

December 21, 2023

The regular monthly meeting of the Tyre Town Board was held Thursday, December 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; Councilwoman Nicole Bishop; Councilman Kenneth Sutterby – here; Supervisor Beth Partee – here

**In Attendance:** Dennis Stone; Marge Fahrenholz; Pat Mahoney; Stephen Skinner; Rebecca Spurr

### **Public Hearing**

Motion to open the Public Hearing regarding contracting with North Seneca Ambulance for ambulance services within the Town of Tyre for the year 2024 made by Supervisor Partee, seconded by Councilman Sutterby.

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

Public hearing is opened at 6:30 p.m.

The Town Board passed a resolution authorizing this public hearing on November 30, 2023, and official notice for tonight's hearing was published in the Finger Lakes Times on December 12, 2023. Copies of the Proposed Local Law have been available from the Town Clerk since October 17, 2023.

For those wishing to speak at the Public Hearing this evening, comments are to be limited to the contract with North Seneca Ambulance for ambulance services within the Town of Tyre for the year 2024 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 here who would like to address the Board with comments specific to the contract with North Seneca Ambulance for ambulance services within the Town of Tyre for the year 2024? No Response

Supervisor Partee again asked if anyone would like to address the Board with comments specific to the contract with North Seneca Ambulance for ambulance services within the Town of Tyre for the year 2024?

Councilman Sutterby stated that as a resident this is the most appropriate contract this entity has had and is in full support of this.

Motion made by Councilman Sutterby, seconded by Councilman Bennett to close the Public hearing.

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

Motion carried. Public Hearing closed at 6:33 p.m.

### **Public Hearing**

Motion to open the public hearing regarding Proposed Local Law #7 of 2023 “A Local Law to reduce the size of existing Town of Tyre Planning Board from Seven to Five members” made by Councilman Sutterby, seconded by Councilman Bennett.

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

Public hearing is opened at 6:34 p.m.

The Town Board passed a resolution authorizing this public hearing on November 30, 2023, and official notice for tonight’s hearing was published in the Finger Lakes Times on December 12, 2023. Copies of the Proposed Local Law have been available from the Town Clerk since November 30, 2023.

For those wishing to speak at the Public Hearing this evening, comments are to be limited to Proposed Local Law #7 of 2023 “A Local Law to reduce the size of existing Town of Tyre Planning Board from seven to five members” 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 here who would like to address the Board with comments specific to Proposed Local Law #7 of 2023 “A Local Law to reduce the size of the existing Town of Tyre Planning Board from seven to five members”? No Response

Supervisor Partee again asked if anyone would like to address the Board with comments specific to Proposed Local Law #7 “A Local Law to reduce the size of the existing Town of Tyre Planning Board from seven to five members”? No response

Motion made by Councilman Sutterby, seconded by Councilman Bennett to close the Public hearing.

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

Motion carried. Public Hearing closed at 6:35 p.m.

## **Presentation**

BME Associates – Application for site plan review to construct a storage building at the del Lago Resort & Casino property.

Rebecca Spurr (BME Associates) spoke this evening on the application for site plan review to construct a storage building at the del Lago Resort & Casino property. The storage building will be located on the far northeastern corner of the property. They are looking to store gaming equipment, slot machines, and machines that are awaiting repair. There will be two overhead doors and three man doors with exterior lighting. No changes to the parking count and the landscaping. Utilities for this building will be electric only. This building will not have an hvac system. This storage building is going where the day care facility

would have gone. Supervisor Partee reported that she has checked with legal counsel and the Town Board does not need to amend the PUD.

**Open Privilege of the Floor:** None

**Approval of Meeting Minutes:** November 9, 2023; November 16, 2023; and November 30, 2023.

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

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

Motion carried

**Reports of Officers and Departments:**

Town Clerk: Nothing

Highway Superintendent: Nothing

Dog Control Officer: Nothing

Fire Department: Nothing

Assessor: Nothing

Planning Board/ZBA/Training Records: Nothing

Zoning Enforcement Officer: Nothing

Bookkeeper: Abstract of audited vouchers #11 with cash receipts summary report, Supervisor's monthly report, financial report, and financial statements

## **Reports of Committees:**

Highway Committee: Nothing

Building Committee: Nothing

Records & Communication Committee: Nothing

Insurance & Finance Committee: Nothing

Sewer & Water Committee: Nothing

Fire Protection Committee: Special Town Board meeting is scheduled for January 10, 2024 at 6:30 p.m. at the Public Safety Building at 1807 State Route 318 to discuss the practicalities of forming the Tyre Fire Company and how it relates and will work with the Galen-Clyde Fire District.

Band Hall Committee: The Band Hall Committee would like to thank the Town Board for their continuing help and support. The new roof has been completed and the storage shed has been purchased and waiting for arrival. The lunch bunch will continue thru the winter months. The Winter Party was well received and will become an annual event. Signs were completed for advertising and a permanent sign is now placed on the corner of Lamb Road and West Tyre Road. The Building Facilities Agreement has been revised and completed.

