

March 11, 2025

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 11, 2025.

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

Others Present: Attorney Kimberlee Balok-Middaugh, Deputy Supervisor Kathleen Szerszen, Highway Superintendent Steve Renko, 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	\$ 1,850.00
Fitzsimmons Lot Sales	\$ 1,350.00
Funds Turned to State & County Agencies	<u>\$ 142.50</u>
	\$ 3,342.50

Receiver of Taxes \$ 605,509.80

Code Enforcement Office

Fees Collected:	Building Permit Fees	\$ 810.00
	Building Permit Values	\$ 138,350.00
	Operating Permit Fees	\$ 500.00
	Site Plan Fees	\$ 300.00

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

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

Under Correspondence, Supervisor Roman read a note thanking the Highway Department for the excellent work they do keeping Monastery Road plowed and taken care of in the winter.

Council Member Williams stated the Southport Business Association is going to hold a bowling fundraiser on May 3, 2025 at Dixie Bowling Lanes.

Council Member Hurley made a motion, Council Member Williams seconded to accept the minutes of February 11, 2025.

Under Public Comments, no one wished to speak.

RESOLUTION NO. 53-2025

APPROVING ABSTRACT OF GENERAL FUND CLAIMS

Resolution by: Steed
Seconded by: Mathews

RESOLVED, that the Abstract of General Fund Claims submitted by the Town Clerk for the month of March 2025, No. 88 through No. 140, with the exception of No.'s 95, 102, 103, and 131, not to exceed \$138,673.19, has been audited and approved for payment by this Town Board.

AYES: Hurley, Williams, Mathews, Steed, Roman
NOES: None
CARRIED.

RESOLUTION NO. 54-2025

APPROVING ABSTRACT GENERAL FUND CLAIMS

Resolution by: Hurley
Seconded by: Steed

RESOLVED, that the Abstract of General Fund Claims submitted by the Town Clerk for the month of March 2025, No. 95, 102, 103, 131, not to exceed \$10,442.89, has been audited and approved for payment by this Town Board.

AYES: Hurley, Williams, Steed, Roman
NOES: None
ABSTAIN: Mathews
CARRIED.

RESOLUTION NO. 55-2025

APPROVING ABSTRACT OF HIGHWAY FUND CLAIMS

Resolution by: Steed
Seconded by: Hurley

RESOLVED, that the Abstract of Highway Fund Claims submitted by the Town Clerk for the month of March 2025, No. 32 through No. 47, not to exceed \$64,472.49, has been audited and approved for payment by this Town Board.

AYES: Hurley, Williams, Mathews, Steed, Roman
NOES: None
CARRIED.

RESOLUTION NO. 56-2025

APPROVING ABSTRACT OF LIGHT FUND CLAIMS

Resolution by: Williams
Seconded by: Mathews

RESOLVED, that the Abstract of Light Fund Claims submitted by the Town Clerk for the month of March 2025, No.'s 1 & 2, not to exceed \$14,453.17, has been audited and approved for payment by this Town Board.

AYES: Hurley, Williams, Mathews, Steed, Roman
NOES: None
CARRIED.

RESOLUTION NO. 57-2025

RATIFYING APPOINTMENT OF MICHAEL CONGDON 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 Michael Congdon 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 March 1, 2025, and be it further

RESOLVED, that Michael Congdon, shall receive an hourly salary in the amount of \$24.00 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, the 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, Mathews, Steed, Roman
NOES: None
CARRIED.

RESOLUTION NO. 58-2025

REAPPOINTING TRISH PETERSON AS A MEMBER OF THE TOWN OF SOUTHPORT
PLANNING BOARD

Resolution by: Mathews
Seconded by: Williams

RESOLVED, that Trish Peterson is hereby reappointed to serve a term of seven (7) years as a member of the Town of Southport Planning Board, term to expire April 1, 2032.

AYES: Hurley, Williams, Mathews, Steed, Roman
NOES: None
CARRIED.

RESOLUTION NO. 59-2025

REAPPOINTING BELINDA COMBS AS A MEMBER OF THE TOWN OF SOUTHPORT
ZONING BOARD OF APPEALS

Resolution by: Hurley
Seconded by: Williams

RESOLVED, that BeLinda Combs is hereby reappointed to serve a term of five (5) years as a member of the Town of Southport Zoning Board of Appeals, said term to expire April 1, 2030.

