

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

**\*Meeting minutes shall be; in brief in accordance to: (TOWN LAW, SUBSECTION 30(1)).**

**Unless otherwise stated by specific Councilperson, during session that; the topic of subject be directly added to the record.**

On this 13TH day of November, 2024. Lodi, NY 14860.

Supervisor Luke Latini called the meeting to direct order at 7:20 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 woman. Additional moment for those who are victim to the hurricanes

**OFFICIAL ROLL CALL: Town Meeting 7:25**

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

Those in attendance including, Supervisor Lucas Latini, Deputy Supervisor Trevor Sibley, Councilman Chance VanCleaf, Councilman Dan Jacobsen, Councilman James Utter, and Town Clerk Connie Rosbaugh. To take the official recording of this said meeting.

Attorney: Mr. M. Mirras

Absent from the roll:

**ADGENDA AS ADDRESSED:**

**ADDITIONS AND DELETIONS TO THE ADGENDA:** None heard

**APPROVE MINUTES OF MONTH PREVIOUS.**

**\*Supervisor did not permit minutes, request further edits to public comments. October minutes to be represented in December.**

Motion in the first by: Motion in the second by:

All members of the Board

**APPROVE THE BILLS: Previous months.**

**DA fund: voucher: 88-99- \$13,928.77**

**DB fund voucher: 88-98-\$114,375.10**

**A fund voucher 215-237-\$25,415.85**

**HB fund voucher 27-28-\$24,652.50**

\*comments, Deputy Supervisor Trevor Sibley refuses signature on one bill from the Highway Department. He comments that the \$100.00 spent to inspect the 5 highway vehicles, was not necessary as the County inspects the vehicles for free.

Motion in the first by: Councilman Jim Utter. Motion in the second by: Councilman Chance Van Cleaf

All members of the Board **IN FAVOR AND VOTING AYE: CARRIED**

## **PRESENTATIONS:**

### **PETITIONERS:**

**Elaine Peckham**, Resident of Lodi addresses the board again in the attempt to ask Councilman and Supervisor to rescind their support of Seneca Meadows Landfill. She adds that she is also petitioning at the County Board Meeting. Elaine has attached and presented an additional 19 of Lodi NY community members who oppose the resolution 2024-13 made by Town Board members supporting the Seneca Meadows landfill expansion. Asking the Board to rescind the resolution and represent the objections to it. 307 community members have signed Elaines petition to date.

\*Signatures will be added to the permanent records of Clerk Rosbaugh.

### **PUBLIC COMMENTS:**

Bruce Murray, Resident of Lodi, business owner on Porter Covert Road.

Comments, I was here last month asking for the budget to reflect monies dedicated to Porter Covert Road. I decided to take a step back from my ask and take a look at the Towns Budget, trying to get a sense of the road maintenance. I read through all the year's minutes, and the obvious elephant in the room is the new town hall. In the meantime, I see revenues that don't match spend, what I see is a deficit budget, and we are closing it with something called fund balance appropriations. Is that dipping into our Towns savings? If I'm reading it wrong, please correct me. We are going in 2025 expecting to have to reduce our funds balance, savings account, by roughly \$380,000.00.

Question 1. Do we have that money? Is it in the Town?

2. fund balance policy, is that something passed by the board, is it something that we want to keep, in the event we run into situations like we see?

When I look at the budget it appears to me, that we are shifting money out of other buckets to address the issues of the new Town Hall.

Attorney fees are going up, originally budgeted for \$12,000 it has increased to t\$60,000.00, it has to come from somewhere. Actual expenses for the new Town hall for 2025, are \$150,000.00, for a combination of things. As we are shifting monies out of the operational fund of the Town, highway especially, and it's going to lawyers. Is there an alternative?

I suggest that out of the 3 law firms that people should know about the litigations.

Arbitration is an alternative to construction disputes.

3. just fix it, we no longer care what it takes. Fix the issues and move forward. We have all the skills to do so, just do it. I see our money moving in directions that are not serving the Town or its people.

In final, what will 2025 look like, are we running to zero, are we on the verge of bankrupt?

Councilman Sibley comments to Bruce Murray. Brice did you attend any of our public budget workshops? Bruce answered with... no. Councilman Sibley suggest that Bruce attend future budget workshops, that it will help in answering his own questions. Bruce ask Councilman to provide him with a

balance sheet for 2024, and a projected balance sheet for 2025. Supervisor provides the document to Bruce to inspect on the spot. Bruce inspects the Document, thanks the Board for their time.

