

Regular Meeting  
June 19, 2007

Minutes of a Regular Meeting of the Town Board of the Town of Southport held at the Southport Town Hall, 1139 Pennsylvania Avenue on June 19, 2007.

Members Present: Supervisor David Sheen, Council Members Etta Dewey, Glenn Gunderman, Joseph Roman, Kathleen Szerszen

Other Town Officials: Attorney Steven Barnstead, Highway Superintendent Present: David Bachman, Code Enforcement Officer Peter Rocchi, Recreation Director Daniel Drake, Acting Assessor Bruce Stanko, Deputy Town Clerk Debbie Miller, Town Clerk Carolyn Renko

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

Moment of Silence - Council Member Szerszen

Monthly Reports were received as follows:

Town Clerk	Town Clerk & Dog License Fees	\$ 1,504.19
	Fitzsimmons Cemetery Sales	1,075.00
	Funds to State & County Agencies	3,148.48
Code Enforcement Officer	Fees Collected:	\$ 2,430.64
	Building Permit	
	Special Permits	50.00
	Site Plans	25.00
	Variances	-0-
Humane Society (S.P.C.A.)		
Police		
Justice Office		
Youth Services/Recreation/Aging		
Drainage Department	No Report	

Motion was made by Council Member Gunderman, seconded by Council Member Roman, that the Monthly Reports be accepted and filed.

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

Correspondence was received as follows:

1. Letter to Supervisor Sheen from Cheryl S. Box, Community Development Director RE: Supporting a proposed 32 unit Park Terrace Apartments Senior Housing Project in Southport
2. Letter to Supervisor Sheen from John S. Tonello, Mayor, City of Elmira RE: Support of a proposed 32 unit Park Terrace Apartments Senior Housing Project in Southport  
Motion was made by Council Member Gunderman, seconded by Council Member Szerszen, that the Minutes of May 7 and May 8, 2007 meetings be accepted and filed.

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

RESOLUTION NO. 113-2007

APPROVING ABSTRACT OF GENERAL FUND CLAIMS

Resolution by: Roman  
Seconded by: Dewey

RESOLVED, that the abstract of General Fund Claims submitted by the Town Clerk for the month of June 2007, No. 380 through No. 507, in the amount of \$130,526.52 has been audited and approved for payment by this Town Board.

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

RESOLUTION NO. 114-2007

APPROVING ABSTRACTS OF HIGHWAY FUND CLAIMS

Resolution by: Gunderman  
Seconded by: Dewey

RESOLVED, that the abstracts of Highway Fund Claims submitted by the Town Clerk for the month of June 2007, No. 136 through No. 180, in the amount of \$241,555.09 has been audited and approved for payment by this Town Board.

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

## RESOLUTION NO. 115-2007

## APPOINTING TEMPORARY PART-TIME SUMMER RECREATION WORKERS

Resolution by: Szerszen  
 Seconded by: Roman

WHEREAS, the Recreation Director of the Town of Southport has recommended that the Town employ twenty part-time temporary summer recreation workers, and

WHEREAS, the Recreation Director of the Town of Southport has caused a study to be made of the proposed salaries for summer park employees and has submitted a schedule for such salaries and the manner of payment thereof to the Town Board of the Town of Southport for its consideration,

NOW THEREFORE BE IT RESOLVED, that the Town of Southport does hereby appoint the following individuals as part-time temporary summer park employees, those individuals to be paid as any other town employee pursuant to the following schedule:

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>	<u>EFFECTIVE DATES</u>
Jordan Coons	Recreation Leader	\$7.25/hr	6/22-8/03/07
Justin Pfuntner	Recreation Leader	\$7.25/hr	6/22-8/03/07
Ashton Ward	Recreation Leader	\$7.25/hr	6/22-8/03/07
Danielle Goodwin	Recreation Leader	\$8.00/hr	6/22-8/03/07
Hanna Davidson	Recreation Leader	\$7.75/hr	6/22-8/03/07
Brittany DeRigge	Recreation Leader	\$7.50/hr	6/22-8/03/07
Kristen DeRigge	Recreation Leader	\$7.75/hr	6/22-8/03/07
William Evans	Recreation Leader	\$7.50/hr	6/22-8/03/07
Caitlin Fitch	Recreation Leader	\$7.75/hr	6/22-8/03/07
Tyler Westervelt	Recreation Leader	\$7.25/hr	6/22-8/03/07
Brittany George	Recreation Leader	\$8.00/hr	6/22-8/03/07
Jayna Karam	Recreation Leader	\$8.00/hr	6/22-8/03/07
Amanda Marvin	Recreation Leader	\$7.50/hr	6/22-8/03/07
James McCauley	Recreation Leader	\$8.25/hr	6/22-8/03/07
Jennifer Morris	Recreation Leader	\$7.50/hr	6/22-8/03/07
Taylor Renko	Recreation Leader	\$7.50/hr	6/22-8/03/07
Emily Dryburgh	Recreation Leader	\$7.25/hr	6/22-8/03/07
Adam Sandore	Recreation Leader	\$7.50/hr	6/22-8/03/07
Jamie Dryburgh	Recreation Leader	\$7.25/hr	6/22-8/03/07
Matthew Ward	Recreation Leader	\$8.00/hr	6/22-8/03/07

