

March 12, 2024

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 March 12, 2024.

Members Present: Supervisor Joseph Roman, Council Members Daniel Hurley, Daniel Williams, Rich Mathews

Members Absent: Council Member Glenn Gunderman

Others Present: Attorney Kimberlee Balok-Middaugh, Deputy Supervisor Kathleen Szerzen, Town Clerk Carolyn Renko, Deputy Town Clerk Marianne Schrom

The meeting was called to order by Supervisor Roman at 6:00 p.m., followed by the Pledge of Allegiance to the Flag of the United States of America.

Moment of Silence – Joseph Roman

Monthly Reports were received as follows:

Town Clerk Carolyn A. Renko

Town Clerk & Dog License	\$ 1,734.90
Funds Turned to State & County Agencies	<u>\$ 510.60</u>
	\$ 2,245.50

Receiver of Taxes

Town and County Tax Collected	\$ 195,530.08
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Code Enforcement Office

Fees Collected:	Building Permit Fees	\$ 1,071.00
	Building Permit Values	\$ 192,600.00
	Operating Permit Fees	\$ 650.00
	Site Plan Fees	\$ 300.00
	Variance Fees	\$ 100.00

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

Council Member Mathews made a motion, Council Member Williams seconded to accept the monthly reports as filed.

Under Correspondence, Supervisor Roman commented on the following:

1. HVAC Update from Craig Davis, Labella Associates.
2. Deputy Supervisor Szerszen spoke regarding MS4 Permit, FEMA update on the levy project and Phoenix-Fairway Sanitary Sewer Project.

Council Member Hurley made a motion, Council Member Mathews seconded to accept the minutes from February 13, 2024.

Under Public Comments, Agenda and Discussion items only, no one wished to speak.

RESOLUTION NO. 42-2024

APPROVING ABSTRACT OF GENERAL FUND CLAIMS

Resolution by: Williams  
Seconded by: Hurley

RESOLVED, that the Abstract of General Fund Claims submitted by the Town Clerk for the month of March 2024, No. 90 through No. 139, not to exceed \$186,378.81, has been audited and approved for payment by this Town Board.

AYES: Hurley, Williams, Mathews, Roman  
NOES: None  
ABSENT: Gunderman  
CARRIED.

RESOLUTION NO. 43-2024

APPROVING ABSTRACT OF HIGHWAY FUND CLAIMS

Resolution by: Mathews  
Seconded by: Williams

RESOLVED, that the Abstract of Highway Fund Claims submitted by the Town Clerk for the month of March 2024, No. 34 through No. 50, not to exceed \$46,508.02, has been audited and approved for payment by this Town Board.

AYES: Hurley, Williams, Mathews, Roman  
NOES: None  
ABSENT: Gunderman  
CARRIED.

RESOLUTION NO. 44-2024

APPROVING ABSTRACT OF LIGHT FUND CLAIM

Resolution by: Hurley  
Seconded by: Mathews

RESOLVED, that the Abstract of Light Fund Claim submitted by the Town Clerk for the month of March 2024, No. 2, not to exceed \$7,272.99, has been audited and approved for payment by this Town Board.

AYES: Hurley, Williams, Mathews, Roman  
NOES: None  
ABSENT: Gunderman  
CARRIED.

RESOLUTION NO. 45-2024

APPROVING ABSTRACT OF FIRE FUND CLAIM

Resolution by: Mathews  
Seconded by: Hurley

RESOLVED, that the Abstract of Fire Fund Claim submitted by the Town Clerk for the month of March 2024, No. 5, not to exceed \$6,673.25, has been audited and approved for payment by this Town Board.

AYES: Hurley, Williams, Mathews, Roman  
NOES: None  
ABSENT: Gunderman  
CARRIED.

RESOLUTION NO. 46-2024

REAPPOINTING TRACY WARNER AS A MEMBER OF THE TOWN OF SOUTHPORT PLANNING BOARD

Resolution by: Williams  
Seconded by: Hurley

RESOLVED, that Tracy Warner is hereby reappointed to serve a term of seven (7) years as a member of the Town of Southport Planning Board, said term to expire April 1, 2031.

AYES: Hurley, Williams, Mathews, Roman  
NOES: None  
ABSENT: Gunderman  
CARRIED.

