

June 12, 2018

Regular Meeting

Minutes of a Regular Meeting of the Town Board of the Town of Southport at the Southport Town Hall, 1139 Pennsylvania Avenue on June 12, 2018.

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

Others Present: Attorney Kimberlee Balok-Middaugh, Code Enforcement Officer Peter Rocchi, Seasonal Code Enforcement Officer Dale Balmer, Director of Recreation David Ellis, Community Development Specialist Nichola Ostrander, Brush Lot Attendant Charles Rockwell, 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	\$ 2,033.28
Fitzsimmons Lot Sales	\$ 275.00
Funds Turned to State & County Agencies	<u>\$ 1,954.97</u>
	\$ 4,263.25

Code Enforcement Office

Fees Collected:	Building Permits Fees	\$ 1,790.30
	Building Permit Values	\$ 239,500.00
	Operating Permit Fees	\$ 500.00
	Site Plan Fees	\$ 225.00

Justice Office

Recreation/Aging/Youth Services

Residential Deputy

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

Council Member Szerszen made a motion, Council Member Roman seconded to accept the minutes from the May 8, 2018 Regular Meeting.

There was no correspondence received.

Under Taxpayer's Comments, Charles Collins from 436 Kinner Hill Road commented on Discussion Item #1 Referral from Town of Southport Planning Board regarding proposed amendment to §525-33 Special Dimensional requirements in the Bulk and Density Control Requirements with the proposed changes, to accept the amendment to the definitions for Agricultural Use in §525-5 and to accept the changes to the Use Regulation Table. He also commented on a vacant lot on Cedar Street.

RESOLUTION NO. 95-2018

APPROVING ABSTRACT OF GENERAL FUND CLAIMS

Resolution by: Roman
Seconded by: Gunderman

RESOLVED, that the Abstract of General Fund Claims submitted by the Town Clerk for the month of June 2018, No. 287 through No. 370, not to exceed \$130,786.46, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 96-2018

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 June 2018, No. 85 through No. 99, not to exceed \$47,224.37, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 97-2018

APPROVING ABSTRACT OF LIGHT FUND CLAIM

Resolution by: Roman
Seconded by: Szerszen

RESOLVED, that the Abstract of Light Fund Claim submitted by the Town Clerk for the month of June 2018, No. 6 not to exceed \$8,823.01, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 98-2018

ACCEPTING THE AUDIT OF INSERO & CO. FOR THE YEAR ENDING DECEMBER 31, 2017

Resolution by: Roman
Seconded by: Gunderman

WHEREAS, the Town of Southport retained the services of Insero & Co., CPA's for the purpose of having that firm perform an audit of the Town's Departments for the year ending December 31, 2017.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport does hereby acknowledge receipt of the audited statements of the Town as prepared by said firm, and directs that the same be placed on file in the Town Clerk's Office, and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to retain sufficient copies of this report as provided by law and to make the same available for public inspection and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to make proper publication notice of the availability of these reports.

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

RESOLUTION NO. 99-2018

AUTHORIZING SUPERVISOR TO ENTER INTO A LAND USE AGREEMENT WITH
PENNSYLVANIA AVENUE UNITED METHODIST CHURCH

Resolution by: Roman
Seconded by: Hurley

WHEREAS, the Supervisor and the Recreation Department have requested that the Town enter into an agreement with the Pennsylvania Avenue United Methodist Church to use a portion of their property as playing fields,

RESOLVED, that the Town Board of the Town of Southport in regular session duly convened, authorize the Town Supervisor to enter into an Agreement with Pennsylvania Avenue United Methodist Church to use the rear portion of the church's property for playing fields and a parking area to be used in connection with the playing fields,

RESOLVED, that this Agreement shall run through June 30, 2019.

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

PUBLIC HEARING 7:15 P.M. – for the purpose of hearing any and all public comment regarding a six-month extension to Local Law No. 2 of 2017, a temporary 12-month Moratorium on development on solar and wind energy development within the Town of Southport.

Town Clerk Carolyn Renko read the legal notice that appeared in the Star Gazette and opened the hearing for public comment.

Christa Heyward from 1243 Trescott Drive asked what had been done during the review process and if any resident had requested to develop solar or wind.