and be it further

RESOLVED, that none of 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 none of the aforementioned individuals shall 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: Dewey, Gunderman, Roman, Szerszen, Sheen  
NOES: None  
CARRIED.

RESOLUTION NO. 116-2007

ACCEPTING FINANCIAL REPORT OF CIASCHI, DIETERSHAGEN, LITTLE,  
MICKELSON, & COMPANY, LLP, FOR THE YEAR ENDING DECEMBER 31, 2006

Resolution by: Dewey  
Seconded by: Roman

WHEREAS, the Town of Southport retained the services of Ciaschi, Dietershagen, Little, Mickelson & Company, LLP, certified public accountants and consultants, for the purpose of having that firm to perform an audit of the Town's financial statements for the year ending December 31, 2006, and

WHEREAS, Ciaschi, Dietershagen, Little, Mickelson & Company, LLP, thereafter performed such audit and has submitted their report to the Town of Southport,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport does hereby acknowledge receipt of the audited financial statements of the Town as prepared by Ciaschi, Dietershagen, Little, Mickelson & Company, LLP, 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 public notice of the availability of these reports.

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

RESOLUTION NO. 117-2007

RATIFYING THE PURCHASE OF POSTAGE

Resolution by: Gunderman  
Seconded by: Szerszen

RESOLVED, that the purchase of postage by the Supervisor be and hereby is authorized in the total amount of THREE THOUSAND DOLLARS (\$3,000.00) for the postage meter and that he is hereby directed to make payment therefor.

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

RESOLUTION NO. 118-2007

RATIFYING THE APPOINTMENT OF BRUCE STANKO AS ACTING ASSESSOR FOR THE TOWN OF SOUTHPORT

Resolution by: Gunderman  
Seconded by: Dewey

WHEREAS, the Town of Southport currently employs an Assessor for the Town of Southport, and

WHEREAS, due to personal reasons the current Assessor for the Town of Southport is currently unavailable and unable to perform her services as Assessor for the Town of Southport, and

WHEREAS, pursuant to New York State law it is necessary for the Town of Southport to have a person performing the services as Assessor for the Town of Southport, and

WHEREAS, the Town of Southport has entered into an agreement with the City of Elmira, whereby the City of Elmira will be providing certain services to the Town of Southport in connection with the position of Assessor

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, in regular session duly convened, does pursuant to Real Property Tax Law Section 314 appoint Bruce Stanko, Acting Assessor for the Town of Southport until such time as the current Assessor for the Town of Southport is able to resume her duties as Assessor, and be it further

RESOLVED, that pursuant to the terms of agreement between the Town of Southport and the City of Elmira that Bruce Stanko will not be considered an employee of the Town of Southport and will be considered an employee of the City of Elmira and will not receive any compensation from the Town of Southport, and be it further

RESOLVED, that the Town Clerk shall within fifteen days of the date hereof notify the New York State Board of Real Property Services of the appointment of Bruce Stanko as Acting Assessor for the Town of Southport.

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

RESOLUTION NO. 119-2007

PROMOTING ROBERT C. SMITH TO EQUIPMENT OPERATOR #1

Resolution by: Gunderman  
Seconded by: Szerszen

WHEREAS, the Town Board accepted the resignation of John L. Malone as Equipment Operator #1 for the Highway Department of the Town of Southport, effective May 16, 2007,

NOW THEREFORE BE IT RESOLVED, that Robert C. Smith Equipment Operator II for the Highway Department of the Town of Southport, be and he hereby is promoted to the position of Equipment Operator I for the Highway Department of the Town of Southport, effective June 26, 2007, and be it further

RESOLVED, that Robert C. Smith receive an hourly salary in the amount of \$20.18 as compensation for his duties.

