

November 9, 2016

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 November 9, 2016.

Members Present: Supervisor David Sheen, Council Members Daniel Hurley, Glenn Gunderman, Kathleen Szerszen, Joseph Roman

Others Present: Attorney Steven Barnstead, Code Enforcement Officer Peter Rocchi, Highway Superintendent David Bachman, Secretary to Cemetery Commission Jackie French, Town Clerk Carolyn Renko, Deputy Town Clerk Marianne Schrom

The meeting was called to order by Supervisor David Sheen at 7:00 p.m., followed by the Pledge of Allegiance to the Flag of the United States of America.

Moment of Silence – Kathleen Szerszen

Monthly Reports were received as follows:

Town Clerk Carolyn A. Renko

Town Clerk & Dog License Fees	\$ 2,133.83
Fitzsimmons Lot Sales	\$ 1,375.00
Funds Turned to State & County Agencies	<u>\$ 2,055.42</u>
	\$ 5,564.25

Code Enforcement Office

Fees Collected:	Building Permit Fees	\$ 2,333.60
	Building Permit Values	\$ 296,900.00
	Operating Permit Fees	\$ 600.00
	Site Plan Fees	\$ 150.00
	Variance Fees	\$ 75.00

City of Elmira Animal Control

Justice Office

Recreation/Aging/Youth

Residential Deputy

Supervisor's Report

Council Member Gunderman made a motion, Council Member Szerszen seconded to accept the monthly reports as filed.

Under Correspondence, Supervisor Sheen stated that the Thursday night card group that plays cards at Chapel Park Community Center gave the Town a donation of \$200.00.

Council Member Roman made a motion, Council Member Hurley seconded to accept the minutes of October 11, 2016 Regular Meeting and November 2, 2016 Preliminary Budget Meeting.

Under Taxpayer's Comments, agenda and discussion items only, no one wished to speak.

RESOLUTION NO. 181-2016

APPROVING ABSTRACT OF GENERAL FUND CLAIMS

Resolution by: Gunderman
Seconded by: Roman

RESOLVED, that the Abstract of General Fund Claims submitted by the Town Clerk for the month of November 2016, No. 646 through No. 706, not to exceed \$71,251.18, has been audited and approved for payment by this Town Board.

AYES: Gunderman, Hurley, Roman, Szerszen, Sheen
NOES: None
CARRIED.

RESOLUTION NO.182-2016

APPROVING ABSTRACT OF HIGHWAY FUND CLAIMS

Resolution by: Gunderman
Seconded by: Szerszen

RESOLVED, that the Abstract of Highway Fund Claims submitted by the Town Clerk for the month of November, 2016, No. 200 through No. 220, not to exceed \$109,132.70, has been audited and approved for payment by this Town Board.

AYES: Gunderman, Hurley, Roman, Szerszen, Sheen
NOES: None
CARRIED.

RESOLUTION NO. 183-2016

AUTHORIZING PURCHASE OF SALT AT STATE OR COUNTY PRICE

Resolution by: Roman
Seconded by: Szerszen

RESOLVED, that the Highway Superintendent be and he hereby is authorized to purchase the necessary requirements of salt at the established State or County bid contract price.

AYES: Gunderman, Hurley, Roman, Szerszen, Sheen
NOES: None
CARRIED.

RESOLUTION NO. 184-2016

AUTHORIZING SUPERVISOR TO REQUEST COUNTY TO REASSESS MISCELLANEOUS PROPERTY CHARGES

Resolution by: Gunderman
Seconded by: Hurley

RESOLVED, that the Town Supervisor be and he hereby is authorized to request the County to reassess unpaid mowing, tree and refuse removal charges for the Town of Southport on January 1, 2017 Town and County Tax Statements as follows:

