

The Theresa Town Board held a public hearing & regular meeting February 14, 2024 at 6:00 p.m. in the Town Office at 215 Riverside Ave. and the following were present:

Steven Marcinkowski	Supervisor
Timothy Busler	Councilman
Jamie Papin	Councilman
Kristopher Ryder	Councilman
Lynn Brown	Councilwoman
Vickie Colvard	Town Clerk
Mark Savage	Highway Superintendent

Others present: Aimee Martini, Greg Parmes, Kristy Perry

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

Reports received and placed on file:

Town Clerk's & Building & Zoning January 2024 report  
Transfer Site January 2024 report  
Town Justice Robert's January 2024 report  
Town Justice Oblender's January 2024 report  
Town Supervisor December 2023 report and January 2024 report

Res. # 5

Motion by: Steven Marcinkowski  
Seconded by: Lynn Brown

**Resolved**, that the mileage rate to fluctuate with the IRS rate, that the current Town of Theresa rate \$.56 per mile be changed to \$.67 as of January 2024.

VOTE: Steven Marcinkowski- aye, Timothy Busler- aye, Jamie Papin-aye, Kristopher Ryder-aye, Lynn Brown- aye  
Motion carried.

Res. # 6

Motion by: Steven Marcinkowski  
Seconded by: Kristopher Ryder

**Resolved**, that the minutes of January 17, 2024 be accepted as read.

VOTE: Steven Marcinkowski- aye, Timothy Busler- aye, Jamie Papin-aye, Kristopher Ryder-aye, Lynn Brown- aye  
Motion carried.

Res. # 7

Motion by: Steven Marcinkowski  
Seconded by: Timothy Busler

**Resolved**, that the following bills be paid:

Voucher # 39-44; 46-100 **Total \$ 348,510.50**

General	\$ 116,787.24
General O/S	\$ 2,903.78
Highway	\$ 47,799.48
Highway O/S	\$ 18,100.00
Fire Department	\$ 162,920.00

VOTE: Steven Marcinkowski- aye, Timothy Busler- aye, Jamie Papin-aye, Kristopher Ryder-aye, Lynn Brown- aye  
Motion carried.

Town Board meeting held February 14, 2024 cont'd

Res. # 8

Motion by: Kristopher Ryder  
Seconded by: Steven Marcinkowski

**Resolved**, be it enacted by the Town Board of the Town of Theresa that the proposed Law to Override the Tax Levy Limit Established In General Municipal Law Section 3-c for the 2025 budget be introduced and be it

**Further Resolved**, that the Board hold a Public Hearing on March 13th, 2024 at 6:05 for the adoption of the Local Law.

VOTE: Steven Marcinkowski- aye, Timothy Busler- aye, Jamie Papin-aye, Kristopher Ryder-aye, Lynn Brown- aye  
Motion carried.

Kristopher Ryder and Lynn Brown helped with interviews and the best fit, most knowledgeable and willing to give a day or more per week for the position is Dale Raymo

Res.# 9

Motion by: Steven Marcinkowski  
Seconded by: Jamie Papin

**Resolved**, that the Town Board hired Dale Raymo as Town of Theresa Assessor, effective immediately.

VOTE: Steven Marcinkowski- aye, Timothy Busler- aye, Jamie Papin-aye, Kristopher Ryder-aye, Lynn Brown- aye  
Motion carried.

Discussion:

Real Property Tax Law 466-a- The Town board is in agreement to have this law proposed and advertised to go into a local law.

Use of facilities-

Progress Group- Ice rink for Easter egg hunt on March 22 for set up and March 23 for egg hunt and festivities. Permission granted.

Sunday softball- looking into insurance but... OK'd but insurance still needs to be pursued, hold and harmless agreement needs to be signed and a letter of expectation to use the fields drawn up. Dates are June 2024-September 2024.

Update Highway Department: Risk assessment was done in November 2023. Blacktop the rink and the tennis courts in the spring. Take out the fence and the nets as they are in disrepair. Lights have been installed in the ice rink. Compliment for Zach Ramsey from Jean Decker about finding a wallet and making sure it was returned to the owner.

Recreation & ice rink update: Rink had lighting changed, McNickel field had stone added. Theresa is starting its own baseball league with Evans Mills. Will be in test phase for a year or two, Austin Kenyon to help and try to build in the next couple of years. The Progress group will help with youth commissions, baseball sign up will be at the rink on March 5&6, 2024. Kris is also putting out feelers to hire a part time grounds keeper for the rink, baseball fields and tennis court, being that the budget wasn't used for the rink employment in 2023-2024 winter season on a trial basis to see how it goes then budget in for 2024-2025 season. Advertise the position to see if there is any interest and go from there.

Oakwood Cemetery- possible donation: Gazebo donation from Lynn Brown in memory of her sister. Looking to see if a plot needs to be purchased for set up of the gazebo, stumps will need to be ground up and removed. If the Town Board is willing to consider, more info will be provided in the March meeting.

Theresa Library: Kristy Perry is requesting permission to use the Town of Theresa EIN for the grant to participate in the Dolly Parton Foundation. The Town Board wrote a letter of reference for the library to participate. It's a program where all eligible children will receive a book.

Town Board meeting held February 14, 2024 cont'd

Town Court: Audit cancelled until March board meeting due to it being Valentine's Day and Ash Wednesday. Court cases for the Town of Theresa are as follows, there are 821 open cases with 440 of those cases open but not active.

Res. #10

Motion by: Steven Marcinkowski  
Seconded by: Kristopher Ryder

**Reduce the Number of Justices to One (1)**

WHEREAS, the Town of Theresa, New York has two (2) Justices of the Peace who preside over the Town Justice Court; and

WHEREAS, the cost of operation of the Town Justice Court, which Justices and Court are expenses for the residents of the Town, are not sustained by revenues generated by that office; and

WHEREAS, the Town Board has determined that the Court duties may be adequately met by reducing the number of Justices to one (1) commencing January 1, 2026; and

WHEREAS, New York Town Law Sections 20 and 60-a(2) empower the Town Board to reduce the number of Justices to one (1) by Resolution subject to Permissive Referendum; and

WHEREAS, the Town Board has considered the matter and is prepared to proceed upon expiration of the term of the current Justices which are due to expire on December 31, 2025.

NOW, THEREFORE, BE IT RESOLVED, that subject to Permissive Referendum, the Town Board resolves to reduce the number of Town Justices to one (1) effective December 31, 2025 by eliminating one (1) elective office of the Town Justice.

VOTE: Steven Marcinkowski- aye, Timothy Busler- aye, Jamie Papin-aye, Kristopher Ryder-aye, Lynn Brown- aye  
Motion carried.

Res. # 11

Motion by: Steven Marcinkowski  
Seconded by: Lynn Brown

**Resolved**, that the meeting be closed at 7:45 p.m.

VOTE: Steven Marcinkowski- aye, Timothy Busler- aye, Jamie Papin-aye, Kristopher Ryder-aye, Lynn Brown- aye  
Motion carried.

Respectfully submitted,

Vickie Colvard  
Town Clerk