RESOLUTION NO. 47-2024

REAPPOINTING SHAWN CRATER AS A MEMBER OF THE TOWN OF SOUTHPORT  
ZONING BOARD OF APPEALS

Resolution by: Williams  
Seconded by: Mathews

RESOLVED, that Shawn Crater is hereby reappointed to serve a term of five (5) years as a member of the Town of Southport Zoning Board of Appeals of the Town of Southport, said terms to expire on April 1, 2029.

AYES: Hurley, Williams, Mathews, Roman  
NOES: None  
ABSENT: Gunderman  
CARRIED.

RESOLUTION NO. 48-2024

AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH NICHOLA OSTRANDER FOR THE  
POSITION OF COMMUNITY DEVELOPMENT SPECIALIST

Resolution by: Mathews  
Seconded by: Williams

RESOLVED, that the Supervisor of the Town of Southport hereby is authorized to enter into an agreement with Nichola Ostrander, an independent contractor who will serve as a Community Development Specialist for the Town of Southport.

RESOLVED, that this agreement shall run from February 13, 2024 to February 13, 2025. This agreement may be terminated by either party upon 30 days written notice to the other.

RESOLVED, that the Town Board agrees to compensate Nichola Ostrander in the amount not to exceed NINETY-FIVE DOLLARS AND 00/100 (\$95.00) per hour for services rendered.

AYES: Hurley, Williams, Mathews, Roman  
NOES: None  
ABSENT: Gunderman  
CARRIED.

RESOLUTION NO. 49-2024

ADOPTING REVISED EMERGENCY PLAN

Resolution by: Williams  
Seconded by: Hurley

WHEREAS, the Town of Southport wishes to adopt an emergency operations plan to provide for a course of action to a declared emergency; and

NOW THEREFORE BE IT RESOLVED, that the Town of Southport, County of Chemung, State of New York hereby adopts an Emergency Plan, as attached hereto, compliant with the National Incident Management System (NIMS), to establish a framework for a coordinated response to all hazards during a declared emergency pursuant to New York State Executive Law, Article 2-B and said Emergency Plan will remain on file at the Town of Southport Town Hall.

AYES: Hurley, Williams, Mathews, Roman  
NOES: None  
ABSENT: Gunderman  
CARRIED.

RESOLUTION 50-2024

APPOINTING MICHAEL WOOD, RAYMOND NAROSKY, ROY CLARK, BRIAN LOHRKE AND ALLEN KITCHING AS PART-TIME SEASONAL LABORERS

Resolution by: Hurley  
Seconded by: Mathews

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 appointments be effective April 1, 2024 and that the individuals 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>
Michael Wood	Seasonal Laborer	\$18.55 pr/hr.	04/01/2024
Raymond Narosky	Seasonal Laborer	\$18.00 pr/hr.	04/01/2024
Roy Clark	Seasonal Laborer	\$16.55 pr/hr.	04/01/2024
Brian Lohrke	Seasonal Laborer	\$16.00 pr/hr.	04/01/2024
Allen Kitching	Seasonal Laborer	\$16.00 pr/hr.	04/01/2024

and be it further

RESOLVED, that the individuals shall not be entitled to any benefits as a result of their employment by the Town of Southport, including but not limited to health insurance, and be it further

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

AYES: Hurley, Williams, Mathews, Roman  
NOES: None  
ABSENT: Gunderman  
CARRIED.

RESOLUTION NO. 51-2024

TOWN HALL SUMMER HOURS

Resolution by: Mathews  
Seconded by: Williams

RESOLVED, that Town Hall Summer hours effective April 29, 2024 through October 4, 2024 will be as follows:

Monday	7:30 a.m. to 4:00 p.m.
Tuesday	7:30 a.m. to 4:00 p.m.
Wednesday	7:30 a.m. to 4:00 p.m.
Thursday	7:30 a.m. to 4:00 p.m.
Friday	7:30 a.m. to 12:30 p.m.

AYES: Hurley, Williams, Mathews, Roman  
NOES: None  
ABSENT: Gunderman  
CARRIED.

