

January 4, 2024

The organizational meeting of the Tyre Town Board was held Thursday, January 4, 2024 at 6:30 p.m. in the Tyre Municipal Building, 1082 Gravel Road, Seneca Falls, NY 13148, in the Town of Tyre.

### **Pledge of Allegiance**

**Roll Call:** Councilman Jeff Bennett– here; Councilman Hank Bickel – here; Councilwoman Nicole Bishop – here; Councilman Ken Sutterby – here; Supervisor Beth Partee - here

**Others Present:** Bookkeeper Michael Gross; Dennis Stone

Supervisor Partee – have had roll call – quorum present – meeting called to order at 6:30 p.m.

**Open Privilege of the Floor:** None

### **Resolutions and Motions:**

Motion to approve a consent agenda made by Councilman Bennett, seconded by Councilwoman Bishop.

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

Motion carried

Motion to move Resolutions 1-31 into the consent agenda made by Councilman Bennett; seconded by Councilwoman Bishop.

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

Motion carried

Motion to approve everything listed in the consent agenda – Resolutions 1-31 - made by Councilman Sutterby, seconded by Councilwoman Bishop.

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

Motion carried

**Consent Agenda - Resolutions #1-31 of 2024:**

1. Resolution Pursuant to Town Law §63, adopting the Rules of Procedures for 2024, APPENDIX A
2. Resolution Pursuant to Town Law Article IV §60, §63, §64, that voting of the Town Board will be taken by voice vote of ayes and nays, unless a roll call vote is requested by a Council Member. Roll call voting shall be conducted in alphabetical order of each Council Member followed by the Town Supervisor. The Town Clerk shall keep a record of the vote of each Council Member for each vote.
3. Resolution Pursuant to Town Law Article III §20(2)(b), to designate Graff Law Office, PLLC for continued legal services for the year 2024
4. Resolution Pursuant to Public Officers Law Section §11(2), that the Town Board authorizes a blanket undertaking covering officers, clerks, and employees of the Town in lieu of individual undertakings as required by Town Law Section 25. This blanket undertaking indemnifies the Town against losses caused by the failure of officers and all other employees to faithfully perform their duties or by their fraudulent or dishonest acts for the year 2024.
5. Resolution Pursuant to Town Law Article IV §62, that the Town Board 2024 Regular Town Board Meetings will, throughout the year 2024, be held at 6:30 p.m. on the fourth Wednesday of each month, with the exception of December 2024 when it will be held on the third Wednesday, at the Tyre Municipal Building, 1082 Gravel Road, Seneca Falls, NY 13148, and requests the Town Clerk to post legal notice of such meeting schedule. January 24, 2024; February 21, 2024; March 27, 2024; April 24, 2024; May 22, 2024; June 26, 2024; July 24, 2024; August 28, 2024; September 25, 2024; October 23, 2024; November 27, 2024; and December 18, 2024.

6. Resolution Pursuant to Town Law Article III §29(16), that the Town Board of the Town of Tyre hereby authorizes and delegates to the Town Supervisor the powers and duties of day-to-day administration and supervision of all town and special district facilities and employees consistent with and in furtherance of any and all state and federal laws applicable thereto and with any and all local laws, resolutions and policies heretofore or hereafter adopted by the Town Board.
7. Resolution Pursuant to General Municipal Law Article II §10, §11 and Town Law Article III §29, that Lyons National Bank shall by the official Town Banks and the depositories for Town Funds and that the Supervisor shall be authorized without limit to deposit funds at said financial institutions and other banks and trust companies that meet New York State criteria for such institutions to obtain the most favorable rates and charges available. The Supervisor shall be authorized to open, operate, maintain, and manage any deposit, checking, and investment account(s) at any such institution on behalf of the Town.
8. Resolution that the Tyre Town Board authorizes the signatures of both Elizabeth L. Partee and Kenneth A. Sutterby for all Town bank accounts at Lyons National Bank for 2024.
9. Resolution that the Supervisor shall, without prior audit, pay salaries of officers or employees, health insurance, retirement dues, utility services, and rent. Claims for these payments shall be presented at the next regular meeting for audit.
10. Resolution Pursuant to General Municipal Law Article V-A §104-B, that the Procurement Policy of the Town shall be readopted as currently exists, adopted with resolution on May 18, 2017, subject at all times to future revision by the Town Board (Appendix B).
11. Resolution that the Custody Agreement from Lyons National Bank dated 6/10/22 will be continued (Appendix C).
12. Resolution that the current Investment Policy, amended 1/19/23, be continued (Appendix D).