Supervisor Sheen Stated that the Town is collecting existing contracts from other Towns. This information will be passed on to the Planning Board for their review and then they will present a plan to the Town Board. He also stated that there have been no requests from residents to develop solar or wind.

After no one else wished to speak, the public portion of the Public Hearing was closed at 7:18 p.m.

RESOLUTION NO. 100-2018

LOCAL LAW NO. 1 OF 2018

A SIX-MONTH EXTENSION TO THE TEMPORARY 12-MONTH MORATORIUM ON SOLAR AND WIND ENERGY DEVELOPMENT WITHIN THE TOWN OF SOUTHPORT

Resolution by: Roman
Seconded by: Szerszen

WHEREAS, the Town of Southport enacted Local Law No. 2 of 2017 on or about May 9, 2017 to establish a 12-month moratorium in order to allow the Town of Southport to properly plan for any development related to large scale solar energy systems within the Town of Southport, and

WHEREAS, the Town of Southport, as part of its planning in preparation for this potential development in the Town of Southport is reviewing its current zoning laws to address and potential development, and

WHEREAS, Local Law No. 2 of 2017 provided for a temporary 12-month moratorium for any potential development related to any commercial development or installation of solar or wind energy farms as defined herein within the Town of Southport, this proposed Local Law No. 1 of 2018 will provide for a six-month extension of Local Law No. 2 of 2017, and

WHEREAS, the Town of Southport Planning Board and the Chemung County Planning Board have reviewed and approved Local Law No. 1 of 2018, and

NOW THEREFORE BE IT RESOLVED, this proposed Local Law No. 1 of 2018 a six month extension to the temporary 12-month moratorium on solar and wind energy development within the Town of Southport, thereof in its final form having been upon the desks of members of the Board for at least seven (7) calendar days, exclusive of Sunday, prior to this day, and a public hearing having been duly held on June 12, 2018 before the Board upon public notice provided by law, and the said proposed local law having been read in its final form at this meeting, and

BE IT FURTHER RESOLVED, that said proposed Local Law No. 1 of 2018 for the Town of Southport to provide a six (6) month extension to the temporary 12-month moratorium on solar and wind energy development within the Town of Southport, is hereby adopted and enacted, to wit:

Section 1. Title

This local law shall be known as "Local Law No. 1 of the Year 2018, A Six-Month Extension to the Temporary 12-Month Moratorium on Solar and Wind Energy Development within the Town of Southport".

Section 2. Legislative Intent

- A. Local Law No. 2 of 2017 established a 12-month moratorium for any potential development related to any commercial development or installation of solar or wind energy farms as defined herein within the Town of Southport. Pursuant to Local Law No. 2 of 2017, the Town imposed a temporary 12-month moratorium on the issuance of building permits, variances, site plan approvals, or any related review pursuant to a request for such solar or wind energy systems within the Town of Southport.
- B. The purpose of the law is to extend the effective time period for Local Law No. 2 of 2017 to allow the Town additional time to review the zoning laws and to complete the planning process for the Town.
- C. During the period for this extension of the moratorium, the Town Board intends to suspend land use regulations in the Town of Southport which conflicts with the effect and intent of this local law.
- D. The Town Board finds pursuant to 6 NYCRR 617.5 (C), (30) that the adoption of this extension to the moratorium of land development or construction is a Type II action under the New York State Environmental Quality Review Act ("SEQR") which has been determined to not have a significant impact on the environment.

Section 3. Extended Term for Moratorium

- A. Local Law No. 2 of 2017 shall be extended for an additional six (6) months through October 31, 2018.
- B. Except as otherwise amended herein, all provisions of Local Law No. 2 of 2017 shall remain in effect and be extended for an additional six (6) months through October 31, 2018.

Section 4. Authority.

This Moratorium is enacted by the Town Board pursuant to its authority to adopt local laws Under Article IX of the New York State Constitution and Municipal Home Rules Law §10.

Section 5. Supersession of the Town Law.

This local law is hereby adopted pursuant to Municipal Home Rules Law §10. It is the intent of the Town Board, pursuant to Municipal Home Rules Law to supersede the following provisions of the New York State Town Law as it relates to zoning and planning determinations under Town Law § 274-a, § 274-b, § 267-a, § 267-b, § 276, and § 277.

