

TOWN OF LODI
Board Meeting Minutes
July 10, 2014

Present: Councilman Chance Van Cleef, Councilman Mac Cheyne, Supervisor E. Lee Davidson, Councilman Lucas Latini, Councilman Brad Jennings, Highway Superintendent Rick Jacot and Town Clerk Nancy Jones.

Sitting in for training: Deputy Town Clerk Paulette Likoudis

Late Arrival: Attorney Joseph Midiri at 7:14 pm.

Supervisor Davidson welcomed everyone and asked us to all rise for the Pledge of Allegiance, followed by a moment of silence.

COUNCILMAN LATINI MADE MOTION, SECONDED BY COUNCILMAN VAN CLEEF to open the Public Hearing at 7:05 p.m. on the Time Warner Cable Franchise Agreement. Councilman Van Cleef, Councilman Mac Cheyne, Supervisor Davidson, Councilman Latini and Councilman Jennings all voting Aye.

COUNCILMAN LATINI MADE MOTION, SECONDED BY COUNCILMAN VAN CLEEF to close the Public Hearing at 7:07 p.m. on the Time Warner Cable Franchise Agreement and to open tonight's regular meeting of the town board. Councilman Van Cleef, Councilman Mac Cheyne, Supervisor Davidson, Councilman Latini and Councilman Jennings all voting Aye.

COUNCILMAN LATINI MADE MOTION, SECONDED BY COUNCILMAN JENNINGS to accept the night's agenda as presented. Councilman Van Cleef, Councilman Mac Cheyne, Supervisor Davidson, Councilman Latini and Councilman Jennings all voting Aye.

Steve Churchill came tonight to speak to the town board about his concerns on the plan for mass storage of LP gas adjacent to or under Seneca Lake in old salt mines that were never designed for this purpose. He has requested that the town board sign a resolution opposing such storage. His request regarding the resolution opposing such storage was tabled until next month.

Dr. John Halfman spoke to the town board on the water quality of Seneca Lake and compared findings to the other Finger Lakes. He brought diagrams on algae, phosphates, and chloride concentrations of these lakes. Dr. Halfman wanted to discuss the Seneca Watershed MOU but the town board has not seen a copy of it yet. Dr. Halfman told the town board he will get a copy to them. He asked the town board to look at this Seneca Watershed MOU and consider becoming a part of this group that will work on ways to improve the water quality of these lakes and seek grants to make improvements.

RESOLUTION NO. 2014-07-01

In the Matter of the Renewal of the Cable Television Franchise
Held by Time Warner Cable Northeast LLC in the Town of Lodi, Seneca County, NY

WHEREAS, an application has been duly made to the Board of the Town of Lodi, County of Seneca, New York, by Time Warner Cable Northeast LLC ("Time Warner"), a partnership organized under the laws of the State of New York doing business at 2604 Seneca Avenue, Niagara Falls, NY 14305, and holder of a cable television franchise in the Town of Lodi for the approval of an agreement to renew Time Warner's cable television franchise for an additional fifteen (15) years. The Franchise Renewal Agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings.

WHEREAS, a public hearing was held in the Town of Lodi on July 10, 2014 at 7:00 p.m. and a notice of the hearing was published in the Ovid Gazette on 7/2/14 & 7/9/14.

NOW, THEREFORE, the board of the Town of Lodi finds that:

1. Time Warner has substantially complied with the material terms and conditions of its existing franchise with applicable law: and
2. The quality of the Time Warner service, including signal quality , response to customer complaints and billing practices has been in light of community needs: and
3. Time Warner has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached: and
4. Time Warner can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

BE IT FURTHER RESOLVED that the Board of the Town of Lodi hereby renews the cable television franchise of Time Warner in the Town of Lodi for fifteen (15) years commencing on the date of approval by the Public Service Commission.

BE IT FURTHER RESOLVED that the Board of the Town of Lodi hereby confirms that this Franchise Renewal Agreement replaces the original franchise agreement accepted by the Board of the Town of Lodi on Oct. 12, 2000.

Moved: Councilman Jennings
Seconded: Councilman Latini

Councilman Van Cleef	Aye
Councilman Mac Cheyne	Aye
Supervisor Davison	Aye
Councilman Latini	Aye
Councilman Jennings	Aye

Dated: July 10, 2014
Nancy Jones, Town Clerk

Highway Superintendent Rick Jacot informed the board they have been servicing equipment and working on Shaw and Lower Lake Roads. They will move on to Clark Rd. They have been helping the Town of Fayette haul stone in return favor for Fayette helping Lodi haul stone. Councilman Latini told Superintendent Jacot that feedback from the Lodi Point residents is that the road is spectacular and he thanked the highway employees for the fantastic job done. Superintendent Davidson joined in on the conversation as it was discussed that highway department has made both ends usable again by fixing the area where it had become to wash boarded to drive on. Councilman Latini reports that the residents are grateful to have more than one exit from that area now.

Town Clerk Jones reported on her monthly report for June 2014 in which she received a total of \$434.00. All monies received were disbursed in the following way:

Paid To Supervisor for General Fund	\$345.88
Paid To NYS DEC For DECALS	\$23.62
Paid To Ag. & Markets For Dog Licenses	\$42.00
Paid To NYS Health Dept. For Marriage Licenses	22.50
	\$434.00

Justice Van Cleef reported to the Board on the court activity for the month of May and June 2014.

COUNCILMAN LATINI MADE MOTION, SECONDED BY COUNCILMAN VAN CLEEF to accept the Highway Report, Town Clerk's monthly report and the Justice's court activity reports for the month of May & June 2014. Councilman Van Cleef, Councilman Mac Cheyne, Supervisor Davidson, Councilman Latini and Councilman Jennings all voting Aye.

Councilman Latini read the Library Report.

COUNCILMAN LATINI MADE MOTION, SECONDED BY COUNCILMAN JENNINGS to accept (Option 2) from the proposal submitted by Jeff Burns of Interlaken, NY to install a computer provided by the Town to become a server for the Town of Lodi's computerized documents and data files. In addition the board agrees to pay \$45.00 per month for the offsite back up with the understanding that the backup will be done on a nightly basis (Monday – Friday, excluding Holidays). Councilman Van Cleef, Councilman Mac Cheyne, Supervisor Davidson, Councilman Latini and Councilman Jennings all voting Aye.

Supervisor Davidson received correspondence from Excellus that they are going to be raising the rates 17.1%. Highway Superintendent Jacot said Excellus sent a letter to his employees as well.

Mercy Flight would like us to consider supporting them next year in our budget.

COUNCILMAN VAN CLEEF MADE MOTION, SECONDED BY COUNCILMAN MAC CHEYNE to approve payment of general fund claims #122-134 in the amount of \$8,847.61, payment of highway fund claims #57-65 in the amount of \$93,908.31 payment of trust & agency claims #16-18 in the amount of \$2,760.06. Councilman Van Cleef, Councilman Mac Cheyne, Supervisor Davidson, Councilman Latini and Councilman Jennings all voting Aye.

COUNCILMAN JENNINGS MADE MOTION, SECONDED BY COUNCILMAN MAC CHEYNE to accept the meeting minutes for June 12, 2014 as presented. Councilman Van Cleef, Councilman Mac Cheyne, Supervisor Davidson, Councilman Latini and Councilman Jennings all voting Aye.

HEARING NO FURTHER BUSINESS, SUPERVISOR DAVIDSON MADE MOTION to adjourn the meeting at 8:54 p.m.

Respectfully Submitted,
Nancy Jones, Lodi Town Clerk
Dated: July 10, 2014