13. Resolution Pursuant to Town Law Article IV §64(11), that the Finger Lakes Times, a newspaper regularly published in Seneca County and having a general circulation in this Town shall be designated as the Town's official newspaper.

14. Resolution Pursuant to the Employee Handbook that the following are designated Town holidays for 2024. All Town office shall be closed for services on these dates:

Monday 1/02/24 New Year's Day (observed)

Monday 1/15/24 Martin Luther King Jr. Day

Monday 2/19/24 President's Day

Monday 5/27/24 Memorial Day

Monday 6/19/24 Juneteenth

Monday 7/4/24 Independence Day

Monday 9/2/24 Labor Day

Monday 10/14/24 Columbus Day and Indigenous Peoples Day

Tuesday 11/5/24 Election Day

Friday 11/11/24 Veteran's Day

Thursday 11/28/24 Thanksgiving

Monday 12/25/24 Christmas Day

15. Resolution that the Town Board authorizes the Highway Superintendent to purchase equipment, tools, and other implements to be used for highway, maintenance, construction or reconstruction, snow ploughs, or other devices for the removal of snow from the highways from moneys appropriated for that purpose, subject to the conditions of the Town Procurement Policy, without prior approval of the Town Board. All such claims shall be presented at the next meeting for audit.

16. Resolution that the Town Board authorizes establishment of petty cash funds of \$50.00 for the Tax Collector; \$100.00 for the Town Clerk; \$400.00 for the Justices (2); \$100.00 for the Assessor and that each Department Head shall be responsible for the accounting in accordance with Town Law Article VII 118.

17. Resolution re-appointing Dennis Stone to the position for building maintenance services for the Town of Tyre for 2024.
18. Resolution Pursuant to Town Law Article VII §116(1), that Town vehicles shall be utilized for the conduct of Town business when available, however, the Town Board authorizes employees and officials of the Town to utilize personal vehicles in the conduct of Town business with prior authorization from their department head, the Supervisor, or resolution of the Town Board. Such persons shall be eligible for reimbursement at the IRS reimbursement per mile rate (\$ 0.67 cents) for documented use, upon presentation of documentation and audit.
19. Resolution Pursuant to Town Law Article III §20 (1)(b) and Article VIII §116(1), that the Town Board establishes the positions listed on the Salary and Wage Schedule for Elected and Appointed Positions for one year, and that the holder of each position shall be paid bi-weekly at the rate specified therein, subject to the amounts budgeted therefor, effective January 1, 2024.

Hourly Employees/Appointees:

Bookkeeper - \$26.00/hr – 40 hrs/wk  
Clerk to the Justice (FT) - \$26.00/hour – 40 hrs/week  
Clerk to the Justice (PT) - \$15.00/hour – 20 hrs/week  
Zoning Enforcement Officer (PT) - \$20.50/hour – 20 hrs/week

Salary Employees/Appointees:

Assessor - \$25,800/year  
Dog Control Officer - \$4,500/year  
Tax Collector - \$3,000/year  
Budget Officer - \$600/year  
Town Historian - \$350/year  
Registrar of Vital Statistics - \$300/year

Elected Officials:

