

April 12, 2016

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 April 12, 2016.

Members Present: Supervisor David Sheen, Council Members Glenn Gunderman, Daniel Hurley, Kathleen Szerszen, Joseph Roman

Others Present: Attorney Steven Barnstead, Code Enforcement Officer Peter Rocchi, Highway Superintendent David Bachman, Director of Recreation David Ellis, Recreation Attendant Robert Ripley, Town Justice Steven Milford, Town Clerk Carolyn Renko, Deputy Town Clerk Marianne Schrom

The meeting was called to order by Supervisor David Sheen at 7:00 p.m., followed by the Pledge of Allegiance to the Flag of the United States of America.

Moment of Silence – Kathleen Szerszen

Monthly reports were received as follows:

Town Clerk Carolyn A. Renko

Town Clerk & Dog License Fees	\$ 2,301.77
Fitzsimmons Lot Sales	\$ 275.00
Funds Turned to State & County Agencies	<u>\$ 1,253.23</u>
	\$ 3,830.00

Receiver of Taxes

Receipts (March 1, 2016 – April 5, 2016)	\$ 307,203.87
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Code Enforcement Office

Fees Collected:	Building Permit Fees	\$ 954.50
	Building Permit Values	\$ 147,700.00
	Operating Permit Fees	\$ 400.00

Justice Office

Recreation/Aging/Youth Services

Residential Deputy

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

Under Correspondence, the following letters were read by Supervisor Sheen.

1. Letter to David Ellis from Rev. Horace Stoddard thanking him and the Town for the use of Draxler Park for the Easter Dawn Pageant.
2. Letter from New York State Department of Taxation and Finance to Supervisor Sheen congratulating the Town on receiving aid for the Cyclical Reassessment on the 2015 Assessment Roll.
3. Letter from AARP and World Health Organization to Supervisor Sheen regarding the Town becoming a member of WHO Global Network of Age-friendly Cities and Communities.

Council Member Gunderman made a motion, Council Member Roman seconded to accept the minutes of March 8, 2016 Regular Meeting.

Under Taxpayer's Comments, Agenda and Discussion items only, Charles Collins from 436 Kinner Hill Road commented on Discussion item #8, Recommendation from Planning Board regarding amending Chapter 483 Timber Harvesting.

#### RESOLUTION NO. 70-2016

#### APPROVING ABSTRACT OF GENERAL FUND CLAIMS

Resolution by: Roman  
Seconded by: Gunderman

RESOLVED, that the Abstract of General Fund Claims submitted by the Town Clerk for the month of April, 2016, No. 155 thru No. 228, not to exceed \$ 132,617.78, has been audited and approved for payment by this Town Board.

AYES: Gunderman, Hurley, Roman, Szerszen, Sheen  
NOES: None  
CARRIED.

RESOLUTION NO. 71-2016

APPROVING ABSTRACT OF HIGHWAY FUND CLAIMS

Resolution by: Gunderman  
Seconded by: Szerszen

RESOLVED, that the Abstract of Highway Fund Claims submitted by the Town Clerk for the month of April, 2016, No. 51 through No. 71, not to exceed \$ 51,232.60, has been audited and approved for payment by this Town Board.

AYES: Gunderman, Hurley, Roman, Szerszen, Sheen  
NOES: None  
CARRIED.

RESOLUTION NO. 72-2016

AUTHORIZING HIGHWAY SUPERINTENDENT DAVID BACHMAN TO ATTEND THE 71<sup>ST</sup> ANNUAL SCHOOL FOR HIGHWAY SUPERINTENDENTS

Resolution by: Roman  
Seconded by: Szerszen

RESOLVED, that Highway Superintendent David Bachman is hereby authorized to attend the 71<sup>st</sup> Annual School for Highway Superintendents in Ithaca, New York on June 5-8, 2016, and that his expenses therefore will be a proper Town charge.

AYES: Gunderman, Hurley, Roman, Szerszen, Sheen  
NOES: None  
CARRIED.

RESOLUTION NO. 73-2016

REAPPOINTING HAROLD BOSSARD AS A MEMBER OF THE TOWN OF SOUTHPORT SEWER COMMISSION

Resolution by: Roman  
Seconded by: Hurley

RESOLVED, that Harold Bossard be and he hereby is reappointed to serve a term of three (3) years as a member of the Sewer Commission of the Town of Southport, said term to expire on April 30, 2019.

