

TOWN OF LODI
Board Meeting Minutes
April 12, 2012

Present: Supervisor E. Lee Davidson, Councilman Lucas Latini, Councilwoman Noël Clawson, and Town Clerk Nancy Jones

Absent: Councilman Chance Van Cleef, Councilwoman Winifred Jones and Highway Superintendent Len Carlsen

Supervisor Davidson called the meeting to order at 7:03 p.m. All rose for the Pledge of Allegiance, followed by a moment of silence.

COUNCILWOMAN CLAWSON MADE MOTION, SECONDED BY COUNCILMAN LATINI, to accept the night's agenda as presented. . Councilman Latini and Councilwoman Clawson both voting Aye.

COUNCILWOMAN CLAWSON MADE MOTION, SECONDED BY SUPERVISOR DAVIDSON, that the minutes of March 8, 2012 be approved as presented. Councilman Latini and Councilwoman Clawson both voting Aye.

RESOLUTION NO. 2012-04-01

**AUTHORIZATION OF THE UNDERTAKING WITH
THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION**

WHEREAS, the Town of Lodi must have an Annual Highway Work Permit with the New York State Department of Transportation; and

WHEREAS, no work of any kind shall be performed within the Right-of-Way of a State Highway without a work permit issued by the Department of Transportation;

NOW THEREFORE BE IT RESOLVED, that in accordance with Article 3, Section 52 of State Highway Law and Section 1220-c of the Vehicle and Traffic Law the Town of Lodi obtain an Annual Highway Work Permit; and

BE IT FURTHER RESOLVED, that the Town of Lodi signs the Undertaking in Connection with Highway Work Permits Issued by the New York State Department of Transportation.

Moved: Supervisor Davidson
Seconded: Councilwoman Clawson

Councilman Van Cleef	Absent
Councilwoman Jones	Absent
Councilman Latini	Aye
Councilwoman Clawson	Aye
Supervisor Davidson	Aye

Date: April 12, 2012

Highway Report: Supervisor Davidson read the highway report submitted by Superintendent Carlsen. They have been cleaning ditches on Upper Lake Road and Ovid Townline Road. They have also been hauling free salt from US Salt in Watkins Glen. They will be working on two culvert replacements on Upper Lake Road's south mile. Superintendent Carlsen met with Popli Design and was given a preliminary design for the culvert rehabilitation project on Lower Lake Road Spur.

Councilman Latini asked for clarification on the total expenditure and interest rate of the mini excavator the Town Highway will be lease purchasing. Attorney Michael Mirras said he has brought a packet of documents regarding the lease purchase that was emailed to him at the last minute. He asked to table the discussion of the mini excavator until later in the meeting so he could review the material to answer Councilman Latini's questions. He also wanted to address the motion made last month that the highway dept. could go through with this lease purchase contingent upon attorney review that this lease can be gotten out of after a year if funds were not available again to support this further. Copies of the packet were made and distributed to the board.

Committee 1:

Councilwoman Clawson read the library report.

Committee 2:

Supervisor Davidson spoke to Cemetery Superintendent, Walter Bub requesting that he submits requests in writing for review and vote by the board so that changes at the cemetery are made in the proper way.

Committee 3:

Councilwoman Clawson, as the village liaison, announced that a group of folks have met in regards to the Lodi Festival Day which is to be held on July 7, 2012. The tentative plan is that the festivities of the day will run from 10 to 3, with a parade at 12:15 PM. Volunteers are needed to help in many areas. If interested in helping contact Lodi Mayor Fran Steverson or one of his daughters.

Committee 4:

Town Clerk Nancy Jones informed the board that NYS Dept. of Agriculture and Markets sent notice that the Animal Health Inspector completed a Municipal Shelter Inspection Report and a Dog Control Officer Inspection Report on 3/14/2012. Both the DCO services and the dog shelter services provided for our Town by Aaron Covert were rated "Satisfactory".

