

February 12, 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 February 12, 2019.

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

Others Present: Code Enforcement Officer Peter Rocchi, Highway Superintendent Steven Renko, Director of Recreation David Ellis, Community Development Specialist Nichola Ostrander, Planning Board Chairman Timothy Steed. Town Clerk Carolyn Renko

The meeting was called to order by 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

7:00 P.M. – PUBLIC HEARING – for the purpose of hearing any and all public comment regarding Local Law No. 1 of 2019, decreasing the Supervisor’s 2019 salary.

Town Clerk Carolyn Renko read the Legal Notice that appeared in the Star Gazette and opened the Public Hearing at 7:01 p.m.

No one wished to speak so the Public Hearing was closed at 7:04 p.m.

RESOLUTION NO. 42-2019

ADOPTING LOCAL LAW NO. 1 OF 2019

AUTHORIZING THE SALARY OF THE TOWN SUPERVISOR OF THE TOWN OF SOUTHPORT TO BE LESSER THAN THE AMOUNT SPECIFIED IN THE NOTICE OF HEARING ON THE 2019 PRELIMINARY BUDGET FOR THE TOWN OF SOUTHPORT

Resolution by: Gunderman
Seconded by: Hurley

BE IT ENACTED by the Town Board of the Town of Southport as follows:

Section 1. Purpose

The purpose of this Local Law is to decrease the salary of the Town Supervisor of the Town of Southport from the amount set forth in the Notice of Hearing on the 2019 Town of Southport Preliminary Budget.

Section 2.

Pursuant to Section 27 of the Town Law the 2019 Preliminary Budget for the Town of Southport is hereby amended to decrease the 2019 salary for the Town Supervisor of the Town of Southport from THIRTY-EIGHT THOUSAND TWO HUNDRED TWENTY FOUR DOLLARS (\$38,224.00), this being the amount that appeared in the Notice of Hearing on the 2019 Town of Southport Preliminary Budget, to THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00), an amount less than the specified in said Notice of Hearing.

Section 3.

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed, but only to the extent that they are inconsistent with this Local Law.

Section 4.

This Local Law shall take effect immediately upon its filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

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

Monthly Reports were received as follows:

Town Clerk Carolyn A. Renko

Town Clerk & Dog License Fees	\$	1,541.41
Fitzsimmons Lot Sales	\$	275.00
Funds Turned to State and County Agencies	\$	<u>344.59</u>
	\$	2,161.00

Receiver of Taxes

Town and County Tax Collected	\$	3,761,322.90
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Code Enforcement Office

Fees Collected	Building Permit Fees	\$	405.00
	Building Permit Values	\$	60,250.00
	Operating Permit Fees	\$	300.00
	Site Plan Fees	\$	150.00

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

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

2018 ANNUAL REPORT OF THE TOWN CLERK:

NYS Dept. of Agriculture & Markets for Dog Licenses	\$ 2,531.00
NYS Dept. of Environmental Conservation (DEC) for Conservation Licenses	\$ 36,224.68
NYS Dept. of Health for Marriage Licenses	\$ 877.50
Supervisor for Dog License & Clerk Fees	\$ 26,222.82
Supervisor for Fitzsimmons Cemetery	<u>\$ 7,550.00</u>
SUBTOTAL	\$ 73,406.00

RECEIVER OF TAXES:

Total Taxes Collected:	\$ 4,550,142.11	
Total Penalty Collected:	\$ 7,068.94	
Total Surcharge/Interest Collected:	\$ 0.00	
Total Notice Fees Collected:	\$ 327.00	
Total Duplicate & Overpayments:	\$ 3,838.43	
Total Returned Check Fees:	\$ 0.00	
Bank Interest Earned:	\$ 0.00	
Total:		\$ 4,561,376.48

Total Direct Payments:	\$ 0.00	
Total Bounced Checks:	\$ 0.00	
Total Refunded/Applied Overpayments	\$ 0.00	
Disbursements to Supervisor	\$ 1,205,451.77	
Disbursements to County:	\$ 3,351,855.26	
Other Disbursements:	\$ 6,333.18	
Bank Service Charges:	\$ 0.00	
Total		\$ 4,563,640.21

Other Adjustments – Apportionment \$ 2,263.73

Bank Balance: \$ 0.00

2018 FITZSIMMONS CEMETERY EXTENSION REPORT:

22 graves were sold during 2018 for a total of \$7,550.00.