Supervisor Comments, the document shows the anticipated fund balance for 2024, we used to run quite aggressively. I worked with Lee Davidson to make sure that everyone had a focused budget and we meant the Governors tax cap each year, under the percentage. We used to have money left over and it used to go into an account. Our prior Supervisor Kyle Barnhart raided that account and applied it to the new building. I personally am comfortable at 6 months of safety in anything that we do, and in general, we have had that in the past. We no longer have that; we are now threading the needle on managing the building. The legal fees that you see are not for the building, the legal fees that you see are for another suite that has been ongoing since 2011. We are hopefully nearing the end of that suite agents the Town. That is a resident suing the Town. The case went through arbitration, and the results are an absolute disaster. In large city's you may have arbitrators that are skilled, but that is not the result we seen.

To me I see a very simple budget, if there is a fund balance at the end of the year that is unspent, that gets carried forward to the next fiscal year. Without having to dip into reserves. Unfortunately, those reserves do not exist anymore. Most importantly, staying under the tax cap, gives our residents the opportunity to use the STAR program, if you go above the tax cap, you lose the STAR program. That's the impetus for keeping it. For 8,9-10 years in a row. We were able to get the Star, most of our residents are on fixed incomes around 62% of the residents per statistics.

That would have a negative effect, especially in today's economy. It is basic math, there is nothing fancy to it. Yes, it would be nice to carry that money over and save it, and we will get back were we can use more funds to fix roads.

The main consumer in this Town is road maintenance. What has hurt us is the increased cost of road materials. What used to cost \$35,000.00 is now \$250,000.00. We are working on FEMA projects. Rick, Connie and I will work to have additional monies to apply to the roads as we finish up the small, and one large project.

**Alexander Morgan:** Resident of Lodi, Wilkins Road. He comments, on road improvement and mentions that this is his first meeting, and that he doesn't have the number facts. Stating...

I have returned home here to Lodi after being gone 10years.

There are roads that are impassable in this town, that were serviceable and passable when I was a kid. There are infrastructure problems, beyond what is a passable road.

We need to lift up our commercial value and bring in more money to the town. This Town, is headed towards a "Dead Town" real fast. We need to support commercial businesses. If there was more than just wine... I mean how many restaurants do, we have?

From a social standing, what have you done in this town to bring yourself to where people are willing to help, we could win hearts and minds by donating to South Seneca Shooting team? This a rural area.

I'm not sure about your total road budget, but there are multiple bridges out. I would expect those bridges to be about a half a million dollars each. **Councilman Sibley comments** that each may be around 2 million each. The bridges that I speak of have been down for almost a half of decade. Dean road is a

priority, and then we have junction at South Seneca and TownLine Road, that bridge in the dip, has been down for a while, and that is a very dangerous area. Someone from out of Town, could fly through there and honestly get killed. Ames Road is impassable, with no services. Traphagen Road is impassable and without service. Seasonal signs are added to a residential dedicated Road. Is there anyone or anyway that can do better?

Is there Sate money? **Supervisor comments**, that to his understanding the Town has to have a Road Plan to apply for such funding, adding that it has not been completed by Rick although it has been asked of several times. We can't apply for the help, without the Highway 5-year road plan. Both for equipment and service material. Supervisor further comments that Rick could explain the CHIPS process, you spend than get reimbursed. A set allocation based on the Road. The type of road and the income of the residents.

**Alexander further comments**, that the road he surveyed earlier (Porter Covert) if it were paved that it would be damaged by the agricultural use, degrading rapidly. The two heavy 90 degree curbs on that road will not withstand a plow hitting it anyway. My advice would be to appeal to the district for grant money. You have signs on the road correct. Could you petition the state for funds? Speaking to Bruce Murray.

**Bruce Murray Comments** that he has had rectification conversations with Rick Jacot Highway superintendent and that he understands that it's a half of a million dollars, that he doesn't want that from tax payer dollars, that he would be completely okay with an oil seal.

**Alexander comments**, hopefully we will see domestic energy prices reduced and that means crude oil prices will reduce as well. therefore, oil seal should reduce in approximately 2 years' time, that way if we could delay, we will reduce our overall cost.

**Supervisor Comments**, In May of this year Highway Superintendent put approximately 40 loads of crusher run on that road, so that alone was about \$40,000.00. the seal oil was placed on top of the 40 loads.

