

December 10, 2019

Minutes of a Regular Meeting of the Town Board of the Town of Southport held at the Southport Town Hall, 1139 Pennsylvania Avenue, on December 10, 2019.

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

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

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

A presentation on LED lighting was given by Casey Mastro from the NY Power Authority.

Monthly Reports were received as follows:

Town Clerk Carolyn A. Renko

Town Clerk & Dog License Fees	\$ 1,953.72
Fitzsimmons Lot Sales	\$ 275.00
Funds Turned to State & County Agencies	<u>\$ 3,452.28</u>
	\$ 5,681.00

Code Enforcement Office

Fees Collected:	Building Permit Fees	\$ 784.60
	Building Permit Values	\$ 100,600.00
	Operating Permit Fees	\$ 200.00
	Special Use Permit Fees	\$ 75.00
	Site Plan Fees	\$ 75.00
	Variance Fees	\$ 75.00

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

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

Council Member Roman made a motion, Council Member Gunderman seconded to accept the minutes from November 6, 2019 Preliminary Budget Meeting and November 12, 2019 Regular Meeting.

Under Correspondence, Supervisor Szerszen read an email from the Chemung County Sewer District regarding the Leland Street Sewer Project.

Under Taxpayer's Comments, Agenda and Discussion items only, Charles Collins from 436 Kinner Hill Road commented on Discussion item #1 Travel Baseball proposed permit fees.

RESOLUTION NO. 165-2019

APPROVING ABSTRACT OF GENERAL FUND CLAIMS

Resolution by: Gunderman
Seconded by: Steed

RESOLVED, that the Abstract of General Fund Claims submitted by the Town Clerk for the month of December 2019, No. 659 through No. 732, not to exceed \$155,636.00, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 166-2019

APPROVING ABSTRACT OF HIGHWAY FUND CLAIMS

Resolution by: Roman
Seconded by: Hurley

RESOLVED, that the Abstract of Highway Fund Claims submitted by the Town Clerk for the month of December 2019, No. 232 through No. 255, not to exceed \$157,329.79, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 167-2019

APPROVING ABSTRACT OF LIGHT FUND CLAIM AND CAPITAL PROJECT CLAIMS

Resolution by: Steed
Seconded by: Gunderman

RESOLVED, that the Abstract of Light Fund Claim submitted by the Town Clerk for the month of December 2019, No. 10, not to exceed \$7,758.39, and Capital Project Claims No. 7 through No. 10, not to exceed \$877,870.86, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 168-2019

AUTHORIZING PURCHASE OF DIESEL AND GAS AT STATE PRICE

Resolution by: Roman
Seconded by: Gunderman

RESOLVED, that the Highway Superintendent be and he hereby is authorized to purchase the necessary requirements of diesel and gas at the New York State bid contract price or less.

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

RESOLUTION NO. 169-2019

APPOINTING KAREN BACHMAN AS DEPUTY RECEIVER OF TAXES

Resolution by: Steed
Seconded by: Gunderman

RESOLVED, that this Town Board hereby establishes the Office of Deputy Town Clerk as Deputy Receiver of Taxes and Assessments pursuant to the provisions of Section 20, Subdivision 3 (c), of the Town Law of the State of New York, as amended, and be it further

RESOLVED, that the Deputy Town Clerk as Deputy Receiver of Taxes and Assessments shall be appointed by the Receiver of Taxes and Assessments as provided by law.

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

RESOLUTION NO. 170-2019

RATIFYING AGREEMENT WITH CAPABILITIES, INC. FOR CLEANING SERVICES AT THE TOWN OF SOUTHPORT SENIOR CENTER

Resolution by: Gunderman
Seconded by: Roman

WHEREAS, Capabilities Inc. submitted a quote to provide cleaning services to the Town of Southport Senior Center in the amount of THREE HUNDRED NINETY DOLLARS (\$390.00) per month from December 2, 2019 through December 31, 2020.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the Supervisor to enter into an agreement with Capabilities Inc. for cleaning services at the Town Hall from December 2, 2019 through December 31, 2020, 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, Steed, Szerszen
NOES: None
CARRIED.

RESOLUTION NO. 171-2019

AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH CAPABILITIES, INC. FOR
CLEANING SERVICES AT THE TOWN HALL

Resolution by: Gunderman
Seconded by: Steed

WHEREAS, Capabilities Inc. submitted a quote to provide cleaning services to the Town Hall in the amount of NINE HUNDRED SIXTEEN DOLLARS AND 00/100 (\$916.00) per month from January 1, 2020 through December 31, 2020.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the Supervisor to enter into an agreement with Capabilities Inc. for cleaning services at the Town Hall from January 1, 2020 through December 31, 2020, 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, Steed, Szerszen
NOES: None
CARRIED.

RESOLUTION NO. 172-2019

AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH
MCILROY MANAGEMENT & CONSULTING

Resolution by: Roman
Seconded by: Hurley

RESOLVED, that the Supervisor of the Town of Southport be and he hereby is authorized to enter into an agreement with Mclroy Management & Consulting for accounting services for the Town of Southport commencing January 1, 2020 and terminating December 31, 2020, for the sum of NINE THOUSAND EIGHT HUNDRED SEVENTY SIX DOLLARS AND 00/100 (\$9,876.00) per annum, paid in twelve equal installments of EIGHT HUNDRED TWENTY THREE DOLLARS AND 00/100 (\$823.00). The consultant will provide thirteen on site visits per year and telephone or email support as needed.

