

November 9, 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 November 9, 2021.

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

Others Present: Attorney Kimberlee Balok-Middaugh, Code Enforcement Officer Peter Rocchi, Town Clerk Carolyn Renko, Deputy Town Clerk Marianne Schrom, Council Member Elect Daniel Williams

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

**HEARING** – continuation of Licensing Hearing for Mobile Home Park owned by Cherry Lane Park, LLC located at 1170 Sherman Avenue.

Code Enforcement Officer Peter Rocchi gave an update on the status of the code violations and the findings from his site visits that have taken place over the last month.

Attorney Michael Bruno was in attendance to represent the owner of Cherry Lane Park, LLC. Mr. Bruno also gave an update from his standpoint on the progress of addressing the code violations.

#### RESOLUTION NO. 160-2021

#### ACCEPTING PROPOSED PLAN OF ACTION REGARDING ASSIGNMENT OF A MOBILE HOME PARK LICENSE TO CHERRY LANE PARK, LLC

Resolution by: Roman  
Seconded by: Steed

WHEREAS, the continuation of the hearing for the mobile home park owned by Cherry Lane Park, LLC from October 12, 2021 was held before the Town of Southport Town Board to determine whether the Board would consent to the assignment of the mobile home park license to Cherry Lane Park, LLC and at such hearing the Town Code Officer, Peter Rocchi, updated the Town Board as to the status of the conditions at the mobile home park, including current code violations and Attorney Michael Bruno for Cherry Lane Park, LLC also provided an update regarding the efforts being made to comply with zoning and code laws along with the plan for long term improvements to the park, and

NOW THEREFORE BE IT RESOLVED, the Town of Southport Town Board, County of Chemung, State of New York, after due deliberation agreed to allow Attorney Michael Bruno to submit a plan of action for the Town Board’s consideration upon which a license for the mobile home park owned by Cherry Lane Park, LLC, at 1170 Sherman Avenue in the Town of Southport, if approved by the Board, would be contingent and such plan is to address renovations, repairs, management, security and a timeline for meeting certain benchmarks for such improvements along with the submittal of regular reports to the Town Board, and

BE IT FURTHER RESOLVED, that the proposed plan will be submitted as soon as reasonably possible to allow the Town of Southport Town Board to consider the proposed plan at the Town Board meeting on December 14, 2021.

AYES: Roman, Steed, Szerszen  
NOES: Gunderman, Hurley  
CARRIED.

Monthly reports were received as follows:

Town Clerk Carolyn A. Renko

Town Clerk & Dog License Fees	\$ 1,457.97
Fitzsimmons Lot Sales	\$ 2,050.00
Funds Turned to State and County Agencies	<u>\$ 2,635.28</u>
	\$ 6,143.25

Code Enforcement Office

Fees Collected:	Building Permit Fees	\$ 1,490.20
	Building Permit Values	\$ 209,648.00
	Operating Permit Fees	\$ 50.00
	Site Plan Fees	\$ 225.00
	Variance Fees	\$ 75.00

Justice Office  
Residential Deputy  
Supervisor’s Report

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

Under Correspondence, Supervisor Szerszen commented on the closing of Southport Correctional Facility.

Council Member Gunderman made a motion, Council Member Hurley seconded to accept he minutes of the October 12, 2021 Regular Meeting and November 3, 2021 Preliminary Budget Meeting.

Under Taxpayer's Comments, resolutions and discussion items only, Charles Wilson from 399 Widger Hill Road commented on the Licensing Hearing for Mobile Home Park owned by Cherry Lane Park, LLC, Resolution #11 Accepting bid of Frey & Campbell, Inc., for HVAC upgrade and entering into an agreement for services, and Resolution #13 Accepting proposal of Sayles and Evans to provide legal counsel to the Town of Southport.

