

August 13, 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 August 13, 2024.

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

Members Absent: Council Members Glenn Gunderman, Rich Mathews

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

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

Moment of Silence – Supervisor Joseph Roman

Monthly Reports were received as follows:

Town Clerk Carolyn A. Renko

Town Clerk & Dog License Fees	\$ 1,118.54
Fitzsimmons Lot Sales	\$ 275.00
Funds Turned to State & County Agencies	<u>\$ 445.96</u>
	\$ 1,839.50

Code Enforcement Office

Fees Collected	Building Permit Fees	\$ 2,132.60
	Building Permit Values	\$ 320,850.00
	Operating Permit Fees	\$ 400.00

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

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

Under Correspondence, Supervisor Roman commented on the following:

1. A letter from UHC regarding retiree health insurance.
2. Deputy Supervisor Szerszen stated the Phoenix-Fairway sewer project was approved by the Legislature so a letter to the residents of that area will be going out within the next couple days.
3. Supervisor Roman read a letter regarding the Community Fund Grant from Legislature Rodney Strange that went towards the Historical Society's new brochure and mural at Chapel Park.
4. Council Member Dan Williams stated he is going to the Chemung County Library District's board meeting to inquire about them possibly renting space in a potential new Community Center at Chapel Park.

Council Member Hurley made a motion, Council Member Williams seconded to accept the minutes of July 9, 2024 Regular Meeting, July 25, 2024 Special Meeting, August 1, 2024 Special Meeting and August 6, 2024 Special Meeting.

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

RESOLUTION NO. 127-2024

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 August 2024, No. 416 through No. 483, not to exceed \$209,808.83, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 128-2024

APPROVING ABSTRACT OF HIGHWAY FUND CLAIMS

Resolution by: Hurley
Seconded by: Williams

RESOLVED, that the Abstract of Highway Fund Claims submitted by the Town Clerk for the month of August 2024, No. 126 through No. 138, not to exceed \$53,031.74, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 129-2024

APPROVING ABSTRACT LIGHT FUND CLAIM

Resolution by: Williams
Seconded by: Hurley

RESOLVED, that the Abstract of Light Fund Claims submitted by the Town Clerk for the month of August 2024, No. 6 & 7, not to exceed \$14,532.00, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 130-2024

AUTHORIZING PURCHASE OF GASOLINE AT STATE BID PRICE

Resolution by: Hurley
Seconded by: Williams

RESOLVED, that the Highway Superintendent be and he hereby is authorized to purchase gasoline at the established New York State bid contract price.

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

RESOLUTION NO. 131-2024

AUTHORIZING SUPERVISOR AND TOWN JUSTICES TO APPLY FOR A 2024 JUSTICE COURT ASSISTANCE PROGRAM GRANT

Resolution by: Williams
Seconded by: Hurley

WHEREAS, the Chief Administrative Judge is entertaining applications for the next cycle of Justice Court Assistance Program Grants to assist in the operation of their Justice Courts, and

WHEREAS, the Town of Southport Town Justices are requesting up to the maximum amount available to the Town Justice Court to assist in the operation of their Justice Court,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport does hereby authorize the Supervisor and the Town Justices to apply for a 2024 Justice Court Assistance Program Grant up to THIRTY THOUSAND DOLLARS AND 00/100 (\$30,000.00), and be it further

RESOLVED, that in the event such grant is awarded to the Town of Southport, the Supervisor and Town Justices are hereby authorized and directed to accept such grant funds on behalf of the Town of Southport and to execute any documents necessary to allow the Town to accept such grant funds.

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

RESOLUTION 132-2024

SETTING DATES FOR TOWN BOARD MEETINGS

Resolution by: Hurley
Seconded by: Williams

RESOLVED, that pursuant to Section 62 of the Town Law, as amended, that the Annual Meeting of the Town Board of the Town of Southport for the year 2024, insofar as the same is required, be held on December 30, 2024, and be it further

RESOLVED, that the date of the Organizational Meeting of the Town Board of the Town of Southport for the year 2025, insofar as the same is required, be held on January 2, 2025, and be it further

RESOLVED, that the Tentative Budget Special Meeting be held on September 24, 2024 and the Preliminary Budget Meeting Public Hearing and Special Meeting be held on November 6, 2024, and be it further

RESOLVED, that said meetings will be held at the Town Hall, 1139 Pennsylvania Avenue in the Town of Southport.

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

RESOLUTION NO. 133-2024

AUTHORIZING THE SUPERVISOR TO ACCEPT THE DONATION OF A BENCH TO BE PLACED
AT CHAPEL PARK

Resolution by: Hurley
Seconded by: Williams

WHEREAS, Director of Recreation Ivan Purifoy, is requesting permission to place a bench at Chapel Park in memory of Jeanette Callahagn.

