

September 17, 2015

The monthly meeting of the Tyre Town Board was held Thursday, September 17, 2015 at 7:30 P.M. at the Magee Volunteer Fire Department Building, 1807 St. Rt. 318, Seneca Falls, NY 13148, in the Town of Tyre, for the purpose of discussing matters relating to the Planned Unit Development ("PUD") District Application, Development Plan and Site Plan and related project documents for the Lago Resort and Casino project submitted to the Town Board by Lago Resort and Casino, LLC on July 16, 2015 and thereafter, and any other matters properly brought before the Town Board.

Pledge of Allegiance.

Roll Call: Supv. Ronald McGreevy-here, Councilman Reginald Aceto-absent, Councilman Joseph DeI Papa-here, Councilman James Rogers-here, Councilman Thomas Thomson-here. Councilman Aceto arrived during the 2016 John Deere Loader discussion.

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

Supv. McGreevy introduced the Attorneys and Engineers present: Virginia Robbins, Esq., Michelle Billington, Esq., Kathleen Bennett, Esq., Thomas Smith, Esq., Brody Smith, Esq., - Bond Schoeneck & King; Adam Cummings-P.E., - Barton & Loguidice - representing the Town of Tyre. John Mancuso, Esq., - Harris Beach, Alan Knauf, Esq., Michael Simon, P.E., Peter Vars, P.E. - BME Associates; Adam Frosino, P.E., Senior Project Engineer - McFarland Johnson - representing Lago. Town Attorney Charles Shaffer.

Others present: Assessor Philip Griswold, PBM's Robert Seem, Lawrence Kesel and Henry Bickel.

Highway - 40603 John Deere Wheel Loader

Bill Barry, Five Star Equipment, Inc. was present and discussed several types of plans for purchasing a 40603 John Deere Wheel Loader.

Attorney Shaffer inquired of Mr. Barry that if a piece of equipment is on state bid, does the Town have to advertise for bids? Mr. Barry replied that it does not have to go out for bid.

Public Comment/Scheduled Speakers

June Summers - Genesee Valley Audubon Society - Glad to see updates to stormwater for the Lago project and the use of an integrated pest management plan. Must take actions to protect species and habitat and the Lago project should use birdsafe glass and down-facing lights.

Tina Macdonald - 176 St. Rt. 89 - Tyre needs more money and lower taxes. The highway department needs better equipment. Read letter from cousin Emily Reynolds about how she survived cancer and got the best treatment because of the Wilmot's generosity. Important to respect others' rights and opinions.

Department Reports

Town Clerk - Read Dog Control Officer report of Dorothy Comerford for month of August.

Highway - Highway Supt. Shumway reported on monitoring the Nearpass Road Culvert.

Fire Department - Chief Craig Reynolds reported on the calls made for the month and the activities the department was involved in.

Supv. McGreevy thanked Chief Reynolds and the men and women of the Magee Fire Department for the continued use of their building and especially thanked them for their work in responding to another fatal motor vehicle accident in the Town of Tyre. The Supervisor felt the Chief and members exemplified the true meaning of volunteers.

Planning - Planning Board Chairman Robert Seem reported on the Planning Board meeting of Tuesday, September 22nd at the Tyre Band Hall Building. A Public Hearing was held on Site Plan Review for the Pine View Circle Apartment Project, 1828 St. Rt. 318.

Training - PBM Lawrence Kesel stated some members still have training to complete.

Bookkeeping - Bookkeeper Nancy McGreevy reported the August report of the Supervisor is before the Town Board members. Department Head Budgets are due.

Highway - John Deere Loader

Attorney Shaffer inquired of the expected delivery date of the 40603 John Deere Loader. Highway Supt. Shumway replied that delivery should be in early December.

Attorney Shaffer advised the board to keep in mind the type of payment that will be used for the loader when considering the budget.

Supv. McGreevy informed the board that the town can obtain financing at Community Bank in Geneva at an interest rate of 2.39%.

In reply to Supv. McGreevy's question as to whether the board would want to purchase rather than lease the loader, Councilmen Thomson, Rogers, Aceto and DeI Papa voted to purchase the loader.

Highway - 2016 John Deere 624K Wheel Loader

Councilman Thomas Thomson moved the following resolution:

The Town is authorized to purchase a new 2016 John Deere 624K wheel loader under NYSOGS Contract #22063, 40603 Wheel Loader Statewide, from Five Star Equipment, Inc., Syracuse, NY, including the standard items, options and other (Rear Camera System) as described in the written proposal presented to the Town Board and appended to this resolution, for the price of \$145,452.76.

