

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

On this 14th day of September 2023. Lodi, NY 14860.

Deputy Supervisor Lucas Latini 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. Making special mention to those recently passed in our community.

**OFFICIAL ROLL CALL:**

Roll call taken by Town Clerk Connie Rosbaugh and is as stated.

Those in presences during: Deputy Supervisor/Councilman Lucas Latini,( Leader of this said meeting), Councilman Seth Thomas. Councilman Chance Van Cleef . Along with, Town Clerk Connie Rosbaugh. To take the official recording of this said meeting. In representation of Attorney at law; Mike Mirras who is not present during this recording.

Those absent: Supervisor Kyle Barnhart, and attorney, Mike Mirras

**AGENDA ADDRESSED AS FOLLOWS**

**PUBLIC COMMENTS:**

**Maura Toole-** Maura Addresses the Board with exciting news that the Town of Lodi, has achieved Climate Smart Certification, which supports local efforts to meet the economic, social, and environmental challenges posed by climate change. In recent years, heavy rain has caused extensive damages, because of flooding. Including Seneca Lake its self. The climate Smart Communities Program works with Local, State and Federal agencies to protect communities that are impacted by weather change. Councilman Seth Thomas, Maura Toole and others have been working on this certification extensively, assuring that Lodi has its place in the program.

**George Gilbert-** addresses the Board on continued efforts on Black Well Creek. George expresses concerns on information he received on property owners and their lack of cooperation in the project. He addresses the board with hearsay, from the two owners, as they are not here to give personal testimony and or, documented opinions. Mr. Gilbert has come to the board before, with grant ideas and offerings to help mitigate the continued flooding he and his wife are experiencing, because of run off issues, related to Black Well Creek. He expresses that he is upset, and seeks continued efforts to improve his property living standards and damages. Mr. Gilbert has provided Councilman and Clerk with a hand drawn map, demonstrating his idea of rectification.

**MOTION TO ACCEPT THE MINUTES: (THE MONTH PREVIOUS TO THE CURRENT)-** Motion in the First made by Councilman Chance Van Cleef. Motion in the second by Deputy Supervisor Lucas Latini. All members of the Board **IN FAVOR AND VOTING AYE; MOTION CARRIED WITHOUT COMMENT.**

**MOTION TO ACCEPT THE BILL(S):** acquired in the previous month(s). Deputy Supervisor entertains a motion to accept the bills. Motion in the First by, Councilman Trevor Sibley. Motion in the second by, Councilman Seth Thomas. \*\* one bill being extracted from payment: bill known as G&G grant writing, in the sum of \$9,500.00. \*bill and subject addressed in new business.

All members of the Board **IN FAVOR AND VOTING AYE: MOTION CARRIED WITH COMMENT. (G&G bill)**

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

Superintendent gives report that the 3 projects bided out to the company known as Silverline, have been completed. These 3 projects were FEMA funded. the projects completed are, Ovid Covert Townline Road, Lodi Center Road and Skinner Road. In addition, the team has been working with Covert and Ovid, on our shared services agreement. They also have completed servicing the trucks, and highway equipment's. mowing of the ditches and road sides was completed.

Deputy Supervisor Lucas Latini entertains a motion to accept the Highway report. Motion in the first by: Councilman Trevor Sibley. Motion in the second by Councilman Chance Van Cleef. All members of the Board **IN FAVOR AND VOTING AYE: MOTION CARRIED WITH COMMENTS**

### **TOWN CLERKS REPORT- CONNIE ROSBAUGH:**

Remitting to the Town Supervisor for the intension to be added to the General fund \$ 27.00. To the Department of Agriculture and markets population, \$3.00 no monies collected to the State of New York, the value of \$0.00. no marriage license requested.

Other revenues collected and distributed to the Supervisor, from department heads, and or outside companies. \$5,515.00

The clerk continues to work toward the moving of the old town hall into the new town hall. She announces that the current New Building/ Town Hall, has lost the temporary operation permit to service the public. Asking that the community takes understanding, and has patience as we continue to sort out remaining issues. In addition, it is asked that rumors are not entertained, as it leads to confusion and miss-understanding of the facts.

As of 2023, the Tax Collector Connie Rosbaugh reports that a total analysis of Collections, states that the value of \$1,598,918.72 has been collect and that the Town portion of those funds have been paid in full. Remitting \$526,810.00 to the Town of Lodi General fund, and the value of \$543,603.00, to the Town of Lodi, Highway Fund. Paying off the Towns whole proton of \$1,070,413.00.

Full value payment has been made to the County Treasurer and final interest collected, payment has been made to the Town Supervisor. Concluding the tax year of 2023.