AYES: Gunderman, Hurley, Roman, Szerszen, Sheen  
NOES: None  
CARRIED.

RESOLUTION NO. 74-2016

RATIFYING APPOINTMENT OF AUSTIN VOORHEES AND DREW BENNETT  
AS SEASONAL LABORERS

Resolution by: Gunderman  
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 appointments be effective March 28, 2016 and that the individuals 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>
Austin Voorhees	Seasonal Laborer	\$ 10.75 pr/hr	3/28/16
Drew Bennett	Seasonal Laborer	\$ 10.00 pr/hr	3/28/16

and be it further,

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

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

AYES: Gunderman, Hurley, Roman, Szerszen, Sheen  
NOES: None  
CARRIED.

RESOLUTION NO. 75-2016

APPOINTING NATHAN RIPLEY AND TYLER CRATER AS SEASONAL LABORERS

Resolution by: Szerszen  
Seconded by: Gunderman

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 appointments be effective May 16, 2016 and that the individuals 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>
Nathan Ripley	Seasonal Laborer	\$ 10.50 pr/hr	5/16/16
Tyler Crater	Seasonal Laborer	\$ 10.00 pr/hr	5/16/16

and be it further

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

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

AYES:           Gunderman, Hurley, Roman, Szerszen, Sheen  
NOES:           None  
CARRIED.

RESOLUTION NO. 76-2016

AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH FRIENDS OF THE CHEMUNG RIVER WATERSHED, INC.

Resolution by:       Roman  
Seconded by:       Szerszen

WHEREAS, the Friends of the Chemung River Watershed, Inc., a local association has requested funding from the Town of Southport for developing and promoting the Chemung River as a community asset for potential recreational and business development opportunities,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport does hereby authorize and direct the Town Supervisor to enter into an agreement with the Friends of the Chemung River Watershed, Inc., for the assistance in developing and promoting the Chemung River as a community asset for potential recreational and business development opportunities at a cost not to exceed FIVE THOUSAND DOLLARS (\$5,000.00), for the year 2016, and be it further

RESOLVED, that the Supervisor, upon request of an invoice for said services, shall issue payment in the amount set forth above.

AYES:           Gunderman, Hurley, Roman, Szerszen, Sheen  
NOES:           None  
CARRIED.

RESOLUTION NO. 77-2016

BUDGET MODIFICATION

Resolution by: Gunderman  
Seconded by: Hurley

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>
To: A9040.8	\$ 16,000.00	\$ 1,867.00	\$ 17,867.00	Worker's Comp.
From: A9050.8	\$ 2,000.00	\$ (1,867.00)	\$ 133.00	NYS Unemployment
To: A7510.4	\$	\$ 1,000.00	\$ 1,000.00	Historian Contractual
From: A7510.1	\$ 1,000.00	\$ (1,000.00)		Historian Personal Svc.
To: DA9040.8	\$ 56,000.00	\$ 871.00	\$ 56,871.00	Worker's Comp.
From: DA5140.4	\$ 4,000.00	\$ (871.00)	\$ 3,129.00	Brush & Weeds

AYES: Gunderman, Hurley, Roman, Szerszen, Sheen  
NOES: None  
CARRIED.

RESOLUTION NO. 78-2016

AUTHORIZING SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE  
SOUTHPORT HISTORICAL SOCIETY

Resolution by: Szerszen  
Seconded by: Hurley

WHEREAS, the previous historian of the Town of Southport, J. Kelsey Jones is no longer acting in such capacity; and

WHEREAS, the Southport Historical Society has agreed to provide historical services or duties to the Town of Southport.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport in regular session duly convened does hereby authorize the Supervisor to enter into an agreement with the Southport Historical Society to provide services to the Town of Southport as Town Historian for the sum of ONE THOUSAND DOLLARS AND 00/100 (\$1,000.00).

AYES: Gunderman, Hurley, Roman, Szerszen, Sheen  
NOES: None  
CARRIED.

