

November 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 November 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, 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 Roman

**PUBLIC HEARING 6:02 P.M.** – for the purpose of hearing any and all public comment regarding Local Law No. 13 of 2023, a Six-Month Extension of the Temporary Moratorium for Operating Unlicensed Retail Businesses involving the Transfer, Distribution, or Sale of Cannabis within the Town of Southport.

Town Clerk Carolyn Renko read the legal notice that appeared in the Star-Gazette and opened up the Public Hearing for comment at 6:02 p.m.

No one wished to speak so the public portion of the public hearing was closed at 6:03 p.m.

#### RESOLUTION NO. 153-2023

#### LOCAL LAW NO. 13 OF 2023, A SIX-MONTH EXTENSION OF THE TEMPORARY MORATORIUM FOR OPERATING UNLICENSED RETAIL BUSINESSES INVOLVING THE TRANSFER, DISTRIBUTION, OR SALE OF CANNABIS WITHIN THE TOWN OF SOUTHPORT

Resolution by: Gunderman  
Seconded by: Williams

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, the Town of Southport enacted 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; 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 moratorium for an additional six (6) months; and

WHEREAS, the Town of Southport Town Board is in receipt of approvals from the Town of Southport Planning Board and the Chemung County Planning Board, and

WHEREAS, this proposed Local Law No. 13 of 2023, A Six-Month Extension of the Temporary Moratorium for Operating Unlicensed Retail Businesses involving the Transfer, Distribution, or Sale of Cannabis Within the Town of Southport, thereof in its final form having been upon the desks of the Town Board for at least seven (7) calendar days, exclusive of Sunday, prior to this day, and a public hearing having been duly held on November 14, 2023 at 6:00 p.m., before the Town Board upon public notice provided by law, and the said proposed local law having been read in its final form at this meeting.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, County of Chemung, State of New York here by adopts and enacts Local Law No. 13, A Six-Month Extension of the Temporary Moratorium for Operating Unlicensed Retail Businesses involving the Transfer, Distribution, or Sale of Cannabis Within the Town of Southport is hereby adopted and enacted to wit:

Local Law No. 13 of 2023, A Six-Month Extension of the Temporary 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. 13 of 2023, A Six-Month Extension of the Temporary 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 and Local Law No. 3 of 2023, 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. 1 of 2023 shall be extended for an additional six (6) months through April 30, 2024.
- B. Except as otherwise amended herein, all provisions of Local Law No. 1 of 2022 and Local law No. 3 of 2023 shall remain in effect and be extended for an additional six (6) months through April 30, 2024.

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

**PUBLIC HEARING 6:00 P.M. – CANCELLED** – for the purpose of hearing any and all public comment regarding Ordinance 1-2023 to amend the Code of the Town of Southport, Chapter 497, Vehicle and Traffic, Article II, Stop and Yield Intersections, Section 497-4, Stop Intersections, To Erect a Stop Sign on Holden Road at the Intersection of Holden Road and Beckwith Road.

RESOLUTION NO. 154-2023

ORDINANCE 1-2023

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF SOUTHPORT, CHAPTER 497, VEHICLE AND TRAFFIC, ARTICLE II, STOP AND YIELD INTERSECTIONS, SECTION 497-4, STOP INTERSECTIONS, TO ERECT A STOP SIGN ON BECKWITH ROAD AT THE INTERSECTION OF HOLDEN ROAD AND BECKWITH ROAD

Resolution by:       Hurley  
Seconded by:       Steed

WHEREAS, the Town of Southport Town Board wishes to address safety concerns regarding the intersection of Beckwith Road and Holden Road, which were brought to the attention of the Town Board by area residents and the Town of Southport Highway Superintendent.

