

January 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 January 9, 2024.

Members Present: Supervisor Joseph Roman, Council Members Glenn Gunderman, Daniel Hurley, Daniel Williams, Richard 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 – Joseph Roman

Monthly reports were received as follows:

Town Clerk Carolyn A. Renko

Town Clerk & Dog License Fees	\$ 1,342.93
Funds Turned to State & County Agencies	<u>\$ 690.07</u>
	\$ 2,033.00

Code Enforcement Officer

Fees Collected	Building Permit Fees	\$ 1,379.10
	Building Permit Values	\$ 168,399.00
	Operating Permit Fees	\$ 450.00

Justice Office

Elmira City Animal Control

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 stated the Town sent a letter to Delaware River Solar stating the Town's intent to require a contract for payment in lieu of taxes for any solar project(s) constructed on the property located at 1309 Maple Ave., Elmira, NY 14904 in the Town of Southport.

Council Member Williams stated at the last meeting of the Southport Business Association Meeting it was announced that there will be a ribbon cutting ceremony on January 11th, 2024 at 11:00 a.m. for GG's Discounts located at 1132 Broadway, in the Town of Southport and would like the board to show support for new business.

Council Member Gunderman made a motion, Council Member Mathews seconded to accept the minutes of December 12, 2023 Regular Meeting, December 20, 2023 Special Meeting and January 2, 2024 Organizational Meeting.

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

RESOLUTION NO. 24-2024

APPROVING ABSTRACT OF GENERAL FUND CLAIMS #13 OF 2023

Resolution by: Williams
Seconded by: Mathews

RESOLVED, that the Abstract of General Fund Claims #13, submitted by the Town Clerk for the month of December 2023, No. 669 through No. 703, not to exceed \$25,619.83, has been approved for payment by this Town Board.

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

RESOLUTION NO. 25-2024

APPROVING ABSTRACT OF GENERAL FUND CLAIMS #1 OF 2024

Resolution by: Gunderman
Seconded by: Hurley

RESOLVED, that the Abstract of General Fund Claims #1 of 2024, submitted by the Town Clerk for the month of January 2024, No. 1-13 and 15-37, not to exceed \$167,819.80, has been approved for payment by this Town Board.

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

RESOLUTION NO. 26-2024

APPROVING ABSTRACT OF GENERAL FUND CLAIMS #1 OF 2024

Resolution by: Gunderman
Seconded by: Williams

RESOLVED, that the Abstract of General Fund Claim #1 of 2024, submitted by the Town Clerk for the month of January 2024, No. 14, not to exceed \$21,250.00, has been approved for payment by this Town Board.

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

RESOLUTION NO. 27-2024

APPROVING ABSTRACT OF HIGHWAY FUND CLAIMS #13 OF 2023

Resolution by: Gunderman
Seconded by: Hurley

RESOLVED, that the Abstract of Highway Fund Claims #13, submitted by the Town Clerk for the month of December 2023, No. 218 through No. 231, not to exceed \$29,927.50, has been approved for payment by this Town Board.

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

RESOLUTION NO. 28-2024

APPROVING ABSTRACT OF HIGHWAY FUND CLAIMS #1 OF 2024

Resolution by: Mathews
Seconded by: Williams

RESOLVED, that the Abstract of Highway Fund Claims #1 of 2024, submitted by the Town Clerk for the month of January 2024, No. 1 through No. 10, not to exceed \$43,199.58, has been approved for payment by this Town Board.

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

RESOLUTION NO. 29-2024

APPROVING ABSTRACT OF LIGHT FUND CLAIM #13 OF 2023

Resolution by: Gunderman
Seconded by: Hurley

RESOLVED, that the Abstract of Light Fund Claims #13 of 2023, submitted by the Town Clerk for the month of December 2023, No. 11, not to exceed \$7,489.94, has been approved for payment by this Town Board.

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

RESOLUTION NO. 30-2024

APPROVING ABSTRACT OF FIRE FUND CLAIMS #1 OF 2024

Resolution by: Hurley
Seconded by: Williams

RESOLVED, that the Abstract of Fire Fund Claim #1, submitted by the Town Clerk for the month of January 2024, No. 1 through 3, not to exceed \$21,983.25, has been approved for payment by this Town Board.