RESOLUTION NO. 161-2021

APPROVING ABSTRACT OF GENERAL FUND CLAIMS

Resolution by: Roman  
Seconded by: Gunderman

RESOLVED, that the Abstract of General Fund Claims submitted by the Town Clerk for the month of November 2021, No. 514 through No. 561, not to exceed \$144,366.79, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 162-2021

APPROVING ABSTRACT OF HIGHWAY FUND CLAIMS

Resolution by: Steed  
Seconded by: Gunderman

RESOLVED, that the Abstract of Highway Fund Claims submitted by the Town Clerk for the month of November 2021, No. 222 through No. 238, not to exceed \$94,124.05, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 163-2021

AUTHORIZING PURCHASE OF SALT AT STATE BID PRICE

Resolution by: Roman  
Seconded by: Hurley

RESOLVED, that the Highway Superintendent be and he hereby is authorized to purchase the necessary requirements of salt at the established State or County Bid contract price.

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

## RESOLUTION NO. 164-2021

## AUTHORIZING SUPERVISOR TO REQUEST COUNTY TO REASSESS MISCELLANEOUS PROPERTY CHARGES

Resolution by: Gunderman  
 Seconded by: Hurley

RESOLVED, that the Town Supervisor be and she hereby is authorized to request the County to reassess unpaid mowing, tree, and refuse removal charges for the Town of Southport on January 1, 2022 Town and County Tax Statements as follows:

<b>SWISS Code</b>	<b>Tax Map ID</b>	<b>Property Owner Name</b>	<b>Total Charges</b>
073600	100.09-2-58	Wade Cunningham	\$ 425.00
073600	100.09-4-59	Catherine Felker	\$ 900.00
073600	100.09-5-55	Andrew Pavlina	\$ 500.00
073600	100.09-5-57	Paul Black Sr	\$ 750.00
073600	109.00-1-43.1	Suzanne Waters	\$ 500.00
073600	109.06-4-13	Bambi Snyder	\$ 700.00
073600	109.06-5-43	Andrea Gyl Mele	\$ 650.00
073600	109.08-1-65	Cherry Lane Park LLC	\$ 11,650.00
073600	109.08-2-40	Jeffrey S Squires	\$ 21,250.00
073600	109.08-2-55	Paul Currier Estate	\$ 1,600.00
073600	109.08-3-21	Mary Lisa Maslyn	\$ 175.00
073600	109.08-3-29	Rick Curren Properties Of Corning LLC	\$ 975.00
073600	109.08-4-31	David Orr	\$ 400.00
073600	109.08-4-54	Florence Beeman Estate	\$ 450.00
073600	109.08-6-28	Timothy Benjamin	\$ 175.00
073600	109.08-6-38	David Palmer	\$ 175.00
073600	109.09-3-56	Robert Plante Jr	\$ 400.00
073600	109.09-4-28	Tonya Smith	\$ 1,825.00
073600	109.09-5-13	Diane Cusick	\$ 400.00
073600	109.10-2-20.12	Hafiz Mahboob Ellahi	\$ 400.00
073600	109.10-2-21	Dino H & Connie Fourtris Trust	\$ 500.00
073600	109.12-1-11	Southpoint Realty Group LLC	\$ 425.00
073600	110.05-1-5	Rocco Coppola Estate	\$ 1,200.00
073600	110.05-3-9	Edward Proulx Estate	\$ 500.00
073600	118.00-1-18	James Brown	\$ 750.00
073600	118.01-1-35	Jeffrey Wickley	\$ 250.00
073600	118.01-1-55	Tonya Smith	\$ 2,500.00
073600	118.01-2-14	Richard Benjamin Estate	\$ 750.00
073600	118.03-2-27	Douglas Fitzgerald	\$ 500.00
073600	119.00-1-63	James Chilson-Purvis	\$ 500.00
073600	99.09-1-30	Judith Parlo	\$ 1,550.00
073600	99.13-4-2	Gary Saxton	\$ 350.00
073600	99.13-4-29	Gary Saxton	\$ 350.00

