

**TOWN OF LODI**  
Regular Board Meeting Minutes  
May 14, 2015

PRESENT: COUNCILMAN CHANCE VAN CLEEF, COUNCILMAN MAC CHEYNE, SUPERVISOR E. LEE DAVIDSON, COUNCILMAN LUCAS LATINI, COUNCILMAN BRAD JENNINGS, TOWN CLERK NANCY JONES.

ALSO PRESENT: TOWN ATTORNEY MICHAEL MIRRAS

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Supervisor Davidson called the meeting to order at 7:06 p.m. All rose for the Pledge of Allegiance, followed by a moment of silence.

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

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COUNCILMAN MAC CHYENE MADE MOTION, SECONDED BY COUNCILMAN VAN CLEEF to accept the meeting minutes for April 9, 2015 as presented. Councilman Van Cleef, Councilman Mac Cheyne, Supervisor Davidson, Councilman Latini, and Councilman Jennings and all voting aye.

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Guest Speaker Chuck Bosman, a Town of Covert resident and Town Councilman addressed the Lodi Town Board on a plan that he hopes to get our support on. The plan has been named Seneca Plan for Fair Sales Tax. He spoke about the Lago Casino in Tyre and other expected new businesses coming into Seneca County that will bring additional sales tax revenues to the County and the State. He explained that the 8% sales tax revenues get split evenly between the County and the State, but unlike most counties in New York State, Seneca County does not evenly distribute these funds to all areas of the County. Yates and Seneca County give no money back to the towns, villages or schools yet all the other counties do. He provided the example that last year in Tompkins County the Trumansburg Village got \$350,000.00 and the Village of Ulysses got \$295,000.00 in sales tax revenues. The Seneca Plan for Fair Sales Tax is proposing that in 2016 any new revenue coming into the county be divided in half. Fifty percent to go to the County and the other fifty percent be divided up in the following way: 25% to the ten towns (the amount for each being based on weighted average voting) 15% to the four school districts and 10% to the four villages in Seneca County. Mr. Bosman plans to speak with all the Towns, Villages and School Districts then the County Finance Committee. He explained that he is looking for backing on this and if the Lodi Town Board would like to support this plan they could send a resolution of support to him and the Chairman of the Seneca County Board of Supervisors, Don Earle. Supervisor Davidson thanked Mr. Bosman for coming and made a suggestion to him that he discuss the plan with the County Treasurer.

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Guest Speaker Steve Churchill from Seneca Falls NY, a Seneca County Supervisor and Chairman of the Environmental Affairs Committee came to talk again with the Town Board as a follow up to his visit last year. He explained he is here again to talk about the proposal to store LP Gas in the abandoned and unlined salt caverns on the edges of Seneca Lake, just north of Watkins Glen, NY. He explained for anyone that wasn't here last year that he is opposed to the LP Gas storage plan and is talking to municipalities in defense of Seneca Lake. He is asking for support from the Lodi Town Board thru a resolution opposing LP gas storage adjacent to Seneca Lake and requesting that the New York State Department of Environmental Conservation deny approval of the permit for the storage of LP Gas adjacent to Seneca Lake. He explained to the Town Board that Seneca Lake is the saltiest lake of all the Finger Lakes and Seneca Lake provides water for 100,000 people, half of the folks of Seneca County. He provided a chart modeling Seneca Lake's Chloride from 1900 to 2010. He explains that salt in the lake could be from road salt and the salt industry on the lake but there is a huge spike in chloride concentrations from the 1960's to the 1970's. He said it is unknown for sure what caused the spike but he further explained that in 1964 LP Gas was stored in salt caverns for the first time and then removed in 1984 and moved to engineered lined caverns off

