

TOWN OF LODI
Board Meeting Minutes
September 13, 2012

Present: Supervisor E. Lee Davidson, Councilwoman Winifred Jones, Councilman Lucas Latini, Councilwoman Noël Clawson, Highway Superintendent Len Carlsen and Town Clerk Nancy Jones.

Late Arrival: Councilman Chance Van Cleef @ 7:04 PM

Supervisor Davidson called the meeting to order at 7:00 p.m. All rose for the Pledge of Allegiance, followed by a moment of silence.

COUNCILWOMAN CLAWSON MADE MOTION, SECONDED BY COUNCILWOMAN JONES, to accept the night's agenda as presented. Councilwoman Jones, Councilman Latini and Councilwoman Clawson all voting Aye. Councilman Van Cleef not present yet.

COUNCILWOMAN CLAWSON MADE MOTION, SECONDED BY COUNCILWOMAN JONES, that the minutes of July 12, 2012 be approved as modified. Councilwoman Jones, Councilman Latini and Councilwoman Clawson all voting Aye. Councilman Van Cleef not present yet.

**A RESOLUTION TO INTRODUCE LOCAL LAW A OF THE
YEAR 2012 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED
IN GENERAL MUNICIPAL LAW § 3-C
RESOLUTION NO. 2012-09-01**

WHEREAS, the Lodi Town Board has been made aware of passage by the State legislature § 3-C of the New York State General Municipal Law (GML), and

WHEREAS, § 3-C GML provides for a "tax cap" on tax levies by municipalities without placing a similar "cap" on unfunded mandates imposed upon municipalities by the State, and

WHEREAS, Required Town expenditures, including those for such unfunded mandates continue to rise at a rate in excess of the cap imposed under § 3-C GML,

NOW, therefore, be it

RESOLVED, That Local Law A of 2012 entitled "A Local Law To Override The Tax Levy Limit Established In General Municipal Law § 3-C" be, and the same is hereby introduced before the Town Board of The Town of Lodi, New York, to read in substantially the following form:

Section 1. Legislative Intent

It is the intent of this local law to allow the Town of Lodi to adopt a budget for the fiscal year commencing January 1, 2013 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-C.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of the General Municipal Law § 3-C, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Town Board of Lodi is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2013 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law § 3-C.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

AND BE IT FURTHER

RESOLVED that copies of the aforesaid proposed local law be laid upon the desks of each member of the Town Board for the Town of Lodi; and, be it further

RESOLVED that the Town board hold a public hearing on said proposed Local Law at the Lodi Town Hall, 8440 Main Street, Lodi, New York at or about 7:00 p.m. on October 11, 2012; and, be it further

RESOLVED that the Clerk to the Board publish or cause to be published a notice of said public hearing in the official newspaper of the Town of Lodi at least five (5) days prior thereto; and, be it further

RESOLVED that the Clerk to the Board provide notice of this resolution to any adjacent municipalities at least ten (10) days prior to the public hearing and to the Seneca County Planning Board at the Planning and Community Development Department.

Moved: Supervisor Davidson
Seconded: Councilman Van Cleef

Councilman Van Cleef Aye
Councilwoman Jones Aye
Councilman Latini Nay
Councilwoman Clawson Aye

Dated: Sept. 13, 2012

Nancy Jones, Town Clerk

**AMENDMENT TO THE
TOWN OF LODI HIGHWAY “DB” FUND
RESOLUTION NO. 2012-09-02**

WHEREAS. There is not sufficient amount of budgeted appropriations in some of the Highway Fund Budget lines to meet obligations of the Fund for the year 2012 and

WHEREAS, in conformity with Town Law and good bookkeeping practices, accounts should not be over appropriated, be it

Committee 3 Continued:

Councilwoman Clawson informed us that a woman from Vermont, who has been researching old stage curtains and does restoration work on them, came here to look at the one we have here at the town hall on the 2nd floor. She was quite impressed with ours saying it was in very good condition. There are no rips and no fading however it needs cleaning. There is one grease spot where someone had dropped it down onto greasy food. From her observation she said it was made in Ithaca and believes it was all done freehand. She could clean it for us and she may be able to get a grant to help with the cost.

Committee 4:

No Report

Committee 5:

No Report

Committee 6:

Supervisor Davison and Councilwoman Jones meet with the Board of Directors of the Lodi Fire Department to discuss their situation for the coming year. Then the Board of Directors of the Lodi Fire Department came and talked to the Town Board at the September 6, 2012 town budget workshop.

Supervisor Davison discussed the results from the Lodi Planning Board Survey. He found the results to be interesting and informational. Councilwoman Clawson made mention that 21 % of the population answering the survey are between the ages of 60 and 69. Councilwoman Jones observed that a large percent of people responding to the survey would like the town of Lodi to pursue solar and wind power. Supervisor Davison informed us that he had asked Bob Aronson, the Executive Director of the Seneca County IDA what was going on with the wind situation. A man named Steve Wilks could meet with the Town Board and discuss what is happening with wind and solar power.

More budget workshops were planned for Tuesday September 18th and 27th at 6:30 pm. Town Clerk Nancy Jones will notify the media, place a public notice in The Ovid Gazette, and will hang notices at the Town Hall, Lodi Library and Lodi Post Office.

Councilman Latini, Town Clerk Jones, Highway Superintendent Carlsen and Supervisor Davidson have formed a committee to continue renegotiations on the PILT Agreement and the "Forest Development Road Agreement" between the Forest Service, United States Department of Agriculture and the Town of Lodi.

COUNCILWOMAN CLAWSON MADE MOTION, SECONDED BY COUNCILMAN VAN CLEEF, to approve payment of general fund claims #20120375 to #20120396 & 20120408 & 20120409 in the amount of \$14290.03 and also to approve payment of highway fund claims #20120397 to #20120407 in the amount of \$130,143.83. Councilwoman Jones, Councilman Latini and Councilwoman Clawson all voting Aye.

HEARING NO FURTHER BUSINESS COUNCILWOMAN JONES MADE MOTION, SECONDED BY COUNCILWOMAN CLAWSON, to adjourn the meeting at 8:51 p.m.

Respectfully Submitted,
Nancy Jones, Lodi Town Clerk
Dated: September 13, 2012