

**EIGHTH: RECORDING OF THE MONTHLY BOARD MEETING.**

**IN HOUSE GATHERING; NY STATE PAUSE- COVID-19. ISOLATION/ SOCIAL DISTANCE ORDER.**

On this <sup>13</sup>th day of <sup>August</sup> 2020. Lodi, NY 14860.

Supervisor Kyle Barnhart called the meeting to direct order at 7:03 P.M. leading all in attendance to stand for the Pledge of Allegiance of the United States of America, followed by a moment of silence for our service men and women.

**OFFICIAL ROLL CALL:** Roll call taken by Town Clerk Connie Rosbaugh and is as stated.

Those in presences during this fourth meeting of the year 2020 is as follows, Supervisor, Kyle Barnhart, Deputy Supervisor Lucas Latini, Councilman Paul Batman, Councilman Trevor Sibley and Councilman Seth Thomas. Along with, Association of Clerical, Town Clerk Connie Rosbaugh. To take the official recording of this said meeting.

Those absent during this first recording. None.

In representation of Attorney at law; Mr. Frank Fisher.

Supervisor Kyle Barnhart addresses those in attendance, giving opportunity to be heard in front of the board and or add to the agenda: Resident George Gilbert, of Lower Lake Road Request opportunity to address the Town Board and the Highway department on his concerns of the conditions of Lower Lake road. Questioning the agenda of the road repair, also included Shaw Road, pot holes and dust looms.

**AGENDA ADDRESSED AS FOLLOWS:**

**MOTION TO ACCEPT THE AGENDA:** Supervisor Barnhart makes a motion to accept the agenda, Motion in the second by: Councilman Trevor Sibley. Hearing no comment, all members of the Board **IN FAVOR AND VOTING AYE: MOTION CARRIED WITHOUT COMMENT.**

**MOTION TO ACCEPT THE MINUTES: (THE MONTH PREVIOUS TO THE CURRENT) and to PUBLISH:** Motion in the first by: Councilman Seth Thomas, Motion in the second by: Councilman Trevor Sibley. Hearing no comments; all members of the Board **IN FAVOR AND VOTING AYE: MOTION CARRIED WITHOUT COMMENT.**

**MOTION TO ACCEPT THE BILL(S):** Supervisor Barnhart entertains a motion. Acquired in the previous month(s).

Motion in the First by Councilman Trevor Sibley, Motion in the second by: Councilman Seth Thomas. Hearing no comments. All members of the Board **IN FAVOR AND VOTING AYE: MOTION CARRIED WITHOUT COMMENT.**

**HIGHWAY REPORT—SUPERINTENDENT MR. RICK JACOT.**

Superintendent Rick Jacot reports.

- Mowed road sides
- Maintenance to the ditches in the form of digging them, so water may freely flow.
- Black topped 2 miles of Upper Lake Road.

- Dug up and flushed the drainage pipe from the Town Hall into the main basin.
- Replaced the damaged water drain pipe line from the Town Hall, connecting to the min basin.
- Catch basin and pipe for the Village of Lodi.
- Head walls- on pipes- FEMA project.

Supervisor Kyle Barnhart brings Mr. Gilberts concerns to the table to be discussed. Agenda to/of repair.

Superintendent Rick Jacot of the Highway Department informs that they the Highway department does have an agenda on the repairs, and that they are currently faced with the lack of a grader for a period of two months, they will not come with just a small portion of oil to lay down. You have to wait until a larger amount is needed and have all the projects lined up to lay the oil at that time.

Also pipe repair under the road still needs to be completed and that will cause further damage and doing it before the road sees further repair doesn't make since in a financial or work way.

Right now people are still running drainage and getting property repairs done and that should be done before we put too much money into it.

Deputy Supervisor/Councilman, Luke Latini- I have personal concerns and guilt for driving on that Road especially when the wind is going south, I suggest that you start to seek out a time frame to correct this. I personal know that they are long past due.

R.J. - yeah, but you cannot just take FEMA money and spend it.

L.L.- voices a strong and meaningful point of advocacy for his dislike in the perceived attitude of the department of Highway that seems, in opinion to be directed toward the "lake people". That he as a resident of those quarters and tax base is no longer willing to accept the indifferences between.

I as Deputy Supervisor am more than willing to come and address the team of the Highway. When I hear reports on a constant bases like I hear. I'm absolutely done with it. I feel that the team needs to be redirected into a more positive direction and that is your duty to do. Corrections need to be made in the pot hole, dust, and tree and ditch care.

R.J. - If I trim the trees and such, I receive complaints from them.

L.L. - if that is the case than you need to send them to us. We as the team will address those issues.

