

January 24, 2024

The regular monthly meeting of the Tyre Town Board was held Wednesday, January 24, 2024 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- here; Councilman Kenneth Sutterby – here; Supervisor Beth Partee – here

**In Attendance:** Dennis Stone; Pat Mahoney; Rebecca Spurr; Jason Bishop; Delmar Wise; Mike Darling; Corey Haig; Asa Swick; Josh Shaw; Lewis Weaver; Christina Benjamin

### **Public Hearing**

Motion to open the Public Hearing regarding del Lago Site Plan Application to construct an approximate 5,400 square footage storage building to be located within the existing easternmost parking lot on the Casino property which is within an established PUD Zoning District made by Councilman Bickel, seconded by Councilman Bennett.

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

Public hearing is opened at 6:31 p.m.

The Town Board passed a resolution authorizing this public hearing on December 21, 2023, and official notice for tonight’s hearing was published in the Finger Lakes Times on December 26, 2023. Copies of the application have been available from the Town Clerk since December 21, 2023.

For those wishing to speak at the Public Hearing this evening, comments are to be limited to the del Lago Site Plan Application for a storage building 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 del Lago Site Plan Application for a storage building? No Response

Supervisor Partee again asked if anyone would like to address the Board with comments specific to the del Lago Site Plan Application for a storage building? No response

Motion made by Councilman Bennett, seconded by Councilwoman Bishop 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 #1 of 2024 “A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-c” made by Councilman Sutterby, seconded by Councilman Bickel.

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 January 4, 2024, and official notice for tonight’s hearing was published in the Finger Lakes Times on January 12, 2024. Copies of the Proposed Local Law have been available from the Town Clerk since January 4, 2024.

For those wishing to speak at the Public Hearing this evening, comments are to be limited to Proposed Local Law # of 2024 “A Local Law to Override the Tax Levy

Limit Established in General Municipal Law 3-c” 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 #1 of 2024 “A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-c”? No Response

Supervisor Partee again asked if anyone would like to address the Board with comments specific to Proposed Local Law #1 “A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-c”? No response

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

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

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

**Open Privilege of the Floor:** None

**Approval of Meeting Minutes:** December 21, 2023; December 28, 2023; January 4, 2024; January 10, 2024

Motion to dispense with the reading of the minutes and approve them as written made by Councilwoman Bishop and seconded by Councilman Bennet.

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

Motion carried

**Reports of Officers and Departments:**

Town Clerk: For the month of December 2023 total income received \$234.50

Highway Superintendent: Nothing

Dog Control Officer: There was one call for the month – no tickets were issued. The shelter is full of dogs.

Fire Department: Nothing

Assessor: Nothing

Planning Board/ZBA/Training Records: The del Lago storage building was approved

Zoning Enforcement Officer: Nothing

Bookkeeper: Abstract of audited vouchers #12 & #13 with cash receipts summary report, Supervisor's monthly report, reserve statement; W2's were mailed out.

### **Supervisor's Report**

Refuse RFP – waiting on a proposal from LaBelle

Application for Water District #3 was sent to the NYS Comptroller on January 10, 2024 and we confirmed they received it on January 12, 2024

Attended a meeting with county leaders that included discussion on upcoming grant opportunities especially ones that relate to water and Supervisor Partee subsequently followed up with LaBella about these funding opportunities

WIIA Grant will be available on February 5, 2024 and per the Supervisor's conversation with LaBella, it is worth applying now even without district approval from the Comptroller. In order to apply for WIIA, the Town needs to have a bond resolution as this is a requirement for the grant. Need to engage with bond counsel to see if we can adopt a bond resolution for this water district. Discussed this with Jeff Graff and he recommended the Law Offices of Timothy McGill for bond counsel.

CDBG Grants are another funding opportunity, but income eligibility is required to apply

Bipartisan Infrastructure Law offers additional federal funding. This is fairly straight forward, and we will apply in June, 2024

Article in FL Times indicating that every municipality has been asked to consider a resolution of support for the SMI expansion application – Supervisor Partee confirmed that at this time, nobody on the Tyre Town Board has been approached regarding this.

### **Reports of Committees:**

Highway Committee: Nothing

Building Committee: The Town Hall passed its annual code inspection. Awaiting on some quotations for a key fob for the Public Safety Building.