AYES: Hurley, Williams, Mathews, Steed, Roman
NOES: None
CARRIED.

RESOLUTION NO. 60-2025

APPOINTING MICHAEL WOOD, RAYMOND NAROSKY, BRIAN LOHRKE, MICHAEL DICKINSON, AND
JEFF SCOTT AS PART-TIME SEASONAL LABORERS

Resolution by: Mathews
Seconded by: Steed

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 March 31, 2025 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	\$ 19.20 pr/hr	03/31/2025
Raymond Narosky	Seasonal Laborer	\$ 18.25 pr/hr	03/31/2025
Brian Lohrke	Seasonal Laborer	\$ 16.75 pr/hr	03/31/2025
Michael Dickinson	Seasonal Laborer	\$ 16.50 pr/hr	03/31/2025
Jeffrey Scott	Seasonal Laborer	\$ 16.50 pr/hr	03/31/2025

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, Steed, Roman
NOES: None
CARRIED.

RESOLUTION NO. 61-2025

TOWN HALL SUMMER HOURS

Resolution by: Hurley
Seconded by: Steed

RESOLVED, that Town Hall Summer hours effective April 28, 2025 through October 10, 2025 be as follows:

Monday	7:30 am to 4:00 pm
Tuesday	7:30 am to 4:00 pm
Wednesday	7:30 am to 4:00 pm
Thursday	7:30 am to 4:00 pm
Friday	7:30 am to 12:30 pm

AYES: Hurley, Williams, Mathews, Steed, Roman
NOES: None
CARRIED.

RESOLUTION NO. 62-2025

ACCEPTING QUOTE OF BEAM MACK SALES SERVICE, INC. FOR PURCHASE OF A 2026 VOLVO SINGLE AXEL DUMP TRUCK

Resolution by: Hurley
Seconded by: Steed

WHEREAS, this Town Board did in approving the budget for fiscal year 2025 provided therein funds for the purchase of new equipment to replace old and outdated equipment for use by its Highway Department, and

WHEREAS, this Town Board believes it to be in the best interest of the Town of Southport and the Town of Southport Highway Department to purchase a new truck for said department.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, in regular session duly convened, does hereby authorize the Town Supervisor to purchase pursuant to the New York State General Municipal Law, a new and unused 2026 Volvo Single Axel Dump Truck from Beam Mack Sales Service, Inc. for a sum not to exceed THREE HUNDRED NINETEEN THOUSAND, ONE HUNDRED NINETY-EIGHT DOLLARS AND 33/100 (\$319,198.33).

AYES: Hurley, Williams, Steed, Roman
NOES: Mathews
CARRIED.

RESOLUTION NO. 63-2025

STANDARD WORKDAY AND REPORTING RESOLUTION (RS-2417-A)

Resolution by: Steed
 Seconded by: Mathews

RESOLVED, that the Town of Southport, Location Code 30006, hereby establishes the following as standard workdays for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based upon the Record of Activities maintained and submitted by these officials to the Clerk of this body attached as Exhibit “A”.

EXHIBIT “A”

STANDARD WORKDAY AND REPORTING RESOLUTION (RS-2417-A)

<u>Title</u>	<u>Name</u>	<u>Standard Workday (hrs/day)</u>	<u>Term begins/end</u>	<u>Participates in Employer’s Time Keeping system</u>	<u>ROA Result</u>	<u>Days/pay period based on Record of Activities</u>
Elected Officials:						
Town Supervisor	Joseph Roman	6	1/1/22-12/31/25	N	Not Submitted	
Town Council	Daniel Williams	6	1/1/22-12/31/25	N	3.03	2.80
Town Council	Richard Mathews	6	1/1/24-12/31/27	N	Not Submitted	
Highway Sup’t	Steven Renko	6	1/1/22-12/31/25	N	18.47	10.0
Town Clerk	Carolyn Renko	7	1/1/22-12/31/25	N	18.47	10.0

Appointed Officials:

Deputy Hwy Sup’t	Aaron Smith	6	1/1/25-12/31/25	N	Not Submitted	10.0
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AYES: Hurley, Williams, Mathews, Steed, Roman
 NOES: None
 CARRIED.

