

February 14, 2023

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 February 14, 2023.

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, Highway Superintendent Steven Renko, Town Clerk Carolyn Renko, Deputy Town Clerk Marianne Schrom

The meeting was called to order by Supervisor Joseph Roman at 6:00 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	\$ 1,442.91
Fitzsimmons Lot Sales	\$ 2,150.00
Funds Turned to State and County Agencies	<u>\$ 199.84</u>
	\$ 3,792.75

Receiver of Taxes

Town and County Tax Collected	\$ 3,752,590.92
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Code Enforcement Office

Fees Collected:	Building Permit Fees	\$ 1,249.50
	Building Permit Values	\$ 229,293.00
	Operating Permit Fees	\$ 750.00
	Site Plan Fees	\$ 225.00

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

**2022 ANNUAL REPORT OF THE TOWN CLERK:**

NYS Dept. of Agriculture & Markets for Dog Licenses	\$ 1,634.00
NYS Dept. of Environmental Conservation (DEC) for Conservation Licenses	\$ 35,346.33
NYS Dept. of Health for Marriage Licenses	\$ 810.00
Supervisor for Dog License & Clerk Fees	\$ 21,165.17
Supervisor for Fitzsimmons Cemetery	\$ <u>4,925.00</u>
SUBTOTAL	\$ 63,880.50

**RECEIVER OF TAXES:**

Total Taxes Collected:	\$ 5,171,479.90
Total Penalty Collected:	\$ 8,122.30
Total Surcharge/Interest Collected:	\$ 0.00
Total Notice Fees Collected:	\$ 352.00
Total Duplicate & Overpayments:	\$ 4,139.66
Total Returned Check Fees:	\$ 0.00
Bank Interest Earned:	\$ 0.00

**Total: \$ 5,184,093.86**

Total Direct Payments:	\$ 169,928.37
Total Bounced Checks:	\$ 9,505.14
Total Refunded/Applied Overpayments:	\$ 0.00
Disbursements to Supervisor:	\$ 1,808,274.86
Disbursements to County:	\$ 3,191,486.96
Other Disbursements:	\$ 4,899.54
Bank Service Charges:	\$ 0.00

**Total: \$ 5,184,094.87**

Other Adjustments: \$ 1.01

**Bank Balance: \$ 0.00**

**2022 FITZSIMMONS CEMETERY EXTENSION REPORT:**

22 graves were sold in 2022. 10 graves that were originally sold in 2020 for \$275.00 (\$2,750.00 total) were upgraded to 10 lots in the \$400 section (\$4,000.00). The difference of \$1,250.00 was paid, reflecting the total of \$4,925.00 total for 2022.

**CODE ENFORCEMENT OFFICER 2022 ANNUAL REPORT:**

Permit & Site Plan Fees:	\$ 15,599.60
Building Permit Values:	\$ 3,813,300.00
Operating Permit Fees:	\$ 4,950.00
Special Use Permit Fees:	\$ 75.00
Variance Fees:	\$ 300.00

The following were issued and completed: 310 total building permits, 2 New Homes; 1 New Commercial Building; 61 Fire Inspections/OP Permits; 282 Compliance Certificates; 412 Building Inspections; 55 Unlicensed Vehicles; 99 Garbage/Rubbish; 7 Vendor Cleaned up; 126 High Grass; 46 Vendor Mowed; 1 Snow Removal; 12 Burning Violations; 4 Swimming Pool Violations; 66 NYS and Misc. Violations; 6 Appearance Tickets; 9 Logging Registrations; 1 Special Use Permit; 11 Site Plan Applications; 4 Variance Applications; 8,707 Miles Driven; 1,692 Complaints/Inquires.

**2022 YEAR END YOUTH SERVICES/RECREATION/SENIOR CITIZEN REPORT:**

Approximately 4,200 sign-in's/participants/users at the Chapel Park Community Center, including those who came to weekly and monthly activities, meetings, special events, elections, gatherings and rentals. The Chapel Park Community Center was rented 60 times for a total of \$8,965.00 (see attached).

**TOWN JUSTICE STEVEN MILFORD 2022 ANNUAL REPORT:**

Total Collected by Justice Milford	\$ 45,789.00
Amount Forwarded to Town of Southport Fiscal Officer	\$ 45,789.00
Bail Pending	\$ 2,301.00
Total Kept by the Town (both Judges)	\$ 26,935.50

**TOWN JUSTICE JOSEPH W. HOLLY 2022 ANNUAL REPORT:**

Total Collected by Justice Holly	\$ 44,692.00
Amount Forwarded to Town of Southport Fiscal Officer	\$ 44,692.00
Bail Pending	\$ 2,141.00
Total Kept by the Town (both Judges)	\$ 26,935.50

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

Under Correspondence, Supervisor Roman read a letter from the Association of Towns regarding Home Rule in housing. Council Member Steed commented on a possible statewide exemption for volunteer fireman and ambulance drivers.

