

The Theresa Town Board held a regular meeting April 12, 2017 at 6:00 p.m. in the Town Office at 215 Riverside Ave. and the following were present:

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|---------------------|------------------------|
| Steven Marcinkowski | Supervisor |
| Timothy Busler | Councilmember |
| Charles Folsom | Councilmember |
| Kevin McCarthy | Councilmember |
| Danielle Rajner | Councilmember |
| Kim Delles | Town Clerk |
| Darren Edgar | Highway Superintendent |

Others present: Mark Osmundson, Linda McMahon & Terry McKeever

The meeting was called to order by Supervisor Marcinkowski at 6:00 p.m.

Reports received and placed on file:

Town Clerk's & Building & Zoning March 2017 report
Transfer Site March 2017 report
Supervisor's March 2017 reports
Town Justice's February 2017 reports

Res. #23

Motion by: Kevin McCarthy
Seconded by: Danielle Rajner

Resolved, that the minutes of March 8, 2017 be accepted as read.

VOTE: Mr. Busler - aye, Mr. Folsom - aye, Mr. McCarthy - aye, Mrs. Rajner - aye,
Mr. Marcinkowski - aye. Motion carried.

Res. #24

Motion by: Steven Marcinkowski
Seconded by: Timothy Busler

Resolved, that the following bills be paid:

Voucher #112-199; 121-158 Total: \$38,721.55

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|-------------|-------------|
| General | \$18,191.04 |
| General O/S | \$660.93 |
| Highway | \$19,709.12 |
| Cemetery | \$160.46 |

VOTE: Mr. Busler - aye, Mr. Folsom - aye, Mr. McCarthy - aye, Mrs. Rajner - aye,
Mr. Marcinkowski - aye. Motion carried.

Discussion:

Supervisor Marcinkowski told the Board that a gentleman would like to loan the Library \$5,000.00 interest free to be used toward the project of repairing the bricks on the Library. The Library Board is anxious to start the repair work because of how bad of shape the bricks are. Grant money is still possible, but will take a while to receive.

Res. #25

Motion by: Steven Marcinkowski
Seconded by: Charles Folsom

Resolved, that the Town accept the \$5,000.00 loan to repair the Library, after an agreement has been drawn up and signed.

VOTE: Mr. Busler - aye, Mr. Folsom - aye, Mr. McCarthy - aye, Mrs. Rajner - aye,
Mr. Marcinkowski - aye. Motion carried.

Town Board meeting held April 12, 2017 cont'd.

Mr. Osmundson, County Route 20, told the Board that he has a neighbor who plays the radio all the time (morning, day & night). He lives 1/4 of a mile away and it sounds like a loud speaker. The Supervisor stated that another neighbor has been to see the Board twice about the same problem. Also, a gentleman on Silver Street had the same problem with his neighbor and has asked the Board to put in place a Townwide noise ordinance. Councilmember Rajner said that she was told that the State Police and the Sheriff would not enforce even with a noise ordinance passed. Supervisor Marcinkowski showed the Board (4) different Towns/Villages noise ordinances. He would like to check with the Sheriff and State Police before doing the local law. The issue was tabled until next month.

Superintendent Edgar told the Board that someone had rutted up both ball fields. It looks like someone tried to drive to the sheds and got stuck.

Recreation Director Linda McMahon told the Board that a letter was given to parents, from Beth Jones, requesting that parents have to participate in fundraisers. Ms. McMahon has sent a letter stating that they did not have to fundraise. The Board would like to know what was done with the money raised at the softball tournament held last fall on the fields. The money was suppose to go to baseball, but the Board has not been advised what was purchased. The Board talked about doing background checks for all coaches and employees hired in the future.

Ms. McMahon told the Board that she was holding a spring recreation next week. The Progress Group has donated drinks and snacks. The Board was given a schedule for this years summer recreation.

Councilmember Folsom was concerned with the amount of time the kids were going to be spending on a bus this summer. He feels it is the same as before.