the lake instead. He continued to explain that it is possible that the caverns that sat full of water that turned into brine would have been emptied into the lake when barrels of LP Gas was first stored in the caverns. He also explained there is also the possibility that there was leaching of brine from the caverns kept under pressure while storing the LP Gas barrels. Mr. Churchill also provided a map of municipalities opposing the LP Gas storage, a photo with arrows pointing to three derricks above long abandoned solution salt mines in Watkins Glen and a drawing and description titled Anatomy of a Gas Leak. He made mention of other concerns such as the geology in the area and whether in is stable or not and what is the condition of these caverns. Mr. Churchill described a situation in Hutchinson, Kansas where they store natural gas in salt caverns very much like the situation here in Watkins Glen. He explained that there was an explosion in 2001 caused by a leak in a pipe that fed one of the caverns. It migrated thru some rock formations 8 miles into town collecting in some old abandoned caverns and ended up causing an explosion downtown Hutchinson, Kansas destroying a city block and killing two people.

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The following people stood up and spoke against the storage of LP Gas adjacent to Seneca Lake:

- **Joseph Campbell, Hector, NY, Co-Founder of Gas Free Seneca**  
He informed the Board that there are now in existence, 3 underground propane storage facilities within 60 miles of Lodi in which 3 ½ million barrels (42 gallons per barrel) of propane is already stored. He also informed the Board that the proposal from Crestwood regarding LP Gas storage on Seneca Lake is not only for more propane storage but for 600,000 barrels of liquid butane as well. He made mention that the butane will go out by rail over the Watkins Glen Gorge on the 80 year old trestles and the propane will go out by pipeline to New England.
- **Mike Neville, Town Resident & Owner of Mill Creek Cabins, Lodi, NY**  
He informed the Board that they have had guests at the cabins from all over the world. He stated that the vast majority of his guests come here because of Seneca Lake, the wineries, restaurants, shops and quaint villages along the shore and they will not travel here to see the LP gas transportation and storage hub for the Northeast. He asked the board if it is worth risking our lake, our livelihood and safety and health of our families. He stated that he does not believe that it is worth it.
- **Bob Stack, Town Resident & Owner of Suzanne Fine Regional Cuisine, Lodi, NY**  
He addressed the Board by comparing the risks to the tourism industry vs. rewards of having the LP Gas Storage facility in the Finger Lakes. He mentioned the increase in tourism over the last ten years in our area that is an unspoiled and beautiful place where the tourists come to get out of the cities. He questioned what the benefits would be to Lodi and the Finger lakes and added that the rewards of the LP Gas storage will be 8 or 10 jobs and some tax money for Schuyler County. He ended by asking, "What are we without tourism?"
- **Bruce Murray, Town Resident & Owner of Boundary Breaks Vineyard, Lodi, NY**  
Said he was here to support the other speakers and agrees that the risks of allowing the LP Gas storage here outweigh the rewards. He asked the Board to make the vote and be on the right side of the issue.
- **Amanda Postmount, Town Resident, Lodi, NY**  
She informed the town board that her and her husband moved here 3 1/2 years ago from Michigan because they fell in love with the Finger Lakes. She then explained that had they known this issue of the LP Gas storage was going to be happening they would not have ended up here.
- **Margaret Sheppard, Town Resident, Lodi, NY**  
She informed the Board that she has lived her for fifteen years and is on the board of the Trumansburg Farmers Market and that there is a long waiting list of farmers and small businesses wanting to join the market. She said she would like to revive the farmers market in Lodi. She spoke about the tourists being a major part of the farmers market and if they are turned off by the industrialization in the area it will greatly affect the market.
- **Charles Rappleye, Town Resident. Lodi, NY**  
Mr Rappleye he has lived here 40 years. He addressed the Board about his concerns about the two mountains of garbage at the other end of the lake in Waterloo, NY. He asked why no one is concerned about the situation, explaining that the pollution from there is ruining our water as well.
- **Lou Johns, Town Resident and owner of a small organic vegetable farm, Lodi, NY**  
Asked the Board to consider a couple more aspects of the LP storage issue: the potential of it blowing up, if the fire dept. is trained to fight a butane fire, the noise from the compressor stations that will be running 24/7, horns and whistles blowing from the trains 24 hours a day, danger of trains carrying combustible butane and trains running on the 80 year old trestles – he asked, who will maintain the trestles, the trains and the tracks?
- **John Wagner, Town Resident and owner of a farm, winery and brewery here in Lodi, NY**

He explained to the Board that he has lived here for 50 years and five generations of his family have been living on the East side of Seneca Lake farming grapes. He urged the Board to pass a resolution against the LP Gas storage as the upside only benefits a Texas Based Company and the downside is that there are zero benefits to Lodi and all the potential risks discussed tonight would be devastating to the area.