Council Member Hurley made a motion, Council Member Williams seconded to accept the minutes of January 10, 2023 Regular Meeting.

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

RESOLUTION NO. 39-2023

RESCHEDULING CHERRY LANE MOBILE HOME PARK HEARING

Resolution by: Gunderman  
Seconded by: Steed

WHEREAS, the Town of Southport Town Board is in receipt of a letter dated February 6, 2023 from Attorney Michael Bruno requesting on behalf of Cherry Lane Mobile Home Park, LLC an adjournment of the hearing scheduled for February 14, 2023 regarding the mobile home license being held in accordance with Section 352-10(B), Town of Southport Code; and

NOW THEREFORE BE IT RESOLVED, that the Town of Southport Town Board, County of Chemung, State of New York, in response to the letter dated February 6, 2023 from Attorney Michael Bruno requesting on behalf of Cherry Lane Mobile Home Park, LLC an adjournment of the hearing scheduled for February 14, 2023 regarding the mobile home license being held in accordance with Section 352-10(B) of the Town of Southport Code be rescheduled for March 7, 2023 at 6:00 p.m. at the Town of Southport Town Hall located at 1139 Pennsylvania Avenue, Elmira, New York 14904.

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

RESOLUTION NO. 40-2023

APPROVING ABSTRACT OF GENERAL FUND CLAIMS #14 OF 2022 AND #2 OF 2023

Resolution by: Williams  
Seconded by: Hurley

RESOLVED, that the abstract of General Fund Claims #14 of 2022, submitted by the Town Clerk, No. 670 through 684, not to exceed \$25,526.79 and General Fund Claims #2 of 2023, submitted by the Town Clerk, No. 36 through No. 90, not to exceed \$96,432.66, have been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 41-2023

APPROVING ABSTRACT OF HIGHWAY FUND CLAIMS #14 OF 2022 AND #2 OF 2023

Resolution by: Gunderman  
Seconded by: Steed

RESOLVED, that the abstract of Highway Fund Claim #14, submitted by the Town Clerk, No. 252, not to exceed \$191.88 and Highway Fund Claims #2 of 2023, submitted by the Town Clerk, No. 9 through 28, not to exceed \$77,402.40, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 42-2023

APPROVING ABSTRACT OF FIRE FUND CLAIMS

Resolution by: Gunderman  
Seconded by: Hurley

RESOLVED, that the abstract of Fire Fund Claims submitted by the Town Clerk for the month of February, No. 1 through 7, not to exceed \$713,374.62, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 43-2023

AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF CHEMUNG TO PROVIDE A RESIDENT SHERIFF'S DEPUTY FOR THE TOWN

Resolution by: Hurley  
Seconded by: Steed

WHEREAS, the Chemung County Sheriff's Office has proposed that the Town of Southport enter into a one-year agreement with the County of Chemung, effective January 1, 2023 and shall expire on December 31, 2023 to provide a full-time resident Sheriff's Deputy to the Town of Southport for the sum of SIXTY-FOUR THOUSAND, NINE HUNDRED EIGHTY DOLLARS and 00/100 (\$64,980.00) per year.

WHEREAS, the Sheriff's Deputy be an employee of the Chemung County Sheriff's Office but will be available at dates and times determined by the Town of Southport, and

WHEREAS, the Chemung County Sheriff's Office will supply all uniforms and equipment required for the Resident Deputy.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport in regular session duly convened, authorize the Town Supervisor to enter into an Agreement with the County of Chemung to provide one full-time resident Sheriff's Deputy to the Town of Southport for a period of one-year effective January 1, 2023 and shall expire on December 31, 2023 for an amount not to exceed SIXTY-FOUR THOUSAND, NINE HUNDRED EIGHTY DOLLARS and 00/100 (\$64,980.00) per year, and be it further

RESOLVED, that said Agreement is contingent upon approval by the Chemung County Legislature.

