

December 30, 2019

Annual Meeting

Minutes of the Annual Meeting of the Town Board of the Town of Southport held at the Southport Town Hall, 1139 Pennsylvania Avenue on December 30, 2019.

Members Present: Supervisor Kathleen Szerszen, Council Members Glenn Gunderman and Timothy Steed

Members Absent: Council Member Daniel Hurley and Joseph Roman

Others Present: Code Enforcement Officer Peter Rocchi and Town Clerk Carolyn Renko

The meeting was called to order by Supervisor Szerszen at 6:00 p.m., followed by the Pledge of Allegiance to the Flag of the United States of America.

Moment of Silence – Kathleen Szerszen

Council Member Steed made a motion, Council Member Gunderman seconded to accept the minutes of the December 10, 2019 Regular Meeting.

Under Taxpayer's Comments, agenda items only to include Resolutions & Discussion, no one wished to speak.

RESOLUTION NO. 178-2019

ACCEPTING SCHOOL TRAFFIC OFFERS CONTRACT

Resolution by: Steed  
Seconded by: Gunderman

WHEREAS, this Town Board has met with the School Traffic Officers Contract of the Town of Southport and in doing so negotiated the terms of a public employee's contract for the School Traffic Officers of the Town of Southport for the fiscal year 2020, and

WHEREAS, the members of this Town Board and a majority of the School Traffic Officers of this Town have agreed upon the provisions to be contained in said employee's contract for such year.

NOW THEREFORE BE IT RESOLVED, that the School Traffic Officers containing the signatures of the members of this Town Board and the majority of the School Traffic Officers of the Town of Southport be and the same hereby is ratified in each and every aspect as contained therein, and the same is referred to as if set forth at length in this resolution; such contract to be subject to the review and approval of the Attorney for the Town.

AYES:           Gunderman, Steed, Szerszen  
NOES:           None  
ABSENT:        Hurley, Roman

RESOLUTION NO. 179-2019

ACCEPTING HIGHWAY EMPLOYEE CONTRACT

Resolution by:       Steed  
Seconded by:       Gunderman

WHEREAS, this Town Board has met with the employees of the Highway Department of the Town of Southport and in doing so negotiated the terms of a public employee's contract for the employees of the Highway Department of the Town of Southport for the fiscal year 2020, and

WHEREAS, the members of this Town Board and a majority of the employees of the Highway Department of this Town have agreed upon the provisions to be contained in said employee's contract for such year,

NOW THEREFORE BE IT RESOLVED, that the Highway Employee's Contract containing the signatures of the members of this Town Board and the majority of the employees of the Highway Department of the Town of Southport be and the same hereby is ratified in each and every aspect as contained therein, and the same is referred to as if set forth at length in this resolution; such contract to be subject to the review and approval of the Attorney for the Town.

AYES:           Gunderman, Steed, Szerszen  
NOES:           None  
ABSENT:        Hurley, Roman

RESOLUTION NO. 180-2019

INTERMUNICIPAL AGREEMENT FOR ANIMAL CONTROL SERVICES BETWEEN THE TOWN OF SOUTHPORT AND THE CITY OF ELMIRA

Resolution by:       Steed  
Seconded by:       Gunderman

WHEREAS, the City of Elmira has proposed to provide animal control services to the Town of Southport from January 1, 2020 through December 31, 2020 for the total cost of THIRTY-SIX THOUSAND, NINE HUNDRED FORTY DOLLARS AND 00/100 (\$36,940.00) in twelve (12) monthly installments of THREE THOUSAND SEVENTY-EIGHT DOLLARS AND 33/100 (\$3,078.33).

WHEREAS, the City of Elmira has agreed to a road officer available 24 hours a day, seven days a week to the residents of the Town of Southport for animal control services.

NOW THEREFORE BE IT RESOLVED, that the Town of Southport for said animal control for the period from January 1, 2020 to December 31, 2020 shall be in the amount of THIRTY SIX THOUSAND, NINE HUNDRED FORTY DOLLARS AND 00/100 (\$36,940.00), in twelve (12) monthly installments of THREE THOUSAND SEVENTY-EIGHT DOLLARS AND 33/100 (\$3,078.33) in accordance with the provisions of this agreement.