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

RESOLUTION NO. 120-2007

ACCEPTING RESIGNATION OF ANDREW ROHR AS SEASONAL PART-TIME TEMPORARY MAINTENANCE WORKER

Resolution by: Gunderman  
Seconded by: Szerszen

WHEREAS, Andrew Rohr has submitted his resignation as a seasonal part-time temporary Maintenance Worker of the Town of Southport effective June 12, 2007

NOW THEREFORE BE IT RESOLVED, that this Town Board hereby accepts the resignation of Andrew Rohr as a seasonal part-time temporary Maintenance Worker of the Town of Southport effective June 12, 2007.

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

RESOLUTION NO. 121-2007

RATIFYING APPOINTMENT OF SUMMER PART-TIME TEMPORARY MAINTENANCE WORKER FOR PARKS, PLAYGROUNDS AND MOWING OF CEMETERIES

Resolution by: Gunderman  
 Seconded by: Dewey

WHEREAS, the Recreation Director is responsible for the maintenance of parks and playgrounds and mowing of cemeteries, and he has advised this Town Board that the need exists for a summer part-time temporary worker in accordance with budgetary appropriations,

NOW THEREFORE BE IT RESOLVED, that the following summer part-time temporary appointment be effective June 13, 2007 through August 30, 2007 and that Steven Manning 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>
Steven Manning	Parks/Recreation Worker	\$ 7.50/hr	06/13/07

and be it further

RESOLVED, that none of the aforementioned individual shall 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 Steven Manning shall commence his 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: Dewey, Gunderman, Roman, Szerszen, Sheen  
NOES: None  
CARRIED.

RESOLUTION NO. 122-2007

AUTHORIZING PURCHASE OF SPORT UTILITY VEHICLE  
PER NEW YORK STATE CONTRACT

Resolution by: Gunderman  
Seconded by: Szerszen

WHEREAS, this Town Board did in approving the budget for fiscal year 2007 provide funds for the purchase of a new town vehicle, and

WHEREAS, this Town Board has been advised by Hoselton Chevrolet, Inc. of East Rochester, New York, that it has been awarded a contract by the State of New York for the purchase of Sport Utility vehicles at a price established therein, and

WHEREAS, the Sport Utility vehicle is the same as contained in contract 20598, New York State Sport Utility vehicles, which is referred to and made a part hereof as if set forth herein, and

WHEREAS, the price for the purchase of such Sport Utility vehicle is substantially lower than estimates which have heretofore been obtained by this Town Board,

NOW THEREFORE BE IT RESOLVED, that a purchase order submitted to the said Hoselton Chevrolet, Inc. be and the same hereby is authorized for the purchase of one new and unused 2008 Chevrolet Trail Blazer LS 4X4 for the total amount of TWENTY THOUSAND FOUR HUNDRED EIGHTY-NINE DOLLARS AND SEVENTY-FIVE CENTS (\$20,489.75), as itemized in said purchase order, and be it further

RESOLVED, that as a result of the award given by the State of New York, competitive bidding as required by the General Municipal Law be and hereby is waived.

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

AUTHORIZING THE SUPERVISOR TO APPLY FOR A MATCHING PARK  
DEVELOPMENT GRANT WITH THE OFFICE OF PARKS, RECREATION AND HISTORIC  
PRESERVATION

Resolution by: Roman  
Seconded by: Gunderman

WHEREAS, the Town of Southport is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund for a park project to be located at Chapel Park, Carl Draxler Park, Elmer Goodwin Park and Roger Sterling Park, sites located within the territorial jurisdiction of this Town Board, and

WHEREAS, as a requirement under the rules of these programs, said not-for-profit corporation must obtain the "approval/endorsement of the governing body of the municipality in which the project will be located,"

NOW THEREFORE BE IT RESOLVED, by this august body that the Town Board of the Town of Southport hereby does approve and endorse the application of the Town of Southport for a grant under the Environmental Protection Fund for a park project known as Southport Recreation Improvement Program and located within this community.