SWISS Code	Tax Map ID	Property Owner Name	Total Charges
073600	100.00-1-3.11	Carolyn Newton	\$ 400.00
073600	100.09-2-3	Dennis & Dawn May	\$ 350.00
073600	100.09-4-57	Debra Warfe	\$ 1,550.00
073600	100.17-3-11	Joanne Miller	\$ 400.00
073600	108.04-1-7.1	Harold & Cynthia Rittenhouse	\$ 200.00
073600	109.03-1-1.2	Dianna Lazouras	\$ 190.00
073600	109.05-1-28	Janice Culver	\$ 1,195.00
073600	109.06-1-33	US Bank National Assoc.	\$ 175.00
073600	109.07-3-27	Virginia Edger-Bailey	\$ 500.00
073600	109.07-4-25	Beverly Seelye Estate	\$ 350.00
073600	109.08-1-81	Mark & Donna Dykes	\$ 200.00
073600	109.08-3-16	Earl Knapp	\$ 500.00
073600	109.08-3-21	David Maslyn	\$ 250.00
073600	109.08-7-24	Lynn Waltman Estate	\$ 975.00
073600	109.09-1-2	Floyd Rathbun Estate	\$ 650.00
073600	109.09-1-23	Sec. of Housing Urban Dev.	\$ 175.00

073600	109.09-4-28	Dannie Fish, Jr.	\$ 2,035.00
073600	109.10-2-20.12	Hafiz Mahboob Ellahi	\$ 400.00
073600	109.10-3-1	Norbert Gehrig	\$ 250.00
073600	118.01-1-43	Justin Peters	\$ 400.00
073600	118.01-1-48	Ruth Johnson	\$ 1,650.00
073600	118.01-1-55	Arline Seymour & Lawrence Devine	\$ 400.00
073600	119.00-1-12.1	JP Morgan Chase Bank	\$ 1,300.00
073600	119.00-1-27	Bayview Loan Servicing LLC	\$ 975.00
073600	127.00-1-35.2	Leonard Fenton	\$ 1,285.73
073600	97.00-1-4.2	Charles Comer	\$ 19,133.05
073600	98.00-1-74	Linda Lincoln	\$ 325.00
073600	99.13-1-34	David Urbaniak	\$ 400.00
073600	99.13-2-41	Robert & Gayle Conley	\$ 250.00
073600	99.14-1-48	Gaylee Guadarrama & Louis Ciota, Jr.	\$ 250.00
073600	99.14-2-53	Jerry Mould	\$ 1,875.00
073600	99.18-3-13	Jeannine Fowler	\$ 175.00
073600	99.19-3-59	Dale & Teri Sheesley	\$ 215.00
073600	99.19-3-62	Brian Standt	\$ 825.00
073600	99.19-3-64	Richard & Patricia Jenkins	\$ 175.00
073600	99.19-3-75	Paula Mrozowski	\$ 250.00

AYES: Gunderman, Hurley, Roman, Szerszen, Sheen
NOES: None
CARRIED.

RESOLUTION NO. 185-2016

SPONSORING THE TOWN OF SOUTHPORT ANNUAL HOLIDAY PARADE AND APPOINTING
THE TOWN AS LEAD AGENCY

Resolution by: Roman
Seconded by: Szerszen

RESOLVED, that the Town of Southport agrees to sponsor a holiday parade on December 3, 2016 at 3:45 p.m., and act as lead agency for said parade.

AYES: Gunderman, Hurley, Roman, Szerszen, Sheen
NOES: None
CARRIED.

RESOLUTION NO. 186-2016

BUDGET MODIFICATIONS

Resolution by: Gunderman
 Seconded by: Szerszen

RESOLVED, that the following transfer of funds as are follows:

Budget lines to be Modified	Prior Approved Budget Amount	Amount of Requested Increase/Decrease	Revised Budget Amt.	Reason for Budget Rev.
From: A1620.4	\$ 27,303.02	\$ (7,737.21)	\$ 19,565.81	Bldgs. Cont.
To: A1110.4	\$ (659.87)	\$ 659.87		Justice Cont.
To: A1315.4	\$ (21.03)	\$ 21.03		Bookkeeper Cont.
To: A6772.44	\$ (67.20)	\$ 67.20		Aging Cont. (trips)
To: A7310.4	\$ (6,966.12)	\$ 6,966.12		Youth Program Cont.
To: A7450.4	\$ (22.99)	\$ 22.99		Comm. Relations Cont.
From: DA5110.4	\$ 169,141.49	\$ (274.49)	\$ 168,867.00	Item 1 Central Repairs Cont.
To: DA5130.4	\$ (237.32)	\$ 237.32		Item III Machinery Cont.
To: DA5110.11	\$ (37.17)	\$ 37.17		Item I Per. Svc. - OT Snow
To: DA3501	\$ 190,000.00	\$ 42,012.29	\$ 232,012.29	Increase CHIP's Bdgt – PAVE NY
To: DA5112.201	\$ 0.00	\$ 42,012.29	\$ 42,201.29	Decrease PAVE NY line item

AYES: Gunderman, Hurley, Roman, Szerszen, Sheen
 NOES: None
 CARRIED.