R.J.- I get budget for 44 mile of roads when that budget is laid out. I do not get very much money for each mile of road. That the flood damage to the lake is not the only point of damage that the back road and Butcher hill are in need of repairs too. You have to consider the amount of traffic v.s. the traffic on other roads.

George Gilbert- if you consider the summer traffic, to the Lak, cabin and camps, and the horse shoe, the amount of traffic is much more. Continued aggravated comments. (Withheld for language).

Supervisor Kyle Barnhart- interrupts the outburst and language to regroup the meeting and give warning on procedure of conduct and reminds all involved that they may voice their opinions I a more professional way. That the arguments, foul language and further is not accepted.

K.B. - Rick? Is Shaw Road or the portion of Lower Lake Road that they are talking about, are either of them covered under our FEMA projects?

R.J. – yes they are.

K.B. - is there a time frame or estimation for when those roads will be up for repair.

R.J. – yes, but I have to finalize it with Susan. (FEMA). To let me know when I can use some of the money that is sitting there.

K.B. - oh okay so they are not committed yet, we have to go through procedure before allocations happen. We have to wait until the project is obligated and they will send us the money.

Ill add into another situation. This is good time for us to come up with a 5 year plan of our Town Roads going forward, so that we have a solid idea of when these things happen. So that we may then apply the FEMA money.

K.B. I hear the concerns loud and clear and will address them.

L.L. - I would remind the Highway team to check their attitudes as it will not be accepted from town employees.

R.J. - I have never heard a direct complaint from anyone on my guys and if I had I would have addressed it.

T.S. - adds his knowledge on the process of repairs after the road has been done. That if those individuals needed to add after the repairs that they can follow a protocol. That it should not hold up repairs if they are ready. That consider looking into bonds for wire running and responsibility of damage.

K.B. – Please do understand that this team the Highway team is and has been working their butts off vigilantly on these FEMA project. When these projects have been obligated then, we are swiftly getting on them. We are starting to see these projects get done and reimbursed. Now we are even bidding out a few projects. It's not from lack of care I don't think, but these guys are very busy with other damages. This has encouraged me to have a more proactive plan.

Motion in the first by: Councilman Trevor Sibley. Motion in the second by Paul Batman. Hearing no comments. All members of the board **IN FAVOR AND VOTING AYE: MOTION CARRIED WITHOUT COMMENT(S).**

**TOWN CLERKS, REGESTOR OF VITAL STATISTICE, AND TAX COLLECTION REPORT- CONNIE ROSBAUGH:**

Remitting monies to the Town Supervisor Kyle Barnhart, in purpose to be added to the General Fund of the Town of Lodi.

Monies on Clerk Fees, Justice Monies and additional collection of revenue through the Clerk's office.

In the amount of \$524.00 check number 339 from Justice L. Van Cleef, in fines fees and monies collected. Monies remitted to the Dept. of AGS & MARKET is \$31.00. In the amount of \$266.00, Clerk fees collected in the form of licenses, permits, certificates and specialized documents.

The Clerk's office is now currently re-open, having sent out the canine relicense notices from the months of March, April, May, June and July. In credence of New York State law. I anticipate our revenue base to continue to rise as we feel through the dark in the circumstances of Corona virus, we are operating on a 2 day a week appointment base (Tuesday and Fridays) for those who feel most comfortable under this policy. In addition the doors are open for walk in services two addition days. (Monday and Thursday 10-2). If you do come to the Town Hall, you will receive service. It is required that all individuals do use Personal Perfective Equipment in the form of a face mask and social distancing order. This is in the general welfare of us all, to insure we are doing our part on slowing/Stopping the spread along with keeping our community safe and well.

**Supervisor Kyle Barnhart makes a motion to accept the Clerks Report.**

Motion in the second by: Councilman Seth Thomas. All members of the board **IN FAVOR AND VOTING AYE: MOTION CARRIED WITHOUT COMMENT.**

**LIBRARY REPORT:** presented by Councilman Paul Batman.

The Library is starting the process of opining up to the public, the one thing that they are working on currently is visits by appointment. They are offering 30 minute intervals to browse the books and check out, to use the computers and other services. . All items that come in or out of the building is sanitized and quarantined for 96 hours.

Mask and personal perfective equipment are till a requirement.

Fax, copy and service are at an appointment scheduled base.

Summarizing the report provided. (Please see the full upcoming dates and activities online at the libraries website).