RESOLUTION NO. 52-2024

LOCAL LAW NO. 1 OF 2024, A SIX-MONTH EXTENSION OF THE TEMPORARY MORATORIUM FOR OPERATING UNLICENSED RETAIL BUSINESSES INVOLVING THE TRANSFER, DISTRIBUTION, OR SALE OF CANNABIS WITHIN THE TOWN OF SOUTHPORT

Resolution by: Williams  
Seconded by: Mathews

WHEREAS, the Town of Southport enacted Local Law No. 1 of 2022 in April of 2022 titled a Temporary 12- Month Moratorium for Operating Unlicensed Retail Businesses Involving the Transfer, Distribution, or Sale of Cannabis to allow the Town of Southport to prevent unlicensed businesses in the Town from providing, distributing, or transferring cannabis as a “gift” to customers which may be based upon the conditional purchase of a product for sale, including but not limited to, an item such as a sticker or shirt and enacted a Town wide moratorium for the establishment of any unlicensed business that distributes, transfers, or sells cannabis to allow the Office of Cannabis Management to complete regulations and rules to oversee the licensing, cultivation, production, distribution, sale, laboratory testing and use of cannabis; and

WHEREAS, the Town of Southport enacted Local Law No. 3 of 2023 and Local Law No. 13 of 2023 for six-month extension of the temporary moratorium; and

WHEREAS, to date the New York State Office of the Cannabis Management is finalizing rules and addressing pending litigation related to the issuance of licenses to businesses for the legal sale of adult-use cannabis and the Town is concerned with the lack of local regulatory enforcement of unlicensed cannabis retail business as described in Local Law No. 1 of 2022, therefore; wishes to extend the moratorium for an additional six (6) months to also further review its zoning and code regulations related to this issue; and

THEREFORE, BE IT RESOVLED, that the Town Board of the Town of Southport now refers this proposed extension of the moratorium, Local Law No. 1 of 2024, to the Town of Southport Planning Board and the Chemung County Planning Board; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Southport, County of Chemung, State of New York hereby schedules a public hearing to receive public comment for this Local Law No. 1 of 2024, A Six Month Extension of the Temporary Moratorium for Operating Unlicensed Retail Businesses involving the Transfer, Distribution, or Sale of Cannabis Within the Town of Southport on April 9, 2024 at 7:00 p.m. at Town of Southport Town Hall, 1139 Pennsylvania Avenue, Elmira, New York 14904 and said Local Law is as follows:

Local Law No. 1 of 2024, A Six-Month Extension of the Temporary Moratorium for Operating Unlicensed Retail Businesses Involving the Transfer, Distribution, or Sale of Cannabis Within the Town of Southport

Section 1. TITLE.

This local law shall be known as “Local Law No. 1 of 2024, A Six-Month Extension of the Temporary Moratorium for Operating Unlicensed Retail Businesses involving the Transfer, Distribution, or Sale of Cannabis Within the Town of Southport”.

Section 2. LEGISLATIVE INTENT

- A. Since the enactment of Local Law No. 1 of 2022, Local Law No. 3 of 2023, and Local Law No. 13 of 2023, the New York State Office of the Cannabis Management is still finalizing rules and addressing pending litigation related to the issuance of licenses for businesses to allow for the legal sale of adult-use cannabis or cannabinoid hemp licenses. In addition, local regulatory enforcement is lacking for the unlicensed cannabis retail business which are the subject of this local law. Therefore, to prevent unlicensed businesses in the Town from providing, distributing, or transferring cannabis as a “gift” to customers which may be based upon the conditional purchase of a product for sale, including but not limited to, an item such as a sticker or shirt, the Town wishes to continue to enact a Town wide moratorium for the establishment of any unlicensed business that distributes, transfers, or sells cannabis.
- B. During this additional six (6) month moratorium, the Town of Southport will continue to review and update its zoning code and regulations and monitor the adoption and enforcement of the rules and regulations regarding licensure by the Office of Cannabis Management (OCM). The Town Board has deemed this an appropriate amount of time to study whether additional local action is necessary; the extent of such action; if such local action is necessary; provide the Town Board with the time to adopt the appropriate local rules and regulations to ensure comprehensive uniformity, fairness, and consistency in such regulations governing the time, place, and manner of the operation of licensed adult use cannabis retail dispensaries and/or on-site consumption cannabis businesses.
- C. The Town of Southport does hereby find a six (6) month extension of this moratorium is necessary and reasonable in order to afford the Town time to evaluate whether appropriate laws or ordinances should be enacted for the health, safety, and welfare of the Town residents and properly aligned with the Comprehensive Plan. A Six-month extension of this moratorium will prevent the establishment of unlicensed businesses related to distribution and/or consumption of cannabis as described herein. The health, safety and general welfare of the residents will be protected by the adoption of the moratorium pending the issuance of final regulations by the Town of Southport.
- D. The Town Board finds pursuant to 6 NYCRR 617.5(c) (30) that the adoption of this extension to the moratorium of land development or construction is a Type II action under the New York State Environmental Quality Review Act (“SEQR”) which has been determined to not have a significant impact on the environment.

