

#### **FOURTH: RECORDING OF THE MONTHLY BOARD MEETING.**

On this 13th day of April 2023. Lodi, NY 14860.

Supervisor Kyle Barnhart called the meeting to direct order at 7:00 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.

Special memory to Mr. Earl Hayward

#### **OFFICIAL ROLL CALL:**

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

Those in presences during: Supervisor Kyle Barnhart, Deputy Supervisor/Councilman Lucas Latini, Councilman Trevor Sibley, Councilman Seth Thomas. 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 absent from this recording.

Those absent: Attorney of law: Mike Mirras. Councilman: Chance Van Cleef

#### **AGENDA ADDRESSED AS FOLLOWS:**

**PRESENTERS/PETITIONERS:** Paula Valencia: reporting on the works and agenda of the 2<sup>nd</sup> Annual Lodi Festival, to be held on. June 3<sup>rd</sup>, 2023 from 10:00 a.m. until 8:00 p.m. Locally in the Main Street areas of Lodi. Crafters, venders, bands. Library and Historical society activities, art and community for all.

Paula has asked for the support from the Town. Receiving grants and funding from outside agency's such as STEPS and County Tourism dollars. The festival is still \$500.00 dollars short of their needed monies.

Further information, local venders may set up for free, those who are of a different community are being ask for a \$10.00 set up fee. No roads will be blocked off during this event.

#### **PUBLIC COMMENTS:**

**MOTION TO ACCEPT THE AGENDA:** Supervisor Kyle Barnhart entertains a motion to accept the agenda. Motion in the first made by Councilman Trevor Sibley. Motion in the second by Councilman Seth Thomas. 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)-**

Supervisor Kyle Barnhart entertains a motion to approve the minutes of the month previous. Motion in the First made by Councilman Trevor Sibley. Motion in the second by Councilman Seth Thomas. 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).

Motion in the First by, Supervisor Kyle Barnhart. Motion in the second by, Councilman Seth Thomas. All members of the Board **IN FAVOR AND VOTING AYE: MOTION CARRIED WITHOUT COMMENT.**

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

The team has been working on spring service of the highway vehicles, oil, fluids, plugs, and filters, tires pressures and further. A complete over haul of the Gradeall has been done as well. Hauling in loads of ROC. Patching of the residential roads, and grading others to prepare for Spring dust oil to be laid.

Two culvert pipes have been cleared and cleaned out, in addition to the two large trees at the lake. Installing another pipe on Keady Road.

The new excavator has been delivered.

We are working on cleaning up the 5500 excavator and getting it ready for auction. The Town of Interlaken and Covert have shown interest in the purchase of this equipment.

May 1<sup>st</sup> is the goal date to start Porter Covert Road. Shutting that Road down for at least a week and a half, they will than open it up as a one lane, down the center. After this project is done they will then be going to Skinner Road in June, hoping that by the completion of Skinner Road. School will be out and then the project of Lodi Center Road

Supervisor Kyle Barnhart entertains a Motion to accept the Highway Report. Motion in the first by, Councilman Trevor Sibley. Motion in the second by, Councilman Seth Thomas. All members of the Board  
**IN FAVOR AND VOYING 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 \$144.00, To animal population control, \$16.00, to the State of New York, the value of \$0.00.

Tax Collection report to date.

As of today April 13<sup>th</sup>, 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.

The value of \$500,000.00 has been remitted to the Seneca County Treasurer.

The Town, and Justice department has completed a year's end audit of the year 2022, through an accounting firm, known as Allied. Although no major concerns are brought up or mentioned, a full detailed report will be provided to the Town as the conclusion of.

Dog Control officer Jamie Vangolio provided a detailed report of her encounters and duties preformed.

Supervisor Kyle Barnhart entertains a motion to accept the Clerks report. Motion in the first by, Councilman Trevor Sibley. Motion in the second by Councilman Seth Thomas. All members of the board  
**IN FAVOR AND VOTING AYE, MOTION CARRIED WITHOUT COMMENT.**

**Town Historian Report.** Mark Brown: gives report on the Historical marker for, Silas Haley. The dedication ceremony will be held on June 3<sup>rd</sup> at 3:00 p.m., in the Village of Lodi at the location of his former residence of 8375, North Main Street Lodi, NY. Historian Mark Brown has invited all to attend

this dedication. Silas Haley Served as State of New York Representatives to the 9<sup>th</sup> US Congress (1805-1807). First and former Supervisor of Lodi, N.Y.

