

April 13, 2021

Regular Meeting

Minutes of a Regular Meeting of the Town Board of the Town of Southport held at the Southport Town Hall, 1139 Pennsylvania Avenue on April 13, 2021.

Members Present: Supervisor Kathleen Szerszen, Council Members Glenn Gunderman, Daniel Hurley, Joseph Roman, Timothy Steed

Others Present: Attorney Kimberlee Balok-Middaugh, Code Enforcement Officer Peter Rocchi, Town Clerk Carolyn Renko

The meeting was called to order by Supervisor Kathleen Szerszen at 7:00 p.m., followed by the Pledge of Allegiance to the Flag of the United States of America.

Moment of Silence – Kathleen Szerszen

**PUBLIC HEARING 7:00 P.M.** – for the purpose of hearing any and all public comment in accordance with the Town of Southport Code Chapter 525, Article 7, Planned Development District Provisions, Section 47, pertaining to Autumnview Estates.

This Public Hearing is a continuation from the March 9, 2021 meeting, therefore the notice was not read again.

Supervisor Szerszen explained the Planned Development District within the R1 zone and opened the hearing for public comment.

John O'Connor from 12 Autumnview Way stated he is okay with single family homes but not duplexes. He also stated that ground water is a currently an issue on Autumnview.

David Cleary from 59 Crestview Drive W., stated he can build single family homes and rent those.

Supervisor Szerszen stated she has received emails from the following:

1. Herbert Rice from 58 Crestview Drive, East, who stated he is not in favor of this project because of excessive traffic, zoning change, septic mounds above ground with pump noise, etc., and is asking the Board to not allow this project to proceed.

2. Pat Benson from 19 Crestview Drive, West, stated she is not in favor of this project because of the problems in the past with a high water table and flooding of basements. She is also concerned with the above ground septic systems and the odor they will eventually give off over time.
  
3. Rev. Horace and Ruth Stoddard from 23 Autumnview Way state they are not in favor of the project. Their objections are excessive traffic increase, changing the zoning to allow duplexes instead of single family homes, the septic above ground mounds, and the existing water problems they currently have in that area. They feel the project is a good one but should be planned in a dry area and not built in an already compromised water drainage area.

Joe Tingue from 10 Autumnview Way who was present at the meeting stated he agrees with Mr. O'Connor.

The public portion of the public hearing was closed at 7:23 p.m. The Town Board has 62 days after the Public Hearing to make a decision in the Zoning Change.

Supervisor Szerszen asked Mr. Cleary to clarify how many buildings are proposed and he stated two single family homes and eight duplexes. He stated they will be built in stages and a maximum of 10 buildings. Supervisor Szerszen then asked Mr. Cleary if he will build, own and manage these buildings and he stated yes, he has lived in Southport for over 20 years and has no plans to move.

Supervisor Szerszen also stated the referral that was sent to the Chemung County Planning Board regarding the Planned Development District Application for Autumnview Estates is not back yet.

Monthly Reports were received as follows:

Town Clerk Carolyn A. Renko

Town Clerk & Dog License Fees	\$ 1,148.50
Fitzsimmons Lot Sales	\$ 400.00
Funds Turned to State and County Agencies	<u>\$ 1,376.00</u>
	\$ 2,924.50

Receiver of Taxes

Town & County Tax Collected	\$ 343,301.86
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Code Enforcement

Fees Collected:	Building Permit Fees	\$ 726.00
	Building Permit Values	\$ 139,400.00
	Operating Permit Fees	\$ 400.00
	Site Plan Fees	\$ 75.00
	Variance Fees	\$ 75.00

City of Elmira Animal Control  
Justice Office  
Recreation/Aging/Youth Services  
Residential Deputy

Council Member Gunderman made a motion, Council Member Roman seconded to accept the monthly reports as filed.

Under Correspondence, Supervisor Szerszen read a thank you note to Southport Town Hall from Girl Scout Troops 60714 and 60200, thanking them for letting the Troops use the parking lot in February to sell Girl Scout Cookies.

Supervisor Szerszen also read a note from Tom Rhoads from Chemung County Sewer District about traffic on Milton Street.

Council Member Gunderman made a motion, Council Member Steed seconded to accept the minutes from the March 9, 2021 Regular Meeting.

Under Taxpayer's Comments, Agenda and Discussion items only, David Cleary from 59 Crestview Drive W. commented on Agenda Item #7 Authorizing Supervisor to accept proposal from Bergmann to provide engineering services for the review of Autumnview Estates Planned Unit Development.

RESOLUTION NO. 74-2021

APPROVING ABSTRACT OF GENERAL FUND CLAIMS

Resolution by: Gunderman  
Seconded by: Hurley

RESOLVED, that the Abstract of General Fund Claims submitted by the Town Clerk for the month of April 2021, No. 112 through No. 168, not to exceed \$99,231.17, has been audited and approved for payment by this Town Board.

AYES: Gunderman, Hurley, Roman, Steed, Szerszen  
NOES: None  
CARRIED.