Section 3. EXTENDED TERM FOR MORATORIUM

- A. Local Law No. 1 of 2023 shall be extended for an additional six (6) months through April 30, 2024.
- B. Except as otherwise amended herein, all provisions of Local Law No. 1 of 2022 and Local law No. 3 of 2023, and Local Law No. 13 of 2024 shall remain in effect and be extended for an additional six (6) months from adoption.

Section 10. AUTHORITY

This moratorium is enacted by the Town Board pursuant to its authority to adopt local laws under Article IX of the New York State Constitution and Municipal Home Rules Law § 10.



Section 11. SUPERCESSION OF THE TOWN LAW

This local law is hereby adopted to pursuant to Municipal Home Rules Law § 10. It is the intent of the Town Board, pursuant to Municipal Hom Rules Law to supersede the following provisions of the New York State Town Law as it relates to zoning and planning determinations under the Town Law § 274-a and b, § 267-a and b, § 276 and § 277.

Section 11. INCONSISTENT LAWS

All laws inconsistent with any provision or provisions of this law are hereby repealed.

Section 12. SEVERABILITY

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law, or the application thereof to any person, firm, or corporation or circumstance, is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law, or in its application to the person, individual, firm, or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 13. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the New York State Secretary of State.

AYES: Hurley, Williams, Mathews, Roman  
NOES: None  
ABSENT: Gunderman  
CARRIED.

RESOLUTION NO. 53-2024

AUTHORIZING SUPERVISOR TO ADVERTISE FOR BIDS FOR CONSTRUCTION OF THE FAIRWAY-PHOENIX  
AREA SANITARY SEWER PROJECT

Resolution by: Mathews  
Seconded by: Williams

RESOLVED, that the Supervisor be and he hereby is authorized to advertise for bids for the Fairway-Phoenix Area Sanitary Sewer Project, and be it further

RESOLVED, that such sealed bids shall be publicly opened and read by this Town Board on April 30, 2024 at 2:00 p.m.

AYES: Hurley, Williams, Mathews, Roman  
NOES: None  
ABSENT: Gunderman  
CARRIED.

RESOLUTION NO. 54-2024

AUTHORIZING INCREASE IN FEE FOR 2024 CLEANING SERVICES AT TOWN HALL AND SENIOR CENTER  
PROVIDED BY KATE’S KLEAN COMPANY

Resolution by: Williams  
Seconded by: Mathews

WHEREAS, per Resolution No. 180-2023 the Supervisor of the Town of Southport entered into an agreement with Kate’s Klean Company for cleaning services at Town Hall and Senior Center.

WHEREAS, Kate’s Klean Company has submitted an updated proposal which reflects an increase in the monthly cost for additional services provided at Town Hall and Senior Center.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to enter in a revised agreement with Kate’s Klean Company for cleaning services at Town Hall and Senior Center, contract start date of March 1, 2024 and commencing on December 31, 2025 for the monthly sum of \$1,454.75 (ONE-THOUSAND FOUR-HUNDRED FIFTY-FOUR DOLLARS AND 75/100) for the Town Hall location and \$425.50 (FOUR-HUNDRED TWENTY-FIVE DOLLARS AND 50/100) for the Sr. Citizen Bldg. located at Chapel Park.

AYES: Hurley, Williams, Mathews, Roman  
NOES: None  
ABSENT: Gunderman  
CARRIED.