Section 6. Inconsistent Laws.

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

Section 7. 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 8. Effective Date.

This local law shall take effect immediately upon filing with the New York State Secretary of State.

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

RESOLUTION NO. 101-2018

RATIFYING APPOINTMENT OF CHARLES ROCKWELL AS LABORER

Resolution by: Gunderman
Seconded by: Hurley

WHEREAS, the Supervisor has expressed a need to hire a Part-Time Laborer at the Town of Southport Brush Lot.

NOW THEREFORE BE IT RESOLVED, that this Town Board authorizes the Supervisor to hire Charles Rockwell as Part-Time Laborer at the Town of Southport Brush Lot at a rate of \$14.00 per hour, effective May 15, 2018.

RESOLVED, that except for New York State Retirement benefits, the aforementioned individual shall not be entitled to any benefits as a result of his employment by the Town of Southport, included but not limited to health insurance.

RESOLVED, that the aforementioned individual shall commence his employment with the Town of Southport until such time as he shall have filed with the Town Clerk his appropriate Oath of Office as required by law.

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

RESOLUTION NO. 102-2018

RATIFYING APPOINTMENT OF GARY ROBINSON AS LABORER

Resolution by: Gunderman
Seconded by: Roman

WHEREAS, the Supervisor has expressed a need to hire a Part-Time Laborer at the Town of Southport Brush Lot.

NOW THEREFORE BE IT RESOLVED, that this Town Board authorizes the Supervisor to hire Gary Robinson as Part-Time Laborer at the Town of Southport Brush Lot at a rate of \$14.00 per hour, effective June 7, 2018.

RESOLVED, that except for New York State Retirement benefits, the aforementioned individual shall not be entitled to any benefits as a result of his employment by the Town of Southport, included but not limited to health insurance, and be it further

RESOLVED, that the aforementioned individual shall commence his employment with the Town of Southport until such time as he shall have filed with the Town Clerk his appropriate Oath of Office as required by law.

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

RESOLUTION NO. 103-2018

AUTHORIZING TIME WARNER CABLE NORTHEAST, LLC TO PLACE ADDITIONAL UTILITY POLES IN THE TOWN'S RIGHT OF WAY ALONG LAUREL RUN ROAD AND KINNER HILL ROAD

Resolution by: Roman
Seconded by: Gunderman

WHEREAS, in accordance with the New York State Build Out Project and as required by the merger between Charter Communications and Time Warner Cable approved in 2016 by the New York State Public Service Commission, internet services must be extended to residents residing in rural areas, and

WHEREAS, to provide services in some rural areas additional poles are required to make these services accessible, and

WHEREAS, Time Warner Cable Northeast LLC is requesting that the Town allow additional utility poles be placed in the Town's right of way along Laurel Run Road and Kinner Hill Road in the Town of Southport, and

THEREFORE BE IT RESOLVED, that the Town of Southport Town Board, County of Chemung, State of New York hereby authorizes Time Warner Cable Northeast LLC to place additional utility poles within the Town's right of way along Laurel Run Road and Kinner Hill Road in accordance with the engineer certified map dated May 2018 titled "Charter Communications Laurel Run and Kinner Hill Road" provided by the Time Warner Cable Northeast LLC to allow for the extension of internet services to residents in such rural areas of the Town of Southport, and

BE IT FURTHER RESOLVED, that any maintenance or repair of the poles will be the sole responsibility of Time Warner Cable Northeast LLC.

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

RESOLUTION NO. 104-2018

ESTABLISHING A HIGHWAY IMPROVEMENT RESERVE FUND

Resolution by: Roman
Seconded by: Gunderman

WHEREAS, the Town of Southport Town Board created a Building Reserve fund in accordance with General Municipal Law Section 6-c to fund future buildings, and

WHEREAS, funds in the Building Reserve Fund are in excess of the needs of the Town for future buildings, and

WHEREAS, due to the increasing need to improve highway infrastructure, the Town wishes to establish a Highway Improvement Reserve Fund and transfer funds from the Building Reserve Fund to the Highway Improvement Reserve Fund, and