NOW THEREFORE BE IT RESOLVED, that the Town of Southport Town Board, County of Chemung, State of New York, hereby schedules a public hearing for December 12, 2023, at 6:00 p.m. at the Town Hall located at 1139 Pennsylvania Avenue, Elmira, New York 14904, to receive public comment for the proposed Ordinance 1-2023, to amend the Code of the Town of Southport, Chapter 497, Vehicle and Traffic, Article II, Stop and Yield Intersections, Section 497-4, Stop Intersections, to Erect a Stop Sign on the West side of Beckwith Road at the Intersection of Holden Road and Beckwith Road to wit:

ORDINANCE NO. 1-2023

An Ordinance 1-2023, to amend the Code of the Town of Southport, Chapter 497, Vehicle and Traffic, Article II, Stop and Yield Intersections, Section 497-4, Stop Intersections, to Erect a Stop Sign on the West side of Beckwith Road at the Intersection of Holden Road and Beckwith Road

Section 1. The Code of the Town of Southport, Chapter 497, Vehicle and Traffic, Article II, Stop and Yield Intersections, Section 497-4, Stop Intersections is amended to include a stop sign to be erected at the West side of Beckwith Road facing north for traffic traveling in a southerly direction at the intersection of Holden Road and Beckwith Road.

Section 2. Inconsistent Ordinances. All Ordinances inconsistent with the above provisions of this Ordinance are hereby repealed.

Section 3. Effective Date. This Ordinance shall take effect immediately upon adoption and publication according to law.

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

Monthly reports were received as follows:

Town Clerk Carolyn A. Renko

Town Clerk & Dog License Fees	\$ 1,071.82
Fitzsimmons Lot Sales	\$ 825.00
Funds Turned to State & County Agencies	\$ <u>2,944.68</u>
	\$ 4,841.50

Code Enforcement Office

Fees Collected:	Building Permit Fees	\$ 2,451.00
	Building Permit Values	\$ 756,200.00
	Operating Permit Fees	\$ 750.00
	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 Williams seconded to accept the monthly reports as filed.

Under Correspondence, Supervisor Roman commented on the following:

1. The Town applied for a Community Development grant on behalf of the Southport Business Assoc. from County Legislatures Smith and Strange and was awarded \$6,300 for Christmas Land.
2. The Historical Society provided an update on the mural at Chapel Park that will now be done in the Spring of 2024.
3. The Town of Southport Website is in the process of being updated.

Council Member Gunderman made a motion, Council Member Steed seconded to accept the minutes of October 10, 2023 Regular Meeting and November 1, 2023 Preliminary Budget Meeting.

Under Public Comments, Resolution and Discussion items only, no one wished to speak.

RESOLUTION NO. 155-2023

APPROVING ABSTRACT OF GENERAL FUND CLAIMS

Resolution by: Hurley  
Seconded by: Williams

RESOLVED, that the Abstract of General Fund Claims submitted by the Town Clerk for the month of November 2023, No. 549 through No. 607, not to exceed \$81,784.23, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 156-2023

APPROVING ABSTRACT OF HIGHWAY FUND CLAIMS

Resolution by: Steed  
Seconded by: Williams

RESOLVED, that the Abstract of Highway Fund Claims submitted by the Town Clerk for the month of November 2023, No. 185 through No. 202, not to exceed \$64,775.61, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 157-2023

APPROVING ABSTRACT OF LIGHT FUND CLAIMS AND FIRE FUND CLAIM

Resolution by: Gunderman  
Seconded by: Williams

RESOLVED, that the Abstract of Light Fund Claims submitted by the Town Clerk for the month of November 2023, No. 8 & 9, not to exceed \$12,673.85 and Fire Fund Claim, No. 14, not to exceed \$9,720.00, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 158-2023

AUTHORIZING PURCHASE OF SALT AT STATE BID PRICE

Resolution by: Gunderman  
Seconded by: Steed

RESOLVED, that the Highway Superintendent be and he hereby is authorized to purchase the necessary requirements of salt at the established State or County Bid contract price.

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

RESOLUTION NO. 159-2023

AUTHORIZING SUPERVISOR TO REQUEST COUNTY TO REASSESS MISCELLANEOUS PROPERTY CHARGES

Resolution by: Williams  
Seconded by: Steed

RESOLVED, that the Town Supervisor be and he hereby is authorized to request the County to reassess unpaid mowing, tree, and refuse removal charges for the Town of Southport on January 1, 2024 Town and County Tax Statements as follows:

<b>SWISS Code</b>	<b>Tax Map ID</b>	<b>Property Owner Name</b>	<b>Total Charges</b>
073600	100.00-1-1.11	Daniel Thomas	\$ 1,500.00
073600	100.09-1-49	John Simons	\$ 760.00
073600	100.09-4-36	Santander Bank NA	\$ 15,300.00