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

RESOLUTION NO. 124-2007

REQUEST FUNDING FOR THE DEVELOPMENT OF DIGITAL FLOOD PLAIN MAPS

Resolution by: Szerszen  
Seconded by: Dewey

WHEREAS, the Town of Southport has consistently sustained repeated losses from flooding including flooding caused by such events as Tropical Storm Agnes, Tropical Storm Eloise, and Tropical Storm Beryl, and

WHEREAS, the Town of Southport, in cooperation with Federal, State and County agencies, has expended a great deal of time and money to take pro-active efforts which will help to reduce flood damage in the Town of Southport, and

WHEREAS, the effectiveness of these local efforts is limited by the inaccuracies of current flood plain maps and studies, and

WHEREAS, the Town of Southport has undertaken, in cooperation with the New York State Department of Environmental Conservation (NYSDEC) and the Federal Emergency Management Association (FEMA), a map modernization program to update flood plain maps for the Town of Southport to better allow the Town of Southport to evaluate and identify potential areas within the Town, which are most likely to be adversely effected by flooding, and

WHEREAS, the Town of Southport had received indication from NYSDEC and FEMA that funds would be forthcoming to allow the Town of Southport to complete the flood plain map update project, and

WHEREAS, the Town of Southport was subsequently advised by NYSDEC and FEMA that the list of counties scheduled for re-mapping in 2007 no longer include the County of Chemung and that such a shift in priorities is apparently the result of severe flooding to the east of the County of Chemung and the FEMA decision to target larger population centers, and

WHEREAS, while the Town of Southport recognizes the legitimate flood mapping needs of other counties throughout the state the Town of Southport is also acutely aware of the damage to property and the danger to human life which flooding has posed in the past and will no doubt cause in the future to residential property in the Town of Southport, and

WHEREAS, there is a desperate need within the Town of Southport to undertake all reasonable efforts to reduce the potential exposure to the property located in the Town of Southport and the potential harm to residents of the Town of Southport from such flooding activity, and

WHEREAS, the first step in that preventative process is to obtain accurate flood plain maps upon which to base planning, construction and insurance decisions,

NOW THEREFORE BE IT RESOLVED, the Town of Southport hereby requests that the NYSDEC and FEMA restore the County of Chemung to the list of counties in New York State scheduled for flood plain re-mapping in 2007 so that the County of Chemung and the Town of Southport can continue its work to provide protection to the life and property of it's residents, and

BE IT FURTHER RESOLVED, the Town Clerk of the Town of Southport is hereby authorized and directed to forward a certified copy of this Resolution to Senator Charles Schumer, Senator Hillary Clinton, Congressman J. Randy Kuhl, Governor Eliot Spitzer, New York State Senator George Winner, Jr., New York State Assemblyman Thomas O'Mara, Chemung County Executive Thomas Santulli, William Nechamen (NYSDEC), Mary Colvin

(FEMA), City of Elmira Mayor John Tonello, and Town Supervisors within the County of Chemung.

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

RESOLUTION NO. 125-2007

AUTHORIZING THE TOWN SUPERVISOR TO ADVERTISE FOR BIDS FOR A STORM DRAINAGE SYSTEM ON SOUTH HAMPTON ROAD

Resolution by: Dewey  
Seconded by: Roman

RESOLVED, that the Supervisor be and he hereby is authorized to advertise for bids for a Storm Drainage System on South Hampton Rd., bid opening scheduled for July 17, 2007 at 10:00 a.m.

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

RESOLUTION NO. 126-2007

SETTING SPECIAL MEETING

Resolution by: Dewey  
Seconded by: Roman

RESOLVED, that this Town Board shall hold a special meeting on July 17, 2007 at 7:00 P.M. EDT at the Town Hall, 1139 Pennsylvania Avenue, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to cause proper notice and publication to be made.

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

Discussion was held regarding a proposal to enter into a contract with the Chemung County Sheriff's Department to provide a resident Sheriff's Deputy in the Town of Southport.

Council Member Szerszen said that she and Supervisor Sheen had conferred with the following police agencies, NYS Police, Elmira Police and Chemung County Sheriff's Department about providing coverage for the town. She also mentioned that a study was done on how to appropriately staff and manage a police department. As it stands now, the State Police and the Chemung County Sheriff's Department are policing the town.

Chemung County Sheriff, Christopher Moss and Captain Thomas Argentsinger of the Chemung County Sheriff's Department were in attendance. Sheriff Moss gave an overview of the program that is being offered. He also presented a statistical crime report chart showing burglaries, arrests, uniform traffic stops, complaints and driving under the influence. Sheriff Moss's opinion was that this report would help the Town Board make their decision whether or not there is a need for a designated Police Officer in the Town. The statistics were taken from a uniform crime report mandated by the state for the years 2004, 2005 and 2006. The report showed that crimes and the needs of the public for an officer have been rising in the town. The Sheriff's Department along with the NYS Police use new computer technology that assists them in making arrests and will continue to do so in the future. One of the options given to the town is the resident Deputy Sheriff program. A Deputy Sheriff would be exclusively assigned to the Town of Southport and would work 40 hours per week. The Sheriff along with the Town Supervisor would dictate the schedule that the officer would work. The Sheriff stated that the Sheriff's Department has no vested interest on the outcome of the decision of the town to hire a resident deputy. The Town of Southport will always have police coverage from the Sheriff's Department no matter what decision is made. It is an option brought to the Town Board by the boards request to enhance police coverage for the town.