RESOLUTION NO. 79-2016

AUTHORIZING HIGHWAY SUPERINTENDENT TO PURCHASE ONE NEW AND UNUSED LOADER BROOM ATTACHMENT TO BE FITTED TO THE 2013 JOHN DEERE WHEELED LOADER

Resolution by: Roman  
Seconded by: Gunderman

WHEREAS, the Highway Superintendent has requested permission to purchase one new and unused Loader Broom attachment to be fitted to the 2013 John Deere Wheeled Loader, for use by the Town of Southport Highway Department, and

WHEREAS, the Town Board believes it to be in the best interest of the Town of Southport and the Town of Southport Highway Department to purchase one new and unused Loader Broom attachment to be fitted to the 2013 John Deere Wheeled Loader.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, in regular session duly convened, does hereby authorize the Town Supervisor to purchase pursuant to New York State General Municipal Law, a new and unused Loader Broom attachment to be fitted to the 2013 John Deere Wheeled Loader, for a sum not to exceed TWELVE THOUSAND THREE HUNDRED NINETY NINE DOLLARS AND 00/100 (\$12,399.00).

AYES: Gunderman, Hurley, Roman, Szerszen, Sheen  
NOES: None  
CARRIED.

RESOLUTION NO. 80-2016

INTERMUNICIPAL AGREEMENT BETWEEN TOWN OF SOUTHPORT AND CHEMUNG COUNTY FOR SCANNING SERVICES

Resolution by: Roman  
Seconded by: Hurley

WHEREAS, the Town applied for and received a grant in the amount of \$15,000.00 from the Justice Court Assistance Program (JCAP) to complete a scanning project at the County's Records Information Center; and

WHEREAS, the County and Town agree to additional financial obligations that are not included in the JCAP award, in order to ensure the sustainability of the Town's records imaging solution going forward; and

WHEREAS, the County and Town agree to connect the Town's computer network to the County's fiber network utilizing the Southern Tier Network fiber backbone, and

WHEREAS, the County and Town recognize that additional support benefits will be realized as a result of connecting to the County's fiber network, and

WHEREAS, General Municipal Law Section 119-0 authorizes municipal corporations to enter into an agreement pertaining to shared services.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, in regular session duly convened, does hereby authorize the Supervisor of the Town of Southport, be and he hereby is authorized to enter into an Intermunicipal Agreement with the County of Chemung for scanning services, effective April 1, 2016 and shall expire on May 31, 2019.

AYES: Gunderman, Hurley, Roman, Szerszen, Sheen  
NOES: None  
CARRIED.

Under Discussion was update on 104 Manchester Road. Code Enforcement Officer Peter Rocchi stated that the property is 2/3 torn down and that safety isn't an issue any more. This will be placed on the May agenda for another update.

RESOLUTION NO. 81-2016

RESIDENCY REQUIREMENTS FOR EMPLOYMENT WITH THE TOWN OF SOUTHPORT

Resolution by: Roman  
Seconded by: Hurley

WHEREAS, the Town has previously required that all employees of the Town of Southport must be residents of the Town of Southport, and

WHEREAS, the Town is concerned that with the increasing complexity of the duties and responsibilities that must be performed by Town personnel and availability of persons to fill these positions, that it may not be practical or possible to fill all town positions with Town residents, and

WHEREAS, so as to be able to adequately and properly fill open positions for employment with the Town of Southport, the Town needs the ability to consider and hire persons who are not residents of the Town of Southport.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, in regular session duly convened, hereby requires that all employees of the Town of Southport and all applicants for employment with the Town of Southport must be a resident of the County of Chemung or Counties that are contiguous to the County of Chemung at the time of application for employment with the Town of Southport, and that such residence must continue while so employed by the Town of Southport, and it is further



RESOLVED, that the in the filling of any position with the Town of Southport that a resident of the Town of Southport shall be given preference in the filling of the position.

AYES:           Gunderman, Hurley, Roman, Szerszen, Sheen  
NOES:           None  
CARRIED.

Under discussion was Fund Balance Percentage and long range financial plans. Supervisor Sheen presented a suggested percentage that the Town should consider as an unallocated fund balance. The Comptroller's Office looks for Town Boards to have a position on this. The Supervisor suggested 25% be the goal. This will be placed on the May agenda.