### Committee Reports:

#### Ag, environments, & infrastructure.

#### Econ. Dev., Planning, & Tourism.

#### Building Committee

#### Finance& Federal Affairs

Councilman Luke Latini, gives up date on the continued works of rectifying septic and stream bed concerns dating from the flood of 2018. Luke gives report that in his work and dealing he was able to help Mr. Messenger.

Phase one is grants available to citizens and municipalities, Jim has been a recipient of an award giving by the Economic Rural Developments Grant.

The second part is the go forward from Seneca County, they have all of the requested documentation and are prepared to move forward, the last part is the remaining funds, and Bishop Sheen has picked up there.

#### Further Standing committee reports:

Councilman Trevor Sibley gives update on the dumpster day project that the Town has funded over the last couple of years. Trevor reports that he has been in communications with a local company, known as Champion Scrap Yard, they would like to become part of this local event. Trevor has contracted with them, to have their dumpsters for scrap metal, collected on those days, and the services of recycling be with their industry. The idea is to keep local business local. Over the last few years we have contracted with Seneca Meadows. The dumpster provided by Champion Scrap Yard, will be available at the Lodi Town Highway Barns, through-out the year, so that residents may donate their unwanted scrap metal items, along with the annual days if provided.

#### County Board and Supervisor Report. Supervisor Kyle Barnhart, gives report

Work on the new Town Hall continue, though not on the pantry elements as we continue to make progress through the CDBG grant administration process. Receiving optimistic news. It looks like we will be able to break through the logjam in the next few weeks, anticipating that May will be a finalization, and putting an expected substantial completion date sometime in early- to- mid June. At that point we will plan our move in strategy.

On the FEMA projects that we aim to complete, Skinner Road, Lodi Center Road, and one down on Porter Covert Road, over the summer months. After that, there is one small project remaining that we need to go back and repair, but then that leaves Cats Elbow as our final project.

On the sales tax front, I am excited to share that I'll be officially introducing my resolution to have the county share sales tax with towns and villages at the county board meeting later this month. I expect it to be voted on by the full Board of Supervisors in May or June. My proposal is to share 10% of the counts annual sales tax revenues to the Town of Lodi's budget beginning next year. The implication of

this new revenue would be massive not only for us at the town, but really for the all of the small towns in the South end, especially the Villages.

Lastly, there is conversation happening around ambulance service for the North end of the county. I've been asked not to share too much, so I'll just say that the North ends ambulance service is struggling financially. There is talk of creating a county-run ambulance service that serves all towns in the county.

#### **Steering Committee possible stakeholders.**

Residents, Business and industry, Ags, Environmental, Conservation, stake holders, Public Officials.

A large category of all individuals who live, work and are planning future lives here in the Town of Lodi, will be sought out to join the Steering Committee of the Town of Lodi Planning Board. These selected individuals' will provide ideas, resources and expertise of their specific to the appointed members of the Planning Board. The idea behind this is to provide and safe guard the Town of Lodi, with a updated Comprehensive Plan.

#### **Gov't Ops & Criminal Justice**

##### **OLD BUSINESS:**

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

#### **Approve Policy Updates for CDBG Compliance.**

1. **Fair Housing Plan; naming Supervisor as the Fair Hearing Officer, a requirement of the Federal Funding.**
2. **Section 504 of the accessibility policy: Americans with disability act.**
3. **The next will be the equal opportunity employment policy. (next month).**

Supervisor Kyle Barnhart moves to adopt Thee Town of Lodi Fair Housing Plan. Motion in the Second by Councilman Seth Tomas.

Discussion: Amendment section two (A); that it shall say, The Towns fair housing officer shall be the Town Supervisor. To replace director of planning with Town Supervisor.

That all Town Officers and employees to take the following actions.

Motion in the first by Supervisor Kyle Barnhart. Motion in the second by Councilman Trevor Sibley. All members of the Board **IN FAVOR OF THE ADMENDMENT, and VOTING AYE: Motion carried.**

**Policy as AMENDED. All member of the Board IN FAVOR AND VOTING AYE: MOTION CARRIED WITH AMENDMENT.**

Supervisor Kyle Barnhart moves to make motion to adopt Section 504 of the accessibility policy; for the Americans with disability act. Motion in the second by Councilman Trevor Sibley. All members of the Board **IN FAVOR AND VOTING AYE: MOTION CARRIED.**

**Section 284 Agreement:**

**Highway law,** we as a Board pass this document of Highway Law Annually . we establish the full amount to be put into the highway budget. That allows Rick to spend that portion in the department of Highway, on road repair and etc.