RESOLUTION NO. 64-2025

RENUMBERING LOCAL LAW NO. 3 OF 2025 TO REMOVE EXEMPTION UNDER NEW YORK STATE REAL PROPERTY LAW SECTION 487 FOR SOLAR, WIND AND FARM WASTE ENERGY SYSTEMS WITHIN THE TOWN OF SOUTHPORT, TO LOCAL LAW NO. 2 OF 2025

Resolution by: Mathews
 Seconded by: Williams

WHEREAS, the Town of Southport Town Board enacted Local Law No. 3 of 2025 To Remove Exemption Under New York State Real Property Law Section 487 For Solar, Wind and Farm Waste Energy Systems Within the Town of Southport at the Town Board meeting held on February 11, 2025; and

WHEREAS, at said meeting the Town Board was also considering the enacting another local law numbered as local law number 2; however, the local law numbered as 2 was not enacted at such time; therefore, to allow for proper numbering and filing of Local Law No. 3 of 2025 To Remove Exemption Under New York State Real Property Law Section 487 For Solar, Wind and Farm Waste Energy Systems Within the Town of Southport, the Town Board must approve the renumbering of this local law to Local Law No. 2; and

NOW THEREFORE BE IT RESOLVED, that Local Law No. 3 of 2025 To Remove Exemption Under New York State Real Property Law Section 487 For Solar, Wind and Farm Waste Energy Systems Within the Town of Southport which was enacted by the Town of Southport Town Board on February 11, 2025 be hereby renumbered and titled as Local Law No. 2 of 2025 To Remove Exemption Under New York State Real Property Law Section 487 For Solar, Wind and Farm Waste Energy Systems Within the Town of Southport.

RESOLVED, that the Town Board of the Town of Southport, County of Chemung, State of New York hereby adopts Local Law No. 2 of 2025, To Remove Exemption Under New York State Real Property Law Section 487 for Solar, Wind and Farm Waste Energy Systems Within the Town of Southport, and is hereby enacted to wit:

Local Law No. 2 of 2025 To Remove Exemption Under New York State Real Property Law Section 487 For Solar, Wind and Farm Waste Energy Systems Within the Town of Southport

Section 1. Title.

This local law shall be known as “Local Law No. 2 of 2025 To Remove Exemption Under New York State Real Property Law Section 487 For Solar, Wind and Farm Waste Energy Systems Within the Town of Southport”.

Section 2. Legislative Intent.

It is the intent of this local law to allow the Town of Southport to opt out of the New York State Real Property Tax Law (RPTL) Section 487, thereby to remove an exemption for taxation in accordance with New York State RPTL Section 487 for any solar, wind and farm waste energy systems within the Town of Southport.

Section 3. Authority.

This local law is adopted pursuant to New York State Real Property Tax Law Section 487-8(a) which expressly authorizes a Town by local law to provide that no exemption under New York State RPTL 487 shall be applicable within its jurisdiction with respect to any solar, wind, or farm waste energy system which began construction subsequent the effective date of such local law, whichever is later.

Section 4. Inconsistent Laws.

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

Section 5. 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 6. Effective Date. This local law shall take effect immediately upon filing with the Secretary of State, New York State Department of Taxation and Finance and New York State Energy Research and Development Authority (NYSERDA).

AYES: Hurley, Williams, Mathews, Steed, Roman
NOES: None
CARRIED.

RESOLUTION 65-2025

AUTHORIZING SUPERVISOR TO ENTER INTO AN AGREEMENT WITH
SOUTHPORT CINDERELLA SOFTBALL

Resolution by: Williams
Seconded by: Mathews

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, Steed, Roman
NOES: None
CARRIED.

Supervisor Roman discussed the proposed Camping Prohibitions in the Town of Southport and stated that it is no longer an agenda item at this time.

Under Public Comments, Ira Manhoff from 834 Dutch Hill Road commented on Medicaid and Medicare Cuts and asked the Town Board to consider making a resolution against this.

Reverend Cassandra Williams from 918 Mt. Zoar Road commented on camping prohibitions.

Meg Magneson from 325 Millard Street also commented on camping prohibitions.

Tina Moore from 1173 Sherman Avenue questioned if the Town Board Meetings could be live streamed for people who weren't able to attend the meetings.

Council Member Steed made a motion, Council Member Mathews seconded to adjourn to executive session to discuss (f) the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

The meeting was adjourned at 6:55 p.m.

Council Member Steed made a motion, Council Member Williams seconded to reconvene at 7:20 p.m.

Council Member Mathews made a motion, Council Member Steed seconded to adjourn the meeting at 7:21 p.m.

Respectfully Submitted,

Carolyn A. Renko, Town Clerk