

August 8, 2017

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 8, 2017.

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

Members Absent: Council Member Joseph Roman

Others Present: Attorney Kimberlee Balok-Middaugh, Highway Superintendent David Bachman, Code Enforcement Officer Peter Rocchi, Director of Recreation David Ellis, Recreation Attendant Robert Ripley, 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	\$ 2,766.62
Funds Turned to State & County Agencies	<u>\$ 1,301.13</u>
	\$ 4,067.75

Code Enforcement Office

Fees Collected:	Building Permit Fees	\$ 1,536.20
	Building Permit Values	\$ 369,338.00
	Operating Permit Fees	\$ 615.00

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

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

Under Correspondence, Supervisor Sheen read a letter from Martin Butler, Regional Traffic Engineer from New York State Department of Transportation to Sheriff Christopher Moss regarding a Safety Study they are conducting at the Rte. 328/Route 14/Broadway Intersection.

Council Member Gunderman made a motion, Council Member Hurley seconded to accept the minutes of the July 11, 2017 Regular Meeting.

Under Taxpayer's Comments, agenda and discussion items only, Supervisor Sheen noted that Discussion Item #2, Recommendation from Code Enforcement to Amend Town Code §525-33 Special Dimensional Requirements, will be tabled until the September 13, 2017 Regular Meeting.

Charles Collins from 436 Kinner Hill Road commented on Resolution #10, Authorizing Supervisor to enter into an Agreement with the Elmira City School District.

William Losinger from 821 Mt. Zoar Street commented on Discussion Item #3, Recommendation from Code Enforcement to Amend Town Code §525-5 Definition of Kennel.

RESOLUTION NO. 127-2017

APPROVING ABSTRACT OF GENERAL FUND CLAIMS

Resolution by: Gunderman
Seconded by: Hurley

RESOLVED, that the Abstract of General Fund Claims submitted by the Town Clerk for the month of August 2017, No. 1155 through No. 1206, not to exceed \$79,922.57, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 128-2017

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 August 2017, No. 127 through No. 143, not to exceed \$59,460.61, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 129-2017

APPROVING ABSTRACT OF LIGHT FUND CLAIMS

Resolution by: Gunderman
Seconded by: Szerszen

RESOLVED, that the Abstract of Light Fund Claims submitted by the Town Clerk for the month of August 2017, No. 19, not to exceed \$7,366.75, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 130-2017

AUTHORIZING PURCHASE OF GASOLINE AT STATE BID PRICE

Resolution by: Szerszen
Seconded by: Hurley

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

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

RESOLUTION NO. 131-2017

SETTING DATES FOR TOWN BOARD MEETINGS

Resolution by: Szerszen
Seconded by: Hurley

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 2017, insofar as the same is required, be held on December 27, 2017, and be it further

RESOLVED, that the date of the Organizational Meeting of the Town Board of the Town of Southport for the year 2018, insofar as the same is required, be held on January 2, 2018, and be it further

RESOLVED, that the September Regular Meeting be held on September 13, 2017, the Tentative Budget Special Meeting be held on September 19, 2017, and the Preliminary Budget Public Hearing & Special Meeting be held on November 1, 2017, and be it further

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

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

RESOLUTION NO. 132-2017

AUTHORIZING SUPERVISOR AND THE TOWN JUSTICES TO APPLY FOR A 2017 JUSTICE COURT ASSISTANCE PROGRAM GRANT

Resolution by: Gunderman
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 2017 Justice Court Assistance Program Grant up to the maximum amount available, 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: Gunderman, Hurley, Szerszen, Sheen
NOES: None
ABSENT: Roman
CARRIED.

RESOLUTION NO. 133-2017

APPOINTING WILLIAM WHITFORD AS ALTERNATE SCHOOL TRAFFIC OFFICER

Resolution by: Hurley
Seconded by: Szerszen

RESOLVED, that pursuant to Section 208-A of the General Municipal Law, as amended, William Whitford be and he hereby is appointed as Alternate School Traffic Officer on a part-time basis effective August 8, 2017, and that his duties be limited to acting as Alternate School Traffic Officer and assisting at school crossings prior to the opening and closing of schools.

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

RESOLUTION NO. 134-2017

AUTHORIZING SUPERVISOR TO SUBMIT A CONSOLIDATED FUNDING APPLICATION FOR AN ENGINEERING PLANNING GRANT TO CONDUCT A SEWER FEASIBILITY STUDY IN THE PHOENIX AND FAIRWAY AVENUE AREA

Resolution by: Hurley
Seconded by: Gunderman

WHEREAS, the Town Board is desirous of investigating the feasibility of installing a sewer line to the Phoenix and Fairway Avenue area, and

WHEREAS, grants are available through Consolidated Funding Application (CFA) for the purpose of obtaining such feasibility studies, and

WHEREAS, the Town of Southport has decided to submit an application for a \$12,000.00 Grant with 20% match funding of a feasibility study to construct a sewer project, and

WHEREAS, the installation of a sewer line to the Phoenix and Fairway Avenue area would benefit the residents that may now or in the future have septic issues,

NOW THEREFORE BE IT RESOLVED, that the Supervisor of the Town of Southport is hereby authorized to sign the Consolidated Funding Application (CFA) for 2017.

