

July 10, 2018

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 July 10, 2018.

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

Others Present: Attorney Kimberlee Balok-Middaugh, Highway Superintendent Steven Renko, Code Enforcement Officer Peter Rocchi, Director of Recreation David Ellis, 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

Supervisor Sheen recognized members of Boy Scout Troop 43 from Pine City, who came to the meeting to work on their Citizen in Community Badge.

Monthly reports were received as follows:

Town Clerk Carolyn A. Renko

Town Clerk & Dog License Fees	\$ 1,776.01
Funds Turned to State & County Agencies	<u>\$ 1,323.99</u>
	\$ 3,100.00

Code Enforcement Office

Fees Collected:	Building Permit Fees	\$ 2,182.50
	Building Permit Values	\$ 275,750.00
	Operating Permit Fees	\$ 670.00
	Special Use Permit Fees	\$ 75.00
	Site Plan Fees	\$ 225.00

City of Elmira Animal Control  
Justice Office  
Recreation/Aging/Youth Services  
Residential Deputy  
Supervisor's Report  
Community Development Specialist

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

Council Member Gunderman made a motion, Council Member Szerszen seconded to accept the minutes from the June 12, 2018 Regular Meeting.

Under Correspondence, Supervisor Sheen stated that he was notified from New York State Office of Real Property Tax Services that the 2018 State equalization rate was 100% for the Town of Southport. Supervisor Sheen also shared a note from Southport Cinderella Softball thanking the Town and Dave Ellis and his crew for the quality of the two softball fields at Chapel Park that were used during the Fury 10U Summer Invitational.

Under Taxpayer's Comments, agenda and discussion items only, Charles Collins from 436 Kinner Hill Road commented on 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.

Andy Patros from 1127 Pennsylvania Avenue commented on Resolution #4, Resolution urging the Governor of the State of New York and the New York State Department of Environmental Conservation to expedite the Elmira High School Brownfield Cleanup Program (Former Sperry Remington-North Portion, NYSDEC Project Number: C808022).

Eddie Baker from South Main Street also commented on Resolution #4.

RESOLUTION NO. 121-2018

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 July 2018, No. 371 through No. 428, not to exceed \$85,577.26, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 122-2018

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 July 2018, No. 100 through No. 118, not to exceed \$44,456.83, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 123-2018

APPROVING ABSTRACT OF LIGHT FUND AND FIRE FUND CLAIMS

Resolution by: Szerszen  
Seconded by: Roman

RESOLVED, that the Abstract of Light Fund Claim No. 7, not to exceed \$7,899.27 and Fire Fund Claim No. 10, not to exceed \$9,350.75, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 124-2018

RESOLUTION URGING THE GOVERNOR OF THE STATE OF NEW YORK AND THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO EXPEDITE THE ELMIRA HIGH SCHOOL BROWNFIELD CLEANUP PROGRAM  
(Former Sperry Remington-North Portion, NYSDEC Project Number: C808022)

Resolution by: Gunderman  
Seconded by: Hurley

WHEREAS, the Former Sperry Remington Property – North Portion Brownfield Cleanup Program Site #C808022 encompasses thirty-four acres on real property currently owned by the Elmira City School District and houses the currently active Elmira High School, and

WHEREAS, following an environmental investigation by the New York State Departments of Health and Environmental Conservation between 2000 and 2003, Unisys, the successor to Sperry Remington, entered into an Order of Consent with New York State in 2014 to conduct more intensive investigations, and

WHEREAS, investigations, testing and cleanup activities have been undertaken and are continuing, children are still attending Elmira High School and teachers, administrators, and support staff are still actively working daily at this BCP site, and

WHEREAS, contaminants including, but not limited to, polychlorinated biphenyls, and volatile organic compounds (including trichloroethylene), have been detected either on the grounds, under or in the building or ground water, and

WHEREAS, the citizens of Chemung County are justifiably concerned about utilizing this property as an active school given the level of cleanup necessary.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport on behalf of the citizens of Chemung County do hereby urge Governor Cuomo and the New York State Department of Environmental Conservation to expedite the Elmira High School Brownfield Cleanup Program, and be it further

RESOLVED, that the Clerk of the Town of Southport is hereby authorized and directed to forward certified copies of this Resolution to the Governor, to the New York State Departments of Health and Environmental Conservation and to the Superintendent of the Elmira City School District.

