

May 12, 2020

Minutes of a Regular Meeting of the Town Board of the Town of Southport held at the Southport Town Hall, 1139 Pennsylvania Avenue on May 12, 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, 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

There was no Correspondence received.

Under Taxpayer's Comments, agenda and discussion items only, no one wished to speak.

#### RESOLUTION NO. 76-2020

#### APPROVING ABSTRACT OF GENERAL FUND CLAIMS

Resolution by: Roman  
Seconded by: Steed

RESOLVED, that the Abstract of General Fund Claims submitted by the Town Clerk for the month of May 2020, No. 190 through No. 238, not to exceed \$73,331.03, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 77-2020

APPROVING ABSTRACT OF HIGHWAY FUND CLAIMS

Resolution by: Hurley  
Seconded by: Roman

RESOLVED, that the Abstract of Highway Fund Claims submitted by the Town Clerk for the month of May 2020, No. 71 through No. 89, not to exceed \$32,048.33, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 78-2020

APPROVING ABSTRACT OF LIGHT FUND CLAIMS

Resolution by: Roman  
Seconded by: Gunderman

RESOLVED, that the Abstract of Light Fund Claim submitted by the Town Clerk for the month of May 2020, No. 4, not to exceed \$7,520.37, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 79-2020

RATIFYING APPOINTMENT OF BELINDA COMBS AS A MEMBER OF THE TOWN OF SOUTHPORT  
ZONING BOARD OF APPEALS

Resolution by: Roman  
Seconded by: Steed

RESOLVED, that BeLinda Combs be and she hereby is appointed as a Regular Member of the Town of Southport Zoning Board of Appeals, term to expire April 1, 2025.

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

RESOLUTION NO. 80-2020

RATIFYING APPOINTMENT OF KENNETH WRIGLEY AS AN ALTERNATE MEMBER OF THE  
TOWN OF SOUTHPORT ZONING BOARD OF APPEALS

Resolution by: Steed  
Seconded by: Hurley

RESOLVED, that Kenneth Wrigley be and he 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. 81-2020

RATIFYING APPOINTMENT OF LISA BALMER AND KEN DAWSON AS MEMBERS OF THE  
TOWN OF SOUTHPORT SEWER COMMISSION

Resolution by: Hurley  
Seconded by: Steed

RESOLVED, that Lisa Balmer and Ken Dawson be and they hereby are reappointed as members of the Town of Southport Sewer Commission, terms to expire April 30, 2023.

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

RESOLUTION NO. 82-2020

APPOINTING MATTHEW MCCARTHY AS PART-TIME DEPUTY TOWN CLERK

Resolution by: Roman  
Seconded by: Hurley

WHEREAS, a part-time Deputy Town Clerk's position is needed in the Town of Southport Assessor's Office.

NOW THEREFORE BE IT RESOVLED, that the Town Board of the Town of Southport does hereby appoint Matthew McCarthy as part-time Deputy Town Clerk of the Town of Southport in the Assessor's Office, effective May 12, 2020, and be it further

RESOLVED, that Matthew McCarthy shall be paid \$15.00 per hour and as a part-time employee shall not be entitled to health insurance benefits.

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

RESOLUTION NO. 83-2020

ACCEPTING RESIGNATION OF CATHERINE EDWARDS AS ASSESSOR'S AIDE

Resolution by: Roman  
Seconded by: Hurley

WHEREAS, Catherine Edwards has submitted her letter of resignation as Assessor's Aide for the Town of Southport, effective May 4, 2020.

NOW THEREFORE BE IT RESOLVED, that this Town Board hereby accepts the resignation of Catherine Edwards as Assessor's Aide for the Town of Southport effective May 4, 2020.

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

RESOLUTION NO. 84-2020

RATIFYING APPOINTMENT OF ZACHARY WOOD AS PART-TIME SEASONAL LABORER

Resolution by: Hurley  
Seconded by: Steed

WHEREAS, the Supervisor has advised this Town Board that the need exists for seasonal laborers in accordance with budgetary appropriations.

NOW THEREFORE BE IT RESOLVED, that the following seasonal laborer appointment be effective April 27, 2020 and that the individuals be paid as any other Town Employee pursuant to the following schedule.

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>	<u>EFFECTIVE DATE</u>
Zachary Wood	Seasonal Laborer	\$ 13.40 pr/hr	4/27/20

and be it further

RESOLVED, that the aforementioned individual shall not be entitled to any benefits as a result of his employment by the Town of Southport, including but not limited to health insurance, and be it further

RESOLVED, that the aforementioned individual commence his employment with the Town of Southport until such time as he shall have filed with the Town Clerk his appropriate Oath of Office as required by law.

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

RESOLUTION NO. 85-2020

AUTHORIZING THE TOWN SUPERVISOR TO FURLOUGH CERTAIN NON-ESSENTIAL EMPLOYEES

Resolution By:       Roman  
Seconded by:       Hurley

WHEREAS, in response to the COVID-19 pandemic, the State of New York and the County of Chemung declared states of emergency, along with New York State Executive Order No. 202 and its progeny, thereby resulting in the closure of all schools and non-essential businesses and placing numerous restrictions on public and social interactions; and

WHEREAS, due to the negative financial impact of the COVID-19 pandemic, the Town of Southport, in an effort to cut costs, must furlough certain nonessential employees;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, County of Chemung, State of New York, hereby defunds the positions listed as follows: all school traffic officers; all school traffic officer alternates; and recreation attendant. Therefore, employees encumbering these positions will be furloughed (off work without pay or benefits) until further notice due to the negative economic impact of the COVID-19 pandemic on the Town of Southport.