Mr. Edgar told the Board that he wants to get rid of plowing the State Roads. He has been told that the liability is on him if an accident occurs. Mr. Edgar stated that it is a safety issue for the men. Other Towns, except Philly, have night crews that make it not a safety issue. The Board all agreed to try to get out of the contract. Supervisor Marcinkowski will set up a meeting with the State.

Superintendent Edgar told the Board that the backhoe at the cemetery has seen better days. It is hard to replace broken parts because it is so old. He has a price for a new Kabota from Waldroff Equipment for \$23,500.00, with a trade in of \$4,500.00 for the Town's backhoe. The price is under the NGPA so it can be done without a bid. Mr. Edgar to get (2) more quotes.

Res. #26

Motion by: Steven Marcinkowski
Seconded by: Timothy Busler

Resolved, that the Town purchase a new Kabota from Waldroff Equipment for \$19,000.00, if the other (2) quotes are higher.

VOTE: Mr. Busler - aye, Mr. Folsom - aye, Mr. McCarthy - aye, Mrs. Rajner - aye,
Mr. Marcinkowski - aye. Motion carried.

Discussion:

Supervisor Marcinkowski told the Board that Jefferson County Attorney told him that the Town will need to sign over ownership to the County for the property that the tower will be sitting on next to the highway garage. The reason being so the liability will be with the County. Mr. Marcinkowski wants in the contract that if the tower is no longer there then the land comes back to the Town.

Mr. Marcinkowski told the Board that while he was in NY City he talked to someone about placing solar grids at the Transfer Site. He has since learned that the site is not big enough or suitable. In the future he Town Laws need to be updated to include solar grids.

Town Board meeting held April 12, 2017 cont'd.

A DOT letter stating that nothing can be done at this point about reducing the speed limit on Route 37 near the new businesses. Mark Savage and Addie Jenne are going to get petitions out to reduce the speed limit and needs the Town Boards approval. The Board approved of the petition.

A letter from DANC about the training program attended by Diane Money & Dave Wilson was read.

A letter from the Antwerp American Legion inviting Board Members to participate in Memorial Day Parade was read.

The Town was notified by Timothy Karg that the Theresa Fire Dept. would be holding a 5K/10K run on Sunday, May 28th, to coincide with the Memorial Day Celebrations. Last year's event was cancelled because of the NY State permits needed to run on the State Roads. The route this year will be the same as the annual backpack run. The Board would like insurance for the occasion on file.

Terry McKeever, Building & Zoning Officer, informed the Board that the last discussion that he had with Judge Klepacz was not good. He stated to the Board that Judge Klepacz dismisses all of his zoning violation cases. He said it was a waste of the time for him to issue violations when the Judge throws them all out and he feels like the Town is losing money. He showed the Board a stack of violations (370) he has sent out. Approximately 10 to 15 have come to court. Most people he gives extra time to remedy the violation, if they call him. The latest case involved a trailer brought in without a permit, not on concrete slab/tied down, too old and unsafe. Mr. McKeever has since condemned it, but the gentleman is still living there. The Judge received a call from the resident stating he did not live there and the property is going up for tax sale. The Judge then dismissed the case. Mr. McKeever said that if something happened to the trailer, like wind blowing it over, the Town might be liable. Mr. McKeever asked the Board if he could take zoning violation cases to an adjoining Town Court. Supervisor Marcinkowski told the Board that Attorney Gebo told him that Judge Klepacz would have to excuse himself first. Mr. Marcinkowski will talk with Judge Klepacz about excusing himself from Mr. McKeever's zoning cases.

Supervisor Marcinkowski advised the Board that he had hired Helen Tyler as Court Clerk. She is a Court Clerk in (3) other Towns. She will be working (6) hours per week at \$13.00 per hour.

Res. #27

Motion by: Steven Marcinkowski
Seconded by: Danielle Rajner

Resolved, that the meeting be closed at 7:55 p.m.

VOTE: Mr. Busler - aye, Mr. Folsom - aye, Mr. McCarthy - aye, Mrs. Rajner - aye,
Mr. Marcinkowski - aye. Motion carried.

Respectfully submitted,

Kim A. Delles
Town Clerk