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

RESOLUTION NO. 125-2018

BUDGET ADJUSTMENT

Resolution by:       Roman  
Seconded by:       Gunderman

RESOLVED, that the Supervisor is authorized and directed to make a budget adjustment to the 2018 General Fund budget to increase Account A9901.9 Transfer to Highway Fund in the amount of \$400,000.00 from un-appropriated fund balance.

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

The transfer of funds from the Building Reserve Fund to the Highway Improvement Reserve Fund was previously passed at the June 12, 2018 Town Board Meeting.

RESOLUTION NO. 126-2018

AUTHORIZING SUPERVISOR TO ENTER INTO AN INTERMUNICIPAL AGREEMENT WITH CHEMUNG COUNTY IN CONJUNCTION WITH THE LELAND STREET AREA SANITARY SEWER DISTRICT EXTENSION

Resolution by: Szerszen  
Seconded by: Hurley

WHEREAS, the Town of Southport wishes to enter into an intermunicipal agreement with the Chemung County Sewer District, an administrative unit of the County of Chemung, to allow for the extension of the sewer district to include the Leland Street Service Area ("District Extension"), and

WHEREAS, the Town received a grant for \$2,031,500 from the New York State Department of Environmental Conservation to assist with the costs incurred with the design and construction of sanitary sewers and related collection facilities to provide for an extension of the Chemung County Sewer District ("Project"), and

WHEREAS the total cost of the Project is projected to be \$2,390,000 and the County of Chemung authorized the issuance of a bond in the amount of \$720,000 to pay for the expenses that do not qualify for payment by the grant, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, County of Chemung, State of New York, hereby agrees to enter into an intermunicipal agreement with the Chemung County Sewer District, an administrative unit of the County of Chemung, for the purposes of effectuating the Project for the District Extension as set forth in the agreement and further authorizes the Town Supervisor to execute this intermunicipal agreement, and

BE IT FURTHER RESOLVED, that this intermunicipal agreement is subject to the approval of the Chemung County Sewer District/County of Chemung.

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.

After discussion among the Board Members, Supervisor Sheen asked that they all put together information for the next board meeting to discuss. Therefore, this will be tabled until the August 14, 2018 meeting.

RESOLUTION NO. 127-2018

AUTHORIZING PURCHASE OF WELCOME SIGNS FOR THE TOWN OF SOUTHPORT

Resolution by: Gunderman  
Seconded by: Szerszen

WHEREAS, the Town of Southport wishes to purchase "Welcome" signs for various locations in the Town of Southport.

RESOLVED, that the Supervisor of the Town of Southport be and he hereby is authorized to purchase Town of Southport "Welcome" signs and accept the quote of Finger Lakes Sign & Design, for the total amount not to exceed EIGHT HUNDRED TWENTY-FIVE DOLLARS (\$825.00).

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

A bid opening was held on July 5, 2018 at 10:00 a.m. for Supply and Laying of Bituminous Asphalt Products. The following bid was submitted:

Suit-Kote Corporation  
20 Fairground Lane  
Watkins Glen, NY 14891

**SUPPLY AND LAYING OF BITUMINOUS SURFACE TREATMENT AND STABILIZED SURFACE COURSE PRODUCTS TO STREETS IN THE TOWN OF SOUTHPORT**

- 1) BID in this section provide for paving for **SPECIFIED** Town of Southport Roads.
- 2) QUANTITIES are provided for information and bidding purposes only. Actual pavement extents terminal ends, widths and thicknesses shall be determined and reviewed with the Contractor, and adjusted for actual field conditions prior to the start of work.
- 3) Bidders acknowledge their visit to the site of the proposed work prior to submission of a bid:

**UNIT COST FOR SINGLE COURSE SURFACE TREATMENT:** Includes labor, equipment and bituminous emulsion to distribute bituminous emulsion and aggregate, where directed by the OWNER.