THEREFORE BE IT RESOLVED, that the Town of Southport Town Board authorizes the establishment of a "Highway Improvement Reserve Fund" to accumulate funds to finance the cost of highway improvements within the Town pursuant to Section 6-c of the General Municipal Law, and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Town Supervisor may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Town of Southport. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue for the Reserve Fund in a manner which maintains the separate identity of the cash and investments of the Reserve Fund, and

BE IT FURTHER RESOLVED, that except as provided by Section 6-c of the General Municipal Law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund was established. No expenditure shall be made from this Reserve Fund without approval of the Town Board of the Town of Southport and without such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law, and

THEREFORE BE IT RESOLVED, that the Town of Southport Town Board authorizes the transfer of four hundred thousand dollars (\$400,000.00) from the Building Reserve Fund to the Highway Improvement Reserve Fund in accordance to law and this transfer is subject to a permissive referendum.

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

RESOLUTION NO. 105-2018

APPOINTING JULIANNE RENKO, REBECCA JONES, OLIVIA RILEY AND JAYLUN SMOLIN AS SUMMER RECREATION SUPERVISORS

Resolution by: Szerszen
Seconded by: Roman

WHEREAS, the Director of Recreation of the Town of Southport has recommended that the Town employ temporary summer Recreation Leaders/Supervisors, and

NOW THEREFORE BE IT RESOLVED, that the Town of Southport does hereby appoint the following individuals as part-time temporary Recreation Supervisors, those individuals to be paid as any other Town employee pursuant to the following schedule:

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>	<u>EFFECTIVE DATES</u>
Renko, Julianne	Recreation Supervisor	\$ 17.50 pr/hr	6/18/18-8/10/18
Jones, Rebecca	Recreation Supervisor	\$ 12.65 pr/hr	6/18/18-8/10/18
Riley, Olivia	Recreation Supervisor	\$ 12.65 pr/hr	6/18/18-8/10/18
Smolin, Jaylun	Recreation Supervisor	\$ 12.65 pr/hr	6/18/18-8/10/18

and be it further

RESOLVED, that except for New York State retirement benefits, the aforementioned 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 individuals shall not 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: Gunderman, Hurley, Roman, Szerszen, Sheen
NOES: None
CARRIED.

PUBLIC HEARING 7:30 P.M. – for the purpose of hearing any and all public comment regarding amendment to §525-107 Home Occupation.

Town Clerk Carolyn Renko read the legal notice that appeared in the Star Gazette and opened the hearing for public comment. Attorney Balok-Middaugh explained this was just a clerical adjustment.

After no one else wished to speak, the public portion of the Public Hearing was closed at 7:32 p.m.

RESOLUTION NO. 106-2018

AMENDING TOWN OF SOUTHPORT MUNICIPAL CODE, SECTION 525-107 HOME OCCUPATION

Resolution by: Szerszen
Seconded by: Roman

RESOLVED, that the following amendment to the Town of Southport Municipal code be and the same hereby is enacted and ordained:

§525-107 Home Occupations.

B. General requirements. All home occupation uses shall comply with the following minimum Requirements:

(4) There shall be no external evidence of such use except for a sign installed in accordance with §525-90. No stock, merchandise, packaging, equipment or displays related to the use shall be visible from outside the dwelling unit or accessory structure.

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

RESOLUTION NO. 107-2018

APPOINTING TEMPORARY PART-TIME SUMMER RECREATION LEADERS

Resolution by: Gunderman

Seconded by: Szerszen

WHEREAS, the Director of Recreation of the Town of Southport has recommended that the Town employ nine part-time summer Recreation Leaders.

