

April 16, 2015

The monthly meeting of the Tyre Town Board was held Thursday, April 16, 2015 at 7:30 P.M. in the Band Hall Building, 616 Lamb Road, Seneca Falls, NY 13148, in the Town of Tyre.

Pledge of Allegiance.

Deputy Supv. Thomas Thomson asked for a moment of silence for the recent loss of Supv. McGreevy's father. Supv. McGreevy expressed appreciation for the acts of kindness shown his family.

Roll Call: Supv. Ronald McGreevy-here, Councilman Reginald Aceto-here, Councilman Joseph DeIPapa-here, Councilman James Rogers-here, Councilman Thomas Thomson-here.

Others present: Town Attorney Charles Shaffer, Attorney Thomas Blair-Cheney & Blair, LLP, PBM's Robert Seem, Larry Kesel, Henry Bickel; ZBAM Dagmar Nearpass, Assessor Philip Griswold, Bookkeeper Nancy McGreevy, Highway Supt. Cassius Shumway, ZCEO David Page, Magee Fire Department Chief Craig Reynolds, Resident Jon Partee, Dallyn Jenkins - Beverly Animal Shelter, Susan Ottenweller-Better Housing for Tompkins County, James Dawley III-Waterloo.

Supv. McGreevy - have had Roll Call - Quorum present - meeting called to order at 7:35 P.M.

Supv. McGreevy introduced Attorney Thomas Blair - Cheney & Blair, LLP.

Public Hearing - Proposed Local Law #1 - Temporary Moratorium

Councilman Thomson moved a resolution to open a Public Hearing at 7:36 P.M. for the purpose of hearing public comment on Proposed Local Law #1 of 2015 "A Local Law Extending a Temporary Moratorium in the Town of Tyre on the Processing of Certain Land Use Applications and on the Issuance of Certain Land Use Approvals and Zoning Permits, Exclusive of PUD Approvals, for Multi-Family Residential, Commercial or Industrial Developments in the Town of Tyre.

Councilman Rogers seconded this resolution and it was adopted with the following vote: Yeas-4, Nays-0, Absent-0.

Supv. McGreevy asked for comments on Proposed Local Law #1 of 2015. None were submitted. Supv. McGreevy again asked for comments on Proposed Local Law #1 of 2015. No comments were forthcoming.

Councilman DeIPapa then moved a resolution, seconded by Councilman Rogers and adopted, that the Public Hearing be closed at 7:37 P.M. Vote: Yeas-4, Nays-0, Absent-0.

Minutes

Councilman Aceto moved, seconded by Councilman Thomson and carried, to dispense with reading the minutes of March 19, 2015 and they be accepted as written. Vote: Yeas-4, Nays-0, Absent-0.

Department Reports

Assessor - Assessor Philip Griswold has been working on field reviews to prepare for the Tentative Roll by May 1st.

Town Attorney - Town Attorney Charles Shaffer reported that he has not heard from Paul Reichel, Bond, Schoeneck & King, as to whether the Town of Seneca Falls has accepted the sewer agreement.

Magee Fire Department - Chief Craig Reynolds reported on the calls the department made in the month of March. Because of the Chief's Awareness of the Yellow DOT Program, a motorist from another county was provided with aid.

Attorney Shaffer inquired of Chief Reynolds if there was a County Official as the contact person, or if each town would provide their own for the Intrastate Mutual Aid Program ("IMAP"). The Chief will look further into the matter. Attorney Shaffer stated that if the county is not able to provide administration of IMAP, more information is needed before making a decision.

ZCEO - ZCEO David Page reported issuing 4 permits.

Planning and Zoning - PB Chairman Robert Seem spoke of the work the Planning Board has been doing on Local Laws #2 of 2015 Site Plan Review and #3 of 2015 Subdivision of Land.

The students from Cornell University involved in the Cornell Land Use/Environmental Planning/Urban Design Field Workshop will give a presentation Saturday, May 9th at 9:30 A.M. at the Magee Fire Department.

Chairman Seem and Supv. McGreevy attended the NYS Planning Federation Conference at Bolton Landing, NY, and received a plaque for the Comprehensive Plan Award for 2015. The Comprehensive Plan was prepared by the local Planning Board, on their own. The Seneca County Real Property Tax Services Department provided maps for the Plan.

Planning - Training - PBM Lawrence Kesel reported on training for 2014, 2015, and 2016 for the Planning Board and the Zoning Board of Appeals.

Bookkeeping - Bookkeeper Nancy McGreevy submitted the March Supervisor's report to the board.