Supervisor Sheen added that the offer is for a one year contract in the amount of \$50,000.00. The normal expense for our Town Police Officer per year is \$85,000.00 which includes fringe benefits consisting of retirement and health insurance this would be an approximate savings of \$35,000.00.

Sheriff Moss mentioned that \$50,000.00 is not the current salary for a Deputy Sheriff employed by the Chemung County Sheriff's Department. That figure includes the fringe benefit package of health insurance and retirement benefits. The proposal submitted is a slight reduction of the amount that would normally be charged, but due to the fact that the Sheriff's Department is provided an office already equipped with a computer and a phone line by the Town of Southport along with the use of the Town Police car this would make up the difference. Preliminary discussions with the Chemung County Executive have been favorable and he is receptive of the Resident Deputy Program. The proposal will also be given to the Board of the Chemung County Legislature for their review and approval.

Mr. Ed Locke of Hazel Street asked if the Deputy would have a replacement for the hours that he does not work.

Sheriff Moss explained that a Deputy assigned to the Southside as a rover will patrol the area but will not take on the schedule of the permanent Southport Deputy. In addition, the State Police will patrol the area.

Quentin Halm of Hazel Street commended the Sheriff's Department for the great service that Southport is receiving.

Bernie Floyd of Charles Street asked if the \$50,000.00 fee to the Sheriff's Department would include the cost of the car, fuel and insurance.

Sheriff Moss explained that the Town would keep ownership of the police vehicle the County would take care of fuel, maintenance and insurance.

Sue Hostetler of Richard Street said that she is pleased with the amount of police presence in her neighborhood. She believes the Sheriff's Department is doing a great job and she is in favor of the shared services.

Joan Aumick resident of Southport asked what hours the Deputy would be working.

Sheriff Moss said it will be entirely up to the Town Board, but the call volume could be a factor.

Mike Bolt of Hampton Rd. asked if the Deputy could work more than 40 hours a week.

Sheriff Moss responded that he implements schedule modification to cover any events that may be scheduled. Overtime is funded by the state so it would not be charged back to the town.

Andy Patros of Pennsylvania Avenue thanked Sheriff Moss for the great job he is doing.

Council Member Gunderman said he must abstain from any discussion or any votes regarding the Chemung County Sheriff's Department because he is employed by them in the capacity of a Corrections Officer.

Supervisor Sheen asked Council Member Gunderman to comment because of his vote being favorable in 2002 for hiring a Town Policeman, that he might have some input that the Board could work with in making this decision. Council Member Gunderman said he still had to abstain.

Council Member Dewey is pleased with the coverage the town is receiving and the availability of the Officers. The Sheriff's Department has been very prevalent since the vacancy of the Town Police Officer position. She expressed that it would be a nice compromise to have the troubled areas covered without having to spread the Sheriff's Department thin. Her conclusion was she was in full support of hiring a residential Deputy.

Council Member Roman did research to help make his determination. He talked to many residents of the Town to get their opinion on how they felt about the new proposal to hire a resident Deputy. The majority of those people were not highly interested in additional Police coverage in the Town. Also, he researched 25 other Police agencies that had a similar population to Southport to see if they had a local Police Department or if they contracted with their County. His findings were 8 of the 25 towns had Police coverage from a local Police force. His research was done state wide with most of the similar towns located down state not having coverage with a local agency. He also said he tried to acquire good police statistics on crime rate in the Town of Southport over a ten year period but was not successful. His statistics were taken from a Chemung County census data between 1990 and 1999, being the most current statistics he could get. The crime rate had substantially gone down during that time. The data received from the former Police Officer indicates crime rate is leveling off in the Town. His opinion was that the Town Board should pause and take more time to study the facts. A 1990 study done under Supervisor Masia's administration recommended 5 Police Officers be employed to cover the Town of Southport. Based on that study, Mr. Roman's opinion was that it be done correctly and not hire just one Police Officer for only 40 hours per week, have an entire Police force and cover the Town full-time. If tax payer's money is going to be spent for Police presence in the Town, then the Town should be covered 100% of the time not just 40 hours a week. His final statement was, "Don't cover only a portion of the week cover 100% . Do nothing at all or do it right and go for what would protect the citizens of Southport, a full-fledged Police presence in the Town".

