

TWELTH: 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 14th day of December, 2023. Lodi, NY 14860.

Supervisor Luke Latini called the meeting to direct order at 7:04 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.

AGENDA ADRESSED.

OFFICIAL ROLL CALL: Town Meeting

Roll call taken by Town Clerk Connie Rosbaugh.

Those in attendance include: Supervisor Lucas Latin, Councilman Trevor Sibley, Councilman Seth Thomas, Councilman Chance Van Cleef, Councilman Utter, along with Town Clerk Connie Rosbaugh and Attorney at law; M. Mirras.

PUBLIC COMMENTS:

Kurt Voorheis, addresses the board with his concerns of the Ames Road Federal Forest gate. Mr. Voorheis reports that the gates have been damaged and tampered with. He states that he believes that the Amish, have Broken a key off in the lock, drilled holes, and that they have busted the gates open, so that they no longer shut. Kurt also states that the roads are soft during this time of year and that the public traffic is causing damages to the road. He addresses the board asking whose issue this is. Deputy Highway Superintendent Connie Rosbaugh answers Mr. Voorheis that the Town is not responsible for the gates.0000

C.R.-The Town of Lodi has legally abandoned the maintenance of that road, this was a collaborated decision of the Town Board, and Supervisor of the time. That we could best service the Town of Lodi people as a whole, with an excavator, and attachments of operation. Opposed to the cost of maintenance of a non-residential road, adjacent to the federal forest, known as Ames Road in Lodi. The Town legally abandoned the road, this includes the maintenance, but the road itself is still a public road, and we have no legal right to stop anyone from using it. We just no longer do the road repairs.

As far as the gate. We the Town do not own the gate. The gate was put into place as directed, by the federal forest, Forest Rangers. We as a Town have zero authority to the use of the gate, or the access of.

Property owners of that section, along with the Federal Forest, agreed that combinations or keys would be giving to those affected property owners.

Kurt offers that the gates have been fixed open and anyone can go in there. That he was under the impression that only he, and the rangers would have access. Reminding him, that it is still a public Road. That we as a town cannot stop others from using it. Deputy Superintendent offers the help, of getting

Kurt in contact with the DEC, also that if he has any proof of the gates being damaged, that we would support the arrest of the individual who is doing it.

Kurt finalized his statement, with asking that the Town of Lodi, begin to maintain the road again.

Supervisor Luke Latini, states that potentially next year the Town and Board will re-evaluate the situation. If we were to pick the road up again, that we would forgo any Federal claims in the future. We would have to pay the legal fees to un abandoned. We would also, if there was another heavy flood, the Town would not be eligible for future funding.

Kurt ask lastly the status of Cats Elbow. Luke answers that we are still waiting for the permit, from Dec and Army Core. That if the permits and documents come forward, that we will be looking into that.

MOTION TO ACCEPT THE MINUTES: (THE MONTH PREVIOUS TO THE CURRENT)-

Supervisor Lucas Latini entertains a motion to accept the meeting minutes. Motion in the first by Councilman Trevor Sibley. Motion in the second made by Councilman James Utter. 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).

Supervisor Lucas Latini entertains a motion accept the bills. 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 WITHOUT COMMENT.**

HIGHWAY REPORT: Superintended Rick Jacot.

Superintendent is absent, report giving by Deputy.

The highway team, hauled 2000 tons of stone. They have prepared and mixed the load salt with sander, in intension to maintain the winter roads. They have been busy fixing and servicing the tractor, and all further maintenance of the equipment's. A new cutting edge was installed on the plow, along with hydraulic lines. Assisted with the cemetery work of digging graves. Plowed and salted according to the snow fall and ice, this far. Ditch ways and road ways have been being maintained by the cutting of the thick overgrown brush, with-in the Towns right of way.

Supervisor Lucas Latini, entertains a motion to accept this 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 WITHOUT COMMENTS.**

TOWN CLERK: Connie Rosbaugh

Town Clerk- The town continues to give the best effort under the circumstances of the lack of operators permit at the New Town Hall. Minor licenses such as Agricultural and markets k-9 are suspended until ability to service is permitted from the County.

