

Lodi Town Board Minutes  
March 10, 2011  
7:00 PM at Town Hall

Present: Supervisor Davidson, Councilman Haviland, , Councilwoman Woodard, Town Clerk Tina Carlsen, Highway Superintendent Len Carlsen

Absent: Councilwoman Jones, Councilman Ike

Councilwoman Woodard made motion, seconded by Councilman Haviland , to accept the night's agenda as presented. Councilpersons Haviland, Woodard all voting Aye.

Councilman Haviland made motion, seconded by Councilwoman Woodard, to accept the meeting minutes for February 10, 2011 as presented. Councilpersons Haviland, Woodard all voting Aye.

Councilwoman Woodard made motion, seconded by Supervisor Davidson, to approve payment of general fund claims #94 to #105, #112 to #122, in the amount of \$31,135.87 and also to approve payment of highway fund claims #123 to #132 in the amount of \$2,583.55.  
Councilpersons Haviland, Woodard all voting Aye.

Tom Fox from Security Company is here to explain what assistance they can offer to the Courts. Security Company assists with security to other businesses in the area.

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**PROPERTY TAX CAP  
RESOLUTION No: 2011-03-01**

**WHEREAS**, towns provide service to more than eight million New Yorkers, yet account for less than 15% of the overall real property tax burden; and

**WHEREAS**, towns are uniquely dependent upon the real property tax to fund town services, more so than counties, cities and villages the that towns do not have the authority to levy sales taxes, occupancy taxes, gross receipts taxes or income taxes; and

**WHEREAS**, non property tax revenues (e.g. mortgage recording taxes [fell by \$164 million from 2006 to 2008], sales tax [declined by \$30 million from 2008 to 2009], and state/federal aid/grants programs [State AIM decreased by 15%]) are subject to market fluctuations and the ability of the federal, state and county governments to share revenue with towns; and

**WHEREAS**, the costs to proved town services and to fund town operations continue to increase despite declining revenues, such as,

**Health Care**

Medical insurance costs represent one of the fastest-growing major categories of employee benefit expense, increasing more than 62 percent between 2002 and 2007, and 146 percent

between 1997 and 2007. Moreover, employees can expect 2011 health care costs to be at their highest levels in five years, up nearly nine percent over 2010.

### **Transportation/Water/Wastewater**

There is a \$250 billion funding gap in water, wastewater, and transportation infrastructure needs over the next 20 years.

### **Pension Contributions**

Local governments in New York State will face an unprecedented increase in pension costs that forced then to triple their contributions to the state pension system over the next six years.

According to one analysis, pension contribution rates for civilian employees in local governments will soar to 30.3 percent of payroll by 2015 and contributions to police and fire department retirement plans are expected to increase to 41.1 percent of payroll in 2015.

**WHEREAS**, many town expenses are dictated by compliance with federal and state mandates, most notably: stormwater management, prevailing wage, procurement requirements, collective bargaining procedures, and the administration of real property exemptions; and

**WHEREAS**, New York State has primarily provided real property tax relief through as goc property tax exemptions rather than comprehensive property tax reform, resulting in a tax shift rather than a tax reduction as well as addition administrative and litigation costs; and

**WHEREAS**, simply capping property taxes will not reduce the cost of health care, mandate compliance, pension contributions or the public's expectation of governmental services; and

**WHEREAS**, town governments have taken initiative in lowering property taxes through staff and salary reductions, programs cuts and voluntary tax caps;

**NOW THEREFORE BE IT** resolved that the Association of Towns, based upon Home Rule principles, has traditionally opposed state mandated property tax caps; and

**BE IT FURTHER** resolved that the Association of Towns calls upon the Governor and Members of the State Legislature to fund and/or eliminate state mandates, reforms the real property tax system and address cost drivers in the provision of local government services/ operations before implementing a property tax cap; and

**BE IT FURTHER** resolved that in order for a real property tax cap to lower property taxes while ensuring the delivery of essential services the program must include at a minimum:

- Exemptions for structured costs such as pension contributions, debt service, contract obligations, reductions in state or federal aid and emergencies and costs associated with unfunded and underfunded mandates;
- Hardship relief on a case by case basis;
- Mandate relief and reform;
- Increased and predictable state revenue sharing and aid formulas;
- Additional locally generated revenue streams;

- A defined floor of four percent with the possibility of an increased cap based upon a percentage of inflation; and
- Local override by supermajority vote of the town board.