TYPE	DESCRIPTION	UNIT COST PER SY	QTY	TOTAL COST (in figures)	TOTAL COST (in words)
1ST	Single Course Surface Treatment	\$ 1.365	12,203	\$ <u>16,657.10</u>	Sixteen Thousand Six Hundred Fifty Seven Dollars and Ten Cents
1A	Single Course Surface Treatment	\$ 1.31	28,747	\$ <u>37,658.57</u>	Thirty Seven Thousand Six Hundred Fifty Eight Dollars and Fifty Seven Cents
Payment for TWO course surface treatment shall be the sum of each SINGLE course treatments.					
UNIT COST FOR TRUE AND LEVEL COURSE: Includes Bituminous Emulsion, labor and equipment cost to produce and paver place T&L course of variable thickness, where directed by the OWNER.					
TYPE	DESCRIPTION	UNIT COST PER TON	QTY	TOTAL COST (in figures)	TOTAL COST (in words)
T&L	True & Level	\$ 49.32	2,450	\$ <u>120,834.00</u>	One Hundred Twenty Thousand Eight Hundred Thirty Four Dollars
It is the intent of the Owner to award the contract on the basis of lowest responsible bid taking into consideration the projected quantities of the various materials to be supplied, including full consideration of any alternates that may be included in the bid documents. The Owner reserves the right to waive any informalities or to reject any or all bids. AWARD shall be the lowest total sum of the three bid items. <b>(1ST + 1A + T&amp;L)</b>					
Total bid <b>(1ST + 1A + T&amp;L)</b> = \$ <u>175,149.67</u> (in figures)					
Total bid <b>(1ST + 1A + T&amp;L)</b> = <u>One Hundred Seventy Five Thousand One Hundred Forty Nine Dollars and Sixty Seven Cents</u> (in words)					

RESOLUTION NO. 128-2018

ACCEPTING BID OF SUIT-KOTE FOR SUPPLY AND LAYING OF BITUMINOUS SURFACE TREATMENT TO VARIOUS STREETS IN THE TOWN OF SOUTHPORT

Resolution by: Roman  
 Seconded by: Szerszen

WHEREAS, this Town Board finds and determines that the bid submitted by Suit-Kote is deemed to be the lowest responsible bid submitted therefore as follows:

**SUPPLY AND LAYING OF BITUMINOUS SURFACE TREATMENT AND STABILIZED SURFACE COURSE PRODUCTS TO STREETS IN THE TOWN OF SOUTHPORT**

- 1) BID in this section provide for paving for **SPECIFIED** Town of Southport Roads.
- 2) **QUANTITIES** are provided for information and bidding purposes only. Actual pavement extents terminal ends, widths and thicknesses shall be determined and reviewed with the Contractor, and adjusted for actual field conditions prior to the start of work.
- 3) Bidders acknowledge their visit to the site of the proposed work prior to submission of a bid:

TYPE	DESCRIPTION	UNIT COST PER SY	QTY	TOTAL COST (in figures)	TOTAL COST (in words)
1 <sup>ST</sup>	Single Course Surface Treatment	\$ 1.365	12,203	<u>\$ 16,657.10</u>	Sixteen Thousand Six Hundred Fifty Seven Dollars and Ten Cents
1A	Single Course Surface Treatment	\$ 1.31	28,747	<u>\$ 37,658.57</u>	Thirty Seven Thousand Six Hundred Fifty Eight Dollars and Fifty Seven Cents

Payment for TWO course surface treatment shall be the sum of each SINGLE course treatments.