CODE ENFORCEMENT OFFICER 2018 ANNUAL REPORT:

Permit & Site Plan Fees:	\$ 18,723.25
Building Permit Values:	\$ 3,271,833.00
Variance Fees:	\$ 300.00
Operating Permit Fees:	\$ 3,670.00
Special Use Permit Fees	\$ 225.00

The following were issued or completed: 341 Total Building Permits; 2 New Commercial Bldgs; 39 Fire Inspections/OP Permit; 312 Compliance Certificates; 446 Building Inspections; 107 Unlicensed Vehicles; 105 Garbage/Rubbish; 12 Vendor Cleaned Up; 195 High Grass; 95 Vendor Mowed; 3 Burning Violations; 6 Swimming Pool Violations; 42 NYS & Misc. Violations; 3 Appearance Tickets; 3 Logging Registrations; 3 Special Use Permits; 13 Site Plan Applications; 4 Variance Applications; 10,283 Miles Driven, 1,614 Complaints/Inquires.

2018 YEAR END YOUTH SERVICES/RECREATION/SENIOR CITIZEN REPORT:

Approximately 6,391 sign-ins/participants at the Chapel Park Community/Senior Center, including those who came to weekly and monthly meetings, special events, elections, gatherings and rentals. The Chapel Park Community Center was rented 57 times for a total of \$7,770.00 (see attached report).

TOWN JUSTICE JOSEPH W. HOLLY 2018 ANNUAL REPORT:

Total Collected by Justice Holly	\$ 108,557.00
Amount Forwarded to Town of Southport Fiscal Officer	\$ 104,176.50
Bail Pending	\$ 3,091.00
Total Kept by the Town (both Judges)	\$ 57,098.75

TOWN JUSTICE STEVEN MILFORD 2018 ANNUAL REPORT:

Total Collected by Justice Milford	\$ 110,623.87
Amount Forwarded to Town of Southport Fiscal Officer	\$ 101,052.37
Bail Pending	\$ 6,600.00
Total Kept by the Town (both Judges)	\$ 57,098.75

COMMUNITY DEVELOPMENT SPECIALIST:

Wrote and submitted several grants to include Empire State Development Grant, New York Main Street Grant, Community Foundation Grant and secured the New York Main Street Technical Assistance Grant for \$13,775.00. Also, researched other grant opportunities and continued to work on the development of the Dixie Property through the Restore NY Grant.

Council Member Roman made a motion, Council Member Gunderman seconded to accept the Annual Reports as filed.

Under Correspondence, Supervisor Szerszen read an email from Tom Ferritto, Disaster Assistance Representative from NYS Division of Homeland Security & Emergency Services regarding the August 2018 Flooding.

Council Member Gunderman made a motion, Council Member Hurley seconded to accept the minutes of January 2, 2019 Organizational Meeting and January 8, 2019 Regular Meeting.

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

RESOLUTION NO. 43-2019

APPOINTING TIMOTHY STEED AS TOWN OF SOUTHPORT TOWN BOARD COUNCIL MEMBER

Resolution by: Roman
Seconded by: Hurley

WHEREAS, Town Council Member Kathleen Szerszen, has resigned from her position as Town Board Council Member, and

WHEREAS, the Town Board wishes to appoint Timothy Steed to the position of Town Board Council Member, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, County of Chemung, State of New York hereby appoints Timothy Steed to the position of Town Board Council Member effective February 14, 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, Szerszen
NOES: None
CARRIED:

RESOLUTION NO. 44-2019

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 February 2019, No. 29 through No. 91, not to exceed \$81,427.90, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 45-2019

APPROVING ABSTRACT OF HIGHWAY FUND CLAIMS

Resolution by: Gunderman
Seconded by: Roman

RESOLVED, that the Abstract of Highway Fund Claims submitted by the Town Clerk for the month of February 2019, No. 4 through No. 32, not to exceed \$173,127.16, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 46-2019

APPROVING ABSTRACT OF LIGHT FUND CLAIM

Resolution by: Roman
Seconded by: Hurley

RESOLVED, that the Abstract of Light Fund Claim submitted by the Town Clerk for the month of February 2019, No. 1, not to exceed \$9,151.13, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 47-2019

