

January 14, 2020

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 14, 2020.

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, Director of Recreation David Ellis, 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

Monthly reports were received as follows:

Town Clerk Carolyn A. Renko

Town Clerk & Dog License Fees	\$ 1,503.98
Fitzsimmons Lot Sales	\$ 550.00
Funds Turned to State & County Agencies	<u>\$ 475.77</u>
	\$ 2,529.75

Code Enforcement Office

Fees Collected:	Building Permit Fees	\$ 976.50
	Building Permit Values	\$ 216,160.00
	Operating Permit Fees	\$ 850.00
	Site Plan Fees	\$ 150.00
	Variance Fees	\$ 150.00

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

Council Member Gunderman made a motion, Council Member Roman 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 30, 2019 Annual Meeting.

Under Correspondence, Supervisor Szerszen gave statistics on brush lot usage this past year, provided by Brush Lot Attendant Charles Rockwell.

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

RESOLUTION NO. 26-2020

APPROVING ABSTRACT OF GENERAL FUND CLAIMS #13, 2019

Resolution by: Gunderman
Seconded by: Steed

RESOLVED, that the Abstract of General Fund Claims #13, submitted by the Town Clerk for the month of December 2019, No. 733 through No. 772, not to exceed \$33,082.16, has been approved for payment by this Town Board.

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

RESOLUTION NO. 27-2020

APPROVING ABSTRACT OF GENERAL FUND CLAIMS #1, 2020

Resolution by: Gunderman
Seconded by: Roman

RESOLVED, that the Abstract of General Fund Claims #1, 2020, submitted by the Town Clerk for the month of January 2020, No. 1 through No. 58, not to exceed \$109,339.26, has been approved for payment by this Town Board.

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

RESOLUTION NO. 28-2020

APPROVING ABSTRACT OF HIGHWAY FUND CLAIMS #13, 2019

Resolution by: Steed
Seconded by: Gunderman

RESOLVED, that the Abstract of Highway Fund Claims #13, 2019, submitted by the Town Clerk for the month of December 2019, No. 256 through No. 279, not to exceed \$50,903.23, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 29-2020

APPROVING ABSTRACT OF HIGHWAY FUND CLAIMS #1, 2020

Resolution by: Steed
Seconded by: Gunderman

RESOLVED, that the Abstract of Highway Fund Claims #1, 2020, submitted by the Town Clerk for the month of January 2020, No. 1 through No. 9, not to exceed \$55,019.43, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 30-2020

APPROVING ABSTRACT OF LIGHT FUND CLAIMS #13, 2019

Resolution by: Roman
Seconded by: Gunderman

RESOLVED, that the Abstract of Light Fund Claims #13, 2019, submitted by the Town Clerk for the month of December 2019, No. 11 and 12, not to exceed \$15,897.36, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 31-2020

APPROVING ABSTRACT OF FIRE FUND CLAIMS #1, 2020

Resolution by: Steed
Seconded by: Gunderman

RESOLVED, that the Abstract of Fire Fund Claims, #1 of 2020, submitted by the Town Clerk for the month of January 2020, No. 1 and 2, not to exceed \$16,935.25, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 32-2020

AUTHORIZING SUPERVISOR TO MAKE TEMPORARY INVESTMENTS OF TOWN FUNDS DURING
FISCAL YEAR 2020

Resolution by: Gunderman
Seconded by: Steed

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, Steed, Szerszen
NOES: None
CARRIED.

RESOLUTION NO. 33-2020

AUTHORIZING TOWN CLERK AND DEPUTY TOWN CLERKS TO ATTEND CHEMUNG/SCHUYLER MUNICIPAL CLERKS ASSOCIATION MEETINGS FOR THE YEAR 2020

Resolution by: Gunderman
Seconded by: Steed

RESOLVED, that the Town Clerk and Deputy Town Clerks are hereby authorized to attend the Chemung/Schuyler Municipal Clerks Association Meetings during the year 2020 and that their expenses therefore shall be a proper Town charge.

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

RESOLUTION NO. 34-2020

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

Resolution by: Gunderman
Seconded by: Roman

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, 2020 through February 9, 2021. 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-FIVE THOUSAND, ONE HUNDRED DOLLARS AND 00/100 (\$25,100.00), payable in monthly installments of TWO THOUSAND NINETY ONE DOLLARS AND 67/100 (\$2,091.67) 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, Steed, Szerszen
NOES: None
CARRIED.