Records & Communication Committee: Nothing

Insurance & Finance Committee: Supervisor Partee discussed the following:

Cold War Veterans Exemption  
January 30, 2024 – court audit  
March 26, 2024 – financial audit  
AFR – Annual Finance Report due 3/1/24

Sewer & Water Committee: Nothing

Fire Protection Committee: Supervisor Partee discussed the following:  
Need to amend our fire protection agreement with Galen-Clyde for insurance purposes – see resolution  
Impossible for folks to sign up for the February 5<sup>th</sup> BEFO Class  
Looking into other training options  
State Fire does not currently have enough instructors to support another BEFO class until this fall

Cayuga County plans to start a bootcamp style BEFO class (daytime class) at the end of May

Band Hall Committee: The “lunch bunch” is still meeting the first and third Wednesdays of the month. The large hot water tank has been removed from the Band Hall. Dennis is waiting on quotes for an on-demand hot water tank.

Broadband Committee: Nothing

Agricultural Land Preservation, Energy & Rural Affairs: Supervisor Partee discussed the following:

Met with Bill Stewart (Montezuma Wildlife Refuge Manager) on December 28, 2023

Met with the CEO and President of DRS on January 11, 2024 with our Attorney Dwight Kanyuck and discussed the following:

Started company in 2016

In process with this proposed project for four years

All projects completed to date are 5MW or less

Benefits to the town? They want community support

Would like to attend a board meeting

Establishing an escrow account in the amount of \$20,000

Unfinished Business: Nothing

New Business: SEQR: del Lago Site Plan Application – Storage Building

Part II was reviewed and questions 1-11 were completed. All questions answered “No”

Part III was reviewed and there was no environmental impact found.

**Resolutions and Motions**

**Resolution #32 of 2024 making a Determination of Significance under the State Environmental Quality Review Act for the del Lago Storage Building Site Plan**

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 #33 of 2024 approving del Lago Storage Building Site Plan Application**

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 #34 of 2024 authorizing the adoption of Local Law No. 1 of 2024 “A local law to override the tax levy limit established in General Municipal Law 3-c for fiscal year 2025”**

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 #35** of 2024 approving overriding the New York State Property Tax Cap for the 2025 Budget for special districts and fire protection districts in the Town of Tyre

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 #36** of 2024 introducing proposed Local Law #2 of 2024 entitled “A Local Law providing a real property tax exemption for volunteer firefighters and ambulance workers pursuant to Section 466-A of the Real Property Tax Law” for review, and setting a public hearing (February 6, 2023 at 6:30 p.m.)

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 #37** of 2024 authorizing Tyre Highway Department to purchase E50 R2-Series Bobcat Compact Excavator

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 #38** of 2024 authorizing Tyre Highway Department to purchase T770 T4 Bobcat Compact Track Loader

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 #39** of 2024 authorizing the expenditure of money for the maintenance of roads and to modify the budget of the Highway Fund (DA Fund) to increase the budget for Account Maintenance of Roads – Capital Outlay

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 #40** of 2024 scheduling a public hearing to amend the Town Fire Protection Contract (February 6, 2024 at 6:35 p.m.)

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.

**Correspondence:**

December 22, 2023 – From NYS Association of Towns, via e-mail (re: notification that Governor Hochul signed legislation that changes election years for most town and county positions from odd to even years to coincide with national and statewide elections)

December 28, 2023 – from Mark Pitifer, via e-mail (re: proposed resolution opposing the Seneca Meadows Landfill expansion)

December 29, 2023 – From NYSEG, via e-mail (re: community connection December newsletter received)

January 11, 2024 – From US Census Bureau, via e-mail (re: 2024 boundary and annexation survey received to review your government's boundary)

January 11, 2024 – From Scott VanVlack, via town website (re: information, photos and historic documents concerning the Town to share with the Town Historian)

January 12, 2024 – From NYS Association of Towns, via e-mail (re: January 2024 Digital Newsletter received)

January 9, 2024 – Supervisor received e-mail from County e-mail address from Tammy Mills regarding SMI Resolution

Special Town Board Meeting is set for February 6, 2024 at 6:30 p.m.

Next Regular Town Board Meeting is set for February 28, 2024 at 6:30 p.m

**Bills:**

General Fund – Townwide: 101-102; 200-225; 571-583

Highway Fund: 101-102; 202; 203; 207; 600-601; 694-695

JCAP: 1102

Water District #1: 838; 836-837

Water District #2: 836

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 Bennett that the meeting be adjourned at 7:21 p.m. VOTE: Aye – 5; Nay – 0; Abstain – 0; Absent – 0

Submitted by,

Carolyn Sosnowski  
Tyre Town Clerk