Bruce admits that the service was received. Bruce ask Supervisor what is wrong with this town? Supervisor further comments... Bruce during our last meeting you stated that you generated almost 100 grand in taxes, a year to the town. I looked at you taxes and you pay 7 grand to the town. So when we think of roads that cost 250,000.00. Your 7 grand doesn't go far.

**Alexander ends his comments** with offering to physical help with the work load, and bring along others who are willing to help. He asks that the town consider an insurance waiver allowing such action.

### **HIGHWAY REPORT: Superintendent Rick Jacot**

Highway Superintendent Rick Jacot reports that the team has been mowing back the road sides before the snow falls. Potholes have been filled. Keady road has been graded back, in prep of repairs in the coming year. Skinner road has been payed, and brush has been cut back along roadsides.

Plow frames have been reinstalled on the 5 trucks at the highway department in prep for winter.

The steering bar was repaired in the 2006 truck; new shocks were put on the front of the 2012 truck.

Loads of runner crush material have been hauled in.

Motion in the first by: Councilman Dan Jacobsen. Motion in the second by, Deputy Supervisor Trevor Sibley. All members of the Board **IN FAVOR AND VOTING AYE: CARRIED.**

**TOWN CLERK REPORT: Connie Rosbaugh:**

The Clerk gives simple report of services provided through the Town Clerks office. Documents such as certified vital records, including birth, death and mirage licenses. Agriculture and markets licenses, burial permits, FOIL K9 and operational Licenses, accessibility access permits. Additional documents completed are vouchers, payments and general documents of the town. The Clerk continues to work out of the Highway Barn.

Clerk Rosbaugh reports the preparation of the 2025 property tax cycle. Supplies have been ordered to complete the job. The Clerk reports that we again this year will collect out of the Highway Barn, and ask that we apply the same method of policy to this up-coming year as last.

**REGESTER OF VITAL STATISTICS:** Continued birth, death and marriage license. Accessibility permits also provided through the Highway Barn. (clerk's office systems). Revenues generated through these programs are turned over to the Supervisor for the purpose to be added to the General Fund of the town.

**Cemetery Report:** Superintendent Rosbaugh reports the 2024 year has been concluded. No further cremations will be accepted with the winter months. We will continue to sell lots, and conduct non burial businesses related to the cemetery in general.

Motion in the first by: Councilman Dan Jacobsen. Motion in the second by Councilman James Utter. All members of the Board **IN FAVOR AND VOTING AYE: CARRIED**

**COUNCILMAN PROJECT UPDATES:**

**Dan Jacobsen reports,** that he continues to work with the grant application for any highway funds. Dan reports that he is still waiting for a response at this point, from his most recent calls. He reports that he continues to reach out in emails, and by phone. Dan States, Connie reports that we are ready to submit the application as soon as the quotes are received. Dan also reports that he is seeking grant monies to also be applied in the highway department for equipment funds. Rolling over and changing language in the grant application after the salt barn is completed.

**Jimmy Utter reports,** that he is waiting on an updated quote on insurance, then the insurance provider can pinpoint a better number for the overall insurance, and workman's computation. Jim asked Supervisor if he has received any insurance from this year. Luke replies that he has not, and that they have requested on a letter head of the Town, detailing our exit straightly this year from the County. I believe that the County spend for us went down a little. Maybe a thousand or 2. They claim that we need to let them know by July of not being included in there next fiscal year's insurance plan. Jim states that he wasn't aware that we needed an exit strategy per conversations with the insurance company. Luke states the County charges us roughly \$32,00.00 for workman's comp, and Jim can get it from an independent broker for roughly half. I will follow up and copy you, we will get in writing what their

policy is. we will having the new provider look at it. She did state that if we brake it, that we will have to carry the \$32,000.00 for the next year.

**Councilman Chance Van Cleef reports**, that he has spoken to the State and the Association of Towns, in regards to the records and records retention. Mathew Martin of the State and I have an appointment to meet, next Tuesday.

**PLANNING BOARD REPORTS:** none heard

**SUPERVISOR AND COUNTY BOARD REPORTS:**

We reviewed the budget for the County, there is a budget workshop, and if anyone would like to review the draft copy, I will provide that for you. It was hard to follow along to the percentages. I see between 8.5 and 15% increases. The details are in the budget. The structure is the same as ours.