Highway Superintendent - \$62,100/year  
Town Justice 1 - \$28,000/year  
Town Justice 2 - \$28,000/year  
Town Clerk - \$22,880/year  
Town Supervisor - \$22,356/year  
Town Councilperson - \$3,952/year

Boards:

Planning Board Members - \$1,450/year  
Planning Board Chairman - \$2,650/year  
Planning Board Secretary - \$100/meeting  
Board of Assessment Review Members - \$75/day

20. Resolution Pursuant to Town Law Article III §20(1)(b) and Article VIII §116 (1), that the Town Board establishes the hourly wage rates, effective as of January 1, 2024

Highway Laborers - \$27.00/hour full time – 40 hours/week  
Highway Laborers - \$22.00/hour part time – 20 hours/week

21. Resolution designating the Supervisor as Budget Officer for the Town and all Special Districts for 2024
22. Resolution authorizing the Supervisor 60 days from January 1, 2024 to file the annual financial report to the Town Clerk with a copy of the report to the Office of the State Comptroller (the report will be prepared by the Town's Bookkeeper)
23. Resolution adopting the Fund Balance Policy for 2024 (Appendix E)
24. Resolution adopting the Electronic Banking Policy for 2024 (Appendix F)

25. Resolution re-adopting the Town of Tyre Credit Card Policy for 2024 (Appendix G)
26. Resolution re-adopting the Town of Tyre Social Media Policy for 2024 (Appendix H)
27. Resolution adopting the Town of Tyre Zoning Fee Schedule for 2024 (Appendix I)
28. Resolution approving the Town of Tyre Water Service Rate Table for 2024 (Appendix J)
29. Resolution approving the engagement agreement with Donald A. Young, Esq. to render legal services, including to the Tyre Planning Board, at the rate and as specified in the engagement agreement for such services for 2024 (Appendix K)
30. Resolution scheduling a public hearing on January 24, 2024 for a proposed Local Law overriding the New York State Property Tax Cap for the 2025 Town Budget
31. Resolution establishing and appointing members to the Board of Ethics for the Town of Tyre for 2024

### **2024 Town Board Appointments**

Pursuant to Town Law Article III §20(1)(b), the Town Board authorizes the following appointments in accordance with the adopted Salary and Wage Schedule, contingent on completion of any qualifications or certifications as may be required to fulfill the position. All appointees shall serve for a term of one year expiring on December 31, 2024, subject to the pleasure of the Town Board or as mandated by New York State statute.

1. Supervisor Partee called for nominations for Registrar of Vital Statistics for the year 2024 – Councilman Sutterby nominated Carolyn Sosnowski and seconded by Councilman Bennett. No one else was nominated and Supervisor Partee closed the nominations, seconded by Councilman Bennett.

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

Motion carried for Carolyn Sosnowski to be the Registrar of Vital Statistics for the year 2024.

2. Supervisor Partee called for nominations for Dog Control Officer for the year 2024 – Councilman Sutterby nominated Dallyn Jenkins and seconded by Councilman Bennett. No one else was nominated and Supervisor Partee closed the nominations, seconded by Councilman Bennett.

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

Motion carried for Dallyn Jenkins to be the Dog Control Officer for the year 2024.

3. Supervisor Partee called for the nominations for Town Constable for the year 2024 – Councilman Sutterby nominated Dallyn Jenkins and seconded by Councilman Bennett. No one else was nominated and Supervisor Partee closed the nominations, seconded by Councilman Sutterby.

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

Motion carried for Dallyn Jenkins to be the Town Constable for the year 2024.

4. Supervisor Partee called for the nominations for Zoning Enforcement Officer for the year 2024 – Councilman Bennett nominated Ann Marie Heizmann and seconded by Councilwoman Bishop. No one else was



nominated and Supervisor Partee closed the nominations, seconded by Councilman Sutterby.

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

Motion carried for Ann Marie Heizmann to be the Zoning Enforcement Officer for the year 2024.