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

RESOLUTION NO. 44-2023

RATIFYING CONTRACT WITH AUCTIONS INTERNATIONAL AND DECLARING HIGHWAY ITEMS SURPLUS

Resolution by: Hurley  
Seconded by: Steed

WHEREAS, the Town of Southport is hereby in possession of surplus that is no longer needed for a Town purpose, and

WHEREAS, the surplus property consists of various items including vehicles and equipment that the highway department has reviewed and inspected and determined that such property as contained on the attached list is no longer useful to the Town and would like to see these in an online auction, and

WHEREAS, in order to allow for timely sale and removal of these items the Town Supervisor entered into an Agreement with Auctions International, Inc. to assist the Town with selling this surplus property at little or no cost to the Town, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, County of Chemung, State of New York declares the attached list dated February 13, 2023 of Town of Southport property consisting of vehicles and equipment deemed as surplus and no longer needed for a Town purpose, and

BE IT FURTHER RESOLVED, that the Town of Southport property declared as surplus attached hereto is to be sold in accordance with the Online Auction Contract dated February 2, 2023 entered into with Auctions International, Inc., and said contract is hereby ratified.

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

RESOLUTION NO. 45-2023

AUTHORIZING ACCEPTANCE OF FUNDING FROM ENVIRONMENTAL FACILITIES CORPORATION,  
ENGINEERING PLANNING GRANT (#121688) AND AUTHORIZING SUPERVISOR TO EXECUTE NECESSARY  
AGREEMENTS

Resolution by:       Hurley  
Seconded by:       Steed

WHEREAS, the Environmental Facilities Corporation granted funds to the Town of Southport through its Engineering Planning Grant (EPG) for the Town of Southport’s application regarding the Mt. Zoar Area Sanitary Sewer Study Project for \$24,000.00; and

WHEREAS, as part of the required grant process, the Town of Southport must finalize the application process in order to be eligible for the awarded funding;

WHEREAS, as part of the required grant process, the Town of Southport must finalize the application process in order to be eligible for the awarded funding;

NOW THEREFORE BE IT RESOLVED, that the Town of Southport hereby authorizes the Town Supervisor or his designee to take the necessary actions to complete the application process and execute any necessary documents, and

BE IT FURTHER RESOLVED, that the Town Board for the Town of Southport hereby authorizes the acceptance of any funding which may be received from the Environmental Facilities Corporation, EPG Grant, and further authorizes the Town Supervisor to execute any agreements which may be required to secure such funding.

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

RESOLUTION NO. 46-2023

AUTHORIZING THE MINIMUM LOCAL MATCH FOR THE MT. ZOAR AREA SANITARY SEWER STUDY  
PROJECT ENGINEERING PLANNING GRANT (#121688)

Resolution by: Hurley  
Seconded by: Steed

WHEREAS, the Town Board submitted an application for Environmental Facilities Corporation, for the Mt. Zoar area Engineering Planning Grant (EPG) on June 14, 2022, and

WHEREAS, implementation of the planning grant will address questions about the cost, scope and impacts of potential wastewater facilities to serve the Mt. Zoar area.

WHEREAS, the Town Board received notification on November 4, 2022 that the Environmental Facilities Corporation selected the Town of Southport Application to receive up to \$24,000.00 for the purposes of performing an Engineering Study (Planning Grant #121688) and

NOW THEREFORE BE IT RESOLVED, that the Town of Southport authorizes and appropriates the minimum 20% local match as required by the Environmental Facilities Corporation for the Mt. Zoar Area Sanitary Sewer Study Engineering Planning Grant (#121688). Under the Engineering Planning Grant Program, this local match must be at least 20% of \$24,000.00. The maximum local share appropriated, subject to any changes agreed to by the Town Supervisor, shall not exceed \$4,800.00. The total estimated maximum project cost is \$28,800.00 (estimated total maximum project cost including any potential increases). The Town Supervisor may increase this local match through the use of in-kind services without further approval from the Town of Southport.

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

RESOLUTION NO. 47-2023

ACCEPTING REQUEST FOR QUALIFICATIONS (RFQ) IN CONJUNCTION WITH MT. ZOAR  
ENVIRONMENTAL PLANNING GRANT

Resolution by: Hurley  
Seconded by: Steed

WHEREAS, the Town of Southport wishes to conduct a study to evaluate the extension of the public sanitary sewer into the Mt. Zoar Street area of the Town of Southport and sought proposals from qualified engineers to provide professional services for this study, and



NOW THEREFORE BE IT RESOLVED, that the Town of Southport, County of Chemung, State of New York hereby accepts and approves the selection from the Request for Qualifications from Fagan Engineers to conduct a study to evaluate the extension of the public sanitary sewer into the Mt. Zoar Street area of the Town of Southport and whereby the funding for this project is derived from the NYSEFC Environmental Planning Grant in the amount of TWENTY-FOUR THOUSAND DOLLARS AND 00/100 (\$24,000.00) with a local contribution of FOUR THOUSAND EIGHT HUNDRED DOLLARS AND 00/100 (\$4,800.00).