APPROVING ABSTRACT OF FIRE FUND CLAIMS

Resolution by: Gunderman
Seconded by: Hurley

RESOLVED, that the Abstract of Fire Fund Claims submitted by the Town Clerk for the month of February 2019, No. 1 through No. 7, not to exceed \$664,242.50, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 48-2019

AUTHORIZING SUPERVISOR TO ENTER INTO AN AGREEMENT FOR VEGETATION MANAGEMENT IN
CHAPEL PARK WATERWAY AND BULKHEAD MEMORIAL

Resolution By: Hurley
Seconded By: Gunderman

WHEREAS, the Chapel Park Waterway and Bulkhead Memorial are in need of vegetation management, and

WHEREAS, Certified Lawn Care has submitted a proposal to provide a vegetation control plan in the Chapel Park Waterway and Bulkhead Memorial in April-May, June-July, August-September 2019 for a total of TWO THOUSAND TWO HUNDRED EIGHTY DOLLARS AND 00/100 (\$2,280.00),

NOW THEREFORE BE IT RESOLVED, that the Town Supervisor is hereby authorized and directed to enter into an agreement with Certified Lawn Care for vegetation management at Chapel Park Waterway and Bulkhead Memorial, and be it further

RESOLVED, that this agreement be subject to the review and approval of the Attorney for the Town.

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

RESOLUTION NO. 49-2019

AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH CHEMUNG COUNTY YOUTH
BUREAU & RECREATIONAL SERVICES

Resolution by: Roman
Seconded by: Gunderman

WHEREAS, the Chemung County Youth Bureau has presented a proposal to provide recreation services to residents of the Town of Southport, and

WHEREAS, the Town Board has reviewed the proposal, and

WHEREAS, the Town Board desires to enter into an agreement with the Chemung County Youth Bureau for the provision of recreation services to the residents of the Town of Southport so as to provide a SPOT program for middle school students and a Super Saturday program for students K-6 grade, for the years 2019-2021.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport hereby authorizes and directs the Town Supervisor to enter into an agreement with Chemung County Youth Bureau in accordance with its proposal for the provision of recreation services to residents of the Town of Southport, not to exceed TEN THOUSAND DOLLARS AND 00/100 (\$10,000.00) and that said agreement shall be subject to the review and approval of the Attorney for the Town.

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

RESOLUTION NO. 50-2019

APPOINTING EDWARD STEINHAEUER AS ALTERNATE MEMBER OF THE TOWN OF SOUTHPORT
ZONING BOARD OF APPEALS

Resolution by: Roman
Seconded by: Hurley

RESOLVED, that Edward Steinhauer be and he hereby is appointed as an Alternate Member of the Town of Southport Zoning Board of Appeals, term to expire 2/12/2024.

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

RESOLUTION NO. 51-2019

ACCEPTING PROPOSAL OF IN SITE ARCHITECTURE FOR ARCHITECTURAL/ENGINEERING SERVICES FOR
REVITALIZATION OF CEDAR STREET

Resolution by: Hurley
Seconded by: Roman

WHEREAS, In Site Architecture has provided the Town of Southport a proposal for a Feasibility Study for the revitalization of Cedar Street.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, in regular session duly convened, does hereby authorize the Town Supervisor to sign and enter into an Agreement with In Site Architecture to provide a feasibility study for the revitalization of Cedar Street, for the sum not to exceed FOURTEEN THOUSAND FIVE HUNDRED DOLLARS AND 00/100 (\$14,500.00).

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

Council Member Roman made a motion, Council Member Gunderman seconded to refer to the Town of Southport Planning Board amendment to Chapter 464, Subdivision of Land.

RESOLUTION NO. 52-2019

SETTING PUBLIC HEARING TO ADOPT LOCAL LAW NO. 2 OF 2019 SOLAR ENERGY

Resolution by: Hurley
Seconded by: Gunderman

RESOLVED, that the Town Board of the Town of Southport will hold a public hearing on Tuesday, March 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. 2 of 2019, Solar Energy, 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, Szerszen
NOES: None
CARRIED.

Under Taxpayer's Comments, Charles Wilson from 399 Widger Hill Road commented on the Abstract of General Fund.

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

The meeting was adjourned at 7:33 p.m.

Respectfully Submitted,

Carolyn A. Renko
Town Clerk