

December 8, 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 December 8, 2020.

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

Others Present: Attorney Kimberlee Balok-Middaugh, 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	\$ 1,064.15
Fitzsimmons Lot Sales	\$ 825.00
Funds Turned to State and County Agencies	<u>\$ 4,948.10</u>
	\$ 6,837.25

Code Enforcement Office

Fees Collected:	Building Permit Fees	\$ 2,487.70
	Building Permit Values	\$ 294,000.00
	Operating Permit Fees	\$ 250.00
	Site Plan Fees	\$ 150.00

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

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

Council Member Roman made a motion, Council Member Gunderman seconded to accept the minutes from November 4, 2020 Preliminary Budget Meeting and November 10, 2020 Regular Meeting.

Under Correspondence, Supervisor Szerszen mentioned an email from Dave Ellis regarding Chemung County Youth Bureau. She also stated the Town of Southport Brush lot is now closed for the winter. Finally, she mentioned Comp Alliance issued a Safe Workplace Award to the Town.

Under Taxpayer's comments, Agenda and Discussion items only, no one spoke.

RESOLUTION NO. 175-2020

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 2020, No. 541 through No. 581, not to exceed \$65,551.78, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 176-2020

APPROVING ABSTRACT OF HIGHWAY FUND CLAIMS

Resolution by: Roman  
Seconded by: Steed

RESOLVED, that the Abstract of Highway Fund Claims submitted by the Town Clerk for the month of December 2020, No. 196 through No. 216, not to exceed \$61,241.19, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 177-2020

APPROVING ABSTRACT OF LIGHT FUND CLAIM

Resolution by: Steed  
Seconded by: Gunderman

RESOLVED, that the Abstract of Light Fund Claim submitted by the Town Clerk for the month of December 2020, No. 10, not to exceed \$8,540.33, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 178-2020

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. 179-2020

APPOINTING KAREN BACHMAN AS DEPUTY RECEIVER OF TAXES

Resolution by: Gunderman  
Seconded by: Roman

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. 180-2020

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

Resolution by: Roman  
Seconded by: Steed

WHEREAS, Capabilities Inc. submitted a quote to provide cleaning services to the Town Hall in the amount of NINE HUNDRED FORTY-EIGHT DOLLARS AND 00/100 (\$948.00) per month and cleaning services to the Senior Center in the amount of THREE HUNDRED NINETY-SEVEN DOLLARS (\$397.00) per month, from January 1, 2021 through December 31, 2021.

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 and Senior Center from January 1, 2021 through December 31, 2021, 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. 181-2020

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

Resolution by: Roman  
Seconded by: Steed

RESOLVED, that the Supervisor of the Town of Southport be and he hereby is authorized to enter into an agreement with McIlroy Management & Consulting for accounting services for the Town of Southport commencing January 1, 2021 and terminating December 31, 2020, for the sum of TEN THOUSAND TWO HUNDRED SEVENTY-ONE DOLLARS AND 04/100 (\$10,271.04) per annum, paid in twelve equal installments of EIGHT HUNDRED FIFTY-FIVE DOLLARS AND 92/100 (\$855.92). 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 182-2020

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

Resolution by: Gunderman  
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 2021 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 183-2020

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

Resolution by: Roman  
Seconded by: Gunderman

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 FIVE HUNDRED DOLLARS AND 00/100 (\$5,500.00), for the year 2021, 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: Roman, Steed, Szerszen  
NOES: Gunderman, Hurley  
CARRIED.

RESOLUTION NO. 184-2020

AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH CYBERLINK COMPUTING, INC.  
FOR 2021 COMPUTER MAINTENANCE

Resolution by: Hurley  
Seconded by: Steed

RESOLVED, that the Supervisor of the Town of Southport, be and he hereby is authorized to enter into an agreement with Cyberlink Computing, Inc., for computer maintenance for the Town of Southport employees commencing January 1, 2021 and terminating December 31, 2021, for the sum of NINE THOUSAND NINE HUNDRED DOLLARS (\$9,900.00) per annum, payable at a monthly rate of EIGHT HUNDRED TWENTY FIVE DOLLARS AND 00/100 (\$825.00), due by the 15<sup>th</sup> of each month and the consultant shall devote no less than 127 hours and no more than 137 hours per year to its duties in accordance with this agreement. Any time underage or overage will be credited or billed at the rate of SEVENTY-FIVE DOLLARS (\$75.00) per hour at the expiration of this agreement.

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

RESOLUTION NO. 185-2020

AUTHORIZING WITHDRAWAL OF FUNDS FROM THE RETIREMENT  
CONTRIBUTION RESERVE FUND

Resolution by: Steed  
Seconded by: Gunderman

WHEREAS, the Town Board by Resolution No. 172-2017 did authorize the establishment of a Retirement Reserve Fund, the purpose of which is to cover any and all portions of the amount payable to the New York State Retirement System.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, in regular session duly convened, does hereby authorize the withdrawal of \$115,917.00 from the Retirement Contribution Reserve Fund, and be it further

RESOLVED, this resolution is subject to a permissive referendum.

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

RESOLUTION NO. 186-2020

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

Resolution by: Hurley  
Seconded by: Gunderman

WHEREAS, the City of Elmira has proposed to provide animal control services to the Town of Southport from January 1, 2021 through December 31, 2021 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, 2021 to December 31, 2021 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, Hurley, Roman, Steed, Szerszen  
NOES: None  
CARRIED.

RESOLUTION NO. 187-2020

REFERRAL TO CHEMUNG COUNTY PLANNING BOARD REVIEW AMENDMENT TO ZONING LAW SECTION 525-50 OF THE CODE OF THE TOWN OF SOUTHPORT

Resolution by: Szerszen  
Seconded by: Steed

WHEREAS, the Town of Southport Town Board wishes to allow the Town Board, in addition to the Planning Board, to engage the services of a consultant or expert for any review or approval process before the Town Board and to have such related costs for the consultant or expert charged to the applicant, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, County of Chemung, State of New York refers to the Chemung County Planning Board, in accordance to General Municipal Law Section 239-m, for review the following amendments to zoning law Section 525-50 of the Code of the Town of Southport as follows:

Section 525-50 of the Code of the Town of Southport is hereby amended to read:

The Planning Board and/or Town Board may require an applicant for any review, permit or approval to deposit in escrow a sufficient amount to pay for the reasonable and necessary fees and/or costs of any engineer, consultant or attorney designated by the Planning Board and/or Town Board to review such application. The fees and/or costs charged by such engineer, consultant or attorney in connection with such review will be charged against the sum deposited in escrow. Any amount remaining shall be returned to the applicant within 45 days of final action on the application.

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 Steed seconded to adjourn the meeting.

The meeting was adjourned at 7:35 p.m.

Respectfully Submitted,

Carolyn A. Renko, Town Clerk