

August 6, 2024

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 August 6, 2024.

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

Member Absent: Council Member Richard Mathews

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

The meeting was called to order by Supervisor Joseph Roman at 8:00 a.m., followed by the Pledge of Allegiance to the Flag of the United States of America.

8:00 a.m. – Commenced hearing for Cherry Lane Park Mobile Home License pursuant to §352-10(b) Town of Southport Code. Attorney Kimberlee Balok Middaugh asked questions of Code Enforcement Officer, Peter Rocchi who provided testimony and evidence relating to the violations of the Cherry Lane Park License Agreement, dated December 20, 2023. The owner of the park or a park representative failed to appear. After the conclusion of the hearing, the Town Board members deliberated and made the determination by resolution to revoke the mobile home park license for Cherry Lane Mobile Home Park. The Board discussed that the revocation will become effective and the park must close within 30 days from today on September 5, 2024. The code office will post notices for the park occupants and notify the owner.

RESOLUTION 126-2024

REVOCATION OF CHERRY LANE MOBILE HOME PARK LICENSE

Resolution by: Hurley
Seconded by: Williams

WHEREAS, the Town of Southport entered into a License Agreement with Cherry Lane Park, LLC, (“Park”) dated December 20, 2023, to allow continued operation through 2024 of the mobile home park located at 1170 Sherman Avenue, Elmira, New York 14904 in accordance with specific conditions outlined in said agreement; and

WHEREAS, as a result of the Park failing to operate in accordance to the conditions set forth in the License Agreement, the Town of Southport Code Enforcement Officer issued a Notice of Violation/Order to Remedy on July 25, 2024, and

WHEREAS, the Park failed to correct the violations as required in the said Notice of Violation/Order to Remedy and a hearing was scheduled and notice provided to the owner of Cherry Lane Mobile Home Park in accordance with Town of Southport Code Section 352-10(B); and

NOW THEREFORE BE IT RESOLVED, that a hearing was held on this date in accordance with Town of Southport Code Section 352-10(B) to allow the owner of Cherry Lane Mobile Home Park (“Park”), Cherry Lane Park, LLC, to show cause why the mobile home park operating license should not be revoked and whereby testimony and evidence was received from the Town of Southport Code Officer, Peter Rocchi regarding violations of the Cherry Lane Park License Agreement as outlined in the Notice of Violation/Order to Remedy dated July 25, 2024 and the owner of the Park, a Park representative or the person in charge of the Park failing to appear after being served with proper notice as required in accordance with Town of Southport Code Section 352-10(B) and based upon the testimony and evidence received during the hearing, the Town of Southport Town Board hereby revokes the mobile home park license held by Cherry Lane Park, LLC for the Cherry Lane Mobile Home Park located at 1170 Sherman Avenue, Elmira, New York 14901; and

BE IT FURTHER RESOLVED, that the revocation of the Cherry Lane Mobile Home Park license requires Cherry Lane Park, LLC to terminate use and cease operations within 30 days from today, on September 5, 2024 in accordance with Town of Southport Code Section 352-10(D).

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

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

The meeting was adjourned at 8:24 a.m.

Respectfully Submitted,

Carolyn A. Renko, Town Clerk