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

RESOLUTION NO. 48-2023

AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH CERTIFIED LAWN CARE FOR VEGETATION MANAGEMENT IN CHAPEL PARK WATERWAY AND BULKHEAD MEMORIAL

Resolution by:       Steed  
Seconded by:       Hurley

WHEREAS, the Chapel Park Waterway and Bulkhead Memorial are in need of vegetation management, and

WHEREAS, Certified Lawn Care has submitted a proposal to provide a vegetation control plan in the Chapel Park Waterway and Bulkhead Memorial in April-May, June-July, August-September 2023 for a total of TWO THOUSAND SIX-HUNDRED TEN DOLLARS AND 00/100 (\$2,610.00).

NOW THEREFORE BE IT RESOLVED, that the Town Supervisor is hereby authorized and directed to enter into an agreement with Certified Lawn Care for vegetation management in the Chapel Park Waterway and Bulkhead Memorial, and be it further

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

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

RESOLUTION NO. 49-2023

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

Resolution by: Hurley  
Seconded by: Steed

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 11, 2023 through February 11, 2024. 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 not to exceed NINETY-FIVE DOLLARS AND 00/100 (\$95.00) per hour for services rendered.

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

RESOLUTION NO. 50-2023

ORDINANCE TO AMEND PARTIAL EXEMPTION OF REAL PROPERTY TAX FOR PERSONS OVER SIXTY-FIVE YEARS OF AGE

Resolution by: Gunderman  
Seconded by: Hurley

WHEREAS, pursuant to Chapter 476 Article I of the Town of Southport Code certain persons over sixty-five years of age may receive a partial tax exemption; and

WHEREAS, the Town Assessor recommended that this partial tax exemption be amended to increase the income thresholds pursuant to section 476 of the New York State Real Property Tax Law; and

NOW THEREFORE BE IT RESOLVED, that a public hearing is scheduled for March 14, 2023 at 6:00 p.m. to be held at the Town of Southport Town Hall located at 1139 Pennsylvania Avenue, Elmira, New York 14904 to amend ordinance Section 476-2 of the Town of Southport Code authorizing partial exemption of real property tax for certain persons over the age of sixty-five years to be increased pursuant to section 467 of the Real Property Tax Law on a sliding scale as follows:

Annual Income	Percentage Exempt
\$29,000 and under	50%
\$29,001-\$29,999	45%

Annual Income	Percentage Exempt
\$30,000-\$30,999	40%
\$31,000-31,999	35%
\$32,000-32,899	30%
\$32,900-\$33,799	25%
\$33,800-34,699	20%
\$34,700-35,599	15%
\$35,600-36,499	10%
<u>\$36,500-\$37,399</u>	<u>5%</u>

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

Under Discussion was update on 521 Schuyler Avenue. Code Officer Peter Rocchi stated the demolition has been completed.

RESOLUTION NO. 51-2023

LOCAL LAW NO. 3 OF 2023, A SIX MONTH EXTENSION OF THE TEMPORARY 12-MONTH MORATORIUM FOR OPERATING UNLICENSED RETAIL BUSINESSES INVOLVING THE TRANFER, DISTRIBUTION, OR SALE OF CANNABIS WITHIN THE TOWN OF SOUTHPORT

Resolution by:       Williams  
 Seconded by;       Steed

WHEREAS, the Town of Southport enacted Local Law No. 1. of 2022 in April of 2022 titled a Temporary 12- Month Moratorium for Operating Unlicensed Retail Businesses Involving the Transfer, Distribution, or Sale of Cannabis to allow the Town of Southport to prevent unlicensed businesses in the Town from providing, distributing, or transferring cannabis as a “gift” to customers which may be based upon the conditional purchase of a product for sale, including but not limited to, an item such as a sticker or shirt and enacted a Town wide moratorium for the establishment of any unlicensed business that distributes, transfers, or sells cannabis to allow the Office of Cannabis Management to complete regulations and rules to oversee the licensing, cultivation, production, distribution, sale, laboratory testing and use of cannabis; and

WHEREAS, to date the New York State Office of the Cannabis Management has not finalized the rules and regulations related to the issuance of licenses to businesses for the legal sale of adult-use cannabis, therefore, the Town of Southport Town Board wishes to extend the 12-month moratorium for an additional six (6) months; and

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Southport, County of Chemung, State of New York schedules a public hearing for Local Law No. 3 of 2023, A Six Month Extension of the Temporary 12-Month Moratorium for Operating Unlicensed Retail Businesses involving the Transfer, Distribution, or Sale of Cannabis Within the Town of Southport, as set forth below, for March 14, 2023 at 6:00 p.m. at the Town of Southport Town Hall located at 1139 Pennsylvania Avenue, Elmira, New York 14904.

