

January 8, 2019

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 January 8, 2019.

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

Members Absent: Supervisor David Sheen

Others Present: Attorney Kimberlee Balok-Middaugh, Code Enforcement Officer Peter Rocchi, Highway Superintendent Steven Renko, Director of Recreation David Ellis, Town Clerk Carolyn Renko, Deputy Town Clerk Marianne Schrom

The meeting was called to order by Deputy Supervisor Kathleen Szerszen 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	\$ 1,393.12
Fitzsimmons Lot Sales	\$ 400.00
Funds Turned to State & County Agencies	<u>\$ 305.88</u>
	\$ 2,099.00

Code Enforcement Office

Fees Collected:	Building Permit Fees	\$ 2,799.10
	Building Permit Values	\$ 601,100.00
	Operating Permit Fees	\$ 400.00

Justice Office

Elmira City Animal Control

Recreation/Aging/Youth Services

Residential Deputy

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

Council Member Roman made a motion, Council Member Gunderman seconded to accept the minutes from the December 11, 2018 Regular Meeting and December 26, 2018 Annual Meeting.

There was no Correspondence received.

Under Taxpayer's Comments, Agenda and Discussion items only, no one wished to speak.

RESOLUTION NO. 27-2019

APPROVING ABSTRACT OF GENERAL FUND CLAIMS #15, 2018

Resolution by: Hurley
Seconded by: Gunderman

RESOLVED, that the Abstract of General Fund Claims #15, 2018, submitted by the Town Clerk for the month of December 2018, No. 771 through No. 785, not to exceed \$13,926.88, has been approved for payment by this Town Board.

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

RESOLUTION NO. 28-2019

APPROVING ABSTRACT OF GENERAL FUND CLAIMS #1, 2019

Resolution by: Roman
Seconded by: Gunderman

RESOLVED, that the Abstract of General Fund Claims #1, 2019, submitted by the Town Clerk for the month of January 2019, No. 1 through No. 28, not to exceed \$81,388.95, has been approved for payment by this Town Board.

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

RESOLUTION NO. 29-2019

APPROVING ABSTRACT OF HIGHWAY FUND CLAIMS #15, 2018

Resolution by: Hurley
Seconded by: Gunderman

RESOLVED, that the Abstract of Highway Fund Claims #15, 2018, submitted by the Town Clerk for the month of December 2018, No. 210 through No. 220, not to exceed \$19,285.51, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 30-2019

APPROVING ABSTRACT OF HIGHWAY FUND CLAIMS #1, 2019

Resolution by: Roman
Seconded by: Gunderman

RESOLVED, that the Abstract of Highway Fund Claims #1 2019, submitted by the Town Clerk for the month of January 2019, No. 1 through No. 3, not to exceed \$24,652.97, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 31-2019

APPROVING ABSTRACT OF LIGHT FUND CLAIM

Resolution by: Hurley
Seconded by: Gunderman

RESOLVED, that the Abstract of Light Fund Claim #14, submitted by the Town Clerk for the month of December 2018, not to exceed \$8,806.89, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 32-2019

AUTHORIZING SUPERVISOR TO MAKE TEMPORARY INVESTMENTS OF TOWN FUNDS DURING
FISCAL YEAR 2019

Resolution by: Gunderman
Seconded by: Hurley

RESOLVED, that pursuant to and in accordance with the provisions of Section 11 of the General Municipal Law, as amended, the Supervisor be and he hereby is directed to invest and reinvest accordingly therewith all such Town funds which are not needed for current use in the operation of Town Government, and be it further

RESOLVED, that the Supervisor shall cause a proper distribution to be made to the several Town accounts of the interest or income earned thereon and in proportion to such investments, and be it further

RESOLVED, that such time deposit account or certificate of deposit be secured by a pledge of obligations of the United States of America, or any obligation fully guaranteed or insured as to the interest and principle by the United States of America acting through an agency subdivision, department or division thereof, or obligations of the State of New York or obligations of any municipal corporation, school district, or district cooperation of the State of New York.

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

RESOLUTION NO. 33-2019

AUTHORIZING TOWN CLERK AND DEPUTY TOWN CLERKS TO ATTEND CHEMUNG/SCHUYLER MUNICIPAL
CLERKS ASSOCIATION MEETINGS FOR THE YEAR 2019

Resolution by; Hurley
Seconded by: Roman

RESOLVED, that the Town Clerk and Deputy Town Clerks are hereby authorized to attend the Chemung/Schuyler Municipal Clerks Association Meetings during the year 2019 and that their expenses therefore shall be a proper Town charge.

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

RESOLUTION NO. 34-2019

AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH NICHOLA OSTRANDER FOR THE POSITION OF COMMUNITY DEVELOPMENT SPECIALIST

Resolution by: Roman
Seconded by: Hurley

RESOLVED, that the Supervisor of the Town of Southport hereby is authorized to enter into an agreement with Nichola Ostrander, an independent contractor who will serve as a Community Development Specialist for the Town of Southport.

RESOLVED, that this agreement shall run from February 10, 2019 through February 9, 2020. This agreement may be terminated by either party upon 30 days written notice to the other.