RESOLUTION NO. 55-2024

AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH  
SOUTHPORT RECREATION ASSOCIATION

Resolution by: Mathews  
Seconded by: Williams

WHEREAS, the Southport Recreation Association has presented a proposal to provide a youth sports program to the town of Southport for fiscal year 2024, and

WHEREAS, the Town Board has reviewed that proposal, and

WHEREAS, the Town Board desires to enter into an agreement with the Southport Recreation Association for the provision of a youth sports program to the Town of Southport at an amount not to exceed ONE THOUSAND FIVE HUNDRED DOLLARS AND 00/100 (\$1,500.00).

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport does hereby authorize the Town to enter into an agreement with Southport Recreation Association to provide to the Town of Southport, a youth sports program at an amount not to exceed ONE THOUSAND FIVE HUNDRED DOLLARS AND 00/100 (\$1,500.00) for a fiscal year 2024, and that said contract shall be subject to the review and approval of the Attorney for the Town.

AYES: Hurley, Williams, Mathews, Roman  
NOES: None  
ABSENT: Gunderman  
CARRIED.

RESOLUTION NO. 56-2024

ACCEPTING QUOTE FROM BALLAND FENCE COMPANY FOR FENCING AT TOWN OF SOUTHPORT  
HIGHWAY GARAGE

Resolution by: Hurley  
Seconded by: Matthews

WHEREAS, per Resolution No. 112-2021 the Town Supervisor was authorized to apply for funds allocated under the American Rescue Plan Act, and

WHEREAS, the Town Board feels that these funds would be beneficial for certain projects within the Town to include fencing at the Town of Southport Highway Garage, and

WHEREAS, a quote was received from Balland Fence Company for fencing at Town of Southport Highway Garage.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport does hereby authorize the Town Supervisor to accept the quote from Balland Fence Company for fencing at the Town of Southport Highway Garage at a cost not to exceed FOURTEEN THOUSAND TWO HUNDRED DOLLARS AND 00/100 (\$14,200.00).

AYES: Hurley, Williams, Mathews, Roman  
NOES: None  
ABSENT: Gunderman  
CARRIED.

RESOLUTION NO. 57-2024

ACCEPTING QUOTE FROM LABELLA ASSOCIATES FOR DESIGN SERVICES AND CONSTRUCTION ASSISTANCE TO INSTALL AN EMERGENCY GENERATOR AT TOWN OF SOUTHPORT TOWN HALL

Resolution by: Hurley  
Seconded by: Williams

WHEREAS, per Resolution No. 112-2021 the Town Supervisor was authorized to apply for funds allocated under the American Rescue Plan Act, and

WHEREAS, the Town Board feels that these funds would be beneficial for certain projects within the Town to include an emergency generator at Town of Southport Town Hall, and

WHEREAS, a quote was received from LaBella Associates for Design Services and Construction Assistance to install a generator at Town of Southport Town Hall.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport does hereby authorize the Town Supervisor to accept the quote from LaBella Associates for Design Services and Construction Assistance to install a generator at Town of Southport Town Hall at a cost not to exceed EIGHT THOUSAND FIVE HUNDRED DOLLARS AND 00/100 (\$8,500.00).

AYES: Hurley, Williams, Mathews, Roman  
NOES: None  
ABSENT: Gunderman  
CARRIED.

Next under ARPA project Discussion was Pickleball Courts at Chapel Park, which will be tabled until the April meeting.

RESOLUTION NO. 58-2024

ACCEPTING QUOTE OF LOVELESS BLACKTOPPING FOR RESURFACING CHAPEL PARK WALKING PATH

Resolution by: Williams  
Seconded by: Mathews

WHEREAS, per Resolution No. 112-2021 the Town Supervisor was authorized to apply for funds allocated under the American Rescue Plan Act, and

WHEREAS, the Town Board feels that these funds would be beneficial for certain projects within the Town to include resurfacing the Chapel Park Walking Path, and

WHEREAS, a quote was received from Loveless Blacktopping for resurfacing the Chapel Park Walking Path.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport does hereby authorize the Town Supervisor to accept the quote from Loveless Blacktopping for resurfacing the Chapel Park Walking Path at a cost not to exceed TWENTY-EIGHT THOUSAND FIVE HUNDRED DOLLARS AND 00/100 (\$28,500.00).

AYES: Hurley, Williams, Mathews, Roman  
NOES: None  
ABSENT: Gunderman  
CARRIED.

