

May 10, 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 May 10, 2022.

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

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

The meeting was called to order by Supervisor Joseph 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	\$ 2,528.25
Funds Turned to State and County Agencies	\$ 1,139.75
Fitzsimmons Lot Sales	<u>\$ 550.00</u>
	\$ 4,218.00

Code Enforcement

Building Permit Fees	\$ 889.00
Building Permit Values	\$ 179,700.00
Operating Permit Fees	\$ 650.00
Site Plan Fees	\$ 75.00

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

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

Council Member Hurley made a motion, Council Member Williams seconded to accept the minutes of April 5, 2022 Regular Meeting.

Under Correspondence:

1. Letter from Chemung County Farm Bureau, Chemung County Ag Society, and Chemung County Farmer's Museum regarding a proposal for a position of Events Coordinator for the Chemung County Fairgrounds/Natural Resources Educator during the school year. The intent of the letter is asking that a representative do a short presentation to the Town Board at an upcoming meeting to gain perspectives on this idea.
2. Supervisor Roman stated the MS4 draft annual report is available for the public on the Town's website.
3. Pine City Street of sales will be held June 11, 2022.

Council Member Hurley made a motion, Council Member Williams seconded to accept the minutes of the April 5, 2022 Regular Meeting.

RESOLUTION NO. 80-2022

CANCELLING PUBLIC HEARINGS AND REFERRAL BACK TO THE TOWN OF SOUTHPORT PLANNING BOARD FOR ATTORNEY REVIEW OF PROPOSED CODE AND ZONING LAW AMENDMENTS

Resolution by: Gunderman
Seconded by: Steed

WHEREAS, the Town of Southport has received referrals from the Town of Southport Planning Board for amendments to specific sections of the Town's code and zoning laws, and

WHEREAS, the Attorney for the Town who advises the Planning Board was unable to review such amendments prior to the Planning Board's referral, and

NOW THEREFORE BE IT RESOLVED, that the Town of Southport, County of Chemung, State of New York hereby cancels the related public hearings and refers back to the Town of Southport Planning Board the code and zoning law amendments for the Town of Southport Code Chapter 525-16, 525-17, 525-120 (N)(4)(e), 525-94 and 464-8 for attorney review and further recommendation.

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

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

RESOLUTION NO. 81-2022

APPROVING ABSTRACT OF GENERAL FUND CLAIMS

Resolution by: Hurley
Seconded by: Gunderman

RESOLVED, that the Abstract of General Fund Claims submitted by the Town Clerk for the month of May 2022, No. 175 through No. 251, not to exceed \$127,344.21, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 82-2022

APPROVING ABSTRACT OF HIGHWAY FUND CLAIMS

Resolution by: Williams
Seconded by: Gunderman

RESOLVED, that the Abstract of Highway Fund Claims submitted by the Town Clerk for the month of May 2022, No. 75 through No. 102, not to exceed \$76,063.90, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 83-2022

APPROVING ABSTRACT OF FIRE FUND CLAIM AND LIGHT FUND CLAIM

Resolution by: Hurley
Seconded by: Williams

RESOLVED, that the Abstract of Fire Fund Claim No. 8, not to exceed \$9,720.00 and Light Fund Claim No. 3, not to exceed \$10,903.60, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 84-2022

COMMEMORATING NATIONAL NURSES WEEK MAY 6-12, 2022

Resolution by: Hurley
Seconded by: Steed

WHEREAS, in 1993 the American Nurses Association declared May 6-12 as the national week to celebrate and elevate the nursing profession, and each year, the celebration ends on May 12, which was the founder of modern nursing Florence Nightingale’s birthday, and

WHEREAS, National Nurses Week is a time for everyone – individuals, employers, other health care professionals, community leaders, and nurses to recognize the vast contributions and positive impact of more than 700 RNs, LPNs, and graduate nurses that dedicate their lives to improving the health of the residents of the Twin Tiers of New York.

WHEREAS, these individuals in Chemung County provide compassionate care to all, embodying the principles of ethical practice in their work, and have contributed to public health by providing education, preventative health screenings, interventions, and support in clinics, schools, hospitals, and the community at large.