Council Member Szerszen was in favor of a resident Officer. It would be a compromise between the people who want the town to hire a local Officer and the residents who want someone who they are familiar with. Also the Officer would be of service to the Fire Departments. Her recommendation was to contract on a one year basis and evaluate at the end of the one year period. She is also in favor of a Town Officer attending community events. Furthermore, it would give the community a chance to view the Officer in a different light other than as an enforcer.

#### RESOLUTION NO. 127-2007

#### AUTHORIZING THE TOWN SUPERVISOR TO ENTER INTO A CONTRACT WITH THE COUNTY OF CHEMUNG TO PROVIDE A RESIDENT SHERIFF'S DEPUTY FOR THE TOWN

Resolution by: Dewey  
Seconded by: Szerszen

WHEREAS, the position of Town Police Officer for the Town of Southport is currently vacant, and

WHEREAS, the Chemung County Sheriff's Department has proposed that the Town of Southport enter into a one year agreement with the County of Chemung to provide a full-time

resident Sheriff's Deputy to the Town of Southport for the sum of FIFTY THOUSAND DOLLARS (\$50,000.00), and

WHEREAS, the Sheriff Deputy be an employee of the Chemung County Sheriff's Department, but will be available at dates and times to be determined by the Town of Southport, and

WHEREAS, the Chemung County Sheriff's Department will supply all uniforms and equipment required for the resident Deputy, except for a vehicle, which will be supplied by the Town of Southport.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport in regular session duly convened, authorize the Town Supervisor to enter into an agreement with the County of Chemung to provide one full-time resident Sherriff's Deputy to the Town of Southport for a period of one year for an amount not to exceed FIFTY THOUSAND DOLLARS (\$50,000.00), and be it further

RESOLVED, that said agreement is contingent upon approval by the Chemung County Legislature.

AYES: Dewey, Szerszen, Sheen  
NOES: Roman  
ABSTAIN: Gunderman  
CARRIED.

Hiring a part-time Code Enforcement Officer was on the agenda for discussion. It was decided by the Town Board to table the issue until October so they could consider it for next years budget.

RESOLUTION 128-2007

AUTHORIZING ROBERT AND JOAN LOVEJOY TO SUBDIVIDE A PARCEL AT 336 HENDY CREEK ROAD

Resolution by: Gunderman  
Seconded by: Roman

WHEREAS, the Town Board has received a request from Robert and Joan Lovejoy to subdivide their property at 336 Hendy Creek Road, such that they will be selling their home at this address and retaining a parcel of land with a pole barn but without a house or other permitted principal use under the Town of Southport Zoning Code, and

WHEREAS, Robert and Joan Lovejoy have advised the Town Board that they within one year of their having sold the house at 336 Hendy Creek Road that they will construct another house or permitted principal use on the remainder of their property that includes the pole barn.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, in regular session duly convened, does hereby grant permission to Robert and Joan Lovejoy to divide their property at 336 Hendy Creek Road such that they will be retaining only a portion of said property with a pole barn and without the permitted principal use of a single family home, provided that within one year of their having sold said house that they commence and substantially complete the construction of a new single family residence on the property that they are retaining, and be it further

RESOLVED, that should Robert and Joan Lovejoy not started and substantially completed the construction of a new single family residence on their property on Hendy Creek Road within said one year that they will then dismantle and remove the existing pole barn from the property, and be it further

RESOLVED, that should Robert and Joan Lovejoy not sell the house at 336 Hendy Creek Road then this resolution shall become void and no longer of any further force and effect.

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

A request from Richard Phillips for a special permit to run a Small Engine Repair Business to a new location at 960 Pennsylvania Avenue from the old location at 1443 Pennsylvania Avenue was discussed. It was decided to forward the request to the Town of Southport Planning Board for their review and recommendation.

The Town Historian vacancy was on the agenda and tabled for the July meeting.

Discussion on an unsafe building located at 1535 Maple Avenue was tabled for the July meeting.

Compensation for the members of the Town of Southport Planning Board and Board of Appeals was tabled for the July meeting.

