

July 11, 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 July 11, 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, 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 – Supervisor Joseph Roman

Monthly Reports were received as follows:

Town Clerk Carolyn A. Renko

Town Clerk & Dog License Fees	\$ 1,115.68
Funds Turned to State & County Agencies	\$ 1,024.82
Fitzsimmons Lot Sales	<u>\$ 1,600.00</u>
	\$ 3,740.50

Code Enforcement Office

Fees Collected:	Building Permit Fees	\$ 1,514.60
	Building Permit Values	\$ 250,690.00
	Operating Permit Fees	\$ 1,100.00
	Site Plan Fees	\$ 300.00

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 Hurley made a motion, Council Member Williams seconded to accept the minutes of the June 13, 2023 Regular Meeting.

Under Correspondence was the following:

1. Hazard Mitigation plan; public survey linked on our website.
2. The Thursday night card players at Chapel Park gave a \$200 donation to the Town.
3. Council Member Hurley read a letter he received at the meeting tonight from Grace Gee regarding Cherry Lane Park.
4. Deputy Supervisor Kathleen Szerszen commented on correspondence from FEMA regarding a grant to study mitigation efforts in the Christian Hollow watershed and the process to update flood maps for Chemung County.

Under Public Comments, agenda items only, no one wished to speak.

RESOLUTION NO. 108-2023

APPROVING ABSTRACT OF GENERAL FUND CLAIMS

Resolution by: Steed
Seconded by: Gunderman

RESOLVED, that the Abstract of General Fund Claims submitted by the Town Clerk for the month of July 2023, No. 308 through No. 372, not to exceed \$123,363.43 has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 109-2023

APPROVING ABSTRACT OF HIGHWAY FUND CLAIMS

Resolution by: Williams
Seconded by: Steed

RESOLVED, that the Abstract of Highway Fund Claims submitted by the Town Clerk for the month of July 2023, No. 102 through No. 123, not to exceed \$382,243.86 has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 110-2023

APPROVING ABSTRACT OF FIRE FUND CLAIMS

Resolution by: Gunderman
Seconded by: Williams

RESOLVED, that the Abstract of Fire Fund Claims submitted by the Town Clerk for the month of July 2023, No. 10 through No. 12, not to exceed \$17,295.96, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 111-2023

ACCEPTING AUDIT OF INSERO & CO. FOR THE YEAR ENDING DECEMBER 31, 2022

Resolution by: Gunderman
Seconded by; Hurley

WHEREAS, the Town of Southport retained the services of Insero & Co., CPA's for the purpose of having that firm perform an audit of the Town's Departments for the year ending December 31, 2022.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport does hereby acknowledge receipt of the audited statements of the Town as prepared by said firm, and directs that the same be placed on file in the Town Clerk's Office, and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to retain sufficient copies of this report as provided by law and to make the same available for public inspection and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to make proper publication notice of the availability of these reports.

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

RESOLUTION NO. 112-2023

AUTHORIZING SUPERVISOR TO ENTER INTO A SHARED SERVICES AGREEMENT WITH NYSDOT

Resolution by: Steed
Seconded by: Williams

WHEREAS, the New York State Department of Transportation is requesting municipalities to enter into shared service agreements to allow for assistance during times of emergencies when municipal resources related to highway services become exhausted, and

WHEREAS, with the shared services agreement in place the Town will be able to access State resources without the Governor declaring a state of emergency and services can be shared in a faster and more efficient manner.

NOW THEREFORE BE IT RESOVLED, that the Town Board of the Town of Southport hereby authorizes the Town Highway Superintendent to enter into the shared service agreement with the New York State Department of Transportation for highway related services, equipment, and material.

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

RESOLUTION NO. 113-2023

UPDATING TOWN OF SOUTHPORT EMPLOYEE HANDBOOK TO INCLUDE RECENT CHANGES IN VARIOUS LABOR REGULATIONS

Resolution by: Hurley
Seconded by: Gunderman

WHEREAS, by Resolution No. 98-2009, the Town Board adopted an Employee Handbook for all employees of the Town of Southport, and

WHEREAS, the Town Board has reviewed the recent changes in various labor regulations.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport hereby approves the recent changes in various labor regulations, which will be added to the Town of Southport Employee Handbook.

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

RESOLUTION NO. 114-2023

ACCEPTING RESIGNATION OF TROY DYGERT AS A MEMBER OF THE TOWN OF SOUTHPORT
PLANNING BOARD

Resolution by: Gunderman
Seconded by: Williams

WHEREAS, Troy Dygert has submitted his letter of resignation as a member of the Town of Southport Planning Board, effective July 10, 2023.

NOW THEREFORE BE IT RESOLVED that this Town Board hereby accepts the resignation of Troy Dygert as a member of the Town of Southport Planning Board.