Proposed Local Law #1 of 2015 - Extending a Temporary Moratorium

Supv. McGreevy informed the town board that at its April 9, 2015 meeting, Seneca County Planning and Community Development reviewed Proposed Local Law #1 of 2015; and recommended the Town of Tyre adopt Proposed Local Law #1 of 2015, A Local Law Extending a Temporary Moratorium in the Town of Tyre on the Processing of Certain Land Use Applications and on the Issuance of Certain Land Use Approvals and Zoning Permits, Exclusive of PUD Approvals, for Multi-Family Residential, Commercial or Industrial Developments for 90 Days.

The Seneca County Department of Planning and Community Development supported the Town Board of Tyre as Lead Agency for the SEQRA review of Local Law #1 of 2015.

The Supervisor also stated that the Town of Tyre Planning Board, the Tyre Zoning Board of Appeals and the Town of Tyre Zoning Code Enforcement Officer have granted consent to the Tyre Town Board to serve as lead Agency for SEQRA as proposed.

Councilman Thomson inquired as to whether 90 days was adequate. Attorney Blair and Planning Board Chairman Seem felt this was sufficient time.

Councilman Aceto stated Proposed Local Laws Nos. 2 and 3 should be in the correct form at the time of adoption and the moratorium was needed to accomplish this.

SEQRA Resolution - Local Law #1 of 2015 - Extending a Temporary Moratorium

Councilman Thomson offered a proposed SEQRA Resolution of the Town Board for the Town of Tyre Extending a Temporary Moratorium by 90 Days Declaring Lead Agency and Determining Significance under SEQRA section 617.

Councilman DeIPapa seconded this proposed resolution.

The question of the foregoing Resolution was duly put to a vote and upon roll call was as follows:

Ronald McGreevy	Supervisor	Voted	Yea
James Rogers	Councilman	Voted	Yea
Joseph DeIPapa	Councilman	Voted	Yea
Thomas Thomson	Councilman	Voted	Yea
Reginald Aceto	Councilman	Voted	Yea

The foregoing Resolution was thereupon declared duly adopted.
(Resolution follows).

Local Law #1 of 2015 - Extending a Temporary Moratorium

Councilman Thomson inquired what would occur if the Planning Board doesn't need a full 90 days to complete Local Laws Nos. 2 and 3.

Attorney Shaffer explained Local Law #5 of 2014 was to allow the Planning Board time to further develop the Subdivision and Site Plan local laws. If a time schedule is maintained, Proposed Local Laws 2 & 3 should be ready for adoption.

Enacting Local Law #1 of 2015 - Extending a Temporary Moratorium

Councilman Rogers introduced a Resolution Enacting Local Law #1 of 2015, a Local Law Extending a Temporary Moratorium in the Town of Tyre on the Processing of Certain Land Use Applications and on the Issuance of Certain Land Use Approvals and Zoning Permits, Exclusive of PUD Approvals, for Multi-Family Residential, Commercial or Industrial Developments.

Councilman Thomson seconded this resolution.

The question of the foregoing Resolution was duly put to a vote and upon roll call was as follows:

Supervisor Ronald McGreevy	Yea
Councilman James Rogers	Yea
Councilman Joseph DeIPapa	Yea
Councilman Thomas Thomson	Yea
Councilman Reginald Aceto	Yea

Vote: Resolution carried by a vote of 5 to 0.

(Resolution follows).

LED Lighting Upgrade

The summary for LED Lighting Upgrades from NYSEG for the Highway and Band Hall Buildings was discussed.

Councilman Rogers asked where the money would come from if the board approved this project.

Councilman Thomson felt the lighting should not be considered at this time, not knowing what will have to be done regarding a loader.

The Board was of the consensus the lighting should wait.

Introducing Proposed Local Law #2 of 2015 - Site Plan Review

Councilman Thomson moved a Resolution Introducing Proposed Local Law #2 of 2015 - Site Plan Review and Scheduling a Public Hearing on Proposed Local Law #2 of 2015.

The Town of Tyre Town Board will conduct a Public Hearing at the Town of Tyre Band Hall Building on May 21, 2015 at 7:30 P.M., or as soon thereafter as the matter can be heard.

The Town Clerk is authorized and directed to publish notice of said Public Hearing in the official newspaper.

Councilman Rogers seconded this resolution.

Upon Roll Call Vote:

Supervisor Ronald McGreevy	Yea
Councilman James Rogers	Yea
Councilman Joseph DelPapa	Yea
Councilman Thomas Thomson	Yea
Councilman Reginald Aceto	Yea

Vote: Resolution carried by a vote of 5 to 0.

(Resolution follows).

Introducing Proposed Local Law #3 of 2015 - Subdivision of Land

Councilman Rogers moved a Resolution Introducing Proposed Local Law #3 of 2015 - Subdivision of Land and Scheduling a Public Hearing on Proposed Local Law #3 of 2015.