UNIT COST FOR TRUE AND LEVEL COURSE: Includes Bituminous Emulsion, labor and equipment cost to produce and paver place T&L course of variable thickness, where directed by the OWNER.

TYPE	DESCRIPTION	UNIT COST PER TON	QTY	TOTAL COST (in figures)	TOTAL COST (in words)
T&L	True & Level	\$ 49.32	2,450	<u>\$ 120,834.00</u>	One Hundred Twenty Thousand Eight Hundred Thirty Four Dollars

It is the intent of the Owner to award the contract on the basis of lowest responsible bid taking into consideration the projected quantities of the various materials to be supplied, including full consideration of any alternates that may be included in the bid documents. The Owner reserves the right to waive any informalities or to reject any or all bids. AWARD shall be the lowest total sum of the three bid items. **(1ST + 1A + T&L)**

Total bid **(1ST + 1A + T&L)** = \$ 175,149.67 (in figures)

Total bid **(1ST + 1A + T&L)** = One Hundred Seventy Five Thousand One Hundred Forty Nine Dollars and Sixty Seven Cents (in words)

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

RESOLVED, that the Highway Superintendent be and he hereby is authorized to purchase such bituminous asphalt, and after the same has been so purchased, payment therefore shall come on for regular audit before this Town Board.

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



A bid opening was held on July 5, 2018 at 10:00 a.m. for Bituminous Asphalt Products. The following bid was submitted:

Porter's Concrete Service Inc.  
PO Box 390, 88 Porters Simmental Ln  
Waverly, NY 14892

- A) 2,308 Tons of washed/clean 1A Stone for use in liquid Bituminous Chip Seal Application and cold mix base Application. Price per ton delivered to the Town of Southport, Bob Masia Drive.  
Price Per Ton \$ 19.50
- B) 183 Tons of washed/clean 1<sup>st</sup> Stone for use in liquid Bituminous Chip Seal Application. Price per ton delivered to the Town of Southport, Bob Masia Drive.  
Price Per Ton \$ 19.50
- C) 735 Tons of sand for use in a cold mix base Application with 1A Stone. Price per ton delivered to the Town of Southport, Bob Masia Drive.  
Price Per Ton \$ 17.50

RESOLUTION NO. 129-2018

ACCEPTING BID OF PORTER'S CONCRETE SERVICE INC. FOR LIQUID BITUMINOUS CHIP SEAL APPLICATION AND COLD MIX BASE

Resolution by: Szerszen  
Seconded by: Gunderman

WHEREAS, this Town Board finds and determines that the bid submitted by Porter's Concrete Service Inc. is deemed the lowest responsible bid submitted therefore, as follows:

Porter's Concrete Service Inc.  
PO Box 390, 88 Porters Simmental Ln  
Waverly, NY 14892

- A) 2,308 Tons of washed/clean 1A Stone for use in liquid Bituminous Chip Seal Application and cold mix base Application. Price per ton delivered to the Town of Southport, Bob Masia Drive.  
Price Per Ton \$ 19.50
- B) 183 Tons of washed/clean 1<sup>st</sup> Stone for use in liquid Bituminous Chip Seal Application. Price per ton delivered to the Town of Southport, Bob Masia Drive.  
Price Per Ton \$ 19.50
- C) 735 Tons of sand for use in a cold mix base Application with 1A Stone. Price per ton delivered to the Town of Southport, Bob Masia Drive.  
Price Per Ton \$ 17.50

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

RESOLVED, that the Highway Superintendent be and he hereby is authorized to purchase such asphalt products, and after the same has been so purchased, payment therefore shall come on for regular audit before this Town Board.

AYES: Gunderman, Hurley, Roman, Szerszen, Sheen

NOES: None

CARRIED.

Lastly under Discussion was Resident Sheriff's Deputy contract with Chemung County, which will be tabled until the August meeting.

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.

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

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

Respectfully Submitted,

Carolyn A. Renko, Town Clerk