Committee 5:

No Report

Committee 6:

Supervisor Davidson spoke with members of the Lodi Fire Dept. in attendance tonight asking what suggestions they had to help inform the home owners on private roads by the lake of the fire department's concerns about their bridges that are not large enough or strong enough for fire trucks to pass over them. 2nd Assistant Fire Chief, Chad Haviland, suggested sending a letter to all these homeowners notifying them of an informational meeting. They will discuss this back at the fire dept. and bring their decision back to the Town board next month. A date and place will need to be planned for such a meeting which could be held at the firehouse or town highway. 1st Assistant Fire Chief, Michael Huff mentioned that many of these homes are seasonal but they need awareness of this issue. He also mentioned that the fire Department's lawyer has suggested that the home owners on these private roads get an engineer to rate their bridges.

The firehouse is having an open house on Saturday, April 21, 2012.

Attorney Michael Mirras revisited the questions regarding the lease purchase agreement for the mini excavator. He stated that there is a provision in the lease purchase agreement that if a future governing body fails to appropriate funds in that fiscal year you can return the equipment so long as you are paid to date. There are steps detailed in the lease agreement for the "Lessee" to follow in order to cancel that year's obligation. In answer to Councilman Latini's question about the financing he made note that the board now had the packet distributed in front of them which includes a yearly breakdown. The amount financed will be \$70,046.36 and the interest rate is 2.62% per annum.

Attorney Michael Mirras informed the board that in order to go forward with the lease there is a resolution enclosed in the packet that sites two state laws where the board has to give it thorough consideration that this is the best financing option for the town. The resolution will need to be addressed either at a special meeting or at next month's board meeting. He provided copies of the state laws sited in the resolution to Town Clerk Nancy Jones so she can add them to her copy of the lease packet as well as distribute them to the board.

Supervisor Davidson suggested that the board hold a special meeting at 7:00 PM on April 26, 2012 for the purposes of a public hearing for discussion and adoption of resolution on the Lodi/Ovid Court Consolidation Study and for a special meeting on discussion and adoption of resolution on the purchase of the mini excavator as well as any other business necessary.

Supervisor Davidson read the Planning Board minutes. The board then discussed and made suggested changes to a proposed questionnaire that the planning board would like to mail to all the town residents to help them revise their comprehensive plan.

COUNCILWOMAN CLAWSON MADE A MOTION, SECONDED BY SUPERVISOR DAVIDSON, that the Town of Lodi pay the current town rate of 42¢ per mile to the person appointed by the Town Of Lodi to attend the Seneca County Planning Board meetings. Councilman Latini and Councilwoman Clawson both voting Aye. Supervisor Davidson made note that Donald Denman has been the person attending these meetings.

COUNCILWOMAN CLAWSON MADE A MOTION, SECONDED BY SUPERVISOR DAVIDSON, that the Town of Lodi pay the \$50.00 registration fee and mileage for the Town Planning Board Member, Donald Denman to attend the Spring 2012 Regional Local Government Workshop, cosponsored by 9 County Planning Boards, Thursday, May 17, 2012 to be held in Pittsford, NY. Councilman Latini and Councilwoman Clawson both voting Aye.

Announcements were made on the following events:

- May 5th: Seneca County Rabies Clinic at the Seneca County Highway Dept. on Prospect Street in Romulus.
 - June 23rd: *New Date* For The 2012 Annual Meeting with NYS Assembly Minority Leader Brian M. Kolb, 10:00 AM at the Lodi Town Hall.
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SUPERVISOR DAVIDSON MADE MOTION, SECONDED BY COUNCILMAN LATINI, to approve payment of general fund claims #20120167 to #20120188 in the amount of \$30,799.46 and also to approve payment of highway fund claims #20120189 to #20120200 in the amount of \$16,809.08. Councilman Latini and Councilwoman Clawson both voting Aye.

HEARING NO FURTHER BUSINESS COUNCILWOMAN CLAWSON MADE MOTION, SECONDED BY COUNCILMAN LATINI, to adjourn the meeting at 7:59 p.m.

Respectfully Submitted,
Nancy Jones, Lodi Town Clerk

Dated: April 12, 2012