Local Law No. 3 of 2023, A Six Month Extension of the Temporary 12- Month Moratorium for Operating Unlicensed Retail Businesses Involving the Transfer, Distribution, or Sale of Cannabis Within the Town of Southport

Section 1. TITLE.

This local law shall be known as “Local Law No. 3 of 2023, A Six Month Extension of the Temporary 12-Month Moratorium for Operating Unlicensed Retail Businesses involving the Transfer, Distribution, or Sale of Cannabis Within the Town of Southport”.

Section 2. LEGISLATIVE INTENT

- A. Since the enactment of Local Law No. 1 of 2022, the New York State Office of the Cannabis Management has yet to finalize regulations to allow for the issuance of licenses to businesses to allow for the legal sale of adult-use cannabis or cannabinoid hemp licenses. Therefore, to prevent unlicensed businesses in the Town from providing, distributing, or transferring cannabis as a “gift” to customers which may be based upon the conditional purchase of a product for sale, including but not limited to, an item such as a sticker or shirt, the Town wishes to enact a Town wide moratorium for the establishment of any unlicensed business that distributes, transfers, or sells cannabis.
- B. During this additional six (6) month moratorium, the Town of Southport will continue to review and update its zoning code and regulations and monitor the adoption of the rules and regulations regarding licensure by the Office of Cannabis Management (OCM). The Town Board has deemed this an appropriate amount of time to study whether additional local action is necessary; the extent of such action; if such local action is necessary; provide the Town Board with the time to adopt the appropriate local rules and regulations to ensure comprehensive uniformity, fairness, and consistency in such regulations governing the time, place, and manner of the operation of licensed adult use cannabis retail dispensaries and/or on-site consumption cannabis businesses.
- C. The Town of Southport does hereby find a six (6) month extension of this moratorium is necessary and reasonable in order to afford the Town time to evaluate whether appropriate laws or ordinances should be enacted for the health, safety, and welfare of the Town residents and properly aligned with the Comprehensive Plan. A Six month extension of this moratorium will prevent the establishment of unlicensed businesses related to distribution and/or consumption of cannabis. The health, safety and general welfare of the residents will be protected by the adoption of the moratorium pending the issuance of final regulations by the Town of Southport.
- D. The Town Board finds pursuant to 6 NYCRR 617.5(c) (30) that the adoption of this extension to the moratorium of land development or construction is a Type II action under the New York State Environmental Quality Review Act (“SEQR”) which has been determined to not have a significant impact on the environment.

Section 3. EXTENDED TERM FOR MORATORIUM

- A. Local Law No. 3 of 2023 shall be extended for an additional six (6) months through October 31, 2023.
- B. Except as otherwise amended herein, all provisions of Local Law No. 1 of 2022 shall remain in effect and be extended for an additional six (6) months through October 31, 2023.

Section 10. AUTHORITY

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

Section 11. SUPERCESSION OF THE TOWN LAW

This local law is hereby adopted to pursuant to Municipal Home Rules Law § 10. It is the intent of the Town Board, pursuant to Municipal Home Rules Law to supersede the following provisions of the New York State Town Law as it relates to zoning and planning determinations under the Town Law § 274-a and b, § 267-a and b, § 276 and § 277.

Section 11. INCONSISTENT LAWS

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

Section 12. SEVERABILITY

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law, or the application thereof to any person, firm, or corporation or circumstance, is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law, or in its application to the person, individual, firm, or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 13. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the New York State Secretary of State.

AYES: Hurley, Steed, Williams, Roman  
NOES: Gunderman  
CARRIED.

Also under Discussion was Southport Cinderella Softball and 2023 Countywide Stream Equipment/Renewal of IMA, both of which will be tabled until March.

Under Taxpayer's Comments, Ronnie Harper from 506 Morley Place inquired about ARPA funds to help homeowners in the Town of Southport.

Council Member Steed made a motion, Council Member Williams seconded to adjourn the meeting. The meeting was adjourned at 6:35 pm.

Respectfully Submitted,

Carolyn A. Renko, Town Clerk