RESOLUTION NO. 75-2021

APPROVING ABSTRACT OF HIGHWAY FUND CLAIMS

Resolution by: Steed  
Seconded by: Hurley

RESOLVED, that the Abstract of Highway Fund Claims submitted by the Town Clerk for the month of April 2021, No. 57 through No. 86, not to exceed \$67,647.96, has been audited and approved for payment by this Town Board.

AYES: Gunderman, Hurley, Roman, Steed, Szerszen  
NOES: None  
CARRIED.

RESOLUTION NO. 76-2021

APPROVING ABSTRACT OF LIGHT FUND CLAIM

Resolution by: Roman  
Seconded by: Gunderman

RESOLVED, that the Abstract of Light Fund Claim submitted by the Town Clerk for the month of April 2021, No. 3, not to exceed \$8,646.73, has been audited and approved for payment by this Town Board.

AYES: Gunderman, Hurley, Roman, Steed, Szerszen  
NOES: None  
CARRIED.

RESOLUTION NO. 77-2021

REAPPOINTING EDWARD STEINHAUER AS A MEMBER OF THE TOWN OF SOUTHPORT  
ZONING BOARD OF APPEALS

Resolution by: Roman  
Seconded by: Gunderman

RESOLVED, that Edward Steinhauer be and he hereby is reappointed to serve a term of five (5) years as a member of the Town of Southport Zoning Board of Appeals, said term to expire on April 1, 2024.

AYES: Gunderman, Hurley, Roman, Steed, Szerszen  
NOES: None  
CARRIED.

RESOLUTION NO. 78-2021

AUTHORIZING SUPERVISOR TO FUND RECREATION ATTENDANT POSITION

Resolution by:           Gunderman  
Seconded by:            Steed

WHEREAS, in response to the COVID-19 pandemic, the State of New York and the County of Chemung declared states of emergency, along with New York State Executive Order No. 202 and its progeny, thereby resulting in the closure of all non-essential businesses and placing numerous restrictions on public and social interactions, and

WHEREAS, due to the negative financial impact of the COVID-19 pandemic, the Town of Southport, in an effort to cut costs, furloughed certain nonessential employees, and

WHEREAS, due to the planned reopening of the Southport Community Center for senior activities, the Town of Southport wishes to recall the Recreation Attendant to perform his duties, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, County of Chemung, State of New York, on April 14, 2021 hereby returns to funding the position of Recreation Attendant. Therefore, the Recreation Attendant position will no longer be furloughed (off work without pay or benefits) and will return to performing his duties on April 14, 2021.

AYES:                    Gunderman, Hurley, Roman, Steed, Szerszen  
NOES:                    None  
CARRIED.

RESOLUTION NO. 79-2021

ACCEPTING PURCHASE OF SERVICES FROM WOODBROOK ASSISTED LIVING RESIDENCE, INC.

Resolution by:           Gunderman  
Seconded by:            Roman

WHEREAS, the Town of Southport and Woodbrook Assisted Living Residence, Inc., did enter into negotiations concerning services provided to the Woodbrook Assisted Living Residence, Inc., by the Town of Southport, including but not limited to fire protection, lighting property and/or property inspection and administrative services through the Town Clerk's Office, and

WHEREAS, Woodbrook Assisted Living Residence, Inc., does not currently pay any taxes to the Town of Southport, nor does Woodbrook Assisted Living Residence, Inc., make any other payment to the Town of Southport for the provision of services to the Woodbrook Assisted Living Residence, Inc., and

WHEREAS, Woodbrook Assisted Living Residence, Inc., has offered to pay the Town of Southport the sum of \$1,000.00 per month for the next five years for the provision of certain services to Woodbrook Assisted Living Residence, Inc., and

WHEREAS, the Town Board of the Town of Southport believes it to be in the best interest of the Town of Southport to enter into an agreement with Woodbrook Assisted Living Residence, Inc., to provide services to it, provided that the Town is otherwise providing similar services to other residents and/or property owners in the Town of Southport.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, in regular session duly convened, does authorize the Supervisor to enter into an agreement with Woodbrook Assisted Living Residence, Inc., to provide such services, that the Town of Southport provides to other residents and/or property owners in the Town of Southport, to Woodbrook Assisted Living Residence, Inc., for the sum of \$1,000.00 per month for a period of five years, commencing August 1, 2021.

AYES:           Gunderman, Hurley, Roman, Steed, Szerszen  
NOES:           None  
CARRIED.

RESOLUTION NO. 80-2021

AUTHORIZING SUPERVISOR TO ACCEPT PROPOSAL FROM BERGMANN TO PROVIDE ENGINEERING SERVICES FOR THE REVIEW OF AUTUMNVIEW ESTATES PLANNED DEVELOPMENT DISTRICT APPLICATION

Resolution by:       Hurley  
Seconded by:       Gunderman

WHEREAS, Bergmann has provided the Town of Southport a proposal for Engineering Services for review of the Autumnview Estates Planned Development District Application, to include review of the application information submitted in regards to SEQR regulations, Town of Southport Zoning Code, New York State Town Law and any other applicable codes or regulations for this project.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, in regular session duly convened, does hereby authorize the Town Supervisor to sign and enter into an Agreement with Bergmann for Engineering Services for the review of Autumnview Estates Planned Development District Application, for a sum not to exceed FOUR THOUSAND FOUR HUNDRED DOLLARS AND 00/100 (\$4,400.00).