<b>SWISS Code</b>	<b>Tax Map ID</b>	<b>Property Owner Name</b>	<b>Total Charges</b>
073600	99.13-4-30	Gary Saxton	\$ 350.00
073600	99.13-4-65	Gary Saxton	\$ 725.00
073600	99.14-1-43	William Krause	\$ 425.00
073600	99.14-1-48	Gaylee Guadarrama	\$ 175.00
073600	99.14-1-49.2	City Loft Corp	\$ 1,100.00
073600	99.14-2-17	Stephen Plouse	\$ 400.00
073600	99.14-2-50	Valent Properties LLC	\$ 350.00
073600	99.14-2-53	Angel Fiacan	\$ 175.00
073600	99.18-2-12	Kimberly Bronson	\$ 825.00
073600	99.18-2-23	Curtis Payne Jr	\$ 500.00
073600	99.18-2-24	Curtis Payne Jr	\$ 300.00
073600	99.18-2-25	James Hayword IV	\$ 17,450.00
073600	99.18-4-37	Christine A Hover	\$ 16,400.00
073600	99.18-5-16	Walter Gilbert	\$ 500.00
073600	99.18-6-61	Keith Faulkner	\$ 500.00
073600	99.16-6-62	Bonnie Raniewicz	\$ 1,450.00
073600	99.19-2-45	Amanda Carrigan	\$ 175.00
073600	99.19-2-66	Belloma Family LLC	\$ 175.00
073600	99.19-3-75	Paula Mrozowski	\$ 175.00
073600	99.20-1-14	751 Holding Corp	\$ 725.00
073600	99.20-1-62	Florence Beeman Estate	\$ 575.00
073600	99.20-2-48	Gregory Granger	\$ 2,600.00
073600	99.20-2-83	Aaron M Valent LLC	\$ 250.00
			<b>\$ 100,725.00</b>

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

**RESOLUTION NO. 165-2021**

**PRELIMINARY BUDGET AS ADOPTED BUDGET FOR FISCAL YEAR 2022**

Resolution by: Roman  
 Seconded by: Gunderman

WHEREAS, this Town Board having on November 3, 2021, duly held a hearing on the preliminary budget approved by the Town Board and filed with the Town Clerk for the fiscal year commencing January 1, 2022 and having heard all persons desiring to be heard in this matter, and the matter of the budget of the Town for such fiscal year having been fully discussed and considered.

NOW THEREFORE BE IT RESOLVED, that the said preliminary budget approved and filed as aforesaid be and same hereby is adopted and established as the adopted budget of this Town for the fiscal year beginning January 1, 2022, and that such annual budget be adopted and entered in detail in the minutes of the proceedings of this Town Board, and be it further

RESOLVED, that the Town Clerk of this Town shall prepare and certify, as required by Law, duplicate copies of said adopted budget hereby adopted and deliver one of such copies to the Supervisor of the Town, and that the Supervisor shall present such copy to the Board of Legislature of the County as required by law.

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

RESOLUTION NO. 166-2021

APPOINTING GRETCHEN HAM AS A MEMBER OF THE TOWN OF SOUTHPORT  
CEMETERY COMMISSION

Resolution by: Roman  
Seconded by: Steed

RESOLVED, that Gretchen Ham be and she hereby is appointed as a member of the Town of Southport Cemetery Commission, said term, to expire November 1, 2024.

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

RESOLUTION NO. 167-2021

AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH  
MCILROY MANAGEMENT & CONSULTING

Resolution by: Gunderman  
Seconded by: Hurley

RESOLVED, that the Supervisor of the Town of Southport be and he hereby is authorized to enter into an agreement with Mcllroy Management & Consulting for accounting services for the Town of Southport commencing January 1, 2022 and terminating December 31, 2022, for the sum of TEN THOUSAND SIX HUNDRED EIGHTY-ONE DOLLARS AND 88/100 (\$10,681.88) per annum, paid in twelve equal installments of EIGHT HUNDRED NINETY DOLLARS AND 16/100 (\$890.16). The consultant will provide up to twelve on site visits per year and telephone or email support as needed.