- **Amy May, Town Resident, Lodi, NY**

She spoke to the Board about how water is essential to our agriculture, to our industry, to our tourism, to our recreation, to everything we hold dear and to all the reasons she moved here and loves it here. She mentioned the watershed as having many other challenges but they can be dealt with one at a time and she encouraged the town board to add our voice to that.

- **Phoebe Van Vleet, Town Resident, Lodi, NY**

She informed the Board that she grew up here and moved back after college because it is beautiful and her family is here. She spoke about how the tourism industry is making it easier to find jobs here in Lodi now and anything that would compromise that growing industry here would affect anyone wanting to live here.

- **Michael Huff, Town Resident, Lodi, NY**

He addressed the board informing that he has lived in this community for sixty years and his family came here in 1798. While he was growing up his family rented on Seneca Lake where he has scuba dived 110 feet down and waterskied. He mentioned the many changes he has seen on the lake: clear water in the 60's, seaweed in the 70's, zebra mussels in the 80's and the water clarity being so bad by then that he stopped scuba diving.

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Town Clerk Jones provided a packet of emails to each Town Board member that she received from people opposing the LP Gas Storage on the Lake:

- Michael Stratton, Lodi Town Resident
- Michael Coia, Owner of Finger Lakes Oils in Romulus, NY and Lodi Town Resident
- Bud and Kim Wagner, Owners of Fox and the Grapes Bed & Breakfast and Lodi Town Residents
- Ann Cain Crusade, resident and business owner in the Seneca Lake area.
- Deb Bissonnette, resident and business owner from Burdett, NY
- Linda Finch and James Fletcher, owners of a summer home on Seneca Lake
- Philly DeSarno and Peter Widynski of Watkins Glen, NY
- Karen Gillman and Bohdan Hutnik, Owners of Dano's Heuriger on Seneca
- Amy and Andy Russell, Lodi Town Residents
- Mary-Catherine French, Lodi Town Resident
- Dan Van Vleet, Lodi Town Resident
- Carolyn Zogg, Lodi Town Resident

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Town Clerk Jones read allowed the following statements from emails that were requested to be read into the minutes of the meeting. These emails were also in the packet that the town board members received of those opposing the LP Gas Storage on Seneca Lake.

- **Amy Weimers and Paul Kehle, Lodi Town Residents**

"We have called the Town of Lodi home for ten years, and we hope to live here for many years to come. The health, safety, and sustainability of our community is of the utmost importance to us. The proposed underground gas storage is far too risky for the wellbeing of the environment, of the local economy, and of all inhabitants of the area, whether permanent residents or visitors, whether human, plant, or animal. The safety of our water supply alone is crucial for the continuance of life as we all know it, and safety cannot be insured for this project. We therefore ask the Town Board to pass a resolution in opposition to gas storage beneath Seneca Lake. Opposing gas storage is simply embracing and protecting our current quality of life."

- **From David Ruth, Lodi Town Resident**

"I am a long term resident and landowner in the Town of Lodi. I think we all know the reason people stay in Lodi -- our lands, waters, and air are refreshingly beautiful. I therefore think it an easy decision to go along with our neighboring communities who chose the preservation of the natural beauty of the Finger Lakes as a priority for Town and State governance and passed resolutions against the establishment of potentially disruptive gas storage facilities."