<b>SWISS Code</b>	<b>Tax Map ID</b>	<b>Property Owner Name</b>	<b>Total Charges</b>
073600	100.09-4-37	Santander Bank NA	\$ 150.00
073600	100.09-4-59	Catherine Felker	\$ 675.00
073600	100.09-5-57	Joseph Vrooman	\$ 175.00
073600	108.02-2-33	Darlene Gee	\$ 725.00
073600	108.02-2-36	William Hopkins	\$ 240.00
073600	109.06-1-20	Gerald Grasso	\$ 250.00
073600	109.06-1-51	Joselyn Goodrich	\$ 250.00
073600	109.06-4-49	Jane Bennett	\$ 250.00
073600	109.06-4-50	Jane Bennett	\$ 150.00
073600	109.06-5-42	Andrea Gyl Mele	\$ 900.00
073600	109.06-5-43	Andrea Gyl Mele	\$ 250.00
073600	109.07-3-12	Christopher Denicola	\$ 575.00
073600	109.07-3-57	Philippe DoValle	\$ 830.00
073600	109.07-4-70	Jeffrey Perry	\$ 250.00
073600	109.07-5-36	Dolores Wheeler	\$ 250.00
073600	109.07-6-6	Jeffery Squires	\$ 455.00
073600	109.08-2-21	Radha Khatoria	\$ 175.00
073600	109.08-3-29	Rick Curren Prop of Corning	\$ 325.00
073600	109.08-5-39	Miriah Everett	\$ 1,200.00
073600	109.08-5-40	Betty Lou Austin	\$ 400.00
073600	109.08-6-14	Richard Keyser	\$ 7,959.70
073600	109.08-6-23	Paul Burns, Jr.	\$ 1,400.00
073600	109.08-7-67	Kristie Young	\$ 860.00
073600	109.09-4-57	Bernard Hakes	\$ 2,450.00
073600	109.10-2-20.12	Hafiz Mahbob Ellahi	\$ 250.00
073600	109.10-2-21	Dino Foutris	\$ 250.00
073600	109.10-3-1	Norbert Gehrig Estate	\$ 975.00
073600	109.10-3-15	David Baker	\$ 175.00
073600	110.05-3-9	Edward Proulx	\$ 500.00
073600	117.04-2-14.2	Edward Forrest	\$ 400.00
073600	118.01-1-35	Jeffrey Wickley	\$ 350.00
073600	118.01-2-14	Richard Benjamin Estate	\$ 690.00
073600	127.00-1-17	Sharon Haskins	\$ 400.00
073600	99.10-1-88	Craig Judge	\$ 200.00
073600	99.10-2-10	Ursula Stermer	\$ 650.00
073600	99.10-2-54	David Rowe	\$ 175.00
073600	99.13-3-17	Sterling Group of the Twin Tiers	\$ 425.00
073600	99.13-4-2	Gary Saxton	\$ 350.00
073600	99.13-4-29	Gary Saxton	\$ 150.00
073600	99.13-4-30	Gary Saxton	\$ 150.00
073600	99.13-4-65	Gary Saxton	\$ 450.00
073600	99.13-4-9	Bruce Amentler	\$ 325.00
073600	99.14-1-49.2	Dong Kin Xueliang	\$ 1,050.00
073600	99.14-2-53	Angel Falcan	\$ 175.00
073600	99.16-1-29	Kyle Bowman	\$ 5,380.00
073600	99.18-1-17	John Brennan	\$ 425.00



<b>SWISS Code</b>	<b>Tax Map ID</b>	<b>Property Owner Name</b>	<b>Total Charges</b>
073600	99.18-5-16	Walter Gilbert	\$ 1,520.00
073600	99.19-1-33	Sandra Coleman	\$ 325.00
073600	99.20-1-57	Chayra Valdez	\$ 675.00
073600	99.20-2-10	Heidi Mitchell	<u>\$ 525.00</u>
			<b>\$ 55,644.70</b>

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

RESOLUTION NO. 160-2023

ACCEPTING PRELIMINARY BUDGET AS ADOPTED BUDGET FOR FISCAL YEAR 2024

Resolution by: Gunderman  
Seconded by: Steed

WHEREAS, the Town Board having on November 1, 2023, duly held a hearing on the preliminary budget approved by the Town Board and filed with the Town Clerk for the fiscal year commencing January 1, 2024 and having heard all persons desiring to be heard in this matter, and the matter of the budget of the Town for such fiscal year having been fully discussed and considered.

