

July 9, 2024

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 9, 2024.

Members Present: Supervisor Joseph Roman, Council Members Glenn Gunderman, Daniel Hurley, Daniel Williams, Rich Mathews

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

PUBLIC HEARING 6:03 P.M. – for the purpose of hearing any and all public comment on the Town of Southport community economic development needs, and to discuss the possible submission of a Community Development Block Grant (CDBG) application for the 2024 program year.

Town Clerk Carolyn Renko read the legal notice that appeared in the Elmira Star-Gazette and opened up the Public Hearing for comment at 6:03 p.m. No one wished to speak so the public portion of the public hearing was closed at 6:04 p.m.

RESOLUTION NO. 111-2024

AUTHORIZING SUPERVISOR TO APPLY FOR A COMMUNITY DEVELOPMENT BLOCK GRANT FOR FINANCIAL ASSISTANCE IN DEMOLITION AND RECONSTRUCTION OF A NEW COMMUNITY CENTER AT CHAPEL PARK

Resolution by: Mathews

Seconded by: Williams

WHEREAS, the Town of Southport desires to apply for \$1,000,000.00 in financial assistance through the 2024 Consolidated Funding Application Grant Portal.

WHEREAS, the application proposes funding to assist the Town of Southport in the demolition and reconstruction of a new Community Center at Chapel Park, and

WHEREAS, the proposed funding will contribute to ongoing community revitalization efforts, and

WHEREAS, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located, and

WHEREAS, the public hearing was held to receive public comment for the Community Block Grant Application as described herein on July 9, 2024 at 6:00 p.m., and

NOW THEREFORE BE IT RESOLVED, that the Town of Southport Town Board approves and endorses the application for ONE MILLION DOLLARS AND 00/100 (\$1,000,000.00) through the 2024 Consolidated Funding Application Grant Portal for the Community Development Block Grant under the Community Facilities Program to assist the Town of Southport with the costs related to the demolition and reconstruction of a new Community Center at Chapel Park, prepared and to be submitted by the Town of Southport.

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

Monthly reports were received as follows:

Town Clerk Carolyn A. Renko

Town Clerk & Dog License Fees	\$ 1,933.39
Funds Turned to State & Couty Agencies	<u>\$ 1,031.36</u>
	\$ 2,964.75

Code Enforcement Office

Fees Collected: Building Permit Fees	\$ 2,378.05
Building Permit Values	\$ 541,200.00
Operating Permit Fees	\$ 500.00
Variance Fees	\$ 200.00

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

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

Under Correspondence, Supervisor Roman commented that the Southport Historical Society is putting together an informational brochure and an update on the mural that is being painted at Chapel Park. He also stated he received a letter from County Executive Chris Moss regarding sales tax.

Council Member Williams said he has received complaints about speeding on Rte. 328 near Webbs Mills.

Deputy Supervisor Szerszen stated that Chemung County Sewer District will host an open house on Wednesday, July 10, 2024 at the Milton Street plant.

Council Member Gunderman made a motion, Council Member Mathews seconded to accept the minutes of June 11, 2024 Regular Meeting.

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

RESOLUTION NO. 112-2024

APPROVING ABSTRACT OF GENERAL FUND CLAIMS

Resolution by: Mathews
Seconded by: Hurley

RESOLVED, that the Abstract of General Fund Claims submitted by the Town Clerk for the month of July 2024, No. 346 through No. 415, with the exception of No's. 353, 356, and 360, not to exceed \$97,544.61 has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 113-2024

APPROVING ABSTRACT OF GENERAL FUND CLAIMS

Resolution by: Gunderman
Seconded by: Williams

RESOLVED, that the Abstract of General Fund Claims submitted by the Town Clerk for the month of July 2024, No's 353, 356, and 360, not to exceed \$21,770.00, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 114-2024

APPROVING ABSTRACT OF HIGHWAY FUND CLAIMS

Resolution by: Williams
Seconded by: Mathews

RESOLVED, that the Abstract of Highway Fund Claims submitted by the Town Clerk for the month of July 2024, No. 109 through No. 125, not to exceed \$102,458.07 has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 115-2024

APPROVING ABSTRACT OF LIGHT FUND CLAIM

Resolution by: Gunderman
Seconded by: Williams

RESOLVED, that the Abstract of Light Fund Claim submitted by the Town Clerk for the month of July 2024, No. 5, not to exceed \$7,314.84, has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 116-2024

ACCEPTING AUDIT OF INSERO & CO. FOR THE YEAR ENDING DECEMBER 31, 2023

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, 2023.

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, Williams, Mathews, Roman
NOES: None
CARRIED.

RESOLUTION NO. 117-2024

AUTHORIZING RICHARD SEELYE TO PERFORM UPDATE MAINTENANCE TO
FITZSIMMONS CEMETERY MARKERS

Resolution by: Williams
Seconded by: Mathews

RESOLVED, that the Town Board of the Town of Southport does hereby authorize the Supervisor to hire Richard Seelye to perform update maintenance to Fitzsimmons Cemetery markers at a rate of \$20.00 pr/hr.