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

RESOLUTION NO. 135-2017

AUTHORIZING COURT CLERK MARY DESOCIO TO ATTEND THE 2017 FALL CONFERENCE OF THE NEW YORK STATE ASSOCIATION OF MAGISTRATE COURT CLERKS, INC.

Resolution by: Gunderman
Seconded by: Hurley

RESOLVED, that Mary DeSocio be and she hereby is authorized to attend the 2017 Fall Conference of New York State Association of Magistrate Court Clerk's Inc., in Niagara Falls, New York on September 24, 2017 to September 27, 2017, and that her expenses therefore shall be a proper Town Charge.

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

Next was Authorizing Supervisor to enter into an Agreement with the Elmira City School District, which will be tabled until the September Meeting.

RESOLUTION NO. 136-2017

APPOINTING ROBERT MATTISON AS PERMANENT SCHOOL TRAFFIC OFFICER

Resolution by: Szerszen
Seconded by: Hurley

RESOLVED, that pursuant to Section 208-A of the General Municipal Law, as amended, Robert Mattison be and he hereby is appointed permanent School Traffic Officer on a part-time basis, effective September 6, 2017, and that his duties be limited to acting as a School Traffic Officer and assisting at school crossings prior to the opening and closing of schools.

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

RESOLUTION NO. 137-2017

AUTHORIZING SUPERVISOR TO SELL A 1995 INTERNATIONAL TRUCK TO THE TOWN OF ERIN

Resolution by: Gunderman
Seconded by: Hurley

WHEREAS, the Town Board of the Town of Southport at a regular meeting held on June 13, 2017, by Resolution No. 107-2017 did declare a 1995 International Snow Plow/Dump Truck with Plow Wing (VIN #1HTGEAUR6SH643202), as surplus property, and

WHEREAS, the Supervisor has received a purchase offer for the 1995 International Snow Plow/Dump Truck with Plow Wing from the Town of Erin for the amount of TEN THOUSAND DOLLARS AND 00/100 (\$10,000.00).

NOW THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to accept the offer for the 1995 International Snow Plow/Dump Truck with Plow Wing (VIN 1HTGEAUR6SH643202), for the amount of TEN THOUSAND DOLLARS AND 00/100 (\$10,000.00).

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

Under discussion was update on 1159 Sherman Avenue. Code Enforcement Officer Peter Rocchi stated that the house is set for demolition the week of August 14, 2017. This will be tabled for a final update at the September Regular Meeting.

Next under discussion was Recommendation from Code Enforcement to Amend Town Code § 525-33 Special Dimensional Requirements. As stated above by Supervisor Sheen, this will be tabled to the September 13, 2017 Regular Meeting.

Lastly under Discussion was Recommendation from Code Enforcement to Amend Town Code §525-5, Definition of Kennel. Code Enforcement Officer Rocchi explained the situation that prompted this amendment, which was a home in the Town of Southport that was posted due to unsanitary conditions due to the occupant having numerous dogs, cats and rats. The occupant cleaned up the property to Code Enforcement's satisfaction and was allowed to move back into the home. Code Enforcement and Elmira City Animal Control are continuing to monitor this situation. Mr. Rocchi stated that this amendment would limit the number of animals a resident could have before it is considered a kennel.

William Losinger from 821 Mt. Zoar Street, who resides next to this property spoke regarding how the issue affected himself and his family and while he is grateful to Code Enforcement and Animal control, he is worried that the situation is returning once again and wants to make sure that Code Enforcement and Animal Control are closely monitoring this situation.

Council Member Szerszen made a motion, Council Member Hurley seconded to refer to the Town of Southport Planning Board recommendation from Code Enforcement to Amend Town Code §525-5 Definition of Kennel.

Under Taxpayer's Comments, Charles Collins from 436 Kinner Hill Road commented on Recommendation from Code Enforcement to Amend Town Code §5235-33 Special Dimensional Requirements.

Cheryl Bennett from 780 Cedar Street commented on the Leland Street Sanitary Sewer Project.

Council Member Szerszen stated that there will be an informational Public Meeting at the Southport Volunteer Fire Department sometime during the month of September regarding the Leland Street Sanitary Sewer Project.

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

The meeting was adjourned at 7:36 p.m.

Respectfully Submitted,

Carolyn A. Renko, Town Clerk