5. Supervisor Partee called for the nominations for Zoning Board of Appeals Member for a 5 year term expiring on December 31, 2028 – Councilman Sutterby nominated Beverly Smith and seconded by Supervisor Partee. No one else was nominated and Supervisor Partee closed the nominations, seconded by Councilman Bennett.

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

Motion carried for Beverly Smith to be on the Zoning Board of Appeals for a 5 year term expiring on December 31, 2028.

Other Members of the Zoning Board of Appeals serve the following terms:

Verkey for a term expiring on December 31, 2024

Brand for a term expiring on December 31, 2025

Damaske for a term expiring on December 31, 2026

N. Worden for a term expiring on December 31, 2027

6. Supervisor Partee called for the nominations for Zoning Board of Appeals Chairman for a one year time expiring on December 31, 2024. Councilman Sutterby nominated Richard Damaske and seconded by Councilman Bennett. No one else was nominated and Supervisor Partee closed the nominations, seconded by Councilwoman Bishop.

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

Motion carried for Richard Damaske to be Zoning Board of Appeals Chairman for a 1 year term expiring on December 31, 2024.

## **TOWN SUPERVISOR APPOINTMENTS:**

Deputy Town Supervisor Appointment – Pursuant to Town Law Article III §42, Supervisor Partee announces the appointment of Kenneth Sutterby as Deputy Town Supervisor for a term expiring on December 31, 2024. During the absence or inability to act of the supervisor, or while the office of supervisor is vacant, the deputy supervisor shall preside, when present, at the meetings of the Town Board and shall be vested with all of the powers and may perform all of the duties of the supervisor (including the authority to sign checks in the absence of the supervisor), except that he shall have no vote in his capacity as deputy supervisor on matters coming before the Town Board and he shall not serve as a member of the County Board of Supervisors. Appointment to serve at the pleasure of the Town Supervisor.

Town Historian Appointment – Pursuant to Arts and Cultural Affairs Law §57.07, Supervisor Partee announces the appointment of Kathleen Jans-Duffy as Town Historian for a term expiring on December 31, 2024. Appointment to serve at the pleasure of the Town Supervisor.

2024 Standing Committees – Supervisor Partee appoints the following Standing Committees for 2024:

**Building** – Councilman Sutterby and Councilman Bickel

**Records and Communication** – Supervisor Partee and Town Clerk Sosnowski

**Finance Management** – Supervisor Partee and Bookkeeper Gross

**Fire Protection** – Supervisor Partee and Councilman Sutterby

**Personnel** – Councilman Bickel and Councilwoman Bishop

**Band Hall** – Councilwoman Bishop and Councilman Bennett

**Agricultural Land Preservation, Energy and Rural Affairs** – Supervisor Partee and Councilman Bennett

### **Highway Superintendent Appointment**

Pursuant to Town Law §32(2), Highway Superintendent Eric Bush announces the appointment of Chris Chave as Deputy Highway Superintendent for a term expiring on December 31, 2024. During the absence or inability to act of the Town Superintendent of Highways to act, such deputy shall act and be vested with all the powers and duties of the Town Superintendent as provided by law. Appointment to serve at the pleasure of the Highway Superintendent.

### **New Business:**

Delaware River Solar has contacted Supervisor Partee and have scheduled a meeting (to also include counsel) on 1/11/24.

Refuse Collection and Disposal was discussed with the intention to be researched for Town residents only. Supervisor Partee will contact LaBella and ask them for a proposal for what it will take to establish a special refuse district.

### **Next Meeting Reminders:**

Special Town Board Meeting - January 10, 2024 meeting at the Tyre Public Safety Building (1807 Route 318) at 6:30 p.m.

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

### **Adjournment:**

Councilman Bennett moved, seconded by Councilwoman Bishop that the meeting be adjourned at 6:49 p.m. VOTE: Aye – 5; Nay – 0; Abstain – 0; Absent – 0

Submitted by,

Carolyn Sosnowski  
Tyre Town Clerk