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

RESOLUTION NO. 118-2024

AUTHORIZING AGREEMENT WITH INSERTO & CO. CPAS, LLC FOR AN AUDIT OF GENERAL PURPOSE
FINANCIAL STATEMENTS OF THE TOWN OF SOUTHPORT AS OF AND FOR THE YEARS ENDING DECEMBER
31, 2024, 2025 AND 2026

Resolution by: Williams
Seconded by: Hurley

WHEREAS, the Town Board of the Town of Southport has received a proposal from Insero & Co. CPAs, LLC, Certified Public Accountants, to conduct an audit of the financial statements of the Town of Southport as of and for the years ending December 31, 2024, 2025 and 2026.

WHEREAS, this Town Board has had an opportunity to discuss and deliberate upon the proposal.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport does hereby authorize the Supervisor of the Town of Southport to enter into an agreement with Insero & Co. CPAs LLC, Certified Public Accountants, to conduct an audit of the financial statements of the Town of Southport as of and for the years ending December 31, 2024, 2025, and 2026, at a cost not to exceed EIGHTEEN THOUSAND TWO HUNDRED DOLLARS AND 00/100 (\$18,200.00) for the year 2024, EIGHTEEN THOUSAND EIGHT HUNDRED DOLLARS AND 00/100 (\$18,800.00) for the year 2025, and NINETEEN THOUSAND FIVE HUNDRED FIFTY DOLLARS AND 00/100 (\$19,550.00) for the year 2026.

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

RESOLUTION NO. 119-2024

RATIFYING APPOINTMENT OF ROY CLARK AS SEASONAL LABORER FOR THE HIGHWAY DEPARTMENT

Resolution by: Mathews
Seconded by: Hurley

WHEREAS, the Supervisor has advised this Town Board that the need exists for seasonal laborers in accordance with budgetary appropriations.

NOW THEREFORE BE IT RESOLVED, that the following seasonal laborer appointment be effective June 13, 2024 and that the individual be paid as any other Town employee pursuant to the following schedule:

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>	<u>EFFECTIVE DATE</u>
Roy Clark	Seasonal Laborer	\$17.00 pr/hr	6/13/2024

and be it further

RESOLVED, that the aforementioned individual shall not be entitled to any benefits as a result of his employment by the Town of Southport, including but not limited to health insurance, and be it further

RESOLVED, that the aforementioned individual commence his employment with the Town of Southport until such time as he shall have filed with the Town Clerk his appropriate Oath of Office as required by law.

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

RESOLUTION NO. 120-2024

BUDGET MODIFICATIONS

Resolution by: Gunderman
 Seconded by: Williams

Budget lines to be Modified	Prior Approved Budget Amt.	Amount of Requested Increase/Decrease	Revised Budget Amt.	Reason for Budget Rev.
From: DA5700.6	\$ 45,000.00	\$ (45,000.00)		
From: DA5700.7	\$ 5,000.00	\$ (5,000.00)		
To: DA9710.61	\$	\$ 45,000.00	\$ 45,000.00	Serial BOND Road Imp. Principal
To: DA9710.71	\$	\$ 8,700.00	\$ 8,700.00	Serial BOND Road Imp. Interest
From: DA9700.6	\$ 53,000.00	\$ (53,000.00)		
From: DA9700.7	\$ 5,000.00	\$ (5,000.00)		
To: DA9710.62	\$	\$ 7,000.00	\$ 7,000.00	Serial BOND Plow Truck Principal
To: DA9710.72	\$	\$ 2,925.00	\$ 2,925.00	Serial BOND Plow Truck Interest
To: DA9901.9	\$	\$ 44,375.00	\$ 44,375.00	Transfer, Capital Projects Fund

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

Under Discussion, was ARPA Projects to include new truck for Code Enforcement, which will be tabled until the August 13, 2024 meeting.

RESOLUTION NO. 121-2024

ACCEPTING QUOTE OF TELEDAIR COMMUNICATIONS AND SECURITY, INC., FOR CAMERA UPGRADES AT ELMER GOODWIN PARK AND CHAPEL PARK

Resolution by: Gunderman
Seconded by: Mathews

WHEREAS, per Resolution No. 112-2021 the Town Supervisor was authorized to apply for funds allocated under the American Rescue Plan Act, and

WHEREAS, the Town Board feels that these funds would be beneficial for certain projects within the Town to include security camera upgrades at Elmer Goodwin Park and Chapel Park, and

WHEREAS, a quote was received from Teledair Communications and Security, Inc., for security camera upgrades at Elmer Goodwin Park and Chapel Park.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport does hereby authorize the Town Supervisor to accept the quote of Teledair Communications and Security, Inc., at a cost not to exceed TWENTY-TWO THOUSAND NINE HUNDRED NINETY-FIVE DOLLARS AND 00/100 (\$22,995.00) for Elmer Goodwin Park and ONE THOUSAND ONE HUNDRED NINETY-FIVE DOLLARS AND 00/100 (\$1,195.00) for Chapel Park.