NOW THEREFORE BE IT RESOLVED, that the Town of Southport does hereby appoint the following individuals as part-time temporary summer Recreation Leaders,

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>	<u>EFFECTIVE DATES</u>
Barr, Alexandra	Recreation Leader	\$ 11.65 pr/hr	6/26/18-8/10/18
Howe, Benjamin	Recreation Leader	\$ 11.65 pr/hr	6/26/18-8/10/18
Kelly, Justyna	Recreation Leader	\$ 11.65 pr/hr	6/26/18-8/10/18
Nelan, Madalenn	Recreation Leader	\$ 11.40 pr/hr	6/26/18-8/10/18
Reese, Gavin	Recreation Leader	\$ 11.40 pr/hr	6/26/18-8/10/18
Ripley, Cody	Recreation Leader	\$ 11.40 pr/hr	6/26/18-8/10/18
Shaylor, Shawn	Recreation Leader	\$ 11.65 pr/hr	6/26/18-8/10/18
Tasker, Robin	Recreation Leader	\$ 11.40 pr/hr	6/26/18-8/10/18
White, Sydney	Recreation Leader	\$ 11.40 pr/hr	6/26/18-8/10/18

and be it further

RESOLVED, that except for New York State retirement benefits, the aforementioned 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 none of the aforementioned individuals shall not 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: Gunderman, Hurley, Roman, Szerszen, Sheen

NOES: None

CARRIED.

RESOLUTION NO. 108-2018

AUTHORIZING SUPERVISOR TO OPEN A CHECKING ACCOUNT WITH JP MORGAN CHASE IN CONJUNCTION WITH THE LELAND STREET SEWER PROJECT

Resolution by: Roman
Seconded by: Szerszen

WHEREAS, the Supervisor has advised this Town Board that it is necessary to maintain a checking account in conjunction with the Leland Street Sewer Project.

NOW THEREFORE BE IT RESOLVED, that the Supervisor of the Town of Southport is authorized to open a checking account with JP Morgan Chase in conjunction with the Leland Street Sewer Project and to sign any and all documents necessary to complete this process.

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

RESOLUTION NO. 109-2018

AUTHORIZING SUPERVISOR TO APPLY FOR A NY MAIN STREET GRANT

Resolution by: Gunderman
Seconded by: Szerszen

WHEREAS, the Town of Southport desires to apply for financial assistance through the NY Main Street Grant, and

WHEREAS, the application proposes to assist with the cost of updating Bulkhead Square.

WHEREAS, the grant application requires that the applicant obtains the approval and endorsement of the governing body of the municipality in which the project will be located.

NOW THEREFORE BE IT RESOLVED, that the Supervisor of the Town of Southport is authorized to sign the application for the NY Main St. Grant requesting funds for further development of updates to Bulkhead Square as outlined in the Town's previously awarded and completed Restore NY Point Re-development grant #AB722.

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

RESOLUTION NO. 110-2018

AUTHORIZING SUPERVISOR TO APPLY FOR AN EMPIRE STATE DEVELOPMENT STRATEGIC PLANNING AND FEASIBILITY STUDY

Resolution by: Gunderman
Seconded by: Hurley

WHEREAS, the Town of Southport has been made aware that Empire State Development Corporation is seeking requests for funding proposals for a Strategic Planning and Feasibility Study.

NOW THEREFORE BE IT RESOLVED, that the Supervisor of the Town of Southport is hereby authorized to sign the application to the Empire State Development Corporation for the Strategic Planning and Feasibility Study.

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

RESOLUTION NO. 111-2018

AUTHORIZING THE SUPERVISOR TO ADVERTISE FOR REQUEST FOR PROPOSALS FOR THE NY MAIN STREET TECHNICAL ASSISTANCE FOR CEDAR STREET

Resolution by: Gunderman
Seconded by: Szerszen

WHEREAS, the Supervisor has requested to advertise for proposals for the NY Main Street Technical Assistance Grant for Cedar Street.

NOW THEREFORE BE IT RESOLVED, that the Supervisor be and he hereby is authorized to advertise for proposals for the NY Main Street Technical Assistance Grant for Cedar Street.

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

RESOLUTION NO. 112-2018

AUTHORIZING THE SUPERVISOR TO ADVERTISE FOR REQUEST FOR PROPOSALS FOR THE EMPIRE STATE DEVELOPMENT RESTORE NY SITE

Resolution by: Gunderman
Seconded by: Szerszen

WHEREAS, the Supervisor has requested to advertise for proposals for the Empire State Development Restore NY Site (Dixie BBQ).

NOW THEREFORE BE IT RESOLVED, that the Supervisor be and he hereby is authorized to advertise for proposals for the NY Main Street Technical Assistance Grant for Cedar Street.