RESOLVED, that the Town Board of the Town of Southport authorizes the Supervisor to accept the donation of a bench at Chapel Park in memory of Jeanette Callahagn.

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

RESOLUTION NO. 134-2024

ACCEPTING RESIGNATION OF GLENN GUNDERMAN AS TOWN BOARD MEMBER

Resolution by: Williams
Seconded by: Hurley

WHEREAS, Glenn Gunderman has submitted his resignation as Town Board Member of the Town of Southport, effective August 31, 2024.

NOW THEREFORE BE IT RESOLVED, that this Town Board hereby accepts the resignation of Glenn Gunderman as Town Board Member of the Town of Southport, effective August 31, 2024.

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

RESOLUTION NO. 135-2024

ACCEPTING RESIGNATION OF JONATHAN GUNDERMAN AS PART-TIME SEASONAL LABORER

Resolution by: Hurley
Seconded by: Williams

WHEREAS, Jonathan Gunderman has submitted his resignation as Part-Time Seasonal Laborer for the Town of Southport, effective August 9, 2024.

NOW THEREFORE BE IT RESOLVED, that this Town Board hereby accepts the resignation of Jonathan Gunderman as Part-Time Seasonal Laborer, effective August 9, 2024.

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

RESOLUTION NO. 136-2024

APPOINTING ANDREW BENNETT AS HIGHWAY EQUIPMENT OPERATOR #1

Resolution by: Hurley
Seconded by: Williams

WHEREAS, a vacancy has occurred in the Town of Southport Highway Department for the position of Equipment Operator #1,

NOW THEREFORE BE IT RESOLVED, that Andrew Bennett be and he hereby is appointed Equipment Operator #1 for the Highway Department of the Town of Southport, with a probationary period of 52 weeks effective August 19, 2024, and be it further

RESOLVED, that Andrew Bennett, shall receive an hourly salary in the amount of \$ 28.50 pr/hr as compensation for his duties and shall be entitled to receive any and all benefits available to any full-time employee of the Town of Southport, and be it further

RESOLVED, that said appointment be made pursuant to the terms and conditions of an amended contract between the Highway Employees and the Town of Southport dated July 25, 2024 and pursuant to the Civil Service Laws of the State of New York and the regulations promulgated by the Chemung County/City of Elmira Civil Service Commission.

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

RESOLUTION NO. 137-2024

BUDGET ADJUSTMENTS

Resolution by: Hurley
 Seconded by: Williams

RESOLVED, that the Supervisor be and he hereby is authorized and directed to amend the following appropriations:

A4089	Federal Aid, Other	\$ 45,545.00
A1620.21	Building, Equipment ARPA	\$ 45,545.00

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

RESOLUTION NO. 138-2024

BUDGET MODIFICATIONS

Resolution by: Williams
 Seconded by: Hurley

Budget lines to be Modified	Prior Approved Budget Amt.	Amount of Requested Increase/Decrease	Revised Budget Amt.	Reason for Budget Rev.
From: A1990.4 Contingent	\$ 48,000.00	\$ (21,000.00)	\$ 27,000.00	
To: A1440.4 Engineer	\$ 63,287.35	\$ 21,000.00	\$ 84,287.35	Engineering Expenses
From A1990.4 Contingent	\$ 30,281.00	\$ (17,800.00)	\$ 12,481.00	
To: A1420.4 Attorney	\$ 40,000.00	\$ 17,800.00	\$ 57,800.00	Attorney Fees
From: A8510.4 Community Beautification	\$ 5,000.00	\$ (5,000.00)	\$	
To: A7310.4 Youth Program	\$ 60,000.00	\$ 5,000.00	\$ 65,000.00	Splash Pad Sewer & Water Bill

From: A1460.4	\$ 2,000.00	\$ (750.00)	\$ 1,250.00	
Records Management				
To: A5132.2	\$ 1,000.00	\$ 750.00	\$ 1,750.00	Replacement of Hot Water Tank
H-way Garage Equipment				

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

RESOLUTION NO. 139-2024

ACCEPTING BID OF NELCORP ELECTRICAL CONTRACTING CORP. FOR INSTALLATION OF
TOWN HALL EMERGENCY GENERATOR

Resolution by: Williams
Seconded by: Hurley

WHEREAS, this Town Board finds and determines that the bid submitted by Nelcorp Electrical Contracting Corp. is deemed to be the lowest responsible bid submitted therefore, as follows:

Nelcorp Electrical Contracting Corp.
35 North Ave.
Endwell, NY 13760

NOW THEREFORE BE IT RESOLVED, that said bid be and the same hereby is accepted accordingly, and be it further

RESOLVED, that the Town Supervisor be and he hereby is authorized to enter into an agreement with Nelcorp Electrical Contracting Corp. for installation of a Town Hall Emergency Generator, in an amount not to exceed EIGHTY-NINE THOUSAND, SEVEN HUNDRED FIFTY-FIVE DOLLARS AND 00/100 (\$89,755.00).