Broadband Committee: Black Brook Road north of West Tyre and Dawson Road will be activated by the end of the year. Charter is still waiting for on pole permits for the majority of the Town, but once make-ready is done, the rest of the Town will go quickly.

## **Resolutions and Motions**

**Resolution** introducing the del Lago Storage Building Site Plan Application for review, establishing SEQRA lead agency, referring site plan application to the Town of Tyre and Seneca County Planning Boards and setting a public hearing

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; Abstain – 0; Absent – 0

The Resolution was duly adopted.

**Resolution** approving the application to the State Comptroller for approval to establish Water District #3

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

The Resolution was duly adopted.

**Resolution** ratifying the agreement with North Seneca Ambulance for ambulance services for 2024

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

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

The Resolution was duly adopted.

**Resolution** authorizing adoption by the Town Board of the Town of Tyre of Local Law No. 7 of 2023 entitled “A Local Law to Reduce the Size of the Town Planning Board from Seven to Five Members”

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; Abstain – 0; Absent – 0

The Resolution was duly adopted.

**Resolution** opposing New York State Senate Bill S-00139B and Assembly Bill A-1358B

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

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

The Resolution was duly adopted.

**Resolution** acknowledging the examination of the records of the Justice Accounts of the Town of Tyre for the year ended December 31, 2022

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; Abstain – 0; Absent – 0

The Resolution was duly adopted.

**Resolution** accepting the proposal from the certified accounting firm of Mengal Metzger Barr & Co. LLP for accounting services in connection with the audit of the basic financial statements of the Town of Tyre for the year ended December 31, 2023

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

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

The Resolution was duly adopted.

**Resolution** accepting the proposal from the certified accounting firm of Mengel Metzger Barr & Co. LLP for accounting services in connection with the audit of the agreed-upon procedures of the Justice accounts of the Town of Tyre for the year ended December 31, 2023

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

The Resolution was duly adopted.

**Resolution** establishing a Snow and Ice Removal and Road Repair Reserve Fund in the Highway Fund

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

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

The Resolution was duly adopted.

**Resolution** acknowledging and accepting the receipt of moneys from Seneca County, and to modify the budget of the General Fund

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

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

The Resolution was duly adopted.

**Resolution** authorizing budget modifications of the General Fund (A Fund), Highway Fund (DA Fund), and Community Mitigation Fund (CM Fund) for reserve interest

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; Abstain – 0; Absent – 0

The Resolution was duly adopted.

**Resolution** authorizing budget modifications of Water District #1 (SW1) for the purchase of water, and for reserves

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

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

The Resolution was duly adopted.

**Resolution** authorizing budget modifications of Water District #2 (SW2) for reserves

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

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

The Resolution was duly adopted.

**Resolution** authorizing the transfer of the remaining balance of the Bridge Capital Reserve to the Road Capital Reserve

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

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

The Resolution was duly adopted.

**Resolution** authorizing the Supervisor to make budget modifications for the year ended December 31, 2023

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

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

The Resolution was duly adopted.

**Resolution** adopting the Town of Tyre Computer Use, Backup and Retention Policy

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; Abstain – 0; Absent – 0

The Resolution was duly adopted.

**Resolution** adopting the Town of Tyre Whistleblower Policy

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

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

The Resolution was duly adopted.

**Resolution** scheduling the 2024 Tyre Town Board Organizational Meeting on January 4, 2024 at 6:30 p.m.

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

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

The Resolution was duly adopted.

**Unfinished Business:**     None

**New Business:**       None

**Correspondence:**

November 16, 2023 – From NYS Department of Transportation, letter received (re: BRIDGE, NY Program and available funding)

December 7, 2023 – From Leslie Sutterby & Jack Schneider, a thank you card received for the Town of Tyre (thanking the Town for new roads, removing old trees, installing Spectrum, updates to the Band Hall, and much more)

December 7, 2023 – From Bonnie VanVessem, thank you card received for the Town Clerk thanking her for all her assistance

December 7, 2023 – From Mary Ann Young, complaint received (re: highway department)

December 8 2023 – From Seneca County Chamber of Commerce, invitation received to Annual Award Dinner

Next Meeting – end of year meeting on Thursday, December 28, 2023 at 6:30 p.m.

Organizational Meeting – Thursday, January 4, 2024 at 6:30 p.m.

Special Town Board Meeting (fire protection) – Wednesday, January 10, 2024 at 6:30 p.m.

Next regular monthly Town Board Meeting – Wednesday, January 24, 2024 at 6:30 p.m.

**Bills:**

General Fund – Townwide: 124-126; 518-523; 526-564; 691

Highway Fund: 124-126; 518; 524-525; 684-690; 692-693

Water District #1: 833-835

Water District #2: 833

Trust & Agency: 22-23

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

**Adjournment:**

Councilman Bennett moved, seconded by Councilman Sutterby that the meeting be adjourned at 7:25 p.m. VOTE: Aye – 5; Nay – 0; Abstain – 0; Absent – 0

MERRY CHRISTMAS!

Submitted by,

Carolyn Sosnowski  
Tyre Town Clerk