Supervisor Kyle Barnhart Entertains a motion to: adopt Section 284, Highway Law. Motion in the first by Councilman Trevor Sibley, Motion in the second by: Councilman Luke Latini. ALL Members of the Board **IN FAVOR AND VOTING AYE: MOTION CARRIED.**

**PUBLIC COMMENTS SECOND SESSION.**

**ANNOUNCEMENTS:**

Planning Board vacancy in May- submit letters of interest to the Town Board by 5/5/23.

Our next regular board meeting will be held on 05/11/2023. In person at the location of the Lodi Town Hall

**ADJOURNMENT- TIME:** 8:20 P.M. Motion made by Councilman Seth Thomas. Motion in the second by Councilman Luke 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, Town Clerk Connie Rosbaugh.

# FAIR HOUSING PLAN

Town of Lodi, New York

Adopted 6-13-2023

## I. Introduction

The Town of Lodi, New York (hereinafter the 'Town') understands the importance of taking action to further fair housing in the community and is committed to meeting its responsibilities in this respect as a recipient of Federal Community Development Block Grant funds. To ensure that residents are aware of fair housing provisions under Federal and State law and of the processes and assistance available to obtain compliance with existing statutes, the County has developed this Fair Housing Plan. The Plan describes the procedures developed to further fair housing in the community.

## II. Availability of Information

The Town's Fair Housing Plan recognizes that public knowledge of fair housing provisions is the first step in expanding equal opportunity. Toward that end, the Town ~~has taken, or will take~~ *expects all town offices and employ* the following actions:

### A. Designation and Responsibilities of Town Fair Housing Officer

The Town's Fair Housing Officer shall be the ~~Director of Planning~~ *town supervisor* and has the following responsibilities:

1. Maintain Federal and State fair housing information in the Planning Department including brochures issued by the U. S. Department of Housing and Urban Development (HUD) and the New York State Division of Human Rights.
2. Record initial information regarding housing discrimination complaints on a standard form.
3. Forward copies of all complaints to and, as appropriate, consult with the Fair Housing/Equal Opportunity Division of the applicable HUD Office.
4. Hold an annual public meeting on Fair Housing and report the steps taken to address fair housing issues cited.

### B. Provide Information

The Town will make available, upon request, copies of applicable Federal and State laws which contain anti-discrimination provisions, including: Title VI of the Civil Rights Act of 1964, Title VI of the Civil Rights Act of 1968, Fair Housing Amendments Act of 1988 and the Human Rights Law (Executive Law, Article 15) of the State of New York.

### C. Promote Fair Housing Activities and Available Resources

The Town will designate the month of April as Fair Housing Month and will promote said designation through a town board proclamation.

The Town will further promote fair housing and housing resources by posting Fair Housing posters in visible locations within all publicly accessible Town buildings.

## III. Discrimination Complaints

The Town will provide information and assistance to individuals who feel that they have been the victims of discrimination in regard to housing.

#### A. Discriminatory Housing Practices

For the purpose of this Plan, a discriminatory housing practice means an act that is unlawful under sections 804, 805, 806 or 818 of the Fair Housing Act (Title VIII of the Civil Rights Act of 1968, as amended). Such discriminatory housing practices include discrimination in the sale or rental of housing, discrimination in the provision of brokerage services, or interference, coercion, or intimidation, as defined under the Act, on the basis of race, color, religion, national origin, sex, handicap or familial status.

#### B. Receiving Complaints

The Fair Housing Officer will record information on a standard form to ensure that a complete file is established. Following this, the Fair Housing Officer will then contact the Department of HUD and/or the New York State Division of Human Rights to review the particulars of the complaint and request guidance in the formal filing of the complaint in cases where the individual decides to use this method. Copies of all complaints will also be forwarded to the Fair Housing and Equal Opportunity Division of the HUD Office in Buffalo, New York. If the complainant decides to take his/her case directly to Federal Court, the Town will consult with the County Bar Association, or LawNY®, or other appropriate organization on the appropriate procedures to be followed and the procedure for securing affordable legal services if the individual is of low- or moderate-income.

