

March 27, 2024

The regular monthly meeting of the Tyre Town Board was held Wednesday, March 27, 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 – absent; Councilman Henry Bickel – here; Councilwoman Nicole Bishop- here; Councilman Kenneth Sutterby – here; Supervisor Beth Partee – here

In Attendance: Dennis Stone; Pat Mahoney; Corey Haig; Asa Swick; Char Verkey; Rod Verkey; Kaitlyn Loncoski; Ed Thurston; Eileen Franco; Carl Nolt; Mary Nolt; John Konrad, Jacki Konrad; Dallyn Jenkins; Mike Reese

Open Privilege of the Floor: None

Approval of Meeting Minutes: January 24, 2024 and February 6, 2024

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

VOTE: Aye – 4; Nay – 0; Absent – 1; Abstain – 0

Motion carried

Reports of Officers and Departments:

Town Clerk: The Town received 2 bids for commercial mowing, landscaping and snow removal services for one year contract. One bid was from JEL Lawn Service and the second bid was from Thurstons. For the month of February 2024, total income received from dog licenses, etc. was \$268.00.

Highway Superintendent: Superintendent Bush reported that the department took possession of the new skid-steer. They are working on replacing culverts in the town and will be chip sealing West Tyre Road and Lay Road.

Dog Control Officer: DCO Jenkins reported that the last month has been quiet in the Town. She discussed changing DCO from herself to the Beverly Animal Shelter and asked if that is okay with the Board. The Board was okay with this and Dallyn will get the corrected contract to the Board. Once this is completed residents would call 911 and 911 will contact the shelter.

Fire Department: Trainings are ongoing and things are going well.

Assessor:

- Working on monthly deeds, split parcels, bank code and address changes. Continuing to administer the STAR program.
- On March 13, 2024, attended a 3 hour zoom class entitled "Income Re-Defined" RPTL 467 & RPTL 459-C.
- Driving portions of the Town looking at new construction.
- Seneca County Real Property Tax Office is requesting tentative assessment file on April 16, 2024. This file will be used for the May 1st tentative assessment roll.
- Received Special Franchise and Telecommunication values from NYS and have calculated their equalized value and apportioned them in their respective school districts.

Planning Board/ZBA/Training Records: No meeting last month.

Zoning Enforcement Officer:

- 1 New Permits – For a grain bin.
- 1 Permit Denial – Being referred to the ZBA for a calf barn front set back.
- 2 New Complaints – One is just a concern and not an actual issue. The 2nd, per our zoning is not a town issue. Neither is an actual complaint.

Bookkeeper: Abstract of audited vouchers #2; Supervisor's monthly report; financial statements; trial balance summary; reserve fund statement; and the monthly report. March 27, 2024 the auditors were here for the 2023 audit.

Supervisor's Report

Broadband Update – Project is now 100% complete. Passed out the completed list which includes the release dates – many of the addresses were just made serviceable today. The list includes 118 addresses, more than originally estimated.

Workman's Comp – further information next month

The new Seneca County Sheriff will be presenting to the Board at the April meeting.

DRS (Delaware River Solar) will be presenting to the Board at the April meeting.

Reports of Committee Liasons:

Human Resources: Nothing

Highway/Band Hall: Nothing

Public Safety:

Marion Pumper – repair work/inspection completed, truck now in service per the IMA with Galen-Clyde

Key Fob & security system is fully installed and functional. Key fobs have been distributed to most of the firefighters protecting the Town of Tyre. Everyone receiving a key fob has signed or will sign a License Agreement.

Galen-Clyde running member trainings every Friday evening for Tyre firefighters at the Tyre Public Safety Building.

Residents have expressed interest in the positions of President and Treasurer for the new fire company. Will be ready to incorporate the new fire company upon identifying a person to fill the position of Secretary at a minimum.

Solar Eclipse – (April 8th) Tyre Public Safety Building will be a staging area under Sheriff command. North Seneca Ambulance will have an ambulance staged there as well.

New Business:

2385 Lamb Road (SBL Number: 06-1-16)

Supervisor Partee explained that the use of municipal resources is governed by the NYS Constitution. Specifically, the law states, in part, the “no municipality shall give or loan any property to or in aid of an individual, or private corporation or association, or private undertaking”.

Cannot “gift” it to the original owner who donated it to the former MVFD. That is not how charitable (non-profit) dissolutions work. The Town now owning that property has nothing to do with the donator. The donator is completely irrelevant. The Town was given an asset from a charitable non-profit dissolution to benefit the Town and we are limited by NYS law (meaning: no gifting allowed, must receive fair market value). Motion made by Councilman Sutterby and seconded by Councilwoman Bishop to have an appraisal done of this property.