The Supervisor presented the 4 year long range financial model that the State Comptroller's Office recommends that Towns implement. This was the first pass and it will be updated on an annual basis.

The four year plan points out the effect of the County's increase in their share of sales tax with a projection of the fund balance going from \$3,000,000.00 at this time to \$1,700,000.00 in 2019. Supervisor Sheen expressed concern for other towns that will be having the same kind of problems. The effect of this change also will prevent other municipalities from holding the line on taxes.

RESOLUTION NO. 82-2016

CLOSING OF SENIOR CITIZEN FUND

Resolution by:       Gunderman  
Seconded by:       Szerszen

WHEREAS, in 1997 the Town established a fund from grant monies received from WalMart to provide assistance to senior citizen residents of the Town who required help in maintaining or repairing their residencies, and

WHEREAS, the Town did contribute additional monies to the aforementioned fund, from community development funds remaining after the NYS HOME program which funds were to be used for community development, and

WHEREAS, other sources of assistance are now available through outside agencies to residents of the Town to aid with the repairs and maintenance of their homes, such that the monies in the aforementioned senior citizen fund have remained unused, and

WHEREAS, the Town has other opportunities wherein it could use these monies.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, in regular session duly convened, hereby authorizes the closure of the senior citizens fund that it maintains for the assistance of senior citizen residents of the town for help in maintaining their homes, with \$5,000.00 being appropriated to community development needs within the Town of Southport and the additional \$7,927.00 be appropriated to aging for senior programs.

AYES: Gunderman, Hurley, Roman, Szerszen, Sheen  
NOES: None  
CARRIED.

RESOLUTION NO. 83-2016

AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH  
SOUTHPORT CINDERELLA SOFTBALL

Resolution by: Gunderman  
Seconded by: Szerszen

WHEREAS, the Southport Cinderella Softball League has presented a proposal to provide a softball league to residents of the Town of Southport and surrounding areas, and

WHEREAS, the Town board has reviewed that proposal, and

WHEREAS, the Town Board desires to enter into an agreement with the Southport Cinderella Softball League for the provision of a Cinderella Softball League to the residents of the Town of Southport and surrounding areas at an amount not to exceed EIGHT THOUSAND DOLLARS (\$8,000.00),

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport does hereby authorize the Town Supervisor to enter into an agreement with Southport Cinderella Softball League for the provision of a Cinderella Softball League for residents of the Town of Southport and surrounding areas at an amount not to exceed EIGHT THOUSAND DOLLARS (\$8,000.00), and that said shall be subject to the review and approval of the Attorney for the Town.

AYES: Gunderman, Hurley, Szerszen, Sheen  
NOES: None  
ABSTAIN: Roman  
CARRIED.

Also under discussion was recommendation from the Planning Board regarding amending Chapter 483 Timber Harvesting, which will be tabled until May.

RESOLUTION NO. 84-2016

SETTING PUBLIC HEARING

Resolution by: Roman  
Seconded by: Szerszen

RESOLVED, that the Town Board of the Town of Southport, County of Chemung, New York, will hold a public hearing on May 10, 2016, at 7:15 p.m., or as soon thereafter as it can be heard, at the Town Hall, 1139 Pennsylvania Avenue, Elmira, New York, regarding an exemption for people who are 65 years and older with income of \$25,000.00 and under.

AYES: Gunderman, Hurley, Roman, Szerszen, Sheen  
NOES: None  
CARRIED.

Council Member Roman made a motion, Council Member Gunderman seconded to refer to the Town of Southport Planning Board Rental Registration/bond/properties in foreclosure.

Under Taxpayer's Comments Eugene Slater from 974 Hudson Acres Drive spoke regarding an exemption issue on his property.

Barton Graham from 1678 Pennsylvania Avenue made a presentation regarding a Mission Statement.

Charles Wilson from 399 Widger Hill Road spoke regarding a code issue on Sagetown Road, the Agreement between the Town and the Elmira City School District and Residency Requirement.

Council Member Roman made a motion, Council Member Szerszen seconded to adjourn the meeting.

The meeting was adjourned at 9:00 p.m.

Respectfully Submitted,

Carolyn A. Renko  
Town Clerk