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

RESOLUTION NO. 168-2021

AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH CYBERLINK COMPUTING, INC  
FOR 2022 COMPUTER MAINTENANCE

Resolution by: Roman  
Seconded by: Steed

RESOLVED, that the Supervisor of the Town of Southport, be and she hereby is authorized to enter into an agreement with Cyberlink Computing, Inc., for computer maintenance for the Town of Southport employees commencing January 1, 2022 and terminating December 31, 2022, for the sum of TEN THOUSAND FIVE-HUNDRED SIXTY DOLLARS AND 00/100 (10,560.00) per annum, payable at a monthly rate of EIGHT HUNDRED EIGHTY DOLLARS AND 00/100 (\$880.00) due by the 15<sup>th</sup> of each month and the consultant shall devote no less than 127 hours and no more than 137 hours per year to its duties in accordance with this agreement. Any time underage or overage will be credited or billed at the rate of EIGHTY DOLLARS AND 00/100 (\$80.00) per hour at the expiration of this agreement.

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

RESOLUTION NO. 169-2021

AUTHORIZING AGREEMENT WITH INSERO & CO. CPAS, LLP FOR AN AUDIT OF GENERAL PURPOSE  
FINANCIAL STATEMENTS OF THE TOWN OF SOUTHPORT AS OF AND FOR THE YEARS ENDING DECEMBER  
31, 2021, 2022, AND 2023

Resolution by: Steed  
Seconded by: Roman

WHEREAS, the Town Board of the Town of Southport has received a proposal from Insero & Co. CPAs, LLP, Certified Public Accountants, to conduct an audit of the financial statements of the Town of Southport as of and for the years ending December 31, 2021, 2022, and 2023.

WHEREAS, this Town Board has had an opportunity to discuss and deliberate upon the proposal.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport does hereby authorize the Supervisor of the Town of Southport to enter into an agreement with Insero & Co. CPAs LLC, Certified Public Accountants, to conduct an audit of the financial statements of the Town of Southport as of and for the years ending December 31, 2021, 2022, and 2023, at a cost not to exceed FOURTEEN THOUSAND FIVE HUNDRED DOLLARS AND 00/100 (\$14,500.00) for the year 2021, FOURTEEN THOUSAND EIGHT HUNDRED FIFTY DOLLARS (\$14,850.00) for the year 2022, and FIFTEEN THOUSAND TWO HUNDRED DOLLARS (\$15,200.00) for the year 2023.

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

RESOLUTION NO. 170-2021

AUTHORIZING SUPERVISOR TO ENTER INTO AN AGREEMENT WITH CAPABILITIES, INC. FOR CLEANING SERVICES AT TOWN HALL AND SENIOR CENTER

Resolution by: Hurley  
Seconded by: Gunderman

WHEREAS, Capabilities Inc. submitted a quote to provide cleaning services to the Town Hall in the amount of NINE HUNDRED SEVENTY-EIGHT DOLLARS AND 00/100 (\$978.00) per month and cleaning services to the Senior Center in the amount of FOUR HUNDRED NINETEEN DOLLARS (\$419.00) per month, from January 1, 2022 through December 31, 2022.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the Supervisor to enter into an agreement with Capabilities, Inc. for cleaning services at the Town Hall and Senior Center from January 1, 2022 through December 31, 2022, and be it further

RESOLVED, that this agreement be subject to the review and approval of the Attorney for the Town.

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

Resolution #11 Accepting bid of Frey & Campbell, Inc. for HVAC upgrade and entering into an agreement for services, will be tabled until the December 14, 2021 meeting.

Council Member Gunderman made a motion, Council Member Roman seconded Resolution #12, Amending resolution No. 67-2021 Accepting Proposal from Labella Associates for Engineering Services for HVAC System upgrade at Southport Town Hall, increasing Design Fee Charge. After discussion, Council Member Gunderman withdrew his motion and the Town Board Members decided to table this resolution until the December 14, 2021 meeting.

RESOLUTION NO.171-2021

ACCEPTING PROPOSAL OF SAYLES & EVANS TO PROVIDE LEGAL COUNSEL TO THE TOWN OF SOUTHPORT

Resolution by: Steed  
Seconded by: Roman

WHEREAS, the Town Board reviewed a proposal by Sayles & Evans for providing legal services to the Town of Southport, and



WHEREAS, the Town Board wishes to engage the law firm Sayles & Evans to provide legal services, as set forth in the initial letter of engagement at a rate of \$190.00 per hour.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby appoints Sayles & Evans as General Counsel for the Town of Southport for the year 2022 pursuant to terms previously set forth in the initial letter of engagement, and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Town Supervisor to execute all documents and take any action necessary to effectuate the engagement of Sayles & Evans.