- **Donna Smith, Dallas, PA, Owners of a seasonal residence on Seneca Lake**

"As a Lodi property owner and seasonal resident, I am asking the board members to pass resolution against gas storage. It is the natural beauty of the area that draws my husband and I back to where he was born and raised. We hope to continue to enjoy our annual family vacation that draws our children and their families from across the US. The potential for a negative environmental impact on this area is what prompts my email."

- **Shannon and Paul Brook, Lodi Town Residents**

“We, Paul and Shannon Brook, are residents of the Town of Lodi and own Silver Thread Vineyard, LLC, a farm winery in Lodi. We oppose the proposed gas storage project in Reading and urge the Town Board to pass the resolution opposing the project. Seneca Lake is an invaluable natural resource that supports a thriving agricultural and tourist economy. The risky gas storage scheme is incompatible with both of these economic sectors. The potential for a catastrophic accident at the gas storage facility and the prospect of unsightly industrialization on the lake shore make the project highly undesirable. If our air and water become polluted, it will be a threat to the health of our family (which includes young children) and the viability of our business, which creates critically-acclaimed wines that have been featured in major international publications and employs five people. We thank the board for considering our views on the matter and urge you to make the right decision for the residents and farmers of the Town of Lodi and the Finger Lakes region.”

- **Stacy Smith, Lodi Point summer resident from Falmouth, Maine**

“My family owns a cottage on Lower Lake Road and I spend one to three weeks on Lodi Point each summer. Even though I live year-round a block from the ocean, on the coast of Maine, I choose to spend my summer vacation with my husband and two boys on my favorite body of water in the world, Seneca Lake. I am not a native of Maine. I am a native of upstate New York. My grandfather was a dairy farmer in Alpine, my 90-year old grandmother still lives in Watkins Glen, my Dad grew up in Montour Falls, and I grew up in Odessa. I spent my childhood vacationing at Peach Orchard Point and picnicking at Lodi State Park. Now, as an adult, I treasure my time on and in the water, surrounded by extended family, each summer. I can't imagine Seneca Lake not playing a central part in my life. But I can imagine a future with degraded water quality and a beautiful, scenic area turned into an industrialized wasteland where truck fumes and smoke stacks replace grapevines, orchards, wineries, and restaurants. Under such a scenario, not only would tourism be snuffed out, but drinking water for thousands would be harmful and unsafe. The salt caverns are not safe for gas storage. An experiment is not worth the risk. As we've seen in Nepal in recent weeks, the ground shift and moves. If gas is stored near Seneca Lake, the potential positive impacts are minimal for local residents (a handful of short-term jobs), and the potential negative impacts are disastrous and long term. Under such a scenario, I would be broken hearted, but I could also choose not to return for visits or to spend my money in the local area during my annual summer stay. Local residents of Lodi would not face a similar choice. You would face living with environmental degradation, costs of emergencies and clean up, fewer agricultural and tourism jobs, or moving away. I urge you to protect Seneca Lake as your natural resource from out-of-state, for-profit companies with few local ties. I urge you to pass a resolution against gas storage in order to protect your interests in your resource, and to protect this treasure for many of us who hold it dear in our hearts and make the long journey home, year after year, to enjoy all the Finger Lakes has to offer.”

- **Terri Radke, Lodi Town resident**

“As a resident of Lodi, I would ask that our town pass a resolution against the gas storage facility expansion, proposed on the other side of our beautiful Seneca Lake. The potential dangers this imposes put our economy, environment, and general wellbeing, at too great a risk. Please consider joining our neighboring communities in adopting a NO LPG storage resolution. Thank You.”

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Town Clerk Jones also informed the Board that she also received a phone call from Lori Van Vleet at 5:55 pm this evening asking if she could pass on a message to the Board that she is opposed to the LP Gas Storage.