7:15 P.M. – PUBLIC HEARING - for the purpose of hearing any and all public comment in connection with a proposed order directing the repair or removal of an unsafe building at 526 Holecek Avenue, Tax Map Identification Number 99.13-1-34, Town of Southport, County of Chemung, State of New York, pursuant to the provisions of Chapter 234 of the Municipal Code of the Town of Southport.

Attorney Barnstead read the legal notice that appeared in the Star Gazette and opened the Public Hearing for public comment at 7:15 p.m.

Code Enforcement Officer Peter Rocchi stated that the property remains unchanged and there has been no contact from the owner.

The owner was not present, nor was any representative on his behalf to speak regarding the property.

After no one else wished to speak, the public portion of the public hearing was closed at 7:19 p.m.

RESOLUTION NO. 187-2016

ORDERING DEMOLITION AND REMOVAL OF A DANGEROUS AND UNSAFE BUILDING LOCATED AT 526 HOLECEK AVENUE AND TO PROCEED WITH AN ASBESTOS EVALUATION

Resolution by: Roman
Seconded by: Gunderman

WHEREAS, the Building Inspector of the Town of Southport has heretofore filed with the Town Clerk of the Town of Southport a report containing his opinion regarding the dangerous or unsafe condition to the public of certain property owned by David Urbaniak, located at 526 Holecek Avenue, Elmira, New York, designated Tax Map Parcel Number 99.13-1-34, and

WHEREAS, there has heretofore been personally served upon David Urbaniak a notice setting forth the particulars in which the building is unsafe or dangerous, and

WHEREAS, the Town Board upon notice to the aforementioned owner, conducted a hearing on November 9, 2016 at 7:15 p.m., at which time the public was given an opportunity to be heard,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport does hereby order the demolition and removal of a building located at 526 Holecek Avenue and owned by David Urbaniak, Tax Map Parcel Number 99.13-1-34, as such building constitutes a dangerous and unsafe condition for the public of the Town of Southport, and be it further

RESOLVED, that the Town Supervisor is authorized to conduct an asbestos evaluation for the property located at 526 Holecek Avenue.

RESOLVED, that such repairs or demolition shall commence within thirty days of the date of the service of the aforementioned owners and shall be completed within sixty days thereafter.

AYES: Gunderman, Hurley, Roman, Szerszen, Sheen
NOES: None
CARRIED.

Under discussion was update on 15 Kneale Road. Code Enforcement Peter Rocchi stated that the property has been demolished and all debris cleared away. This will be taken off the agenda.

Also under discussion was Chapel Park Rental Fee Increase. This will be tabled until the December meeting.

RESOLUTION NO. 188-2016

AUTHORIZING NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO BE LEAD AGENCY FOR HURLEY FARMS, INC. MINING PIT

Resolution by: Roman
Seconded by: Gunderman

WHEREAS, the Town has received a letter from New York State Department of Environmental Conservation requesting that the State be named Lead Agency with regards to Hurley Farms, Inc. Mining Permit (Mine ID #80822) and

WHEREAS, the Town Board has no objection to NYS DEC being Lead Agency for the purpose of New York State SEQRA (State Environmental Quality Review).

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport in regular session duly convened does hereby authorize NYS DEC to be Lead Agency for the purpose of SEQRA for Hurley Farms, Inc. Mining Permit (Mine ID #80822) Application Review.

AYES: Gunderman, Roman, Szerszen, Sheen
NOES: None
ABSTAIN: Hurley
CARRIED.

Under Taxpayer's Comments, Charles Collins from 436 Kinner Hill Road commented on the public's right to speak at all appointed board meetings.

Jackie Torrence from 1065 Richard Street spoke regarding Fitzsimmons Cemetery.

Marci Wells from 1115 Woodbine Avenue also spoke regarding Fitzsimmons Cemetery.

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

The meeting was adjourned at 7:50 p.m.

AYES: Gunderman, Hurley, Roman, Szerszen, Sheen
NOES: None
CARRIED.

Respectfully Submitted,

Carolyn A. Renko