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

RESOLUTION 172-2021

BUDGET MODIFICATIONS

Resolution by:       Hurley  
Seconded by:       Steed

RESOLVED, that the following transfer of funds are as follows:

<b>TO:</b>			<b>FROM:</b>		
A1315.4	Bookkeeper	\$ 2,400.00	A1340.1	Budget Officer	\$ 2,400.00
A3120.4	Police	\$ 270.00	A1620.44	Parking Lot	\$ 270.00
A9010.8	Retirement	\$ 8,550.00	A1620.44	Parking Lot	\$ 8,550.00
A1320.4	Auditing	\$ 1,000.00	A1340.1	Budget Officer	\$ 1,000.00
A1440.4	Engineering	\$ 20,000.00	A1620.44	Parking Lot	\$ 20,000.00
A1450.4	Elections	\$ 3,300.00	A1340.1	Budget Officer	\$ 3,300.00
A7310.11	Youth Maint.	\$ 4,000.00	A1460.4	Records Mgmt.	\$ 4,000.00
A9060.83	Dental/Vision	\$ 1,000.00	A1340.1	Budget Officer	\$ 1,000.00

**HIGHWAY**

<b>TO::</b>		<b>FROM:</b>			
DA5130.4	Item III Machinery	\$ 30,000.00	DA5110.4	Item I Road Repair	\$ 20,000.00
			DA5130.1	Item III Machinery	\$ 10,000.00
DA5110.11	Item I Overtime	\$ 500.00	DA9050.8	Unemployment	\$ 500.00
DA5142.1	Item IV Snow	\$ 30,000.00	DA5110.4	Item I Road Repair	\$ 30,000.00

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

RESOLUTION NO. 173-2021

AUTHORIZING WITHDRAWAL OF FUNDS FROM THE RETIREMENT RESERVE FUND

Resolution by: Roman  
Seconded by: Gunderman

WHEREAS, the Town Board by Resolution No. 172-2017 did authorize the establishment of a Retirement Reserve Fund, the purpose of which is to cover any and all portions of the amount payable to the New York State Retirement System.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, in regular session duly convened, does hereby authorize the withdrawal of \$73,651.16 from the Retirement Contribution Reserve Fund for the General Fund portion of the annual bill, and be it further

RESOLVED, this resolution is subject to a permissive referendum.

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

RESOLUTION NO. 174-2021

ACCEPTING 2022 SCHOOL TRAFFIC OFFICERS AGREEMENT

Resolution by: Hurley  
Seconded by: Gunderman

WHEREAS, this Town Board has met with the School Traffic Officers of the Town of Southport and in doing so negotiated the terms of a public employee's agreement for the School Traffic Officers of the Town of Southport for the fiscal year 2022, and

WHEREAS, the members of this Town Board and a majority of the School Traffic Officers of this Town have agreed upon the provisions to be contained in said employee's agreement for such year.

NOW THEREFORE BE IT RESOLVED, that the School Traffic Officers Agreement containing the signatures of the members of this Town Board and the majority of the School Traffic Officers of the Town of Southport be and the same hereby is ratified in each and every aspect as contained therein, and the same is referred to as if set forth at length in this resolution; such agreement to be subject to the review and approval of the Attorney for the Town.

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

Under discussion was Committee to review form-based code. A meeting was scheduled for December 6, 2021 at 6:00 p.m.,

Lastly under discussion was Bicentennial Committee. A meeting was scheduled on December 14, 2021 at 6:00 p.m.

Council Member Hurley inquired when the Town of Southport Brush Lot will be closing for the winter. The date of closing is December 11, 2021.

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

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

The meeting was adjourned at 8:40 p.m.

Respectfully Submitted,

Carolyn A. Renko, Town Clerk