**OLD BUSINESS-**

**\*Building update, Luke reports** that he has spent another couple of days working with the forensic engineer.

More problems have been identifying and he has provided his summary for all contractors, the estimated damage/ repair estimate to bringing the building into codes is \$545,000.00. just about every system, the roofing, heating and air systems. To septic and sanitary waste has electrical, defects that do not meet code. There are others that are marginal, that we did not include in the findings report. The next step is to finalize his report. When the report is completely finalizing, it will then be turned over to the legal staff. The legal staff will then work with the individuals to leverage their bonds, to pay for the re-work. The case with the plumber. His case exceeds the contract amount, so this portion will be a bit more complicated.

Our first mission is to get the building open, get the team in there, and go from there.

**\*Budget Approval. PUBLIC HEARING.**

**Supervisor Luke Latini makes a motion to start the Public Hearing on the proposed 2025 budget. Motion in the second by: Councilman Dan Jacobsen.**

**Public Hearing open and beginning at 8:15 on this 13th day of November 2024.**

Luke addresses the Board offering the public review of the budget as presented.

Comments: Judge Van Cleef addresses Supervisor and the Board. He states, unless there are modifications to the budget that I am not aware of, it appears that my court staff employees are the only ones who didn't get raises. Is that an oversight?

Luke replies. no. that was intentional.

Judge states that he is here to advocate on behalf of the employees and the court security officer. Giving the officer a raise would equal to about 50 dollars a year. My court Clerk around 700. She does a fabulous job, and we operate a very professional court. If there is a reason, I would like to be informed.

Luke replies, yes there is. last year we gave her a 22% raise, at your request. Everybody else got a 5% other than your employee. Who received 22%. The justification that you sent to this Board, was that she does a great job, and does the same job over in Covert. So she should make what she is making for Covert. You did the calculation yourself and stated that it was 22%.

Judge comments, that was to make her comparable to others, she was grossly underpaid, and that raise came out of my own budget line. I was able to find a way to provide that.

Luke comments, the problem is that when I followed up with the County your raise at 22% was significantly over rated. The County has her salary at \$14,000 even. So when you had us jump 22% to match Covert. We over matched it by around 2 thousand.

Her salary according to the County is \$14,000. That is what you wanted matched.

Judge comments, she may work less hours in Covert.

Luke- I'm glad you followed up on that because, as I have looked at the revenues, and the cost of the operations. maybe 30 to 40 thousand to run the judicial program. Just for yourself and your staff, etc.

We as a Town do not take in hardly anything. So according to the tickets, and arrest. The Town of Lodi is at 3,800.00 in revenues.

Judge. Comments, that he is not and will not charge people more money on tickets to balance your budget.

Luke. It's not to balance, the budget. It's the expenses vs the services.

Judge questions, what are you bringing in. this is the judicial system, and I will not beg of you to do the right thing.

Luke Comments, The Town of Lodi, is paying her more for her role than the Town of Covert, and she has less work in the Town of Lodi.

Judge comments. You have also cut my other budget lines. That value will not sustain a court.

Luke, we took \$1,300 away from the budget line because you sent an email that I printed out that you needed the money for stamps, envelopes and etc. what it also included was a 120.00 payment to you every month.

Judge states that it is \$111.00 as an insurance reimbursement.

Luke sates, no it's a check cut to you in your name, out of the town budget lines. That is something that no one else does or gets.

Judge states that was something done from Supervisor Davidson, for the work of combining the Courts. As a health insurance weigh in.

In 2012 you took that instead of taking the raise, you still kept that every year since. Last year you took a 5% raise, you still kept that insurance payment. No one other employee, gets that. It's not equable to continue to do so. We have no paperwork on this, but understand it was a gratis from Lee to cover the year that you didn't get a raise. You got the raises every year since and you excepted the check.

Judge finishes his comments with, I will not battle your personality. Either you are a man who does the right thing or you are not. I won't beg you to do the right thing.

Supervisor calls for further comments from the public related to the 2025 budget. NONE HEARD.