The Town of Tyre Town Board will conduct a Public Hearing at the Town of Tyre Band Hall Building on May 21, 2015 at 7:30 P.M., or as soon thereafter as the matter can be heard.

The Town Clerk is authorized and directed to publish notice of said Public Hearing in the official newspaper.

Councilman DelPapa seconded this resolution.

Upon Roll Call Vote:

Supervisor Ronald McGreevy	Yea
Councilman James Rogers	Yea
Councilman Joseph DelPapa	Yea
Councilman Thomas Thomson	Yea
Councilman Reginald Aceto	Yea

Vote: Resolution carried by a vote of 5 to 0.

(Resolution follows.)

Introducing Proposed Local Law #4 of 2015 - Town of Tyre Dog Kennel Law

Councilman Thomson moved a resolution Introducing Proposed Local Law #4 of 2015 - Town of Tyre Dog Kennel Law and Scheduling a Public Hearing on Proposed Local Law #4 of 2015.

The Town of Tyre Town Board will conduct a Public Hearing at the Town of Tyre Band Hall Building on May 21, 2015 at 8:00 P.M., or as soon thereafter as the matter can be heard.

The Town Clerk is authorized and directed to publish notice of said Public Hearing in the official newspaper.

Councilman Rogers seconded this resolution.

Upon Roll Call Vote:

Supervisor Ronald McGreevy	Yea
Councilman James Rogers	Yea
Councilman Joseph DelPapa	Yea
Councilman Thomas Thomson	Yea
Councilman Reginald Aceto	Yea

Vote: Resolution carried by a vote of 5 to 0.

(Resolution follows).

Rescinding Proposed Local Law #2 of 2015 - Site Plan Review

Councilman Rogers made a motion to rescind the prior Resolution Introducing Proposed Local Law #2 of 2015 - Site Plan Review and Scheduling a Public Hearing on Proposed Local Law #2 of 2015 - Site Plan Review and Scheduling a Public Hearing on Proposed Local Law #2 of 2015.

Councilman Thomson seconded this motion.

Upon Roll Call Vote:

Supervisor Ronald McGreevy	Yea
Councilman James Rogers	Yea
Councilman Joseph DelPapa	Yea
Councilman Thomas Thomson	Yea
Councilman Reginald Aceto	Yea

Vote: Resolution carried by a vote of 5 to 0.

Introducing Proposed Local Law #2 of 2015 - Site Plan Review

Councilman Thomson moved a Resolution Introducing Proposed Local Law #2 of 2015 - Site Plan Review and Scheduling a Public Hearing on Proposed Local Law #2 of 2015, and it be introduced as written.

The Town of Tyre Town Board will conduct a Public Hearing at the Town of Tyre Band Hall Building on May 21, 2015 at 7:30 P.M., or as soon thereafter as the matter can be heard.

The Town Clerk is authorized and directed to publish notice of said Public Hearing in the official newspaper.

Councilman DeI Papa seconded this resolution.

Upon Roll Call Vote:

Supervisor Ronald McGreevy	Yea
Councilman James Rogers	Yea
Councilman Joseph DeI Papa	Yea
Councilman Thomas Thomson	Yea
Councilman Reginald Aceto	Yea

Vote: Resolution carried by a vote of 5 to 0.

(Resolution follows).

Rescinding Proposed Local Law #3 of 2015 - Subdivision of Land

Councilman Rogers made a motion to rescind the prior Resolution Introducing Proposed Local Law #3 of 2015 - Subdivision of Land and Scheduling a Public Hearing on Proposed Local Law #3 of 2015.

Councilman DeI Papa seconded this motion.

Upon Roll Call Vote:

Supervisor Ronald McGreevy	Yea
Councilman James Rogers	Yea
Councilman Joseph DeI Papa	Yea
Councilman Thomas Thomson	Yea
Councilman Reginald Aceto	Yea

Vote: Resolution carried by a vote of 5 to 0.

Introducing Local Law #3 of 2015 - Subdivision of Land

Councilman Thomson moved a Resolution Introducing Proposed Local Law #3 of 2015 - Subdivision of Land and Scheduling a Public Hearing on Proposed Local Law #3 of 2015, and it be introduced as written.

The Town of Tyre Town Board will conduct a Public Hearing at the Town of Tyre Band Hall Building on May 21, 2015 at 7:30 P.M., or as soon thereafter as the matter can be heard.

The Town Clerk is authorized and directed to publish notice of said Public Hearing in the official newspaper.

Councilman Rogers seconded this resolution.