Moved: Councilwoman Woodard  
Seconded: Councilman Haviland  
Dated: March 10, 2011  
Town Clerk, Tina Carlsen

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RESOLUTION URGING THE NEW YORK STATE LEGISLATURE  
TO SUPPORT THE STATE'S FARMLAND PROTECTION PROGRAM  
AND ENVIRONMENTAL PROTECTION FUND  
RESOLUTION NO.: 2011-03-02

WHEREAS, agriculture is a significant contributor to New York's economy; and

WHEREAS, farms provide jobs, support local businesses and are part of industry sectors that have a \$31 billion economic impact annually in New York; and

WHEREAS, farms comprise 7 million acres of land in New York, roughly 25% of the state's land base; and

WHEREAS, farmers have a strong track record of pro-active environmental stewardship in New York; and

WHEREAS, rapidly changing economic conditions threaten the future viability of New York's agricultural industry; and

WHEREAS, more than 425,000 acres of farmland were lost to developed in New York between 1982 and 2007; and

WHEREAS, the State of New York established a Farmland Protection Program in 1992 to assist towns and counties in developing and implementing local agricultural and farmland protection plans; and

WHEREAS, over \$3 million has been awarded by the Farmland Protection Program to 50 counties and 64 towns to assist in the development of local agricultural and farmland protection plans; and

WHEREAS, the Farmland Protection Program has awarded more than \$173 million to help farmers, local governments and land trusts permanently protect 74,000 acres on 303 farms; and

WHEREAS, demand for Farmland Protection Program funding has been strong due to the program's popularity, with more than \$500 million in applications turned away since the program's inception in 1996; and

WHEREAS, funding for the Farmland Protection Program is allocated from the state's Environmental Protection Fund (EPF), a dedicated fund whose principle funding source is a state Real Estate Transfer Tax (RETT); and

WHEREAS, in 2010, funding for the Farmland Protection Program was cut by 51% and EPF funding was reduced by 37%,

WHEREAS, the Governor and State Legislature must take steps this year to protect New York's valuable farmland and strengthen the future for farms across New York;

NOW THEREFORE BE IT RESOLVED, That the Town of Lodi does hereby support restoring New York's Environmental Protection Fund and Farmland Protection Program, and

BE IT RESOLVED, that the Town of Lodi does hereby urge state lawmakers to support New York's farmers, the state's agricultural economy and protection of valuable farmland by supporting \$22 million in funding for the Farmland Protection Program and \$222 million for the Environmental Protection Fund; and

BE IT FURTHER RESOLVED, That the Clerk of the Town of Lodi is hereby directed to forward copies of this resolution to Governor Andrew Cuomo, Senate Majority Leader Dean Skelos, Assembly Speaker Sheldon Silver, Senator Michael Nozzolio, Assemblyman Brian Kolb, Senator Charles Schumer, Congressman Richard Hanna, and the American Farmland Trust.

Moved: Councilman Haviland

Seconded: Councilwoman Woodard

Dated: March 10, 2011

Town Clerk, Tina Carlsen

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Highway Superintendent Carlsen reports that the highway department has been busy plowing, sanding roads and dealing with water issues, fixing washouts, hauling ROC and pushing back snow. Carlsen thanked his employees for the time that they have put in with the snow removal this winter.

Superintendent Carlsen stated that he spent two days in Albany regarding the Transportation Budget and that he was informed that the CHIPS money is in the budget for this year. Carlsen reported that he has been approached about the interest of doing an internship with TST Boces Career and Tech Center. It is a program that helps Boces students get some training in a field that they are interested in leading into when they graduate from high school. This is a non-paid Internship and an evaluation of the students performance will be done at the end of the internship.

Supervisor Davidson made motion. seconded by Councilman Haviland to have the Town of Lodi Highway Department participate in the internship with TST Boces Career and Tech Center.

Superintendent Carlsen presented an "Agreement to Spend Town Highway Funds" to the Town Board in the amount of \$183,500.00.

Councilman Haviland made motion, seconded by Councilwoman Woodard to accept Superintendent Carlsen proposal for the “Agreement to Spend Town Highway Funds” in the amount of \$183,500.00. Councilpersons Woodard and Haviland all voting Aye.

Committee 1: Library Report Read

Committee 2: No Report

Committee 3: Councilman Haviland mentioned that MRB Architects will be setting up a meeting with the Supervisor and anyone that is occupying space in the Town Hall to go over matters. It was announced that the 2011 Officers for the Fire Department are as follows; Tom Margeit, Chief; Mike Huff, 1<sup>st</sup> Assistant Chief; Chad Haviland, 2<sup>nd</sup> Assistant Chief; Mike Beeching, Captain; Dan Sabol, Lieutenat; and Bob Covert, Safety Officer.

Committee 4: Councilman Haviland mentioned that the Planning Board has a draft made up of guide lines for Safety that they are looking to adopt. A letter was sent to the FL National Forest Ranger from the Planning Board extending an invitation to attend the next meeting on April 12, 2011.

Committee 5: No Report

Supervisor Davidson made motion, seconded by Councilwoman Woodard, for Town Clerk Tina Carlsen and Deputy Town Clerk Angela Champion to attend the 2011 New York State Town Clerk’s Association Conference May 1<sup>st</sup> through 4<sup>th</sup> in Buffalo. Councilpersons Haviland and Woodard all voting Aye.

Cemetery Superintendent Walt Bub asked the Town Board to raise the cemetery fees for open/close full body grave to \$400.00.

Councilman Haviland made motion, seconded by Councilwoman Woodard, to raise the cemetery fees to \$400.00. Councilpersons Haviland and Woodard all voting Aye.

Councilman Haviland made motion, seconded by Councilwoman Woodard, to adjourn the meeting at 8:04 p.m. So carried with Haviland and Woodard all voting Aye.

Meeting Adjourned at 8:04 p.m.

Dated: March 10, 2011

Tina Carlsen, Town Clerk