The Clerk gives a revenues report of remittance of cemetery fees. A justice remittance of \$1,905.00 in fines, fees and town reimbursements. Additional certified copies revenues, have been collected.

Register of vital statistic: 4 deaths with-in the district, 9 certified copies, along with the burial permits as according to the deaths.

End of the Year Report, Cemetery Superintendent, Walter Bud gives report to clerk to be read.

A Total of 10 services have been complete this year of 2023. There are 3 full service burials, and 7 cremation services provided. The grounds of the new cemetery had been mowed 12 times, and the old cemetery, approximately 3 times, the opening of the grounds happened on 04/15/2023 and the final day ending, on 11/15/2023.

Walter Bud, has officially resigned from his long standing position of Cemetery Superintendent.

The Town will seek out a individual to fulfill this position.

Tax Collection: The Town Clerk/Tax Collector, has begun preparation for the upcoming Town of Lodi, Property tax collection.

Dog Control report: Jamie has giving report of one bite, 3 run away, 1 exotic pet seizure.

Continued investigation report, of animals in poor conditions.

Motion in the first by: Supervisor Lucas Latini. Motion in the second by; Councilman Chance Van Cleef. All members of the Board **IN FAVOR AND VOTING AYE: MOTION CARRIED WITHOUT COMMENTS.**

COMMITTEE:

Ag, environments, & infrastructure

Econ. Dev., Planning, & Tourism.

Building Committee:

Finance& Federal Affairs

Gov't Ops & Criminal Justice.

Water Committee.

Econ. Dev., Planning, & Tourism.

County Board & Supervisor:

OLD BUSINESS: Supervisor Latini, address the community, with an update on the process of the new Town Hall. We continue to seek out the town documents, such as procurement policies, change orders and further reference documents, to the new building. we have been asking for these since August of this year. We had to circle back to the architect/project manager, Dave Adams. Gave wants \$1,750.00 dollars to provide those to us. We are out of other alternatives so we signed the contracts for the value listed and sent them back. The only update or documents that has been provided at this time, was stating that he needs more time to complete this. I replied asking for a proposed date, and we still to date, do not have these documents. What we need most, currently are the change orders. Dave said that we have \$150,000.00 in change orders that didn't go through the board. We need to look at those, because we are overspent on our portion. With-out the contract documentation, there is no movement in the CDBG grant funds. They remain frozen.

In addition, we need the bids, we were able to locate the published RFP. We didn't prepare the bids. That is the point that our trail ends. We believe that it may still exist, but what we know does not exist is the bid summary as Dave said he didn't do one. Those are key elements that will prevent us from meeting the procurement requirements and obtaining grant funds for the work performed. We are still going to try but we know that we are missing key elements. We hope that if we do show them the bids, and the contracts and details, that we might be able to leverage grant funds with some exceptions, but that is just a guess. If it's to the letter of the law... than we do not meet the requirements. Because those requirements had not been executed.

Karel Titus, ask if the State person has come yet? Luke Replies with no, but the State Comptroller's office, has started their investigation. I have now been working with the Chief Ed Grant, out of Rochester controller's office for 2 or 3 months' now.

At this point there is a still wait. The county codes are saying... here are our records. You have missed x number of inspections, that are not documented. The contractors are saying that yes, you did come and do the inspections. So we have a clash in the between the two. The one thing that all agree on, is that the blower door test has not been conducted. It's not likely to pass, as none of the doors have seals and if you look at the sills. There is about a 3/8. 17/16th slag including a 3/8th.

The weather is North Westerly. Causing concern for the blow of our snow storms. Causing puddles and freeze. The pantry double door has been taped shut, because of the 1inch gap. The doors all need their seal, and the main entry door, has a sag.

Otherwise the Plummer was there. They do want the Town to buy, what they are calling attic stock.

Apparently it's a construction term. If you want materials left over such as tile, "put up in the attic" .

We stand that we have already paid our money and it is up to the contractor to supply that. The pantry sink, was put in, but it caused further damages to the wall. Photo documents have been taking, so they will have to come back and fix it.