**COMMITTEE: Considering executive orders.**

**Ag & Environment-** Chair: Councilman Seth Thomas.

**Econ. Dev., Planning & tourism –** Chair: Councilman Paul Batman.

**Gov't Ops & Criminal Justice –** Chair: Councilman Paul Batman.

**Finance-** Chair: Deputy Supervisor/ Councilman Lucas Latini.

**Federal Affairs-** Chair: Deputy Supervisor/ Councilman Lucas Latini.

**Public Works and Highway –** Chair: Councilman Trevor Sibley.

Cayuga Lakes water shed, Kathleen and I had meant and we were talking about the water ways in the town of Lodi that effect the Cayuga Lake water shed, I was going to ask. Darling Road and Lodi- Covert Townline. The water way that runs down that does effect the Cayuga Lake water shed, is there another one that I am missing that you can think of off the top of your head, that we have had trouble with throughout the past. Deputy Superintendent answer that those two are the only ones. Why I am asking is that they are putting together something on what they can do to protect the Lake. I have had the conversation with Kyle on my wish that they could do something on Seneca Lake, there are more things that effect Seneca Lake in Lodi than just that. Especially with our flooding issues. So Kathleen came out

and did some observation on the stream and took picture. A lot of it unfortunately for municipalities is that a lot of this stuff is off the right away of work (which is 25ft). The conversation is in works of Seneca Lake.

**Building committee- Chair: Supervisor Kyle Barnhart.**

K.B. our building committee has been working hard on a new town hall. I anticipate that we will move into executive meeting and possible take action. We will have a fuller report and update in our next meeting as we may move forward with some plans tonight.

**County Board reports & Town Supervisor remarks: Supervisor Kyle Barnhart.**

We are moving back into bi weekly meeting. In the age of Covid. Piggybacking our committee and regular meeting on top of one another. Starting at the end of the month we will be going back to two meetings a month, most of our current work has been based on public health, particularly the States mask mandate and how the County health department is addressing that. With that being said there has been protesters at that front door of the County board. Engaging with them is never a good idea.

**OLD BUSINESS:** - Estimate for eve to run over and along the current town hall. Report sought and provided by Superintendent Rick Jacot. Materials and labor. 6x6 post rafters, Metal roof materials and labors to be \$4000.00. The board discussed that we have just corrected the problem to our belief by replacing the drain, pipe and flow systems from the town hall and has decided to not put extra money into the old building at such cost while we work toward the new building. That we would look further into the situation if the first action do not take.

**NEW BUSINESS: Town Hall Intent and water.**

Supervisor Barnhart addresses the Board with a Motion to: ESTABLISH A PUBLIC HEARING FOR DISTRICT BOUNDARY FORMATION REGARDING MUNICIPAL WATER PROJECT FOR THE LODI TOWN BOARD.

Motion in the first by: Supervisor Kyle Barnhart. Motion in the second by: Councilman Paul Batman.

All members of the board in **IN FAVOR AND VOTING AYE: MOTION CARRIED WITHOUT COMMENT.**

**Topic Open: resolution adopting an order of the Lodi town board pursuant to 209-d of the New York state town law.**

Attorney Mr. Frank Fisher. What this does is establishes an order of the basics of what the map plan report specifics. Describing all methods.

K.B. reads the resolution out loud. (A full copy of this resolution will be available for review within the Town Clerks office and may be obtained during any regular business hour).

In addition the Map plan report and general district may be viewed with in the Town Clerks office during regular business hour. Further that there will be a public hearing and that notice is hereby giving that establishes the date, time and location of the said public hearing.

Supervisors Barnhart made the Motion Councilman Paul Batman with the second. Calling for comments. With no comment heard.

All members of the board **IN FAVOR AND VOTING AYE: MOTION CARRIED.**

Public hearing to go forth with notices provided.

\*\* Councilman Trevor Sibley- NEW BUSINESS; in further. NYSEG. Is proposing a 26.6% increase over the next three years for electric services, there is a case number of 19E-0378. The price increase is going to be tough to afford for some and you can email expressing your concerns.

Trevor Sibley make a motion: directing the Town Supervisor to write a letter to the secretary Michele Philip on the intent a purpose of the Town of Lodi residents.

Motion in the first by: Councilman Trevor Sibley. Motion in the second by: Councilman Paul Batman.

Directing Supervisor Barnhart to react in the interest of Lodi residents. All members of the Board **IN FAVOR AND VOTING AYE. MOTION CARRIED. WITHOUT COMMENT.**

Deputy Supervisor Luke Latini- NEW BUSSINESS; along the topic of Upper Lake road being completed and the increased traffic and speed. I recommend that we reevaluate the speed and the posting of the speed limits of that road way. Luke is willing to take the lead on this subject. Discussion with the Seneca County Sheriff and the presence of the state police to inforce the speed limits.