NOW THEREFORE BE IT RESOVLED, that the said preliminary budget approved and filed as aforesaid be and the same hereby is adopted and established as the adopted budget of this Town for the fiscal year beginning January 1, 2024, and that such annual budget be adopted and entered in detail in the minutes of the proceedings of this Town Board, and be it further

RESOLVED, that the Town Clerk of this Town shall prepare and certify, as required by Law, duplicate copies of said adopted budget hereby adopted and deliver one of such copies to the Supervisor of the Town, and that the Supervisor shall present such copy to the Board of Legislature of the County as required by law.

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

RESOLUTION NO. 161-2023

BUDGET ADJUSTMENTS

Resolution by: Steed  
 Seconded by: Williams

RESOLVED, that the Supervisor be and he hereby is authorized and directed to amend the following appropriations:

A4089	Federal Aid, Other	\$ 49,690.00
A1620.21	Building, Equipment – ARPA	\$ 49,690.00

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

RESOLUTION NO. 162-2023

BUDGET MODIFICATIONS

Resolution by: Steed  
 Seconded by: Gunderman

RESOLVED, that the following transfer of funds are as follows:

<b>Budget lines to be Modified</b>	<b>Prior Approved Budget Amt.</b>	<b>Amount of Requested Increase/Decrease</b>	<b>Revised Budget Amt.</b>	<b>Reason for Budget Rev.</b>
From: A3650.4 Demo of Building	\$ 60,000.00	\$ (22,500.00)	\$ 37,500.00	
To: A7310.4 Recreation Cont.	\$ 70,000.00	\$ 14,000.00	\$ 84,000.00	
To: A3620.4 Code Enforcement Cont.	\$ 25,000.00	\$ 5,000.00	\$ 30,000.00	
To: A1110.4 Justice Cont.	\$ 7,000.00	\$ 3,500.00	\$ 10,500.00	
From: A8540.4 Drainage Cont.	\$ 32,000.00	\$ (9,500.00)	\$ 22,500.00	
To: A1440.4 Engineer Cont.	\$ 32,500.00	\$ 9,500.00	\$ 42,000.00	

From: A8540.4       \$ 22,500.00       \$ (1,500.00)       \$ 21,000.00  
Drainage Cont.

From: A8540.44     \$ 5,000.00       \$ (3,200.00)       \$ 1,800.00  
Drainage Cont. Chapel

To: A7310.11       \$ 37,000.00       \$ 4,700.00       \$ 41,700.00  
Pers. Service Youth Maint.

From: A6460.4       \$ 2,000.00       \$ (900.00)       \$ 1,100.00  
Ind. Dev. Cont.

To: A9040.8       \$ 10,000.00       \$ 900.00       \$ 10,900.00  
Worker's Comp

AYES:           Gunderman, Hurley, Steed, Williams, Roman

NOES:           None

CARRIED.

RESOLUTION NO. 163-2023

SPONSORING THE TOWN OF SOUTHPORT ANNUAL HOLIDAY PARADE AND APPOINTING  
THE TOWN AS LEAD AGENCY

Resolution by:       Williams

Seconded by:       Gunderman

RESOLVED, that the Town of Southport agrees to sponsor a holiday parade on December 2, 2023 at 4:00 p.m., and act as lead agency for said parade.

AYES:           Gunderman, Hurley, Steed, Williams, Roman

NOES:           None

CARRIED.

RESOLUTION NO. 164-2023

ACCEPTING RESIGNATION OF LARRY BERMAN AS A MEMBER OF THE  
TOWN OF SOUTHPORT PLANNING BOARD

Resolution by:       Steed

Seconded by:       Hurley

WHEREAS, Larry Berman has submitted his letter of resignation as a member of the Town of Southport Planning Board, effective November 14, 2023.