Councilman James Rogers seconded the foregoing resolution, and it was duly put to vote, which resulted as follows:

	Yea	Nay	Abstain	Absent
Supervisor Ronald McGreevy	X			
Councilman Joseph DeI Papa	X			
Councilman James Rogers	X			
Councilman Reginald Aceto	X			
Councilman Thomas Thomson	X			

The resolution was thereupon duly adopted.

Written Proposal follows.

Tyre Sewer District No. 1 - Update

Two easements are being sought for Tyre Sewer District #1, as the sewer line extends outside the state highway in 2 areas. The Town of Tyre cannot accept the line until the easements are resolved.

Water

A check has been received from Charles VanArsdale, to initiate the legal and engineering work required to place his property in Tyre Water District #1.

A letter dated September 10, 2015 has been received from William Heary, requesting sewer and water for his site at 2988 Auburn Road. (Previously the Simone Property.) Mr. Heary has obtained 20 signatures on a petition included with this request. He stated there are plans to open a restaurant in April 2016.

Tyre Water District No. 1 - Extension

Councilman DeI Papa moved the following resolution:

Barton & Loguidice DPC is authorized to prepare the map, plan and report for the extension of Tyre Water District No. 1 to incorporate the property owned by Charles VanArsdale, 1526 State Route 414, Seneca Falls, NY, tax map no. 15-1-24, the cost of which is to be paid from funds deposited with the Town by Charles VanArsdale for this purpose.

Councilman Thomson seconded this resolution, and it was duly adopted with the following vote: Yea-5, Nay-0, Absent-0.

Pine View Circle Apartments

Councilman Rogers moved the following resolution:

Barton & Loguidice DPC is authorized to provide Site Plan and SWPPP review services for the Pine View Circle Apartment Project at 1828 State Route 318, the cost of which is to be paid from funds deposited in escrow with the town by the applicant under Local Law #4 of 2014.

Councilman Aceto seconded this resolution and it was duly adopted with the following vote: Yea-5, Nay-0, Absent-0.

Proposed Lago Resort and Casino Project

Councilman Rogers moved a resolution to reschedule public hearings on the Planned Unit Development District application and Development Plan for the proposed Lago Resort and Casino and on proposed Local Law No. 5 of 2015, to reschedule the time of the October 1, 2015 special meeting of the Town Board, and to reschedule the time of the October 8, 2015 special meeting of the Town Board.

Councilman Thomson seconded this resolution and it was duly put to vote which resulted as follows:

	Yea	Nay	Absent	Abstain
Supervisor Ronald Mc Greevy	X			
Councilman Joseph DeI Papa	X			
Councilman James Rogers	X			
Councilman Reginald Aceto	X			
Councilman Thomas Thomson	X			

The resolution was thereupon duly adopted.
Resolution follows.

BME Associates submitted Appendix 15.B, the Turning Stone Casino Noise Location Map, to the Town Board that was inadvertently left out of the Project Proposal SEQRA Documentation volumes BME submitted to the Town Board in August 2015, though the exhibit was previously submitted to the Town Board in the 2014 engineering reports.

Virginia Robbins, Esq., Bond Schoeneck & King, reviewed the September 9, 2015 letter from BME Associates and completed the clarification of Part 1 of the Full Environmental Assessment Form.

Virginia Robbins, Esq., Kathleen Bennett, Esq., Brody Smith, Esq., and Adam Cummings, P.E. reviewed with the Town Board the sections of Part 2 of the FEAF on potential impacts from the project to transportation, air, energy, and noise, odor and light. The applicant's consultant BME Associates Mike Simon and Peter Vars, Engineers, were present, as well as Adam Frosino, P.E., of McFarland Johnson which completed the traffic study for the project for the applicant. Mr. Frosino stated his background and credentials for the Town Board. The Town Board asked Mr. Frosino and BME Associates questions as needed. The Town Board completed a Part 3 analysis if it found something in those categories could have a potential moderate to large impact. The Town Board found no significant and adverse environmental impacts relating to these categories.

Meeting Date

Supv. McGreevy reminded everyone that the next Tyre Town Board meeting will be held at the Magee Volunteer Fire Dept. Building on Thursday, September 24, 2015 at 7:30 P.M.

Supervisor Correspondence/Report

A letter was received September 14, 2015 from Tyre resident Stephen Lawrence stating support for the Lago Resort and Casino project and thanking the Town Board for their efforts to serve the entire community.

Financial - Bills

Councilman Thomson moved, seconded by Councilman Aceto and carried, that General Fund bills 117&118, 338-355; Highway 117&118, 567-573; Water 834-837 be approved for payment. Vote: Yea-4, Nay-0, Absent-0.

Adjournment

Councilman Rogers moved, seconded by Councilman Thomson and carried, that the meeting adjourn at 12:50 P.M.

Submitted by:

Elizabeth Sutterby
Town Clerk