**ANNOUNCEMENT OF/ THE NEXT MEETING TO BE HELD BY THE BOARD.** Announcing the next regular board meeting date as: 0/10/2020 @ 7:00 p.m. this will be held in person at the town hall. Public hearing to be held on the same date and location.

**ADJOURN:** Motion in the First by: Councilman Seth Thomas. Motion in the second by: Supervisor Kyle Barnhart. All members of the board **IN FAVOR AND VOTING AYE: ADJOURNED AT 8:37P.M.**

**SUPERVISOR KYLE BARNHART CALL FOR THE BOARD TO ENTER INTO EXSECUTAVE SESSION: ON THE DISCUSSION OF PURCHASE OF THE BUILDING LOCATED AT 8591 NY ROUTE 414; INVITING IN TOWN ATTORNEY F. FISHER**

**MOTION IN THE FIRST BY: Supervisor Kyle Barnhart: to enter into executive session to discuss the property on route 414. Motion in the second by: Councilman Seth Thomas. All members of the board IN FAVOR AND VOTING AYE: MOTION CARRIED WITHOUT COMMENT.**

Executive session to begin: at 8:39 p.m. - 08/13/2020.

Executive session ending at 9:22 p.m. - 08/13/2020.

**No subject to report.**

**Adjourn:** Motion in the first by: Councilman Trevor Sibley. Motion in the second by: Deputy Supervisor/ Councilman Lucas Latini. All members of the board **IN FAVOR AND VOTING AYE: MOTION CARRIED WITHOUT COMMENT.**

**By the order of the Lodi Town Board.**

Respectfully submitted. Hon. Town Clerk, Connie Rosbaugh.

**RESOLUTION ADOPTING AN  
ORDER OF THE LODI TOWN BOARD  
PURSUANT TO §209-d OF THE  
NEW YORK STATE TOWN LAW**

WHEREAS, The Town Board acknowledges receipt and filing with the Town Clerk of a Map Plan and Report prepared by Hunt Engineers, Architects, Land Surveyors & Landscape Architects, DPC, to establish a Water District in the Town of Lodi, New York, and

WHEREAS, It is the intent of the Board to adopt an Order in compliance with §209-d of the Town Law establishing a date, time and place for a public hearing on such Map Plan and Report, Now, Therefore, be it

RESOLVED, That the Town Board of the Town of Lodi hereby adopts the following Order:

ORDERED, that the boundaries of the proposed District shall extend along State Route 414, from the Boundary between the Town of Lodi, County of Seneca and the Town of Hector, County of Schuyler, to the Village limits of the Village of Lodi and shall encompass on both sides of the said State Route 414, the adjoining parcels or portions of parcels extending Five Hundred (500) feet from the Route 414 right of way on either side of the Roadway as shown on a map of the said proposed District on file in the Office of the Town Clerk, and it is further

ORDERED, That the maximum amount proposed to be expended for the improvement is Eleven Million, Four Hundred Fifty-Two Thousand Dollars (\$11,452,000) and it is further

ORDERED, That the estimated costs of hook-up fees will be One Thousand Eight Hundred Dollars (\$1,800), and it is further

ORDERED, The cost of the District to the average property within the District and if different, to the average one to two family home within the District will be Five Thousand Two Hundred Dollars (\$5,200) annually, and it is further

ORDERED, That the proposed method of financing the project will be through New York State EFC Drinking Water State Revolving Fund Loans, New York State EFC Water Infrastructure Improvement Act Grants, grants through the USDA RD Water & Waste Disposal Loan & Grant Program, New York State Empire State Development ESD grants and through bonding, and it is further

ORDERED, That the Map Plan and Report shall be made available for public inspection at the Office of the Town Clerk, 8440 North Main Street, Lodi, New York 14860 during regular business hours and it is further

ORDERED, That the Lodi Town Board will meet to hold a public hearing regarding the said Map Plan and Report and the establishment of the proposed Water District to hear all persons interested therein at the Lodi Town Hall, 8440 North Main Street, Lodi, New York 14860 on September 10, 2020 at 7:00 P.M. and it is further

ORDERED, that the Clerk shall cause a copy of this Order to be published in the official Town newspaper not less than ten nor more twenty days before the date set for such hearing and to post a copy of this Order on the official Town sign-board not less than ten nor more than twenty days before the hearing.

Moved Supervisor - Kyle Barnhart

Seconded Councilman - Paul Batman

Passed AYE: \_\_\_\_\_

Certified Connie Rosbaugh  
Connie Rosbaugh, Town Clerk

Dated 08/13/2020