As for codes, the county states that they have not done them, even though the contractors stated that they had. Codes will be holding them to the law. John Mills will be there tomorrow and Monday to replace the lines that had been severed, per construction. 3 breaks happing over 3 different stages. We still have to look at our overages, one shows 12K. The insolated door for the pantry isn't here yet, at reportedly 9K, the epoxy floor was reportedly 20K for the pantry. If the grant covers these expenses, great, that is what the grant is for. But it doesn't, the people have to cover it, that going to be a hard pill to swallow.

Our problem as a board is... the way it's supposed to work.

If you have a change order, it comes to Connie. She stamps it received. It then comes in front of the entire board. The board then debates if we spend \$12,000.00 on heat matts. We then decide as a board.

That process was skipped during this whole thing. The Board was not aware, to my knowledge. The Board replies that they had not been aware of 150,000.00 in change orders. Additional overages in graves, that we are not responsible for, as it was part of the original contract of a completed job.

That is the full update of old business. I will be going into executive session with the team, at the end.

HVAC system continues to have issue, we are currently working with Shelia Rhodes and King and King to fix these issue. The units continue to shut down and loose heat capability.

NEW BUSINESS:

Supervisor Luke Latini addresses the Community. Dave Harriett the FEMA engineer that we have used for about 5 years' consultant from T.G. miller. He knows our situation and feeling bad, he has.

Turing over to Councilman Trevor Sibley. We have been working to get the water away from the building. I took some great shoot and got them to T.G. Miller.

Trying to get the drainage taken care of. From the eves troth drains, to the lay of the land. I have done some drawings and brought my transit up, getting great shots of the grading. I meant with the T.G. Miller guy, and he has since drawn up plans for us. So if we can put together an RFP. I would like to get that process going.

So we can get at least this part taking care of, so we won't have to worry about water getting into the building. causing cracks in walls and more. Pictures of standing water in the driveway, standing water around the building. Trevor further reports that while he and Dave were at the building. Dave pointed out that the entrance of the buildings grading was causing the water to go towards the old part of the building, because of the wrong grade level. It cannot exit naturally downhill into the ditch line. These isn't just eves drop, this is surface water that is sitting. Being lower that the driveway. It will become a problem too.

Supervisor Lucas Latini makes a motion, that the drawing provided be used as the base of an RFP. To go forward with putting a RFP out for bids. When the Clerk receives the RFP, it shall be published. Checking with the fire team on the meeting date availability. Requesting that Councilman Sibley and Clerk Rosbaugh be available for the bid opening. Dave from T.G. Miller to be there and myself as alternate. Ordered that the clerk is to receive the sealed bids. Trevor is ordered to continue the works with T.G. Miller, to obtain the RFP. Motion in the second by: Councilman Trevor Sibley.

All member of the board in FAVOR AND VOTING AYE: MOTION CARRIED.

Comments: we can potentially use .25% of the grant to correct these issues. Trevor is to update the board, but no more than 2 so we are not under quorum.

PUBLIC COMMENTS:

ANNOUNCEMENTS:

Next regular board meeting date Wednesday 01/10/2024. In person at the Lodi Fire Hall.

End of the year meeting: Thursday Decembers 28th at the Lodi, Fire Hall.

Motion to enter into executive Session in the first by Supervisor Lucas Latin. Motion in the second by Councilman Chance Van Cleef.

Executive session held: Start time 8:38 P.M. Ending at 9:15. Motion in the first by Councilman Lucas Latini. Motion in the Second by: Councilman Jimmy Utter. All members of the Board **IN FAVOR AND VOTING AYE: MOTION CARRIED WITH-OUT COMMENTS.**

ADJOURNMENT- TIME: 9:16_P.M. Motion in the first by: Councilman Trevor Sibley Motion in the second by Supervisor Lucas Latini. All members of the Board **IN FAVOR AND VOTING AYE: MOTION TO ADJOURN CARRIED WITHOUT COMMENT.**

By the order of the Lodi Town Board.

Respectfully submitted, Town Clerk Connie Rosbaugh.