RESOLUTION NO. 35-2020

AUTHORIZING SUPERVISOR TO MAKE ANY NECESSARY YEAR END BUDGET MODIFICATIONS

Resolution by: Roman
Seconded by: Steed

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

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

RESOLUTION NO. 36-2020

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

Resolution by: Steed
Seconded by: Gunderman

WHEREAS, the Right to Farm Local Law No. 2 of the year 2006, Resolution 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 environmental 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, 2020 and said appointment will be on an annual basis subject to reappointment at the organizational meeting.

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

RESOLUTION NO. 37-2020

APPOINTING BELINDA COMBS AS AN ALTERNATE MEMBER OF THE TOWN OF SOUTHPORT
ZONING BOARD OF APPEALS

Resolution by: Roman
Seconded by: Gunderman

RESOLVED, that BeLinda Combs be and she hereby is appointed as an Alternate Member of the Town of Southport Zoning Board of Appeals, term to expire April 1, 2023.

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

RESOLUTION NO. 38-2020

UPDATING THE TOWN OF SOUTHPORT LOCAL HIGHWAY LISTING

Resolution by: Roman

Seconded by: Steed

RESOLVED, by the Town of Southport for the purpose of updating the Local Highway Listing, the following changes were made:

NEW:

Monastery Road commencing at the intersection of Hendy Creek Road and continuing .057 miles South with a continuation of .013 miles East for total of .07 miles.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport hereby approves the above changes to the Local Highway Listing.

AYES: Gunderman, Hurley, Roman, Steed, Szerszen

NOES: None

CARRIED.

RESOLUTION NO. 39-2020

APPROVING DEPARTMENT OF TRANSPORTATION HIGHWAY WORK PERMIT FOR MOWING ON RTE. 328 FROM THE JUNCTION OF ROUTE 14 TO SAGETOWN ROAD

Resolution by: Roman

Seconded by: Steed

RESOLVED, that the Town Board approves the Department of Transportation Highway Work Permit for mowing on Rte. 328 from the junction of Route 14 to Sagetown Road as needed, permit to expire 12/31/2024.

AYES: Gunderman, Hurley, Roman, Steed, Szerszen

NOES: None

CARRIED.

RESOLUTION NO. 40-2020

AUTHORIZING AN INTERMUNICIPAL AGREEMENT BETWEEN THE COUNTY OF CHEMUNG AND THE TOWN OF SOUTHPORT FOR STREET/HIGHWAY LIGHTING

Resolution by: Roman
Seconded by: Steed

WHEREAS, the Legislature and Governor of the State of New York have authorized initiatives “to improve the efficiency of local government” by means of intermunicipal shared service agreements, and

WHEREAS, within its Department of Buildings and Grounds, the County has employees experienced in the maintenance, repair and replacement of public street lighting, and

WHEREAS, the Town is in need of acquiring maintenance, repair, and replacement services (“Services”) for certain street/highway lighting devices within the Town; and

WHEREAS, the Town is desirous of having the County provide these services and the County is willing to do so, and

WHEREAS, the County and the Town desire to enter into an Intermunicipal Agreement setting forth each party’s rights and responsibilities regarding the agreed upon Services; and

WHEREAS, General Municipal Law Section 119-o authorizes municipal corporations to enter into an agreement pertaining to shared services;

NOW THEREFORE BE IT RESOLVED, that this Intermunicipal Agreement between the County and the Town of Southport for street/highway lighting shall become effective on March 1, 2020 and shall become effective on March 1, 2020 and shall expire on February 28, 2025.

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

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

RESOLUTION NO. 41-2020

AUTHORIZING PERMISSION FOR A SPECIAL EVENT TO TAKE PLACE ON JULY 4, 2020

Resolution by: Gunderman
Seconded by: Hurley

WHEREAS, the Southern Tier Running Club wishes to hold a “Have a Blast 4 Miler Run & Walk” on Saturday, July 4, 2020 from 8:00 a.m. to 11:00 a.m., at Dunn Field and residential streets in the Town of Southport and City of Elmira.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport hereby grants permission for the Southern Tier Running Club to hold a “Have a Blast 4 Miler Run & Walk” on July 4, 2020 at Dunn Field pending all insurance requirements are met.

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

Under Taxpayer’s comments, Charles Collins from 436 Kinner Hill Road commented on the ongoing horse cruelty case in the Town of Southport.

Mike Smith from 786 Cedar Street questioned whether the Town has heard from New York State DOT in regards to the speed limit on Christian Hollow Road. He also commented on three members of the Southport Volunteer Fire Department that each have had 50 years of service.

Bill Baker from 19 Hickory Lane commented on the need for more wetlands in the Town of Southport.

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

The meeting was adjourned at 7:47 p.m.

Respectfully Submitted,

Carolyn A. Renko, Town Clerk