Abstain – 0; Absent – 0

The Resolution was duly adopted.

Resolution Accepting the Quotation from Five Star Equipment, Inc. for a 2023 Werk Brau Hydraulic Angle Broom for the John Deere Loader

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

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

The Resolution was duly adopted.

Supervisor's Report:

New County Manager – Kyle Lovell was appointed 8/22/23

BOS accepted the findings of the Seneca County Housing Needs Assessment that was completed by High Road Community Planning and Analytics. The Chairman will be establishing a new Housing Standing Committee that will subsequently appoint a Housing Task Force to develop a housing strategy for the County.

BOS adopted the Grow Seneca Grant Program Guidelines and Grant Application Form and Process. There is \$500k allocated to this program and new or existing businesses can apply for a maximum grant of \$10,000. Both the application and the program guidelines can now be downloaded from the County website.

Planning Board Chairman – 2 residents are considering this position – further information to follow

Letter received from the Genesee/Finger Lakes Regional Planning Council wondering if we are interested in discussing how the NYSERDA Clean Energy

Communities Program can benefit the Town and bring match-free grant funding. Lodi is currently doing this. Supervisor will reach out to Lodi Supervisor and see how this is going. Table for further discussion.

NSA (North Seneca Ambulance) – Supervisor Partee stated that a proposed contract for 2024 is currently being negotiated

Correspondence:

August 24, 2023 – From NYSEG, press release received (re: NYSEG conducting State and Federal mandatory inspections in neighborhoods across the region on natural gas meters that are located inside homes and businesses)

August 25, 2023 – From Eileen Franco, message received via Town website (re: solar farms and request for townwide newsletter)

September 5, 2023 – From NYS Association of Towns, September Digital Newsletter received

September 7, 2023 – From NYSEG, press release received (re: NYSEG continues to improve customer service)

September 8, 2023 – From MRB Group, Full Environmental Assessment Form Part 1 and other pertinent information received (re: Town of Seneca Falls Comprehensive Plan Adoption)

Bills:

General Fund – Townwide: 118-119; 421-453

Highway Fund: 118-119; 421; 430; 658-665

Fire Protection District: 903

JCAP: 1101

Water District #1: 824-826

Water District #2: 824

Trust & Agency: 15-16

Councilman Bennett moved, seconded by Councilman Sutterby that the bills be approved for payment: VOTE: Aye – 4; Nay – 0; Abstain – 0; Absent – 0

Adjournment:

Councilman Sutterby moved, seconded by Councilman Bennett that the meeting be adjourned at 7:23 p.m. VOTE: Aye – 4; Nay – 0; Abstain – 0; Absent – 0

Submitted by,

Carolyn Sosnowski
Tyre Town Clerk