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

Under Discussion was ARPA projects to include new truck for Code Enforcement and repointing bricks at Town Hall, both of which will be tabled until September.

Next ARPA project discussed was Highway Parking Lot and new truck for Highway Department. The Highway parking lot will be tabled at this time.

RESOLUTION NO. 140-2024

AUTHORIZING THE SUPERVISOR TO EXECUTE LETTER OF INTENT TO MEET CONDITIONS,
FORM RD 1942-46 AND REQUEST FOR OBLIGATIONS OF FUNDS, FORM RD 1940-1

Resolution by: Hurley
Seconded by: Williams

WHEREAS, the Town of Southport requested financial assistance from USDA Rural Development for the purchase of a plow truck, and

WHEREAS, USDA is requesting that the Town of Southport approve the conditions and execute the documents as outlined in the letter dated August 12, 2024 from USDA Rural Development to allow the processing of the application of funds to proceed for a loan not to exceed \$240,000 and grant not to exceed \$50,000; and

NOW THEREFORE BE IT RESOLVED, that in regard to the application for funding to USDA Rural Development, Community Facilities Loans and Grants for the purchase of a plow truck, the Town Board of the Town of Southport, County of Chemung, State of New York has approved the conditions set forth in the Letter from USDA Rural Development, dated August 12, 2024, and further authorized the Town Supervisor to execute Letter of Intent to Meet Conditions, Form RD 1942-46 and the Request for Obligations of Funds, Form RD 1940-1 and all other documents required by USDA Rural Development to further facilitate receipt and approval of funds as sought in the application for federal assistance.

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

RESOLUTION NO. 141-2024

ACCEPTING QUOTE FROM BALLAND FENCE COMPANY FOR FENCING AROUND THE TENNIS COURTS
AT CHAPEL PARK

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 fencing around the tennis courts at Chapel Park, and

WHEREAS, a quote was received from Balland Fence Company for fencing around the tennis courts 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 Balland Fence Company for fencing around the tennis courts at Chapel Park at a cost not to exceed FIFTEEN THOUSAND NINE HUNDRED DOLLARS AND 00/100 (\$15,900.00).

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

RESOLUTION NO. 142-2024

ACCEPTING QUOTE OF WHITMORE FENCE COMPANY FOR FENCE REPAIR AND REPLACEMENT OF OVERHANG PANEL ON BACKSTOP AT CHAPEL PARK

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 fence repair and replacement of overhang panel on backstop at Chapel Park, and

WHEREAS, a quote was received from Whitmore Fence Company for fence repair and replacement of overhang panel on backstop 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 Whitmore Fence Company for fence repair and replacement of overhang panel on backstop 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 Whitmore Fence Company for fence repair and replacement of overhang panel on backstop at Chapel Park at a cost not to exceed FOUR THOUSAND TWO-HUNDRED SIXTY-FIVE DOLLARS AND 00/100 (\$4,265.00).

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

RESOLUTION NO. 143-2024

ACCEPTING QUOTE OF TREETOP PRODUCTS, LLC FOR PICNIC TABLE, WASTE RECEPTACLE AND METAL BENCH FOR 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 picnic table, waste receptacle and metal bench for Southport Town Hall, and

WHEREAS, a quote was received from TreeTop Products, LLC for picnic table, waste receptacle and metal bench for 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 TreeTop Products, LLC for picnic table, waste receptacle and metal bench at Southport Town Hall at a cost not to exceed THREE THOUSAND TWO HUNDRED THIRTY DOLLARS AND 83/100 (\$3,230.83).

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

RESOLUTION NO. 144-2024

ACCEPTING QUOTE OF TELEDAIR COMMUNICATIONS AND SECURITY, INC., FOR CAMERA UPGRADES AT CHAPEL PARK

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 security camera upgrades at Chapel Park, and

WHEREAS, a quote was received from Teledair Communications and Security, Inc., for security camera upgrades 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 of Teledair Communications and Security, Inc., for security camera upgrades at a cost not to exceed TWO THOUSAND SIX HUNDRED TWENTY-NINE DOLLARS AND 00/100 (\$2,629.00).

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

Under Taxpayer's Comments, Dave Cleary from 59 Crestview Drive commented on Council Member Gunderman's resignation and appointing a replacement for his seat. He also asked if a decision was made on 24/7 business hours in Southport.

Council Member Williams inquired if there was any kind of permit required for private garbage haulers in the Town of Southport. He has received complaints from residents that some private garbage haulers in the Town do not cover their loads and garbage is blowing out of the trucks and into the roadways.

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

The meeting was adjourned at 7:00 p.m.

Respectfully Submitted,

Carolyn A. Renko, Town Clerk