Register of Vital Statistics. 4 burial permits have been issued, along with the sale of two cemetery plots. In West Lodi Cemetery. One birth certificate, one marriage license, and 4 certified copies

Deputy Supervisor Lucas Latini entertains a motion to accept the Clerks report. Motion in the first by, Councilman Chance Van Cleef. Motion in the second by Councilman Seth Thomas. All members of the board **IN FAVOR AND VOTING AYE, MOTION CARRIED WITHOUT COMMENT.**

### **Committee Reports:**

**Ag, environments, & infrastructure.**

**Econ. Dev., Planning, & Tourism.**

**Building Committee**

## Finance & Federal Affairs

### Further Standing committee reports:

#### Gov't Ops & Criminal Justice

#### County Board and Supervisor Remarks:

**NEW BUINESSNESS:** Deputy Supervisor Lucas Latini address the public with the recent loss of the temporary occupancy permit at the new Town Hall. Mr. Latini came to the town hall on different business, upon entering the building, he noted that the building smelled like urine and mold, he was advised that the urine smell was from a Pantry Helper's dog that urinated several times on the carpet and from an event a few weeks earlier where the Pantry Helpers continued to overflow a toilet that would not flush. Mr. Latini was provide a brief tour of the building and observed systems that did not function, including toilets that reportedly overflowed when flushed as the septic holding tanks were reported full of ground water, a loose toilet that tipped back and forth on the floor along with the slight odor of sewer gas, an electrical box that had open wiring without a cover, a boiler condensation drain that terminated in a blue recycle bucket, a bathroom sink that operated but the water ran out of the bottom of the sink, down the wall and onto the floor, cardboard emergency exit sign, and perimeter foundation insulation that had slumped and was backfilled without protection. Mr. Latini immediately summarized his observations and risks (including exposure of sewer gasses to occupants) and forwarded them to the Lodi Town board. While investigating, Mr. Latini contacted Supervisor Barnhart, Seneca County Codes, Seneca County Environmental Health, the Architect, the Massa site Superintendent, the Electrical Contractor Lead and a former Lodi resident who is a New York State Building Code Lead. The result of questioning led to the conclusion that there are many items needing completion, as well as evidence of poor-quality workmanship in some areas that does not meet New York State code requirements and may pose a health or safety risk, this poor workmanship requires rework along with further investigation to identify and resolve potential underlying building issues. It is also noted that not all inspections were performed as required by law, including the engineering inspection of the septic line and holding tanks which were not performed. Having this information in hand, Mr. Latini advised the Town Attorney, Town Supervisor and attending Town Board Member, Trevor Sibley that the building in the current state, posed a health and safety risk to our Town employees and residents, as well as a legal liability to the town if the building remained open. Despite the advisement that sewer gasses pose a hazard to occupants within the building and subsequent direction from the Town Attorney to close the building, the building remained open until the County Environmental Health and Codes teams partnered to review the missing inspections and upon confirming with the engineer that no septic inspection had been performed, revoked the temporary certificate of occupancy. Overall, the town has paid \$945K in 2023 and approximately \$150K in 2022 on a new town hall that does not meet the building requirements of New York state. No detailed cost accounting summary exists, one is needed along with a contract review.

In addition, Mr. Latini address the public on a release of the anticipated CDBG funds, specifically that Mr. Latini and Town Clerk, Connie Rosabugh were directed with a high sense of urgency to sign a CDBG funds release form for just under \$20,000.00 to cash. Mr. Latini was not comfortable adding his signature to the release form without an understanding of the process, let alone an approved invoice

which was not provided. Mr. Latini was again directed to sign the release form by the Lodi Town Supervisor and threatened that if Mr. Latini did not sign the release, the Lodi town Supervisor would find someone else to approve it. Further, Lodi Town Council members Chance VanCleeef and Seth Thomas e-mailed advising Mr. Latini to sign the release form, Councilman Sibley advised not to sign. Per follow-up with a CDBG grant subject matter expert, the Town of Lodi grant writer, and the New York state controller's office, any release of funds for CDBG funds must be based upon a comprehensive draw package consisting of a financial summary, narrative of work completed, verification that the work has been performed correctly and meets code, that the employees received the special pay rate, etc., all expenditures less than 150K must meet the Town's municipal purchasing and approval requirements. In the requested release, no draw documentation was provided. Luke sates that he is in continued contact with the individuals who be, and has requested further information and an amended copy of the request to release the \$20,000.00. for the accruing and establishing of the food for all storage shed and grant writer payment.

**OLD BUSINESS:**

Addressing the public and highway superintendent Rick Jacot. Luke informs that the extension for the Cats Elbow FEMA project is due. An extension of the project was requested to further the time-line, while decisions and financial investigation is completed. The project is far more extensive and costly than originally thought. The extension will provide more time for further resolution and planning.

**FURTHER PUBLIC COMMENTS:**

Frank Miller of the Village of Lodi addresses the Board with his concerns on the new building. Mr. Miller states frustration on the fact that he was under the impression, from the Supervisor and Town Board Members on the Building Committee, that the project was going well. Now knowing that the building isn't operational at this point, he seeks answers.

Clerk comments out of order, also sharing frustration and concerns. Deputy Supervisor calls the meeting to order.

Margaret Munroe: Lodi Rural Mail Carrier has sent a public comment to be read via email.

She writes to express her gratitude to Rick Jacot Highway Superintendent, and the entire Lodi Highway Department for the excellent job they do in taking care of the roads. Traveling the roads daily, she states the continued efforts and improvements to the Town Roads.

**ANNOUNCEMENTS:**

Our next regular board meeting will be held on 10/12/2023.

Location of the meeting, is still an uncertain. Please take notice in advance that it could be held again at the location of the Lodi Fire Hall until the new building receives its operational permit.

**ADJOURNMENT- TIME:** 8:11 P.M. Motion made by Councilman Seth Thomas. Motion in the second by Councilman Chance Van Cleef. All members of the Board **IN FAVOR AND VOTING AYE: MOTION CARRIED WITHOUT COMMENT.**

By the order of the Lodi Town Board.

Respectfully submitted, Town Clerk Connie Rosbaugh.