Upon Roll Call Vote:

Supervisor Ronald McGreevy	Yea
Councilman James Rogers	Yea
Councilman Joseph DeI Papa	Yea
Councilman Thomas Thomson	Yea
Councilman Reginald Aceto	Yea

Vote: Resolution carried by a vote of 5 to 0.

(Resolution follows).

Rescinding Proposed Local Law #4 of 2015 - Town of Tyre Dog Kennel Law

Councilman DeI Papa made a motion to rescind the prior Resolution Introducing Proposed Local Law #4 of 2015 - Town of Tyre Dog Kennel Law and Scheduling a Public Hearing on Proposed Local Law #4 of 2015.

Councilman Rogers seconded this motion.

Upon Roll Call Vote:

Supervisor Ronald McGreevy	Yea
Councilman James Rogers	Yea
Councilman Joseph DeI Papa	Yea
Councilman Thomas Thomson	Yea
Councilman Reginald Aceto	Yea

Vote: Resolution carried by a vote of 5 to 0.

Introducing Proposed Local Law #4 of 2015 - Town of Tyre Dog Kennel Law

Councilman Thomson moved a resolution Introducing Proposed Local Law #4 of 2015 - Town of Tyre Dog Kennel Law and Scheduling a Public Hearing on Proposed Local Law #4 of 2015, and it be introduced as written.

The Town of Tyre Town Board will conduct a Public Hearing at the Town of Tyre Band Hall Building on May 21, 2015 at 8:00 P.M., or as soon thereafter as the matter can be heard.

The Town Clerk is authorized and directed to publish notice of said Public Hearing in the official newspaper.

Councilman Rogers seconded this resolution.

Upon Roll Call Vote:

Supervisor Ronald McGreevy	Yea
Councilman James Rogers	Yea
Councilman Joseph DeI Papa	Yea
Councilman Thomas Thomson	Yea
Councilman Reginald Aceto	Yea

Vote: Resolution carried by a vote of 5 to 0.

(Resolution follows).

Personnel - ZBA - Vacancy

ZBA Chairman Richard Damaske informed the Board that a vacancy exists on the Zoning Board of Appeals and submitted the names of 2 interested people - Jon Partee and Daniel Brand.

Councilman Rogers spoke of both people being qualified. Spoke of Mr. Brand having lived in the town all his life and relatives have been involved in town government.

Councilman Aceto has gotten to know Mr. Partee.

Councilman Aceto moved a motion to appoint Jon Partee to fill the unexpired term ending December 31, 2016. Supv. McGreevy asked for a second on this motion. No second was forthcoming.

Councilman Rogers made a motion to recommend the appointment of Daniel Brand to the Zoning Board of Appeals to fill the unexpired term ending December 31, 2016. This motion was seconded by Councilman DeI Papa.

Upon Roll Call Vote:

Councilman Thomson	Yea
Councilman Aceto	Abstain
Councilman Rogers	Yea
Councilman DeI Papa	Yea

Vote: Motion carried by a vote of 3 to 1.

Recess

Councilman Aceto requested a recess beginning at 9:15 P.M.

Meeting was called back to order at 9:20 P.M.

Supervisor Report/Correspondence

On April 9th the Supervisor received a summons naming himself as Tyre Town Supervisor along with the Tyre Town Board as being defendants in another lawsuit filed in regards to the Lago Resort and Casino Project. The plaintiffs in this lawsuit are Dagmar Nearpass, Desiree and James Dawley. The summons has been forwarded to the law firm of Bond, Schoeneck & King who have been representing the Town of Tyre in these matters. The case has been forwarded to the Town's Insurance Company as required.

Supv. McGreevy spoke of the hazardous condition of the damaged guard-rail on the southeast corner of NYS Rt. 318 and Gravel Road. The guardrail has been severely damaged due to an accident several months ago and has not yet been repaired. Each year, several accidents seem to occur in that same location and repairs seem to take an inordinate amount of time. The Supervisor will contact the resident engineer at NYS DOT to express his concern on behalf of the Tyre Town Board and our residents, and inquire as to what can be done to expedite repairs when an accident does occur. He will also request that signage, or some other type of remediation, be explored by the State Department of Transportation to address this issue as soon as possible.

Financial - Bills

Councilman Rogers moved, seconded by Councilman Thomson and carried, that General Fund bills 106&107,261-273; Highway 106&107, 525-533; Water 813&814 be approved for payment. Vote: Yeas-4,Nay-0,Absent-0.

Adjournment

Councilman Thomson moved, seconded by Councilman DeI Papa and carried, that the meeting adjourn at 9:37 P.M. Vote: Yeas-4,Nay-0,Absent-0.

Submitted by:

Elizabeth Sutterby
Town Clerk