Next under ARPA project Discussion was resurfacing the tennis courts and basketball courts at Chapel Park, both of which will be tabled until the April meeting.

RESOLUTION NO. 59-2024

ACCEPTING QUOTE OF PREMIER LANDSCAPING, LLC FOR NEW SOIL AND FENCING AROUND GARDEN PLOTS AT CHAPEL PARK

Resolution by: Hurley  
Seconded by: Mathews

WHEREAS, per Resolution No. 112-2021 the Town Supervisor was authorized to apply for funds allocated under the American Rescue Plan Act, and

WHEREAS, the Town Board feels that these funds would be beneficial for certain projects within the Town to include new soil and fencing around the Garden Plots at Chapel Park, and

WHEREAS, a quote was received from Premier Landscaping, LLC for new soil and fencing around the Garden Plots at Chapel Park.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport does hereby authorize the Town Supervisor to accept the quote from Premier Landscaping, LLC for new soil and fencing around the Garden Plots at Chapel Park at a cost not to exceed SIX THOUSAND EIGHT HUNDRED DOLLARS AND 00/100 (\$6,800.00).

AYES: Hurley, Williams, Mathews, Roman  
NOES: None  
ABSENT: Gunderman  
CARRIED.

RESOLUTION NO. 60-2024

ACCEPTING QUOTE OF GOODWIN TOPS FOR CONSTRUCTION OF A NEW PAVILION AT DRAXLER PARK  
IN THE TOWN OF SOUTHPORT

Resolution by: Williams  
Seconded by: Mathews

WHEREAS, per Resolution No. 112-2021 the Town Supervisor was authorized to apply for funds allocated under the American Rescue Plan Act, and

WHEREAS, the Town Board feels that these funds would be beneficial for certain projects within the Town to include a new pavilion at Draxler Park, and

WHEREAS, a quote was received from Goodwin Tops for construction of a new pavilion at Draxler Park.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport does hereby authorize the Town Supervisor to accept the quote from Goodwin Tops for construction of a new pavilion at Draxler Park at a cost not to exceed TWENTY-ONE THOUSAND EIGHT HUNDRED DOLLARS AND 00/100 (\$21,800.00).

AYES: Hurley, Williams, Mathews, Roman  
NOES: None  
ABSENT: Gunderman  
CARRIED.

RESOLUTION NO. 61-2024

ACCEPTING QUOTE OF GAMETIME FOR REPLACEMENT SLIDE AT ROGER STERLING PARK IN THE  
TOWN OF SOUTHPORT

Resolution by: Hurley  
Seconded by: Williams

WHEREAS, per Resolution No. 112-2021 the Town Supervisor was authorized to apply for funds allocated under the American Rescue Plan Act, and

WHEREAS, the Town Board feels that these funds would be beneficial for certain projects within the Town to include a replacement slide at Roger Sterling Park, and

WHEREAS, a quote was received from GameTime for replacement slide at Roger Sterling Park.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport does hereby authorize the Town Supervisor to accept the quote from GameTime for replacement slide at Roger Sterline Park at a cost not to exceed THREE THOUSAND NINE HUNDRED FORTY-ONE DOLLARS AND 56/100 (\$3,941.56).

AYES: Hurley, Williams, Mathews, Roman  
NOES: None  
ABSENT: Gunderman  
CARRIED.

RESOLUTION NO. 62-2024

ACCEPTING QUOTE OF JEFFERY JUDSON FOR RECEPTION AREA UPDATE IN THE TOWN CLERK'S OFFICE

Resolution by: Mathews  
Seconded by: Williams

WHEREAS, per Resolution No. 112-2021 the Town Supervisor was authorized to apply for funds allocated under the American Rescue Plan Act, and

WHEREAS, the Town Board feels that these funds would be beneficial for certain projects within the Town to include reception area update in the Town Clerk's Office, and

WHEREAS, a quote was received from Jeffery Judson for reception area update in the Town Clerk's Office.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport does hereby authorize the Town Supervisor to accept the quote from Jeffery Judson for reception area update in the Town Clerk's Office at a cost not to exceed SEVEN THOUSAND FIVE HUNDRED DOLLARS AND 00/100 (\$7,500.00).