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

RESOLUTION NO. 113-2018

ACCEPTING RESIGNATION OF CATHERINE EDWARDS AS TOWN OF SOUTHPORT ASSESSOR

Resolution by: Szerszen
Seconded by: Roman

WHEREAS, the Town of Southport entered into a shared intermunicipal agreement with the Town of Chemung for assessor services and the Town Assessor for the Town of Chemung, Catherine Edwards, was appointed to also serve as the Town Assessor for the Town of Southport on October 1, 2013; and

WHEREAS, Catherine Edwards has submitted a letter of resignation for the position of Assessor for the Town of Southport and the Town of Chemung; and

THEREFORE BE IT RESOLVED, that the Town of Southport Town Board acknowledges and accepts receipt of the correspondence from the Town Assessor, Catherine Edwards, thereby effectuating her resignation from the position of the Town of Southport Town Assessor to be effective June 30, 2018, and

BE IT FURTHER RESOLVED, that the Intermunicipal Agreement, dated December 13, 2017, between the Town of Southport and the Town of Chemung for shared assessor services is hereby terminated effective June 30, 2018.

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

RESOLUTION NO. 114-2018

AUTHORIZING SUPERVISOR TO ENTER INTO AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF CHEMUNG FOR ASSESSOR SERVICES AND APPOINT TOWN OF CHEMUNG ASSESSOR, CATHERINE EDWARDS AS THE ASSESSOR FOR THE TOWN OF SOUTHPORT

Resolution by: Gunderman
Seconded by: Szerszen

WHEREAS, Real Property Tax Law Section 310 requires each local government to have one assessor who shall meet the minimum qualification standards and Real Property Tax Law Section 576 allows one person to hold the office of assessor in more than one town pursuant to a municipal cooperative agreement, and

WHEREAS, the Town of Southport wishes to enter into an intermunicipal agreement with the Town of Chemung for assessor services and appoint the Town of Chemung Assessor, Catherine Edwards, as the Assessor for the Town of Southport to complete the term of office for the Town Assessor which mandatorily expires on September 30, 2019, and

WHEREAS, the Town of Southport Town Board determined that Catherine Edwards satisfactorily meets the qualifications for the position of Town assessor, and

THEREFORE BE IT RESOLVED, that the Town of Southport Town Board hereby agrees and authorizes the Town Supervisor to execute the agreement dated July 2, 2018 with the Town of Chemung for assessor services pursuant to the terms contained in said agreement, and

BE IT FURTHER RESOLVED, that the Town of Southport Town Board appoints Catherine Edwards as Town Assessor effective July 2, 2018 pursuant to Section 310 and Section 576 of the Real Property Tax Law to fulfill the remainder of the term of office for the Town Assessor due to expire on September 30, 2019.

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

RESOLUTION NO. 115-2018

AUTHORIZING HIGHWAY SUPERINTENDENT TO ADVERTISE FOR BIDS FOR STONE & OIL TREATMENT FOR RESURFACING OF TOWN ROADS

Resolution by: Roman
Seconded by: Szerszen

RESOLVED, that the Highway Superintendent is authorized to advertise for bids for Stone and Oil Treatment for resurfacing of Town roads, bid opening scheduled for July 5, 2018 at 10:00 a.m., at the Town Hall, 1139 Pennsylvania Avenue, Elmira, New York.

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

RESOLUTION NO. 116-2018

INCREASING APPROPRIATIONS AND REVENUES FOR THE NYS MAIN STREET TECHNICAL ASSISTANCE GRANT

Resolution by: Gunderman
Seconded by: Hurley

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

Budget Line to be modified	Prior Appr. Budg. Amt.	Increase	Revised Amt.	
Debit A3089 NYS Aid		\$ 20,000	\$ 20,000	NYS Main St. Tech. Assist.
Credit A6460.4 Comm. Dev.	\$ 30,000	\$20,000	\$50,000	Grant Income Revenues & Expenditures not budgeted