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

RESOLUTION NO. 31-2024

AUTHORIZING SUPERVISOR TO MAKE TEMPORARY INVESTMENTS OF TOWN FUNDS
DURING FISCAL YEAR 2024

Resolution by: Gunderman
Seconded by: Mathews

RESOLVED, that pursuant to and in accordance with the provisions of Section 11 of the General Municipal Law, as amended, the Supervisor be and is hereby directed to invest and reinvest accordingly therewith all such Town funds which are not needed for current use in the operation of Town Government, and be it further

RESOLVED, that the Supervisor shall cause a proper distribution to be made to the several Town accounts of the interest or income earned thereon and in proportion to such investments, and be it further

RESOLVED, that such time deposit account or certificate of deposit be secured by a pledge of obligations of the United States of America, or any obligation fully guaranteed or insured as to the interest and principal by the United States of America acting through any agency subdivision, department or division thereof, or obligations of the State of New York or obligations of any municipal corporation, of the State of New York.

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

RESOLUTION NO. 32-2024

APPOINTING JEFFREY JUDSON AS RIGHT TO FARM COMMITTEE PERSON
FOR THE TOWN OF SOUTHPORT

Resolution by: Mathews
Seconded by: Gunderman

WHEREAS, the Right to Farm Local Law No. 2 of 2006, Resolution 205-2006 was adopted on December 12, 2006 for the intent of recognizing as an essential enterprise and an important industry to enhance the economic base, natural environmental and quality of life in the Town of Southport, and

WHEREAS, it is the general purpose and intent of this law to maintain and preserve the rural traditions and character of the Town by resolving any disputes concerning agriculture practices and farm operations, and

WHEREAS, the Right to Farm Law provides for a dispute resolution committee to be composed of in part a representative from the Town's Farming Community, and

WHEREAS, the Town Board of the Town of Southport believes it is in the best interest of the Town to appoint a Right to Farm Hearing Committee person and in order to maintain a viable farming economy in the Town of Southport.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport does hereby appoint Jeffrey Judson as the Right to Farm committee person, as a volunteer representative from the farm community through December 31, 2024 and said appointment will be on an annual basis.

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

RESOLUTION NO. 33-2024

ACCEPTING RESIGNATION OF JENNIFER HERRICK-MCGONIGAL AS A
MEMBER OF THE TOWN OF SOUTHPORT PLANNING BOARD

Resolution by: Gunderman
Seconded by: Hurley

WHEREAS, Jennifer Herrick-McGonigal has submitted her letter of resignation as a member of the Town of Southport Planning Board, effective December 27, 2023.

NOW THEREFORE BE IT RESOLVED, that this Town Board hereby accepts the resignation of Jennifer Herrick-McGonigal as a member of the Town of Southport Planning Board.

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

RESOLUTION NO. 34-2024

RATIFYING APPOINTMENT OF MADELYN BALOK AS A MEMBER OF THE
TOWN OF SOUTHPORT CEMETERY COMMISSION

Resolution by: Williams
Seconded by: Mathews

RESOLVED, that Madelyn Balok be and she hereby is appointed as a member of the Town of Southport Cemetery Commission, term to expire November 1, 2026.

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

Under Discussion was recommendation from Town of Southport Planning Board to review Town Code §525-5 Agriculture, Definitions and §525-33 (7) (a) Special Requirements. Peter Rocchi, Code Enforcement Officer stated the Planning Board only recommended the addition of “small livestock” definition to §525-5. Mr. Rocchi stated that such definition is covered within the New York State Agriculture and Markets Law so no changes are warranted. He also stated this subject will be discussed as part of the upcoming Town of Southport Comprehensive Plan Review.

RESOLUTION NO. 35-2024

AUTHORIZING PURCHASE OF A 2006 CASE DV201 SMOOTH DRUM COMPACTOR

Resolution by: Hurley
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 purchase of a 2006 Case DV201 Smooth Drum Compactor, Serial #001857 for the Town of Southport Highway Department.

WHEREAS, a quote was received from Bradco Supply Company for a 2006 Case DV201 Smooth Drum Compactor, Serial #001857 for the Town of Southport Highway Department.

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 Bradco Supply Company for a 2006 Case DV201 Smooth Drum Compactor, Serial #001857 for the Town of Southport Highway Department, for a cost not to exceed FIFTEEN THOUSAND FIVE HUNDRED DOLLARS AND 00/100 (\$15,500.00).

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

Lastly under Discussion was fence quote for the Highway Garage. This will be tabled until the February 13, 2024 Town Board meeting.

Under Public Comments, Karen Clark from 1149 Sherman Avenue stated the stop sign on the corner of Curtis Street and South Main Street needs replacing because it is faded and hard to see. She also commented on Cherry Lane Park, LLC.

Thomas Aber from 1155 Sherman Avenue commented on Cherry Lane Park, LLC

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

The meeting was adjourned at 6:40 p.m.

Respectfully Submitted,

Carolyn A. Renko, Town Clerk