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

Next ARPA projection discussions include:

1. Repointing bricks at Town Hall. No new information, therefore will be tabled until August.
2. Town Hall roof replacement. Hale Contracting came and looked at the roof and stated there should be at least five more years left with the current roof, therefore this will be not be pursued at this time.
3. Parking Lot for Highway Department. Information is still being collected, therefore will be tabled until the August meeting.
4. Stairwells Town Hall. Kate's Klean Company will do a deep clean of the stairs.
5. Tennis court fence at Chapel Park. Information is still being collected, therefore will be tabled until the August meeting.

Next under discussion was Chemung County Multi-Jurisdictional Hazard Mitigation Plan update 2025. Deputy Supervisor Szerzen gave a presentation regarding this and stated that a Town Board workshop will be scheduled, possibly on July 25, 2024 so that the board members can review the information.

Next was Town Newsletter. Council Members Hurley and Mathews stated they are working together to come up with a newsletter which will be emailed to residents as well as being on the Town's website for residents to read and/or print.

Next was Cherry Lane Park, LLC update. Supervisor Roman read a memo from Code Enforcement Officer Peter Rocchi stating the joint review of the property was done on June 20, 2024 with Park Management, Keth Pond. No code violations were noted and the park remains the same condition. Supervisor Roman also stated the three trailers that were supposed to be removed by the end of June have not been removed. This is not a code violation but a violation of the licensing agreement.

RESOLUTION NO. 122-2024

TOWN BOARD APPROVES TOWN OF SOUTHPORT PLANNING BOARD'S RECOMMENDATION TO ACCEPT THE CONTRACT WITH LABELLA ASSOCIATES TO ASSIST THE TOWN OF SOUTHPORT PLANNING BOARD WITH REVIEW PROCESS FOR SITE PLAN SUBMITTED BY ARBOR HOUSING AND DEVELOPMENT

Resolution by: Mathews
Seconded by: Williams

WHEREAS, Pursuant to Zoning Law, Section 525-65 of the Town of Southport Code, the Town Planning Board, subject to approval of the Town Board, may require an applicant for site plan review, deposit in an escrow account a sufficient amount to pay the reasonable and necessary fees and/or costs of any consultant, engineer or attorney designated by the Town Board to review the application, and

WHEREAS, the Town of Southport Planning Board is recommending that the Town of Southport Town Board accept the contract with LaBella Associates for professional assistance to assist with the site plan review for the applicant, Arbor Housing and Development, to develop 60 units of senior apartments located at 1205 Plymouth Avenue, Elmira, New York, Tax Map No. 109.08-2-51 and to require that the applicant deposit \$7,500.00 in an escrow account in accordance with the Zoning Law Section 525-65; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, County of Chemung, State of New York approve, in accordance with Town of Southport Code, Zoning Law section 525-65, the Town of Southport Planning Board's recommendation and accept the contract dated June 21, 2024 for LaBella Associates to assist the Town of Southport Planning Board with the review process for the site plan submitted by applicant, Arbor Housing and Development, to develop 60 units of senior apartments located at 1205 Plymouth Avenue, Elmira, New York, Tax Map No. 109.08-2-51 and approve if required by the Town of Southport Planning Board, that Arbor Housing and Development deposit Seven Thousand Five Hundred Dollars and No Cents (\$7,500.00) into an escrow account to pay fees and costs associated with this review by LaBella Associates; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Southport hereby authorizes the Town Supervisor to execute any and all documents related to the approval of the contract with LaBella Associates for the purposes stated herein.

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

Under Taxpayer's Comments, David Cleary from 59 Crestview Drive W commented on engineering costs in regards to Byrne Dairy.

Andy Patros from 1127 Pennsylvania Avenue stated he is not in favor of the new Byrne Dairy being open 24/7.

Bill Cook from 988 Sebring Avenue supports Andy Patros' comments regarding 24/7.

Phil Rafferty from 14 Dalrymple Avenue is against Byrne Dairy being open 24/7.

Karen Clark from 1149 Sherman Avenue commented on Cherry Lane Park, LLC.

Doris Farmer 976 Sebring Avenue is also against Byrne Dairy 24/7 hours.

David Cleary commented once again on Byrne Dairy 24/7 hours of operation, as well as for Aces and Eights General Store.

Sue Johnston from 904 Sebring Avenue commented that she is against Byrne Dairy's 24/7 hours of operation.

Tom Aber from 115 Sherman Avenue commented on Cherry Lane Park, LLC.

Tina Moore from 1173 Sherman Avenue phoned in remotely and spoke regarding Cherry Lane Park, LLC.

Council Member Williams spoke regarding Byrne Dairy's 24/7 hours of operation and stated he is against it.

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

The meeting was adjourned at 8:13 p.m.

Respectfully Submitted,

Carolyn A. Renko, Town Clerk