RESOLUTION 14-23

ADOPTION OF TOWN OF LODI FAIR HOUSING PLAN

WHEREAS, This Board recognizes that housing opportunities should not be limited to individuals due to discriminatory practices in the sale or rental of housing; and

WHEREAS, the Lodi Town Board has prepared a draft Fair Housing Plan based upon the model promulgated by the New York State Office of Community Renewal, which is on file with the Clerk of this Board; and

WHEREAS, This Board did duly advertise and hold a public hearing on May 11, 2023 to solicit comment on said draft Fair Housing Plan; and

WHEREAS, This Board wishes to publicly state its continued commitment to Fair Housing and specify the types of actions that Town staff shall undertake to promote Fair Housing throughout the Town of Lodi; now, therefore, be it

RESOLVED, That the adoption of the Town of Lodi Fair Housing Plan would appoint the town supervisor as the Town's Fair Housing Officer and would direct the supervisor to: Conduct an annual public meeting on Fair Housing and report the steps taken to address fair housing issues cited, maintain information regarding housing discrimination complaints, receive and maintain housing discrimination complaints, forward housing discrimination complaints to the Fair Housing/Equal Opportunity Division of the applicable office of the Federal Department of Housing and Urban Development, provide information to and refer individuals making housing discrimination complaints to appropriate entities and organizations to provide legal and other aid, distribute and post information on Fair Housing and where to make complaints on discriminatory housing practices, and draft proclamations, resolutions, and press releases to publicize April of each year as Town of Lodi's Fair Housing month in promoting Town of Lodi's commitment to Fair Housing and methods for the public to obtain fair housing information and make complaints of discriminatory housing practices; and further

RESOLVED, That the adoption of the Town of Lodi Fair Housing Plan constitutes a minor change in departmental responsibilities in the continuation of the Town's commitment to Fair Housing; and further

RESOLVED, The adoption of the Town of Lodi Fair Housing Plan is hereby determined to be a class II action exempt from review under the NYS Environmental Quality Review Act and its implementing regulations found at 6 NYCRR Part 617 as it involves the adoption of regulations, policies, procedures and local legislative decision in connection with routine or continuing agency administration and management and does not involve a major reordering of priorities that may affect the environment; and further

RESOLVED, That the Town of Lodi Fair Housing Plan on file with the Clerk of this Board is hereby adopted; and further

RESOLVED, That this resolution shall take affect immediately.

K.B.

S.T.

Vote 4/4

Motion on the floor approved



## AGREEMENT

THIS AGREEMENT, made and entered into this 1st day of January, 2023, between the Town of Lodi, a municipal subdivision of the State of New York situate in Seneca County, 8440 Main Street, Lodi, New York 14860, party of the first part (hereinafter referred to as "Town"), and Midey, Mirras & Ricci, LLP, attorneys at law, with offices at 54 Fall Street, P.O. Box 299, Seneca Falls, New York 13148, party of the second part (hereinafter referred to as "Attorneys"),

### WITNESSETH:

WHEREAS, Midey, Mirras & Ricci, LLP has been assisting the Lodi Town Board since January 2012, and

WHEREAS, Midey, Mirras & Ricci, LLP has offered to continue to provide legal services to the Lodi Town Board, and

WHEREAS, the Town now desires to retain said Attorneys to perform said legal services.

NOW, THEREFORE, in consideration of the foregoing promises and the mutual covenants hereinafter expressed, it is hereby agreed by and between the parties hereto as follows:

1. The Town hereby enters into an agreement with Attorneys to provide legal services to the Lodi Town Board for the year 2023, in which event the Town shall pay Attorneys for said services performed at the rate of \$150 per hour.
2. For the above services as outlined, the Attorneys will submit an appropriate voucher to the Town every three (3) months for audit and payment of the work completed at that time.
3. In accordance with the provisions of section 109 of the General Municipal Law, the Attorneys are hereby prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this Agreement, or of its right, title or interest in this Agreement, or its power to execute this Agreement, to any other person or corporation without the previous consent in writing of the Town.
4. Each and every provision of law and clause required by law to be inserted in this contract shall be deemed to have been inserted herein. If any such provision is not inserted through mistake or otherwise, then upon the application of either party, this contract shall be physically amended forthwith to make such insertion.
5. The Attorneys, in accordance with their status as an independent contractor, covenant and agree that they will conduct themselves consistently with such status. The Attorneys, their partners and employees will not hold out as nor claim to be an officer or employee of the Town by reason hereof, nor make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the Town, including, but not limited to, workers' compensation coverage, unemployment insurance benefits, social security coverage, or retirement membership or credit.

6. No waiver of any breach of any condition of the Agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this Agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

7. The Supervisor has executed this Agreement pursuant to a Resolution adopted by the Town Board of the Town of Lodi, at a meeting thereon held on January 12, 2023. Kyle Barnhart, Supervisor, whose signature appears hereafter, is duly authorized and empowered to execute this instrument and enter into such an agreement on behalf of the Town.