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

RESOLUTION NO. 117-2018

BUDGET MODIFICATIONS

Resolution by: Gunderman
Seconded by: Szerszen

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

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	\$ 50,000.00	\$ (12,284.00)	\$ 37,716.00	
To: A1440.4 Engineering	\$ 25,000.00	\$ 12,284.00	\$ 37,284.00	Leland St. Engineering
From: A1620.4 Contractual	\$ 205,000.00	\$ (10,000.00)	\$ 195,000.00	
To: A1620.1 Contractual Per. Services		\$ 10,000.00	\$ 10,000.00	Janitorial

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

RESOLUTION NO. 118-2018

AUTHORIZING TOWN CLERK TO CONDUCT A DOG CENSUS AND AUTHORIZE ADDITIONAL CHARGE FOR UNLICENSED DOGS

Resolution by: Roman
Seconded by: Gunderman

WHEREAS, the Section 114 (7) of the New York State Agriculture and Markets Law authorizes the Town of Southport to conduct a census of the dogs residing in the Town of Southport, and

WHEREAS, the Section 110 of the New York State Agriculture and Markets Law does authorize the Town of Southport to collect a \$5.00 fee for dogs that are identified as unlicensed during the census, which fee is to be used to pay the expenses associated with the dog census, and

WHEREAS, the Town Clerk of the Town of Southport has requested permission to conduct a census of the dogs residing in the Town of Southport, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, in regular session duly convened, does hereby authorize the Town Clerk of the Town of Southport to conduct a census of the dogs residing in the Town of Southport and to collect a \$5.00 fee for dogs that are identified as unlicensed during the census.

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

RESOLUTION NO. 119-2018

AUTHORIZING WITHDRAWAL FROM THE HIGHWAY EQUIPMENT RESERVE FUND

Resolution by: Gunderman
Seconded by: Hurley

WHEREAS, the Town Board by Resolution No. 124-2005 did authorize the establishment of a Highway Equipment Reserve Fund, the purpose of which is to assist with the purchase of additional equipment to serve the residents of the Town of Southport, and

WHEREAS, repairs were needed to Town of Southport Highway vehicles.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, in regular session duly convened, does hereby authorize the withdrawal of \$10,371.00 from the Town's Highway Equipment Reserve Fund, for repairs made to Town of Southport Highway Vehicles.

RESOLVED, this resolution is subject to a permissive referendum.

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

RESOLUTION NO. 120-2018

AUTHORIZING WITHDRAWAL FROM THE REPAIR RESERVE FUND

Resolution by: Gunderman
Seconded by: Roman

WHEREAS, the Town Board by Resolution No. 189-2012 did authorize the establishment of a Repair Reserve Fund, the purpose of which is to assist with unanticipated repairs to Town of Southport equipment, buildings, etc.

WHEREAS, the Town did have to repair gas leaks at the Town Highway Garage for \$3,386.33.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, in regular session duly convened, does hereby authorize the withdrawal of \$3,386.33 from the Town's Repair Reserve Fund, for the cost of repairing gas leaks at the Town Highway Garage,

RESOLVED, that this resolution is subject to a permissive referendum.

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

Under discussion was referral from Town of Southport Planning Board regarding proposed amendment to § 525-33 Special Dimensional requirements in the Bulk and Density Control Requirements with the proposed changes, to accept the amendment to the definitions for Agricultural Use in § 525-5 and to accept the changes to the Use Regulation Table.

Seasonal Code Officer Dale Balmer explained the proposed changes. The Town Board wishes to review the changes and table this until the July meeting.

Next under discussion was Bell's Basin. At this time, it will remain as is and will be taken off the agenda.

The last thing under Discussion was proposed "Welcome" signs approved by the Southport Business Association. This will be tabled until the July meeting.

Under Taxpayer's Comments, Alan Cecce from 957 Pauline Avenue spoke regarding the Town of Southport Brush Lot.

Charles Collins from 436 Kinner Hill Road commented on Section 525-33 Special Dimensional requirements in the Bulk and Density Control Requirements and definitions for Agriculture Use in 525-5.

Christa Heyward from 1243 Trescott Drive commented on Winter Parking signs placed throughout the Town.

Bill Redder from 67 Woodland Park commented on the Town of Southport Brush Lot.

Steve Koen from 813 Spruce Street also commented on the Town of Southport Brush Lot.

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

The meeting was adjourned at 8:30 p.m.

Respectfully Submitted,

Carolyn A. Renko, Town Clerk