A bid opening was held on June 4, 2007, at 10:00 A.M. EDT for Hot Bituminous Asphalt. The Town Clerk read the notice that appeared in the Star-Gazette and said that two sealed bids were received as follows:

Chemung Contracting Corporation (Non-collusive bidding certificate included)  
 2105 South Broadway  
 Pine City, New York 14871

		<u>Bid Per Ton Laid in Place</u>
1.	403.13 Asphalt Concrete – Type 3 Binder Course	47.85
2.	403.16 Asphalt Concrete – Type 6 Top Course	53.85
3.	403.16 Asphalt Concrete – Type 6 True & Leveling Course	53.85

Narde Paving Co. (Non-collusive bidding certificate included)  
 400 E. 14<sup>th</sup> Street  
 Elmira, New York 14903

		<u>Bid Per Ton Laid in Place</u>
1.	403.13 Asphalt Concrete – Type 3 Binder Course	52.50
2.	403.16 Asphalt Concrete – Type 6 Top Course	54.50
3.	403.16 Asphalt Concrete – Type 6 True & Leveling Course	54.50

#### RESOLUTION NO. 129-2007

#### ACCEPTING BID OF CHEMUNG CONTRACTING CORPORATION FOR HOT BITUMINOUS ASPHALT

Resolution by: Dewey  
 Seconded by: Szerszen

WHEREAS, this Town Board finds and determines that the bid submitted by Chemung Contracting Corporation is deemed to be the lowest responsible bid submitted therefore, as follows:

Chemung Contracting Corporation (Non-collusive bidding certificate included)  
 2105 South Broadway  
 Pine City, New York 14871

		<u>Bid Per Ton Laid in Place</u>
1.	403.13 Asphalt Concrete – Type 3 Binder Course	47.85
2.	403.16 Asphalt Concrete – Type 6 Top Course	53.85
3.	403.16 Asphalt Concrete – Type 6 True & Leveling Course	53.85

Narde Paving Co. (Non-collusive bidding certificate included)  
 400 E. 14<sup>th</sup> Street  
 Elmira, New York 14903

		<u>Bid Per Ton Laid in Place</u>
1.	403.13 Asphalt Concrete – Type 3 Binder Course	52.50
2.	403.16 Asphalt Concrete – Type 6 Top Course	54.50
3.	403.16 Asphalt Concrete – Type 6 True & Leveling Course	54.50

NOW THEREFORE BE IT RESOLVED, that said bid be and the same hereby is accepted accordingly, and be it further

RESOLVED, that the Highway Superintendent be and he hereby is authorized to purchase such Hot Bituminous Asphalt, and after the same has been so purchased, payment therefore shall come on for regular audit before this Town Board.

AYES: Dewey, Gunderman, Roman, Szerszen, Sheen

NOES: None

CARRIED.

A bid opening was held on June 4, 2007, at 10:15 A.M. EDT for surplus equipment for the Highway Department and Town Hall. The Town Clerk read the notice that appeared in the Star-Gazette and said that two sealed bids were received as follows:

<u>Bidder</u>	<u>Equipment</u>	<u>Bid</u>
Melissa Merritt	Monitor No. 1	\$10.00
	Printer No. 2	\$10.00
Patricia Minotti	Gateway Computer & Keyboard	\$20.00
	Printer	\$10.00

ACCEPTING BID OF MELISSA MERRITT AND PATRICIA MINOTTI FOR TOWN  
HALL SURPLUS EQUIPMENT

Resolution by: Roman  
Seconded by: Szerszen

WHEREAS, this Town Board finds and determines that the bids of the following (1) Monitor (2) printers, (1) computer, (1) keyboard are deemed to be the lowest responsible bids submitted therefore, as follows:

<u>Bidder</u>	<u>Equipment</u>	<u>Bid</u>
Melissa Merritt	Monitor No. 1	\$10.00
	Printer No. 2	\$10.00
Patricia Minotti	Gateway Computer & Keyboard	\$20.00
	Printer	\$10.00

and be it further

RESOLVED, that said bids be and the same hereby are accepted accordingly.

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

RESOLUTION NO. 131-2007

APPOINTING LINDA TAFT AS A MEMBER OF THE  
TOWN OF SOUTHPORT PLANNING BOARD

Resolution by: Dewey  
Seconded by: Gunderman

WHEREAS, that Linda Taft be and she hereby is appointed to serve an unexpired term as a member of the Planning Board of the Town of Southport, said term to expire on April 1, 2009.