**Supervisor entertain a motion to close the Public Hearing at 8:25 p.m. Motion to close in the First by Deputy Supervisor Trevor Sibley. Motion the second by: Councilman Dan Jacobsen. Public Hearing closed at 8:25. ALL IN FAVOR AND VOTING AYE: CARRIED.**

**Supervisor entertains a motion to accept the 2025 proposed budget as it is presented. Motion in the first by: Deputy Supervisor Trevor Sibley. Motion the Second by Councilman Dan Jacobsen.**

**Formal Vote. Supervisor Latini –Aye**

**Deputy Supervisor Sibley- Aye**

**Councilman Dan Jacobsen- Aye.**

**Councilman Jim Utter- Na**

**Councilman Chance Van Cleef- Na**

**Vote: 3 to 2. Vote CARRIED. 2025 BUDGET PASSED, AS IS.**

Discussion: Councilman Chance Van Cleef- im still confused and have questions with the things going on in the Court. It's been reduced from \$4,000 to \$2,700, to run the court for a year. Can you explain why.

Luke replies, your dad... Chance demands honor of the Judge and that he be addressed as so, that it is inappropriate to call the Judge, anything but the Judge.

Luke- Lou put the \$4,000-dollar amount in. He said he needed that amount for the operations of the Court. So the \$4,000 that existed included the supplies needed, training and whatever else he had done. The remainder, roughly \$1,300 was used to reimburse himself, for insurance. Equaling around \$1,300 yearly.

The Board that actually attend the meetings, none of us get the extra bonus, or are qualified to do so. The Clerk who put in the most time, isn't eligible by county standards.

We removed only what the judge was using to pay himself.

The Board who attended decided that was not equitable to employees. Consequently \$1,300 has been removed from that tax dollar budget line. Resulting in the fund balance of the 2,700. Thats just logic.

Chance further comments. Also the Court Security officer. A 50-dollar raise for the year. How much was my raise this year?

Luke replies that 5% was giving.

Chance request that he not receive the raise and that his portion of the raise be giving to the Court Security officer. Chance sates that its obvious that there is some kind of vendetta agents the court.

I believe that the reason is, that people like him and I speak up to you, and this is the result of not agreeing with you. you poke at people.



Luke questions were he or the judge was during the two workshops. Chance replies that he was coaching football, for the youth, for South Seneca.

Luke- we have had two workshops and two meeting, you didn't attend.

Chance states the court doesn't make money for the town... how dare you put the safety of this town in a dollar amount.

Luke- I don't see it as safety and no one else does either. The only thing changed was the Judges self-payment insurance.

Trevor comments, that the court still exist. Chance hollers at Councilman Sibley "I'm not speaking to you" audience comments on the lack of professionalism. ...Chance directs his comments to the Supervisor, stating that this is ridicules and intentional. You are putting a dollar amount on the court safety, but what is your family's safty dollar amount? Take my raise out and give it back to the court security. Chance comments about punching the Supervisor in the face, out of frustration. He further states that Councilman and Supervisor better not get to comfortable in their seats as they won't have them long.

I apologies to the public, for his language and aggressive reaction.

Supervisor reminds that public session is over. As the public start conversation.

Councilman Jim Utter addresses his concerns on the money allocate to the attorney line, he states that he has concerns that this value will continue to grow. I'm worried about the direction this building and fees are going.

#### **NEW BUSINESS:** -

#### **RESOLUTION:**

In prior meetings we had resolved to hire a dog control officer. April Moore requested more money. Even though we had come up around a thousand from last year. She was not satisfied with that value. Therefore, we went to our second candidate. He reviewed this with his family, and agreed to accept the position for the money offered. He and April will work together over the surrounding districts, co assisting, and covering calls while the other is indisposed of.

**Resolution 2024-17.** Now therefore be it resolved that Ben Cawkings be appointed as Town of Lodi Animal Control Officer, for the sun of \$4,000.00.

Motion in the first by: Supervisor Luke Latini. Motion in the second by Councilman Dan Jacobsen. All members of the Board **IN FAVOR AND VOTING AYE: MOTION CARRIED.**

#### **ANNOUNCEMENTS:**

Next regular board meeting date 12/11/2024. In person at the Lodi Fire Hall. 7:00 P.M.

The end of the year CLOSE OUT meeting is to be held on December 30<sup>th</sup> at 7:00 P.M. in the location of the Lodi Fire Hall.

**ADJOURNMENT- TIME:** 8:45 P.M. Motion in the first by: Deputy Supervisor Trevor Sibley. Motion in the second by Councilman Dan Jacobsen. All members of the Board **IN FAVOR AND VOTING AYE: MOTION TO ADJOURN CARRIED.**

Respectfully submitted, Town Clerk Connie Rosbaugh.