RESOLVED, that the Town Board agrees to compensate Nichola Ostrander in the amount of TWENTY-FOUR THOUSAND THREE HUNDRED SIXTY-EIGHT DOLLARS AND 24/100 (\$24,368.24), payable in monthly installments of TWO THOUSAND THIRTY DOLLARS AND 69/100 (\$2,030.69) at an amount to be prorated for any partial month served, and that said compensation to be issued in monthly checks payable to Nichola Ostrander.

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

RESOLUTION 35-2019

AUTHORIZING SUPERVISOR TO MAKE ANY NECESSARY YEAR END BUDGET MODIFICATIONS

Resolution by: Roman
Seconded by: Gunderman

RESOLVED, that the Supervisor be and he hereby is authorized to make any necessary year end budget modifications.

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

RESOLUTION NO. 36-2019

APPOINTING JEFFREY JUDSON AS RIGHT TO FARM COMMITTEE PERSON
FOR THE TOWN OF SOUTHPORT

Resolution by: Hurley
Seconded by: Gunderman

WHEREAS, the Right to Farm Local Law No. 2 of the Year 2006, Resolution No. 205-2006 was adopted on December 12, 2006 for the intent of recognizing farming as an essential enterprise and an important industry to enhance the economic base, natural environment and quality of life in the Town of Southport, and

WHEREAS, it is the general purpose and intent of this law to maintain and preserve the rural traditions and character of the Town by resolving any disputes concerning agricultural practices and farm operations, and

WHEREAS, the Right to Farm Law provides for a dispute resolution committee to be composed of in part of a representative from the Town's Farming Community, and

WHEREAS, the Town Board of the Town of Southport believes it is in the best interest of the Town to appoint a Right to Farm Hearing Committee person and in order to maintain a viable farming economy in the Town of Southport.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport does hereby appoint Jeffrey Judson as the Right to Farm committee person, as a volunteer representative from the farm community through December 31, 2019 and said appointment will be on an annual basis subject to reappointment at the organizational meeting.

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

RESOLUTION NO. 37-2019

ACCEPTING RETIREMENT RESIGNATION OF ROBERT RIPLEY, SR. AS CEMETERY OVERSEER OF
FITZSIMMONS CEMETERY

Resolution by: Hurley
Seconded by: Roman

WHEREAS, Robert Ripley, Sr., has submitted his resignation due to retirement as Cemetery Overseer of the Fitzsimmons Cemetery, effective January 1, 2019.

NOW THEREFORE BE IT RESOLVED, that this Town Board hereby accepts the letter of resignation due to retirement from Robert Ripley, Sr., as Cemetery Overseer of the Fitzsimmons Cemetery, effective January 1, 2019.

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

RESOLUTION NO. 38-2019

APPOINTING KATHLEEN SZERSZEN AS SUPERVISOR

Resolution by: Roman
Seconded by: Gunderman

WHEREAS, the Town Supervisor, David Sheen, is resigning from his position as Town Supervisor effective on January 14, 2019 at 11:59 p.m., and

WHEREAS, the Town Board wishes to appoint Town Board Member, Kathleen Szerszen, to the position of Town Supervisor, and

WHEREAS, Town Board Member, Kathleen Szerszen, who also serves as Deputy Supervisor, will resign from her current position to accept the appointment of Town Supervisor, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, County of Chemung, State of New York hereby appoints Kathleen Szerszen to the position of Town Supervisor effective January 15, 2019 to hold such office until the commencement of the calendar year next succeeding the first annual election at which time the vacancy may be filled.

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

RESOLUTION NO. 39-2019

SETTING PUBLIC HEARING TO ADOPT LOCAL LAW NO. 1 OF 2019 DECREASING
THE SUPERVISOR'S 2019 SALARY

Resolution By: Hurley
Seconded by: Gunderman

RESOLVED, that the Town Board of the Town of Southport will hold a public hearing on Tuesday, February 12, 2019 at 7:00 p.m., or as soon thereafter as it can be heard, for the purpose of hearing any and all public comment regarding a proposal to adopt Local Law No. 1 of 2019, decreasing the Supervisor's 2019 salary, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to make proper publication and posting as required by law.

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

RESOLUTION NO. 40-2019

TERMINATION OF TOWN EMPLOYEE

Resolution by: Roman
Seconded by: Gunderman

WHEREAS, Gary Robinson was hired as a part-time Seasonal Laborer on June 7, 2018 at the Town of Southport Brush Lot.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport hereby terminates Gary Robinson, as the Town of Southport Brush Lot is closed for the season and his employment is no longer necessary.

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

RESOLUTION NO. 41-2019

ACCEPTING PROPOSAL OF CALIFORNIA SCHOOL BOARDS ASSOCIATION (CSBA)
TO PREPARE GASB 74/75 REPORT

Resolution by: Roman
Seconded by: Hurley

RESOLVED, that the Town Supervisor is authorized to enter into an Agreement with California School Boards Association to prepare the GASB 75 or 74, at a cost not to exceed ONE THOUSAND EIGHT HUNDRED SEVENTY-FIVE DOLLARS AND 00/100 (\$1,875.00).

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

Under Discussion was Request for Proposals for the NY Main Street Technical Assistance Grant for Cedar Street. This will be tabled until the February meeting.

Under Taxpayer's Comments, Mike Smith from 784 Cedar Street congratulated David Sheen and Kathy Szerszen on their new positions.

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

The meeting was adjourned at 7:25 p.m.

Respectfully Submitted,

Carolyn A. Renko, Town Clerk