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Resolution No. 2015-05-01  
RESOLUTION OF THE TOWN BOARD OF THE TOWN OF LODI, NEW YORK  
OPPOSING LPG STORAGE ADJACENT TO SENECA LAKE

WHEREAS, The Town Board of the Town of Lodi recognizes the importance of the Finger Lakes water shed as a whole and specifically Seneca Lake to the State, Region and local communities; and

WHEREAS, it has come to the attention of the Town Board that a plan has been proposed for storage of LPG and other Carbon based fuels in large quantities in unlined abandoned salt caverns, adjacent to and beneath the shores of Seneca Lake; and

WHEREAS, the Town Board is keenly aware of the role played by Seneca Lake in providing drinking water for over 100 thousand residents in the Finger Lakes Region, its designation as a scenic by-way, its role as a recreational asset and in promotion of area tourism and the burgeoning Wine and Brewing Businesses as well as its importance to the fish and wildlife of the Finger Lakes area; and

WHEREAS, it is the understanding of the Town Board that a specific site, Well 58, proposed for such storage had previously been plugged and abandoned by the prior owner, New York State Electric and Gas Corp. and deemed no longer appropriate for storage of the type proposed by the current owner; and

WHEREAS, the Town Board is deeply concerned with reports of the failure of structures of the same type being suggested for such storage at Seneca Lake due to earth tremors of the same severity sometimes experienced in up-state New York as well as reports of leakage in similar structures that are neither designed nor built specifically for the purpose proposed; and

WHEREAS, catastrophic consequences to the Lake and the Finger Lakes Water Shed would be unavoidable in the event of a similar event taking place at the proposed storage site;

NOW, therefore be it

RESOLVED, that the Town Board of the Town of Lodi joins many other Finger Lakes regional municipalities in respectfully requesting that the New York State Department of Environmental Conservation deny approval of the permit for the storage of LP Gas adjacent to or under Seneca Lake and exercise its power in assisting in the determination of a more appropriate location for such a storage site outside the Finger Lakes Watershed; and it is further

RESOLVED, that a copy of this resolution be forwarded to the United States Environmental protection Agency, Federal Energy Regulatory Commission, Governor Cuomo, Senator Michael Nozzolio, Assembly Minority leader Brian Kolb, Assemblyman Philip Palmesano, the Mayor of Watkins Glen, New York, the Schuyler County Legislature, the Yates County Legislature, the Ontario County Board of Supervisors, Seneca County Board of Supervisors, Cayuga County Legislature, Tompkins County Legislature, the City of Geneva Common Council, Village of Watkins Glen and the Reading Town Board.

Moved: Councilman Latini  
Seconded: Councilman Van Cleef

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

Dated: May 14, 2015  
Nancy Jones, Town Clerk

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Tony DelPlato, a resident of the Town of Covert spoke to the Board about a group called Solar Seneca who are looking for support for solar power in our area. He informed the Board that Solar Seneca is applying for a Community Solar Grant from New York State Energy Research and Development Authority (NYSERDA) which will cover the costs of administering a solarize program in the Towns of Covert, Lodi, Ovid & Romulus with an authorized STEPS representative managing the grant. He also informed the board that this year NYSERDA implemented a program for moderate and low income households. They hope to solarize all of Seneca County.

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Amanda Postmont, a Lodi Town resident who spoke earlier addressed the town board again in support of this solar program. She explained she works for a solar installer who will be bidding on this program and she has been involved in three other communities with solarized programs and they have been successful in not only increasing the amount of solar in their communities but also spurring economic development by bringing solar jobs to the area. She further explained the different types of panels, tracking or adjustable, roof mounted and ground mounted. Councilman Latini asked if solar Seneca is an association or a business. Tony Delplato explained that Solar Seneca is a non-profit group. Supervisor Davidson suggested this topic be tabled until next month so the Board can look over the resolution.

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Town Clerk Jones shared an email from Mike & Ann Smith, Lodi Town Residents who wanted to express their support for the resolution regarding Solar Seneca.

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Attorney Michael Mirras handed out copies of correspondence from Attorney Kent Woloson from Big Flats who wrote to him regarding the mobile home travel trailer moratorium that was being considered. Attorney Mirras further explained that Attorney Woloson couldn't be here tonight and asked that copies be given to the board as he represents the owners of Sunset on Seneca Campsites and provided some information.