VOTE: Aye – 4; Nay – 0; Absent – 1; Abstain – 0

Motion carried

Supervisor Partee also explained that selling any town owned property is subject to permissive referendum.

Supervisor Partee asked board members what the board wants to do with the stuff in this building. It was decided to have Assistant Fire Chief Corey Haig work with Dennis Stone to see what is useful. The rest will be auctioned as surplus.

Refuse Collection: Mike Simon from LaBella spoke regarding a townwide district. Initial thought was residential pick up only. Mike prepared a proposal for the Town. In talking with Attorney Graff and discussing this as a no cost district

because of the gaming tax revenue the Town receives, it was discovered that the Town cannot exclude commercial businesses from townwide refuse collection. This is Town law so LaBella's current proposal is not valid. Discussion occurred about what else can be done to include both commercial and residential properties so no one is left out. Mike suggested that every property that has a building on the property gets a tote. Would need a Board resolution which would be subject to mandatory referendum by a special vote or can wait until a bi-annual election and be placed on the ballot. An RFP would need to be done as well. It was decided that LaBella will put together a proposal to create an RFP for refuse collection in the Town.

Protecting Town Roads: Supervisor Partee asked if the Board is interested in creating a road repair law that requires a bond for companies doing solar projects to protect our roads. The Board unanimously agreed for Supervisor Partee to look into creating a local law for this.

Resolutions and Motions

Resolution #46 of 2024 Adopting the 284 Agreement for expenditure of highways moneys

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 – 4; Nay – 0; Abstain – 0; Absent – 1

The Resolution was duly adopted.

Resolution #47 of 2024 accepting proposal for commercial mowing, landscaping and snow removal services for the Town Municipal Building

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 – 4; Nay – 0; Abstain – 0; Absent – 1

The Resolution was duly adopted.

Resolution #48 of 2024 establishing energy benchmarking requirements for certain municipal buildings

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 – 4; Nay – 0; Abstain – 0; Absent – 1

The Resolution was duly adopted.

Resolution #49 of 2024 adopting Prior Convictions Policy

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 – 4; Nay – 0; Abstain – 0; Absent – 1

The Resolution was duly adopted.

Correspondence:

- February 29, 2024 – From Office of the NY State Comptroller, NYSLRS Employer enews received via email → The Town of Tyre was listed as a Gold Certified Employer for completing Gold Certification in January
- February 29, 2024 – From US Representative Claudia Tenney, via email (Re: Update on the upcoming Community Project Funding Process for Fiscal Year 2025)

- February 29, 2024 – From NYS Office of Real Property Tax Services, via email (Re: Tyre’s Notice of Tentative Telecommunications Ceiling for the 2024 assessment roll)
- March 1, 2024 – ConnectALL Bulletin received via email (Re: NYS Broadband Challenge Process)
- March 4, 2024 – From NYSEG, press release received (Re: NYSEG Begins Tree Trimming Across Entire Service Territory to Increase Reliability)
- March 4, 2024 – From Genesee/Finger Lakes Regional Planning Council, via email, monthly newsletter received
- March 4, 2024 – FOIL request received from NYS Open the Books requesting an electronic copy of 'any' and 'all' vendor payee payments for fiscal year 2023. Formally acknowledged receipt of FOIL request on March 6, 2024. Response to FOIL request with requested information will be completed by April 3, 2024.
- March 5, 2024 – From Seneca County Sheriff’s Office, February 2024 Town of Tyre Police Activity Report received via email
- March 8, 2024 – From Association of Towns of the State of New York, March Digital Newsletter received via email
- March 15, 2024 – From NYSEG, press release received (Re: Avangrid Launches New Educational Tool to Simplify Billing for Utility Customers)
- March 18, 2024 – From Association of Towns of the State of New York, via email (Re: Summary of the Assembly and Senate budget provisions impacting towns)
- March 19, 2024 – From ConnectALL, via email (Re: NYS Broadband Challenge Process now open)
- March 25, 2024 – From Seneca County Farm Bureau (Re: Letter to Governor Kathy Hochul expressing concerns regarding the Gravel Road Solar project in Tyre)

Bills:

General Fund – Townwide: 106-107; 256-281; 610

Highway Fund: 106-107; 277; 612-613

Fire Protection District: 900

Water District #1: 804-806

Water District #2: 804

Trust & Agency: 2

Councilman Sutterby moved, seconded by Councilwoman Bishop that the bills be approved for payment: VOTE: Aye – 4; Nay – 0; Abstain – 0; Absent – 1

Adjournment:

Councilman Sutterby moved, seconded by Councilwoman Bishop that the meeting be adjourned at 7:33 p.m. VOTE: Aye – 4; Nay – 0; Abstain – 0; Absent – 1

Submitted by,

Carolyn Sosnowski
Tyre Town Clerk