8. A copy of this Agreement shall be permanently filed, after execution thereof, in the office of the Town Clerk of the Town of Lodi, New York.

IN WITNESS WHEREOF, the Town of Lodi has caused its corporate seal to be affixed hereto and these presents to be signed by Kyle Barnhart, its Supervisor, duly authorized to do so, and to be attested to by Connie Rosbaugh, Town Clerk, and Midey, Mirras & Ricci, LLP has caused these presents to be signed by Michael J. Mirras, a partner.

TOWN OF LODI

(Seal of the Town of Lodi)

Attest:

\_\_\_\_\_  
Connie Rosbaugh, Town Clerk

By: \_\_\_\_\_  
Kyle Barnhart, Supervisor

MIDEY, MIRRAS & RICCI, LLP

By: \_\_\_\_\_  
Michael J. Mirras, Partner

## Steering Committee Possible Stakeholders

10 members, Lodi residents

### **Residents**

Village resident  
414 corridor resident  
Lakeside resident  
Hills/east Lodi resident  
Caywood resident

### **Business & Industry**

Winery owner  
Restaurant owner  
B&B owner  
Short-term rental owner  
Village business owner  
Town business owner  
Construction industry owner/expert

### **Ag, Environment, Conservation**

Farmer(s)  
Lake health advocate  
Streams/flood prevention advocate  
Water/sewer expert

### **Stakeholders**

Library Board member  
Fire Department member  
School Board member/educator  
Public Health official/expert  
Climate Smart task force member  
Students/young professionals

### **Public Officials**

Town Board member (steering committee liaison to town board)  
Planning Board member(s)  
Village Board member  
Historian  
Highway Superintendent/deputy/expert

**AGENDA FOR  
PRE-CONSTRUCTION CONFERENCE**

Town of Lodi  
2023 Culvert Replacement Project  
April 13, 2023

1. INTRODUCTION OF ALL PARTIES

- A. Name, address, and emergency phone numbers.

2. REQUIRED DOCUMENTS

- A. Insurance, bond, and execution of Contract.
- One contract, three separate agreements, one for each FEMA project.
- B. Drawings and Project Manual signed or initialed.

3. CONSTRUCTION EXECUTION

- A. Establish starting date.
- B. Completion date (September 29, 2023).
- C. Construction schedule and sequence.
- D. Discuss sequence of operations.
- Project Milestones: Construct Work in stages during the construction period to minimize full road closures during the academic school year.
    - Stage 1: Lodi Center Road May 1 through July 1, 2023.
    - Stage 2: Skinner Road and Porter-Covert Road June 26 through September 1, 2023.
  - Traffic Control Signage for Detours and Road Closures
  - Local notifications

*Porter Covert MAY - SWEEK  
week AND HALF  
SKINNER RD - JUNE*

4. PROGRESS PAYMENTS

- A. Monthly progress payments to Engineer on last Friday of each month.
- Separate progress payments for each FEMA project.
- B. Submit 3 copies with Town Voucher as cover sheet.
- C. Include certified payroll reports.
- D. Contractor and subcontractors shall include proof of completion of the OSHA 10-hour course. It is recommended that all contractors and subcontractors acting in a supervisory capacity complete the OSHA 30-hour construction safety and health course.

5. SUBMISSION FOR APPROVAL

- A. Subcontractors, if any.
- B. Shop drawings and product submittals, electronic process.
  - Guiderail
  - Aggregate and stone materials
  - Asphalt materials
  - Erosion Control Blanket
  - Geotextiles
- C. Substitutions, if any.

6. LOCAL REGULATIONS

- A. Employee parking, not to interfere with access to residences or congest public roads.
- B. Fire protection and emergencies (911), Seneca County Sheriff (607) 582-6555, NYS Police (607) 273-4671.

7. LABOR LAWS

- A. Hours of work and overtime.
  - Dispensation request?
- B. Posting of State Wage Rates.
- C. Submit weekly Payroll Form (WH-347) with progress payments.

8. ENVIRONMENTAL IMPACT

- A. Excessive noise, hours of machinery operation 7:00 AM-7:00 PM.
- B. Traffic control and barriers.
- C. Dewatering and sediment control.
- D. Dust control.

9. STAGING AREA

- A. Location of equipment.
- B. Location of spoil disposal sites.

10. OPEN DISCUSSION

- A. Discrepancies, errors, ambiguities or questions with Contract Documents that may affect Contract Price.

B. Discussion with Town Staff.