AYES:           Gunderman, Hurley, Roman, Steed, Szerszen  
NOES:           None  
CARRIED.

RESOLUTION NO. 81-2021

SETTING SPECIAL MEETING

Resolution by: Roman  
Seconded by: Gunderman

RESOLVED, that the Town Board of the Town of Southport will hold a special meeting to review Autumnview Estates Planned Development District Application, on April 27, 2021 at 6:00 p.m., at the Town Hall, 1139 Pennsylvania Avenue, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to make proper publication and posting as required by law.

AYES: Gunderman, Hurley, Roman, Steed, Szerszen  
NOES: None  
CARRIED.

RESOLUTION NO. 82-2021

APPOINTING AARON PERSONIUS AS PART-TIME SEASONAL LABORER

Resolution by: Roman  
Seconded by: Hurley

WHEREAS, the Supervisor has advised this Town Board that the need exists for seasonal laborers in accordance with budgetary appropriations.

NOW THEREFORE BE IT RESOLVED, that the following seasonal laborer appointment be effective April 14, 2021 and that the individual be paid as any other Town employee pursuant to the following schedule:

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>	<u>EFFECTIVE DATE</u>
Aaron Personius	Seasonal Laborer	\$13.50 pr/hr	4/14/21

and be it further

RESOLVED, that except for New York State Retirement benefits, the aforementioned individual shall not be entitled to any benefits as a result of his employment by the Town of Southport, including but not limited to health insurance, and be it further

RESOLVED, that the aforementioned individual shall commence his employment with the Town of Southport until such time as he shall have filed with the Town Clerk his appropriate Oath of Office as required by law.

AYES: Gunderman, Hurley, Roman, Steed, Szerszen  
NOES: None  
CARRIED.

RESOLUTION NO. 83-2021

APPOINTING ZACK WOOD AS PART-TIME SEASONAL LABORER

Resolution by: Gunderman  
Seconded by: Steed

WHEREAS, the Supervisor has advised this Town Board that the need exists for seasonal laborers in accordance with budgetary appropriations.

NOW THEREFORE BE IT RESOLVED, that the following seasonal laborer appointment be effective May 10, 2021 and that the individual be paid as any other Town employee pursuant to the following schedule:

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>	<u>EFFECTIVE DATE</u>
Zack Wood	Seasonal Laborer	\$14.00 pr/hr	5/10/21

and be it further

RESOLVED, that except for New York State Retirement benefits, the aforementioned individual shall not be entitled to any benefits as a result of his employment by the Town of Southport, including but not limited to health insurance, and be it further

RESOLVED, that the aforementioned individual shall commence his employment with the Town of Southport until such time as he shall have filed with the Town Clerk his appropriate Oath of Office as required by law.

AYES: Gunderman, Hurley, Roman, Steed, Szerszen  
NOES: None  
CARRIED.



RESOLUTION NO. 84-2021

AUTHORIZING RENEWAL OF THE GIS AGREEMENT WITH CHEMUNG COUNTY

Resolution by: Steed  
Seconded by: Hurley

RESOLVED, that the Town Board of the Town of Southport authorizes the Town Supervisor to renew the GIS Agreement with Chemung County to provide GIS coordination and data sharing within the County and with neighboring counties until December 31, 2023, for an annual amount of \$1,000.00.

AYES: Gunderman, Hurley, Roman, Steed, Szerszen  
NOES: None  
CARRIED.

RESOLUTION NO. 85-2021

REAPPOINTING LISA BOWERS AS A MEMBER OF THE TOWN OF SOUTHPORT SEWER COMMISSION

Resolution by: Gunderman  
Seconded by: Hurley

RESOLVED, that Lisa Bowers be and she hereby is reappointed to serve a term of three (3) years as a member of the Sewer Commission of the Town of Southport, said term to expire on April 30, 2024.

AYES: Gunderman, Hurley, Roman, Steed, Szerszen  
NOES: None  
CARRIED.

Under Discussion is update on 1551 Cedar Street. At this time, there has been no definite date of demolition.

Next under Discussion was American Rescue Plan. Supervisor Szerszen stated there is more information coming therefore this will be tabled until the May 11, 2021 Town Board Meeting.

Lastly under Discussion was Marijuana Regulation and Taxation Act, which will also be tabled until the May 11, 2021 Town Board Meeting.

Under Taxpayer's Comments, no one wished to speak.

Council Member Gunderman made a motion, Council Member Hurley seconded to adjourn the meeting.

The meeting was adjourned at 8:00 p.m.

Respectfully Submitted,

Carolyn A. Renko  
Town Clerk