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

AUTHORIZING THE TOWN SUPERVISOR TO ENTER INTO AN AGREEMENT  
TO CO-FUND A STUDY TO EXTEND A WATER LINE TO THE  
PINE CITY SCHOOL AND APPLY FOR A GRANT FROM  
APPALACHIAN REGIONAL COMMISSION FOR SAID STUDY

Resolution by: Roman  
Seconded by: Szerszen

WHEREAS, a water line currently runs along Pennsylvania Avenue in the Town of Southport to the area of Mountain View Drive, and

WHEREAS, the Town of Southport is interested in determining the feasibility of extending the water line along Pennsylvania Avenue to the area of the Pine City School, and

WHEREAS, prior to constructing a water line along Pennsylvania Avenue to the area of Pine City School, the Town Board believes it is necessary to conduct a study of the feasibility of extending the water line, and

WHEREAS, the Town Supervisor has been in communication with the Southern Tier Regional Planning and Development Board concerning such a study, and

WHEREAS, the Town of Southport has been advised that the Appalachian Regional Commission may have grant funds available to fund a portion of such a study.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, in regular session duly convened, does hereby agree to co-fund a proposed water extension study along Pennsylvania Avenue to the Pine City School with the Southern Tier Regional Planning & Development Board, at a cost to the Town of Southport not to exceed TEN THOUSAND DOLLARS and 00/100 DOLLARS (\$10,000.00), and be it further

RESOLVED, that the Town Supervisor apply to the Appalachian Regional Commission for a TEN THOUSAND DOLLARS and 00/100 (\$10,000.00) grant to study the feasibility of constructing a water line along Pennsylvania Avenue from the area of Mountain View Drive to Pine City School.

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

Bids for the Pennsylvania Avenue Sewer Project were opened and read on May 17, 2007, by Fagan Engineers. The bids received were higher than estimated. Council Member Szerszen said the project has a variety of funding sources. Current funding from ARC from the year 2004 is pending. We have been involved in some redesign work several times to run along the arterial but the Federal Government would not allow it. The project was put out to bid in May and those bids came in higher than what was estimated. Since that time the Board has been working with a local contractor. The Board has been lobbying ARC who is willing to give the Town an additional \$35,000.00 because they don't want to see the project fail. Also the Board has been lobbying with Senator Winner and Assemblyman O'Mara. The project Engineer has been working on some redesign. There has been confirmation that the Town will receive \$20,000.00 from Assemblyman O'Mara. Senator Winner has already given the Town \$150,000.00.

Approval has

to be given by the State Comptroller for any cost adjustments. The County has already approved the cost adjustment. Depending on what the County Attorney determines and with State approval we would like to get the project started because the cost for the project is only going to go up.

Supervisor Sheen mentioned that the Curtis Street project is still scheduled to start around July 1, 2007. Also he mentioned to the Curtis Street residents that the whole sewer has to be completed before any laterals or hook-ups are installed.

#### RESOLUTION NO. 133-2007

#### 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 Tuesday, July 17, 2007, at 7:15 p.m. pertaining to the Pennsylvania Avenue Sewer Project, 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: Dewey, Gunderman, Roman, Szerszen, Sheen  
NOES: None  
CARRIED.

Discussion was held on a request from Christian Faith Fellowship to apply for a Conditional Use Permit to build a church on property located at 1337 Pennsylvania Avenue. Code Enforcement Officer Pete Rocchi clarified that it is a special use permit. The zoning is a Residential II. The zoning chart requires that a church be allowed there under a special use permit. At this point it needs to be referred to the Planning Board.

Council Member Dewey made a motion, Council Member Roman seconded, to refer the request to the Town of Southport Planning Board for their review and recommendation.

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

Municipal Code Chapter 192 Animals, Article III Dog License Fees, ' 192-13 was discussed to change the local fees back to what they originally were set in Resolution 129-99. The change took place when an editorial analysis of the Code was done and inadvertently the local fee for all licenses was changed to \$10.00. The local fee originally set in Resolution No. 129-99 is \$4.00. A purebred local fee is \$10.00.

Council Member Roman made a motion, Council Member Szerszen seconded to refer the Code change to the Town of Southport Planning Board for their review and recommendation.

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

Council Member Roman relayed a message from the Southport Recreation Association to thank the Town Board and the Town Recreation Department for the wonderful condition of the parks.

Glenn Hostetler past resident of the Town of Southport commented that he is glad to see the parks in such good condition.

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

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

The meeting was adjourned at 9:17 P.M.

Respectfully submitted,

Carolyn A. Renko  
Town Clerk