AYES: Hurley, Williams, Mathews, Roman  
NOES: None  
ABSENT: Gunderman  
CARRIED.

Lastly under Discussion was new truck for Code Enforcement, which will be tabled until the April meeting.

Council Member Williams spoke regarding the site plan application for a new retail store and fueling facility to be located at 1151 Broadway, Elmira.

RESOLUTION NO. 63-2024

TOWN BOARDS SUPPORT TO THE TOWN OF SOUTHPORT PLANNING BOARD TO HIRE A CONSULTANT TO ASSIST THE PLANNING BOARD DURING THE REVIEW OF THE APPLICATION SUBMITTED FOR SITE PLAN REVIEW RELATED TO THE CONSTRUCTION OF A NEW RETAIL STORE AND FUELING FACILITY LOCATED AT 1151 BROADWAY, ELMIRA, NEW YORK

Resolution by: Williams  
Seconded by: Mathews

WHEREAS, as allowed for in the Zoning Law of the Town of Southport, the Town Board would like to extend its support to the Planning Board for establishing an escrow account, if the Planning Board deems appropriate, for the deposit of reasonable and necessary fees to pay a professional consultant to assist the Planning Board during the review of the application submitted for the site plan review related to the construction of a new retail store and fueling facility to be located at 1151 Broadway, Elmira, New York, and

NOW THEREFORE BE IT RESOLVED, that the Town of Southport Town Board, County of Chemung, State of New York hereby recognizes that the Zoning Law of the Town of Southport, Chapter 525, Article VIII, Site Plan Review and Approval, Section 525-65 allows the Town of Southport Planning Board to require, subject to Town Board approval, an applicant for site plan approval to deposit into an escrow account a sufficient amount to pay for the reasonable and necessary fees and/or costs of any consultant, engineer or attorney designated by the Town Board to review the application and therefore, the Town Board offers its support to the Town of Southport Planning Board for establishing an escrow account, if the Planning Board deems appropriate, for the deposit of reasonable and necessary fees to pay a professional consultant, engineer, or attorney to assist the Planning Board during the review of the application submitted for site plan review related to the construction of a new retail store and fueling facility to be located at 1151 Broadway, Elmira, New York and further directs the Town Clerk to forward this resolution to the Planning Board.

AYES: Hurley, Williams, Mathews, Roman  
NOES: None  
ABSENT: Gunderman  
CARRIED.

Under Public Comments, Karen Clark from 1149 Sherman Avenue submitted a complaint to the Supervisor regarding Cherry Lane Park, LLC.

Jimmy Russell from 264 Allen Street commented on the Emergency Plan and the cannabis moratorium.



RESOLUTION NO. 64-2024

AUTHORIZING SUPERVISOR TO ENTER INTO AN AGREEMENT WITH  
SOUTHPORT CINDERELLA SOFTBALL

Resolution by: Mathews  
Seconded by: Williams

WHEREAS, the Southport Cinderella Softball League has presented a proposal to provide a softball league to residents of the Town of Southport and surrounding areas, and

WHEREAS, the Town Board has reviewed that proposal, and

WHEREAS, the Town Board desires to enter into an agreement with the Southport Cinderella Softball League for the provision of a Cinderella Softball League to the residents of the Town of Southport and surrounding areas not to exceed SEVEN THOUSAND FIVE HUNDRED DOLLARS AND 00/100 (\$7,500.00).

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport does hereby authorize the Town Supervisor to enter into an agreement with Southport Cinderella Softball League for the provision of a Cinderella Softball League for residents of the Town of Southport and surrounding areas at an amount not to exceed SEVEN THOUSAND FIVE HUNDRED DOLLARS AND 00/100 (\$7,500.00), and that said shall be subject to the review and approval of the Attorney for the Town.

AYES: Hurley, Williams, Mathews, Roman  
NOES: None  
ABSENT: Gunderman  
CARRIED.

Council Member Williams made a motion, Council Member Hurley seconded the motion to adjourn into executive session to discuss proposed pending or current litigation.

The meeting was adjourned at 7:30 p.m.

The meeting reconvened at 8:00 p.m.

Council Member Williams made a motion, Council Member Mathews seconded to adjourn the meeting at 8:01 p.m.

Respectfully Submitted,

Carolyn A. Renko, Town Clerk