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

RESOLUTION NO. 173-2019

AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH
ENVIRONMENTAL EMERGENCY SERVICES, INC.

Resolution by: Roman
Seconded by: Steed

WHEREAS, the Town of Southport needs to have available to it resources for flood warning services, as well as hazardous chemical information resources, and

WHEREAS, Environmental Emergency Services, Inc., (EES) provides such services to various municipalities,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport does hereby authorize a contract with EES at an annual cost for 2020 of NINE HUNDRED DOLLARS (\$900.00) to procure from that corporation flood warning services as well as resources which the Town can utilize in connection with Towns obtaining information regarding hazardous chemicals and materials, and be it further

RESOLVED, that the Town Supervisor is hereby authorized and directed to enter into an agreement with Environmental Emergency Services, Inc., after receipt by the Town of Southport of a copy of the review, compilation or audit, or a copy of the current financial report of EES, such review, compilation, audit or financial report to include a detailed statement as to the income and expenses, and be it further

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

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

RESOLUTION NO. 174-2019

ACCEPTING PROPOSAL OF HARTER SECREST & EMERY, LLP TO PROVIDE LEGAL COUNSEL TO
THE TOWN OF SOUTHPORT

Resolution by: Roman
Seconded by: Gunderman

WHEREAS, the Town Board reviewed the Legal Service Proposal by Harter Secrest & Emery, LLP for providing legal services to the Town of Southport, and

WHEREAS, the Town Board wishes to engage the law firm of Harter Secrest & Emery, LLP to provide legal services.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby appoints Harter Secrest & Emery, LLP as Special Counsel for the year 2020 pursuant to the terms set forth in the proposal dated September 9, 2019, and

ATTORNEY	POSITION	PRACTICE AREA	RATE
Leslie M. Connolly	Partner	Municipal Law; Environmental, Land Use and Zoning	Standard Rate: \$455 Discounted Town Rate: \$310
Gregory P. Scholand	Associate	Municipal Law; Environmental and Land Use; Litigation	Standard Rate: \$265 Discounted Town Rate: \$225
Allison E. Bartlett	Associate	Municipal Law; Environmental, Land Use and Zoning	Standard Rate: \$240 Discounted Town Rate: \$210

BE IT FURTHER RESOLVED, that the Town Board authorizes the Town Supervisor to execute all documents and take any action necessary to effectuate the engagement of Harter Secrest & Emery, LLP.

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

RESOLUTION NO. 175-2019

ACCEPTING PROPOSAL OF SAYLES & EVANS TO PROVIDE LEGAL COUNSEL TO THE
 TOWN OF SOUTHPORT

Resolution by: Roman
 Seconded by: Steed

WHEREAS, the Town Board reviewed the Legal Service Proposal by Sayles & Evans for providing legal services to the Town of Southport, and

WHEREAS, the Town Board wishes to engage the law firm of Sayles & Evans to provide legal services represented by Kimberlee Balok Middaugh at a rate of \$185 per hour.

NOW THEREFORE BE IT RESOVLED, that the Town Board hereby appoints Sayles & Evans as General Counsel for the Town of Southport for the year 2020.

BE IT FURTHER RESOLVED, that the Town Board authorizes the Town Supervisor to execute all documents and take any action necessary to effectuate the engagement of Sayles & Evans.

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

RESOLUTION NO. 176-2019

AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH FRIENDS OF
THE CHEMUNG RIVER WATERSHED, INC.

Resolution by: Gunderman
Seconded by: Hurley

WHEREAS, the Friends of the Chemung River Watershed, Inc., a local association has requested funding from the Town of Southport for developing and promoting the Chemung River as a community asset for potential recreation and business development and opportunities.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport does hereby authorize and direct the Town Supervisor to enter into an agreement with the Friends of the Chemung River Watershed, Inc., for the assistance in developing and promoting the Chemung River as a community asset for potential recreational and business development opportunities at a cost not to exceed FIVE THOUSAND SEVEN HUNDRED FIFTY DOLLARS AND 00/100 (\$5,750.00), for the year 2020, and be it further

RESOLVED, that the Supervisor, upon request of an invoice for said services, shall issue payment in the amount set forth above.

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

RESOLUTION NO. 177-2019

ESTABLISHING TRAVEL BASEBALL PERMIT FEES

Resolution by: Gunderman
Seconded by: Hurley

WHEREAS, to alleviate some of the costs associated with various travel baseball organizations using the facilities at Chapel Park, the Town Board feels it necessary to charge an application fee to help with some of these expenses

RESOLVED, that the following application fee schedule for travel baseball teams using the facilities at Chapel Park are as follows:

Fees

Schedule:	60% of Team Members are Residents	Non-Residents
Per DAY	\$10 per Field per Time Slot	\$15 per Field per Time Slot
Per MONTH	\$50 per Field for one time slot per Day (Any Days Sunday through Saturday)	\$60 per Field for one 4-6pm slot per Day (Mon-Fri) plus Sat/Sun slot \$75 per Field for one 6-8pm slot per Day (Mon-Fri) plus Sat/Sun slot

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

Under Taxpayer's Comments, no one wished to speak.

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

The meeting was adjourned at 8:10 p.m.

Respectfully Submitted,

Carolyn A. Renko, Town Clerk