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Highway Superintendent Jacot couldn't be here tonight but gave Town Clerk Jones his report. Town Clerk read the report that they hauled stone, serviced some equipment, sprayed trucks for rust, dug ditches, patched some roads, ordered salt, rebuilt hydraulic shocks – front of Gradall, put in some culvert pipes, put grader back together, graded some roads, replaced a driveway pipe, fixed washouts from rain storm and dug two graves. COUNCILMAN JENNINGS MADE MOTION, SECONDED BY COUNCILMAN LATINI to accept the Highway Superintendents Report. Councilman Van Cleef, Councilman Mac Cheyne, Supervisor Davidson, Councilman, Latini, and Councilman Jennings and all voting aye.

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Town Clerk Jones reported on her monthly report for April 2015 in which she received a total of \$333.00. All monies received were disbursed in the following way:

Paid To Supervisor for General Fund	\$262.00
Paid To NYS DEC For DECALS	\$.00
Paid To Ag. & Markets For Dog Licenses	\$26.00
Paid To NYS Health Dept. For Marriage Licenses	\$45.00
	<b>\$333.00</b>

COUNCILMAN MAC CHEYNE MADE MOTION, SECONDED BY COUNCILMAN VAN CLEEF to accept the Town Clerk's Monthly Report. Councilman Van Cleef, Councilman Mac Cheyne, Supervisor Davidson, Councilman, Latini, and Councilman Jennings and all voting aye.

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Supervisor Davidson read the April 2015 Court Activity Report. SUPERVISOR DAVIDSON MADE MOTION, SECONDED BY COUNCILMAN VAN CLEEF to accept the April 2015 Court Activity Report. Councilman Van Cleef, Councilman Mac Cheyne, Supervisor Davidson, Councilman, Latini, and Councilman Jennings and all voting aye.

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Councilman Latini read the library report.

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Supervisor Davidson informed the Board that Cindy Ferris Covert would like us to look for a new dog control officer but she will stay on until a new one is found.

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Justice Van Cleef asked if anything needed to be addressed with regards to an engineering plan for a new building. Supervisor Davidson will ask Hunt Engineering for details on what is included in their proposal as it would cost the town \$3000.00.

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Will Shangraw, owner of Sunset on Seneca Campsites asked if the resolution to adopt a Local Law would be relooked at or rewritten, and if so would another public hearing be held? Attorney Mirras explained it is still on the table but we don't know what the council might do. Councilman Latini stated he felt it would be most appropriate to hold another public hearing.

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Charlie Rappelye spoke in opposition to the Trailer Moratorium and was upset it was not posted in the Shopper.

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COUNCILMAN VAN CLEEF MADE MOTION, SECONDED BY COUNCILMAN MAC CHEYNE to approve payment of general fund claims #85-111 in the amount of \$10,958.79. Payment of trust & agency claims #14-16 in the amount of \$4,693.61. Payment of highway fund claims #34-43 in the amount of \$27,522.38. Councilman Van Cleef, Councilman Mac Cheyne, Supervisor Davidson, Councilman Latini, and Councilman Jennings and all voting aye.

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SUPERVISOR DAVIDSON MADE MOTION, SECONDED BY COUNCILMAN JENNINGS to come out of executive session at 9:51 pm. Councilman Van Cleef, Councilman Mac Cheyne, Supervisor Davidson, Councilman Latini, and Councilman Jennings and all voting aye.

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HEARING NO FURTHER BUSINESS, COUNCILMAN JENNINGS MADE MOTION SECONDED BY COUNCILMAN VAN CLEEF to adjourn the meeting at 9:52 p.m. Councilman Van Cleef, Councilman Mac Cheyne, Supervisor Davidson, Councilman Latini, and Councilman Jennings and all voting aye.

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Respectfully Submitted,  
Nancy Jones, Lodi Town Clerk  
Dated: May 14, 2015