

July 17, 2023

Special Meeting

Minutes of a Special Meeting of the Town Board of the Town of Southport held at the Southport Town Hall, 1139 Pennsylvania Avenue on July 17, 2023.

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

Others Present: Attorney Kimberlee Balok-Middaugh, Code Enforcement Officer Peter Rocchi, Seasonal Code Enforcement Officer Dale Balmer, Deputy Supervisor Kathleen Szerszen, Town Clerk Carolyn Renko

The meeting was called to order by Supervisor Joseph Roman at 3:00 p.m., followed by the Pledge of Allegiance to the Flag of the United States of America.

Moment of Silence – Supervisor Joseph Roman

Discussion – Cherry Lane Park, LLC

Under Public Comments, the following people commented on Cherry Lane Park, LLC:

1. Tina Moore, 1173 Sherman Avenue, Elmira.
2. Grace Gee, 1205 Sherman Avenue, Elmira.

Supervisor Roman stated he feels the Town Board has allowed public comment on Cherry Lane Park multiple times and feels that the new agreement takes into consideration all the Town Board Members comments, as well as public comments. He also states that changes in the agreement that were discussed at the July 11, 2023 Town Board Meeting have been incorporated and were minimal.

Council Member Steed commented that Code Enforcement cannot go in to inspect the remaining occupied trailers unless the tenant gives them permission.

Council Member Williams stated each occupied trailer should have smoke detectors, CO2 detector and fire extinguisher. He also stated his top priority is having the 10 unoccupied trailers removed as soon as possible.

Attorney Michael Bruno who represents Cherry Lane Park, LLC joined the meeting remotely. He stated that in fact all the occupied trailers were provided with smoke detectors, CO2 detectors and fire extinguishers. He also stated each remaining tenant was given the new rules and regulations but nothing can be enforced until a 90-day waiting period is up.

Council Member Steed stated he feels on the 1<sup>st</sup> page of the agreement in paragraph 5 which states “has no plans” should be changed to “will not” renovate or re-let any of the vacant homes. Attorney Middaugh and the Board Members also agreed with Mr. Steed’s recommendation.

Council Members Hurley and Gunderman had no comments.

RESOLUTION NO. 118-2023

ACCEPTING CHERRY LANE PARK, LLC LICENSE AGREEMENT DATED JULY 17<sup>TH</sup>, 2023

Resolution by: Steed  
Seconded by: Williams

WHEREAS, a hearing was held in accordance with Section 352-10(B) of the Town of Southport Code before the Town of Southport Town Board on March 7, 2023 to allow Cherry Lane Mobile Home Park, LLC to show cause why its mobile home license should not be revoked; and

WHEREAS, after extensive review, consideration and discussion of this matter, the Town of Southport Town Board hereby agrees to renew the mobile home park license of Cherry Lane Mobile Park, LLC located at 1170 Sherman Avenue, Elmira, New York 14904 in accordance with the Cherry Lane Park License Agreement dated July 17, 2023; and

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Southport, County of Chemung, State of New York hereby agrees to enter into the Cherry Lane Park License Agreement, dated, July 17, 2023 with Cherry Lane Park, LLC, attached hereto, and authorizes the Town Supervisor to execute said agreement; and

BE IT FURTHER RESOLVED, that Town Board of the Town of Southport, County of Chemung, State of New York hereby authorizes the renewal of the mobile home park license for Cherry Lane Park, LLC located at 1170 Sherman Avenue, Elmira, New York 14904 subject to terms and conditions of said Cherry Lane Park License Agreement, dated July 17, 2023.

AYES: Steed, Williams, Roman  
NOES: Gunderman, Hurley  
CARRIED

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

The meeting was adjourned at 3:28 pm.

Respectfully Submitted,

Carolyn A. Renko, Town Clerk