NOW THEREFORE, I, Joseph Roman, Supervisor of the Town of Southport, do hereby proclaim May 6-12, 2022 as National Nurses Week and urge residents to express their appreciation for the people, facilities, and technologies that make trustworthy, reliable health care possible in our community.

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

RESOLUTION NO. 85-2022

SETTING PUBLIC HEARING FOR LOCAL LAW NO. 2 OF 2022 TO AMEND ZONING MAP, CHAPTER 525, ARTICLE III, SECTION 525-9, FOR PARCEL LOCATED AT 431 LAURENTIAN PLACE TO RESIDENTIAL AND REFER TO THE CHEMUNG COUNTY PLANNING BOARD

Resolution by: Williams
Seconded by: Gunderman

WHEREAS, the Town of Southport wishes to amend the Zoning Map, Chapter 525, Article III, Section 525-9, to allow for a change to from Agricultural Residential (AR) to Residential (R1) for the parcel located at 431 Laurentian Place (tax map # 100.17-3-18.1) since this parcel is adjacent to the R1 zoning district and such change in zoning benefits and addresses the needs of the changing residential community and provides consistency with the comprehensive plan and further will allow for the parcel to be subdivided and meet the R1 Bulk and Density Control Schedule requirements; and

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Southport, County of Chemung, State of New York wishes to enact the proposed amendment as set forth below and as further depicted on the attached map for Chapter 525, Article III, Section 525-9, to allow for a change to from Agricultural Residential (AR) to Residential (R1) for the parcel located at 431 Laurentian Place, Elmira, New York 14904 (tax map # 100.17-3-18.1) and is hereby proposed and referred to the Chemung County Planning Board and scheduled for a public hearing on June 14, 2022 at 7:00 p.m. or as soon thereafter as it can be heard.

PROPOSED LOCAL LAW NO. 2 OF 2022

LOCAL LAW NO. 2 OF 2022 TO AMEND ZONING MAP, CHAPTER 525, ARTICLE III, SECTION 525-9, FOR PARCEL LOCATED AT 431 LAURENTIAN PLACE (TAX MAP #100.17-3-18.1) TO RESIDENTIAL

Section 1.

Chapter 525, Article III, Section 525-9 Zoning Map is hereby amended to the change zoning district designation for the parcel as further described in the survey map dated December 7, 2021 for Travis McDonald, as attached hereto, referenced as Parcel A on attached map located at 431 Laurentian Place, Elmira, New York 14904 (tax map # 100.17-3-18.1) from Agricultural Residential (AR) to Residential (R1) to benefit and address the changing needs of the residential community and provide consistency with the comprehensive plan.

Section 2. Inconsistent Zoning Ordinances.

All zoning laws inconsistent with any provision or provisions of this law are hereby repealed.

Section 3. Severability.

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

Section 4. Authority.

This local law is enacted by the Town Board pursuant to its authority to adopt local laws under Article IX of the New York State Constitution, Municipal Home Rules Law § 10 and Town Law.

Section 5. Effective Date.

This Local Law shall take effect immediately upon adoption and publication according to law.

AYES: Gunderman, Hurley, Steed, Williams, Roman

NOES: None

CARRIED.

Under Discussion, David Reger, Assessor for the Town of Southport spoke to the Board regarding the recent 6% assessment increase on residential properties in the Town of Southport.

Other items under discussion include:

1. ARPA Funds. This was discussed at length by the Board members at the May 10, 2022 Special Meeting.
2. The Town Hall Generator conduit quotes are being sought by Highway Superintendent Steven Renko.
3. Regarding HVAC upgrades at Town Hall, LaBella is still working on the specs and bid package.
4. For the Bicentennial Report, Supervisor Roman stated there are several events being planned, with the next upcoming time capsule event at Chapel Park on May 14, 2022.
5. Milton Street Wastewater Treatment Plant Consolidation Project – the Chemung County Sewer District will have an information session on May 11, 2022 at Southport Town Hall.

Council Member Steed made a motion, Council Member Hurley seconded the motion to adjourn into executive session to discuss proposed pending or current litigation.

The meeting was adjourned at 7:53 p.m.

The meeting reconvened at 8:30 p.m.

Council Member Steed made a motion, Council Member Hurley seconded to adjourn the meeting at 8:30 p.m.

Respectfully Submitted,

Carolyn A. Renko, Town Clerk