

January 11, 2022

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 11, 2022.

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

Others Present: Attorney Kimberlee Balok-Middaugh, Code Enforcement Officer Peter Rocchi, Deputy Supervisor Kathleen Szerszen, Town Clerk Carolyn Renko, Deputy Town Clerk Marianne Schrom

The meeting was called to order by Supervisor Roman at 7:00 p.m., followed by the Pledge of Allegiance to the Flag of the United States of America.

Moment of Silence – Joseph Roman

Monthly reports were received as follows:

Town Clerk Carolyn A. Renko

Town Clerk & Dog License Fees	\$ 1,099.19
Fitzsimmons Lot Sales	\$ 1,100.00
Funds Turned to State and County Agencies	<u>\$ 1,251.31</u>
	\$ 3,450.50

Code Enforcement Officer

Fees Collected	Building Permit Fees	\$ 1,033.00
	Building Permit Values	\$ 554,595.00
	Operating Permit Fees	\$ 150.00

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

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

There was no Correspondence received.

Council Member Hurley made a motion, Council Member Steed seconded to accept the minutes of December 14, 2021 Regular Meeting and January 3, 2022 Organizational meeting.

AYES: Gunderman, Hurley, Steed, Roman
NOES: None
ABSTAIN: Williams
CARRIED.

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

RESOLUTION 28-2022

APPROVING ABSTRACT OF GENERAL FUND CLAIMS #13 OF 2021

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 2021, No. 631 through No. 664, not to exceed \$24,654.16, has been approved for payment by this Town Board.

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

RESOLUTION NO. 29-2022

APPROVING ABSTRACT OF GENERAL FUND CLAIMS #1 OF 2022

Resolution by: Steed
Seconded by: Hurley

RESOLVED, that the Abstract of General Fund Claims #1, submitted by the Town Clerk for the month of January 2022, No. 1 through No. 30, not to exceed \$75,394.37, has been approved for payment by this Town Board.

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

RESOLUTION NO. 30-2022

APPROVING ABSTRACT OF HIGHWAY FUND CLAIMS #13 OF 2021

Resolution by: Gunderman
Seconded by: Williams

RESOLVED, that the Abstract of Highway Fund Claims #13 of 2021, submitted by the Town Clerk for the month of December 2021, No. 254 through No. 269, not to exceed \$77,150.15, has been approved for payment by this Town Board.

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

RESOLUTION NO. 31-2022

APPROVING ABSTRACT OF HIGHWAY FUND CLAIMS #1 OF 2022

Resolution by: Gunderman
Seconded by: Steed

RESOLVED, that the Abstract of Highway Fund Claims #1 of 2022, submitted by the Town Clerk for the month of January 2022, No. 2 through No. 4, not to exceed \$23,000.67, has been approved for payment by this Town Board.

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

RESOLUTION NO. 32-2022

AUTHORIZING SUPERVISOR TO MAKE TEMPORARY INVESTMENTS OF TOWN FUNDS DURING
FISCAL YEAR 2022

Resolution by: Steed
Seconded by: Hurley

RESOLVED, that pursuant to and in accordance with the provisions of Section 11 of the General Municipal Law, as amended, the Supervisor be and is hereby 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 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 principal 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, Steed, Williams, Roman
NOES: None
CARRIED.

RESOLUTION NO. 33-2022

AUTHORIZING TOWN CLERK AND DEPUTY TOWN CLERKS TO ATTEND CHEMUNG/SCHUYLER MUNICIPAL CLERKS ASSOCIATION MEETINGS FOR THE YEAR 2022

Resolution by: Steed
Seconded by: Hurley

RESOLVED, that the Town Clerk and Deputy Town Clerks are hereby authorized to attend the Chemung/Schuyler Municipal Clerks Association Meetings during the year 2022 and that their expenses therefore shall be a proper Town charge.

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

RESOLUTION NO. 34-2022

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 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, 2022 and said appointment will be on an annual basis.

AYES: Gunderman, Hurley, Steed, Williams, Roman

NOES: None

CARRIED.

RESOLUTION NO. 35-2022

AUTHORIZING SUPERVISOR TO SIGN ENGAGEMENT LETTER OF HARTER SECREST & EMERY, LLP FOR ARTICLE 78 PROCEEDINGS BROUGHT BY JOSHUA M. RING

Resolution by: Gunderman

Seconded by: Williams

RESOLVED, that the Supervisor is authorized to sign the Engagement Letter of Harter Secrest & Emery, LLP, who will serve as litigation counsel for the Town of Southport in Article 78 proceedings brought by Joshua M. Ring.

AYES: Gunderman, Hurley, Steed, Williams, Roman

NOES: None

CARRIED.

Under Discussion, the following were tabled until the February 8, 2022 Town Board Meeting:

1. Cherry Lane Park, LLC
2. HVAC Upgrades
3. LED Light Conversion
4. Moratorium on Sticker Stores

Also under Discussion was Form Based Code Review Committee report. Supervisor Roman gave an update and stated the next meeting would be February 7, 2022.

Lastly under Discussion was Bicentennial Committee report. Supervisor Roman gave an update and stated the next meeting would be February 8, 2022.

Under Taxpayer's Comments, Tina Moore from 1173 Sherman Avenue commented on Cherry Lane Park and had a question regarding furnace inspections in the trailers and if a log was kept in the office.

Mary Davenport from 1157 Sherman Avenue voiced complaints regarding the condition of Cherry Lane Park.

Thomas Aber from 1155 Sherman Avenue commented that the condition of the park has not changed.

Karen Clark from 1149 Sherman Avenue also commented on the condition of Cherry Lane Park.

Supervisor Roman stated he will contact Attorney Bruno who represents the owner of Cherry Lane Park, LLC with all the questions and concerns of the residents so that he can address them at the February 8, 2022 Town Board Meeting.

Council Member Williams asked Attorney Middaugh for an update on the horse situation.

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

The meeting was adjourned at 8:00 p.m.

Respectfully Submitted,

Carolyn A. Renko
Town Clerk