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

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

RESOLUTION NO. 165-2023

APPOINTING RICHARD PETZKE AS A MEMBER OF THE TOWN OF SOUTHPORT PLANNING BOARD

Resolution by:       Hurley  
Seconded by:       Williams

RESOLVED, that Richard Petzke be and he hereby is appointed as a member of the Town of Southport Planning Board of the Town of Southport, to fill the unexpired term of Larry Berman, term to expire April 1, 2026.

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

RESOLUTION NO. 166-2023

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

Resolution by:       Gunderman  
Seconded by:       Williams

RESOLVED, that the Supervisor of the Town of Southport be and he hereby is authorized to enter into an agreement with Mcllroy Management & Consulting for accounting services for the Town of Southport commencing January 1, 2024 and terminating December 31, 2024, for the sum of TWELVE THOUSAND DOLLARS AND 00/100 (\$12,000.00) per annum, paid in twelve equal installments of ONE THOUSAND DOLLARS AND 00/100 (\$1,000.00). The consultant will provide up to twelve on site visits per year and phone or email support as needed.

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

RESOLUTION NO. 167-2023

REFERRAL TO TOWN OF SOUTHPORT PLANNING BOARD REVIEW OF TOWN CODE §525-5 AND §525-3 (7) (a) RELATED TO AGRICULTURE USE

Resolution by: Steed  
Seconded by: Gunderman

WHEREAS, the Town of Southport Town Board is in receipt of a request from the Town of Southport Zoning Board of Appeals to allow for further review and possible revision of Town Code §525-5 and §525-33 (7) (a) related to Agriculture Use, Personal due to numerous use variance applications related to the keeping of chickens and small livestock on less than 5 acres, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, County of Chemung, State of New York hereby after review of the correspondence from the Zoning Board of Appeals dated September 25, 2023 requesting review and consideration of revisions to Town Code §525-5 and §525-33 (7) (a) pertaining to the keeping of chickens and small livestock on a lot less than five (5) acres refers this matter to the Town of Southport Planning Board for further review and recommendations.

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

Under Discussion was a memo from the Planning Board regarding meeting attendance and the Town Board Members had a brief discussion in regards to same.

Next under Discussion was Cherry Lane Park, LLC. Attorney Michael Bruno who represents the trailer park gave a recap of what has happened the last couple of months to include demolition of trailers and applications presented to the Town of Southport Planning Board and Zoning Board of Appeals regarding the placement of new mobile homes.

Next was ARPA update. Supervisor Roman gave an update on the HVAC system that is being installed at Town Hall and stated the lighting at Elmer Goodwin Park will now be installed in the spring of 2024. He also stated still in the works are quotes for new pickle ball courts, basketball courts and tennis courts as well as redoing the walking trail at Chapel Park .

Lastly under Discussion was Comprehensive Plan. Supervisor Roman stated the current plan is 10 years old and thinks we need to move forward with this, possibly just a revision or update, not a full overhaul. This could possibly be funded with ARPA funds and he stated he spoke with Chelsea Robinson from Southern Tier Central who stated updating/revising the plan is a year long process.

Supervisor Roman also stated he wants to bring the Town of Southport Newsletter back in 2024.

Under Public Comments, Karen Clark from 1149 Sherman Avenue commented on Cherry Lane Park, LLC, rodent problem in her neighborhood and changing the time limit of public comment from 3 to 5 minutes.

Andy Patros from 1127 Pennsylvania Avenue commented on increasing the time limit of public comment from 3 to 5 minutes, bringing back the Town of Southport Newsletter, and Town Board meeting agendas.

Theresa Moylan from 1151 Sherman Avenue commented on the rodent problem in her neighborhood and Cherry Lane Park, LLC.

Tom Aber from 1155 Sherman Avenue commented on the rodent problem in his neighborhood and changing the time limit of public comment from 3 to 5 minutes.

Tina Moore from 1171 Sherman Avenue commented on Cherry Lane Park, LLC.

Mary Davenport from 1157 Sherman Avenue called in remotely and commented on the rodent problem in her neighborhood and Cherry Lane Park, LLC.

Council Member Gunderman made a motion, Council Member Williams seconded the motion to adjourn into an executive session to discuss the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

The meeting adjourned to executive session at 7:19 p.m.

The meeting reconvened at 7:50 p.m.

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

The meeting was adjourned at 7:51 p.m.

Respectfully Submitted,

Carolyn A. Renko, Town Clerk