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

RESOLUTION NO. 115-2023

APPOINTING TRACY WARNER AS A MEMBER OF THE TOWN OF SOUTHPORT
PLANNING BOARD

Resolution by: Williams
Seconded by; Steed

RESOLVED, that Tracy Warner be and she hereby is appointed as a member of the Planning Board of the Town of Southport, to fill the unexpired term of Troy Dygert, term to expire April 1, 2024.

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

Under Discussion was ARPA funds. Supervisor Roman gave an update on the current and future projects using these funds.

RESOLUTION 116-2023

ACCEPTING BID OF BOOTH ELECTRIC SUPPLY AND ZEISER WILBERT VAULT FOR THE INSTALLATION OF A LIGHTING SYSTEM AT ELMER GOODWIN PARK

Resolution by: Steed
Seconded by: Williams

WHEREAS, this Town Board authorized and advertised for bids for installation of a lighting system at Elmer Goodwin Park and such advertisement was published in the Star Gazette on June 20, 2023 and posted accordingly, and

WHEREAS, bids were received and opened on July 7, 2023 at 2:00 p.m., at the Town Hall, and

WHEREAS, this Town Board finds and determines that the bids submitted by Booth Electric Supply and Zeiser Wilbert Vault for the installation of a lighting system at Elmer Goodwin Park were deemed to be the lowest responsible bids submitted, as follows:

<u>Bidder</u>	<u>Item 1 – Solar Lights/Poles</u>	<u>Item 2 – Precast Pole Base</u>
Booth Electric Supply	\$ 3,895.00 Each	\$ 659.00 Each
Zeiser Wilbert Vault	No Bid	\$ 630.00 Each

Twenty-two (22) photovoltaic lights, poles and bases

<u>Item 1</u>	<u>Total</u>
Booth Electric Supply	\$ 85,690.00
<u>Item 2</u>	<u>Total</u>
Zeiser Wilbert Vault	\$ 13,860.00
Total Project Cost	\$ 99,550.00

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport does hereby accept the bids of Booth Electric Supply and Zeiser Wilbert Vault for installation of a lighting system at Elmer Goodwin Park to include twenty-two (22) photovoltaic lights, poles, and bases in the Town of Southport, for a total project cost of NINETY-NINE THOUSAND, FIVE-HUNDRED FIFTY DOLLARS AND 00/100 (\$99,550.00).

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

Lastly under Discussion was Cherry Lane Park, LLC. Supervisor Roman highlighted the new draft agreement between the Town of Southport and Cherry Lane Park, LLC.

Attorney Bruno who represents Cherry Lane Park also gave an overview of the agreement and introduced Andrew Harding from AJH Design who presented proposed layout of new mobile homes for Cherry Lane Park.

Attorney Middaugh stated she has reviewed and made changes to the agreement and stated some other changes need to be made before it can be finalized.

Council Member Williams asked Attorney Bruno if the units will be sold or rented and Attorney Bruno stated the intent is for them to be sold not rented. Mr. Williams also asked about the removal of the 10 empty trailers and Attorney Bruno stated there is a contractor waiting to remove the units at a cost of \$4,000-\$5,000 per unit once the agreement is signed.

Council Member Steed asked for clarification on what part of the Town code applies to the park and that once the 10 trailers are removed that it will mean there will be no outstanding code violations at the park before the agreement is signed.

Council Member Hurley questioned who wrote the agreement and Attorney Bruno stated he did with input and suggestions from Attorney Middaugh. Council Member Hurley also questioned who determines the severity of a violation which was determined to be the Code Officer. Council Member Williams felt it is also associated with the health and safety of the residents, which he suggested this language be included in the agreement.

Council Member Gunderman stated he is not in favor of the agreement/issuing a license.

The Board Members agreed they needed additional time to review the agreement and make changes, as they just received it on July 10, 2023, therefore a special meeting will be scheduled.

RESOLUTION NO. 117-2023

SETTING SPECIAL MEETING

Resolution by: Gunderman
Seconded by: Williams

RESOLVED, that the Town Board of the Town of Southport will hold a Special Meeting regarding Cherry Lane Park, LLC, on July 17, 2023 at 3:00 p.m., at the Town Hall, 1139 Pennsylvania Avenue, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to make proper publication and posting as required by law.

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

Under Public Comments, the following people commented on Cherry Lane Park, LLC.

1. Steven Smith, 1170 Sherman Avenue, Lot 15, Elmira.
2. Jacqueline Cole, 1170 Sherman Avenue, Lot 31, Elmira
3. Tina Moore, 1173 Sherman Avenue, Elmira.
4. Grace Gee, 1205 Sherman Avenue, Elmira
5. Karen Clark, 1149 Sherman Avenue, Elmira – via online remote.

Kent Collier from 22 Left Branch Dry Run Road commented on the Highway Fund Abstract.

Marlene Zecca from 64 Dalrymple Avenue thanked the Town and Director of Recreation Ivan Purifoy for taking care of the dog waste issues at Chapel Park. She also mentioned that the ADA walking path near the bridge at Chapel Park needs some attention.

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

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

Respectfully Submitted,

Carolyn A. Renko, Town Clerk