BE IT FURTHER RESOLVED, that the defunding date for the positions set forth above is May 13, 2020, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Southport hereby authorizes the Town Supervisor the discretion to determine which positions are deemed essential and the hours of work that would be required to meet the Town's operational and financial needs.

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

RESOLUTION NO. 86-2020  
AMENDING THE COMMUNITY DEVELOPMENT SPECIALIST AGREEMENT

Resolution by: Steed  
Seconded by: Hurley

WHEREAS, the Town of Southport entered into an agreement with Nichola Ostrander to serve as a Community Development Specialist for the Town of Southport, and

WHEREAS, the parties to this Agreement wish to amend the terms,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, County of Chemung, State of New York, hereby agrees to amend the terms of the Agreement that was entered into dated January 15, 2020, between the Town of Southport and Nichola Ostrander as set forth in the Amendment to Agreement dated June 1, 2020, related to compensation and responsibilities, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Southport hereby agrees to the terms as set forth in the Amendment to Agreement with an effective date of June 1, 2020, and hereby authorizes the town Supervisor to execute said Amendment to Agreement.

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

RESOLUTION NO. 87-2020

REFERRAL TO TOWN OF SOUTHPORT PLANNING BOARD  
REVISION OF LOCAL LAW NO. 6 OF 2019  
WIRELESS TELECOMMUNICATION SERVICE FACILITIES LAW

Resolution by: Gunderman  
Seconded by: Roman

WHEREAS, the Town of Southport wishes to revise the Wireless Telecommunication Service Facilities Law, and

WHEREAS, the proposed amendments are outlined attached hereto along with the proposed version of the complete law; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, County of Chemung, State of New York hereby refers proposed changes to the Wireless Telecommunication Service Facilities Law, attached hereto, to the Town of Southport Planning Board for review and recommendations.

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

RESOLUTION NO. 88-2020

REFERRAL TO TOWN OF SOUTHPORT PLANNING BOARD  
REVISION OF LOCAL LAW NO. 6 OF 2019  
WIRELESS TELECOMMUNICATION SERVICE FACILITIES;  
INCORPORATING A SMALL CELL FACILITY AESTHETIC DESIGN STANDARD

Resolution by: Steed  
Seconded by: Roman

WHEREAS, the Town of Southport wishes to revise the Wireless Telecommunication Service Facilities Law and incorporate a Small Cell Facility Aesthetic Design Standard and ensure specific design and aesthetic requirements for all small cell facilities within the public right of way, and

WHEREAS, the proposed design standards are attached hereto and must be adopted separately from Wireless Telecommunication Service Facilities Law, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, County of Chemung, State of New York hereby refers proposed Small Cell Facility Aesthetic Design Standards, attached hereto, to the Town of Southport Planning Board for review and recommendation.

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

RESOLUTION NO. 89-2020

REVIEW OF AUTUMNVIEW ESTATES SKETCH PLAN

Resolution by: Steed  
Seconded by: Hurley

WHEREAS, in accordance with the Town of Southport Code Chapter 525, Article 7 Planned Development District Provisions, Section 44 Application review and approval procedure, whenever a Planned Development District (PDD) is proposed, the first step of the process requires Town Board review of a sketch plan, and

WHEREAS, the Town of Southport Town Board is in receipt of a sketch plan for the PDD known as "Autumnview Estates" project from Fagan Engineers on behalf of David and Amy Cleary; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, County of Chemung, State of New York, has reviewed the sketch plan submitted by Fagan Engineers on behalf of David and Amy Cleary for the proposed Planned Development District known as “Autumnview Estates” as outlined in the correspondence dated April 30, 2020, in accordance with Town of Southport Code Chapter 525, Article 7 Section 44 and as a result of the review process the Town Board has determined that the sketch plan does not meet the requirements as set forth in Chapter 525, Article 7, Section 44-B (7) and (8), and

BE IT FURTHER RESOLVED, that since the sketch plan is deficient in accordance with the requirements of the Town of Southport Code Chapter 525, Article 7, Section 44-B (7) and (8), the Town Board of the Town of Southport does hereby refuse to accept the current sketch plan as submitted and further review will be considered once the sketch plan has met the requirements set forth in the Town of Southport Code Chapter 525, Article 7, Section 44-B (7) and (8).

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

RESOLUTION NO. 90-2020

REFERRAL TO PLANNING BOARD REGARDING AMENDING THE TOWN CODE TO ALLOW AN  
EVENTS CENTER AS PERMITTED USE

Resolution by:       Hurley  
Seconded by:       Roman

WHEREAS, the Town of Southport has received correspondence from the attorney on behalf of the owner of 824 Broadway Street (Chamberlain Acres) in the Town of Southport requesting an amendment to the Town zoning law to allow a portion of the property to be used as an “Events Center”, and

WHEREAS, the use for an “Events Center” is currently not allowable in the Town of Southport, and

WHEREAS, the Town Board wishes to have the Planning Board review the plausible options related to such use,

NOW THEREFORE BE IT RESOLVED, that the town Board of the Town of Southport, County of Chemung, State of New York, hereby wishes to have the Town of Southport Planning Board review the request for having an additional allowable use for an “Events Center” at the location of 824 Broadway Street in the Town’s CN district and further review whether such use may be appropriate in other districts throughout the Town; and

BE IT FURTHER RESOLVED, that this matter is referred to the Town of Southport Planning Board for a recommendation.

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

Under Taxpayer's comments, Charles Collins from 436 Kinner Hill Road commented on the pandemic and what steps local governments are taking.

Council Member Steed stated that he received a letter from town resident Dan Mazzaraco regarding property north of Curren RV on Pennsylvania Avenue in Pine City.

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

The meeting was adjourned at 7:45 p.m.

Respectfully Submitted,

Carolyn A. Renko, Town Clerk