AYES:           Gunderman, Steed, Szerszen  
NOES:           None  
ABSENT:        Hurley, Roman

RESOLUTION NO. 181-2019

AUTHORIZING SUPERVISOR TO SIGN WAIVER

Resolution by:       Steed  
Seconded by:       Gunderman

WHEREAS, the Town Board is in receipt of correspondence from Kimberlee Balok Middaugh, Esq., dated December 10, 2019; and

WHEREAS, as set forth in this correspondence the Town Board acknowledges that Kimberlee Balok Middaugh, Esq., provides legal services for the Town of Southport, the Town of Ashland, and the Town of Chemung; and

WHEREAS, the Town Board is currently entering into an agreement with the Town of Ashland and the Town of Chemung for assessor services, thereby creating a potential conflict of interest for Attorney Middaugh;

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Southport hereby recognizes the potential conflict of interest for Attorney Middaugh in regard to the agreement for assessor services for the year 2020 as a result of her providing legal services for the Town of Ashland, the Town of Chemung, and the Town of Southport; and it is further

RESOLVED, that the Town Board of the Town of Southport hereby waives any potential conflict of interest as referenced herein that may arise from the Town of Southport entering into the agreement for assessor services with the Town of Ashland and the Town of Chemung and hereby authorizes the Town Supervisor to counter sign the letter from Attorney Middaugh assenting to such waiver

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

RESOLUTION NO. 182-2019

INTERMUNICIPAL AGREEMENT FOR ASSESSOR SERVICES BETWEEN THE TOWN OF CHEMUNG AND THE TOWN OF SOUTHPORT

Resolution by: Steed  
Seconded by: Gunderman

WHEREAS, the Towns recognize a need to share services with Chemung County to more efficiently utilize the tax dollars of our residents, and

WHEREAS, the participating Towns are in need of Assessor services, and

WHEREAS, the Town of Chemung has in its employ personnel qualified in Assessor Services.

NOW THEREFORE BE IT RESOLVED, that the Town of Chemung and the Town of Southport will enter into an Intermunicipal Agreement for Assessor Services, effective January 1, 2020 through December 31, 2020.

RESOLVED, that the Assessor will be available to the participating Towns on an as needed basis as determined by the Town and the Assessor.

AYES: Gunderman, Steed, Szerszen  
NOES: None  
ABSENT: Hurley, Roman

RESOLUTION NO. 183-2019

ACCEPTING PROPOSAL OF MOORE & WOODHOUSE, LLP TO PROVIDE LEGAL COUNSEL TO THE TOWN OF SOUTHPORT

Resolution by: Steed  
Seconded by: Gunderman

WHEREAS, Kimberlee Balok Middaugh Esq. with the law firm Sayles & Evan performs legal services for the Town of Southport and due to a conflict related to her newly elected position as Town Justice for the Town of Elmira is now unable to further perform any prosecutorial duties for the Town of Southport which include the enforcement of the town code, local laws or dangerous dog proceedings; and

WHEREAS, the Town of Southport Town Board wishes to engage law firm of Moore & Woodhouse, LLP for Attorney Stephen R. Hoffman to perform these prosecutorial duties; and

NOW, THEREFORE, BE IT RESOLVED that the Town of Southport Town Board, County of Chemung, State of New York hereby agrees to engage the legal services of Attorney Stephen R. Hoffman with Moore & Woodhouse, LLP to perform prosecutorial duties on behalf of the Town in accordance with the terms set forth in the proposal for professional legal services dated December 18, 2019 for the year of 2020; and

BE IT FURTHER RESOLVED, that the Town of Southport Town Board authorizes the Town Supervisor to execute all documents and take any action necessary to effectuate the engagement of Moore & Woodhouse, LLP for the legal services of Attorney Stephen R. Hoffman.

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

RESOLUTION NO. 184-2019

TERMINATING DONNA MORREL AS PART-TIME ASSESSOR'S AIDE

Resolution by:       Steed  
Seconded by:        Gunderman

WHEREAS, Donna Morrel was hired as part-time Assessor's Aide in the Town of Southport Assessors Office.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport hereby terminates Donna Morrel as part-time Assessor's Aide, effective December 31, 2019.

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

RESOLUTION NO. 185-2019

APPOINTING CATHERINE EDWARDS AS PART-TIME ASSESSOR'S AIDE

Resolution by:       Steed  
Seconded by:        Gunderman

WHEREAS, the position of Assessor's Aide became vacant after the termination of Donna Morrel, effective December 31, 2019.

NOW THEREFORE BE IT RESOLVED, that the Town Board does authorize the Supervisor to hire Catherine Edwards, as part-time Assessor's Aide (\$14.42 pr/hr) in the Assessor's Office, effective January 2, 2020, and be it further

RESOLVED, that the aforementioned individual shall not be entitled to any benefits as a result of her employment by the Town, including but not limited to health insurance.

RESOLVED, that said appointment be made pursuant to the Civil Service Laws of the State of New York and the regulations promulgated by the Chemung County/City of Elmira Civil Service Commission.

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

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

The meeting was adjourned at 6:20 p.m.

Respectfully Submitted,

Carolyn A. Renko, Town Clerk