

The Theresa Town Board held a regular meeting June 14, 2023 at 6:00 p.m. in the Town Office at 215 Riverside Ave. and the following were present:

Steven Marcinkowski	Supervisor
Timothy Busler	Councilman
Kevin McCarthy	Councilman
Jamie Papin	Councilman
Kristopher Ryder	Councilman
Kim Delles	Town Clerk
Mark Savage	Highway Superintendent

Others present: Jean Decker, John O'Driscoll, Jeff Tetrault, Stephen Backus, Greg Parmes, Aimee Martini, Jiggs Jones, Jessie Jones, Eileen Kaleel, James Bartlett, Jason Crysler, Allyson Stephenson, Cory Stephenson, Lisa Stephenson, Jack Stephenson, Amada Stephenson, Christina Getman, John Getman, Sandra LaClair, Kip LaClair, Sandra Howard, Andrea Wright, Kimberly Hall, Stuart Haggerty, Sandra Haggerty, Bonnie White, Shanna Ridsdale, Douglas Side, Ethan Corp, Christy Hansen, Tina Thornton, Hilda Martinez, April Sears, Melinda Countryman, Jeff Countryman & Dave Ebbrecht

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 May 2023 report  
 Transfer Site May 2023 report  
 Supervisor's May 2023 report  
 Judge Robert's May 2023 report  
 Judge Oblender's April 2023 report (filed 5/16/23) & May 2023 report (filed 6/13/2023)  
 Jefferson County Dog Control's 1<sup>st</sup> quarter report

Res. #37

Motion by: Timothy Busler  
Seconded by: Kristopher Ryder

**Resolved**, that the minutes of May 10, 2023 be accepted as read.

VOTE: Mr. Busler – aye, Mr. McCarthy – aye, Mr. Papin – aye, Mr. Ryder – aye,  
Mr. Marcinkowski – aye. Motion carried.

Res. #38

Motion by: Steven Marcinkowski  
Seconded by: Kevin McCarthy

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

Voucher #204-210;212-257 Total \$490,396.20

General	\$54,761.40
General O/S	\$221.76
Highway	\$256,057.55
Highway O/S	\$179,355.49

VOTE: Mr. Busler – aye, Mr. McCarthy – aye, Mr. Papin – aye, Mr. Ryder – aye,  
Mr. Marcinkowski – aye. Motion carried.

Res. #39

Motion by: Steven Marcinkowski  
Seconded by: Kristopher Ryder

**Resolved**, that the Supervisor be authorized to transfer \$8,900.00 from General Fund Appropriation Building Account, Contractual Expense, A-1620.4 to General Fund Appropriation Cemetery Account, A-8810.4.

VOTE: Mr. Busler – aye, Mr. McCarthy – aye, Mr. Papin – aye, Mr. Ryder – aye,  
Mr. Marcinkowski – aye. Motion carried.

## Discussion:

Andrea Wright gave the Board a use of facilities application to use the skating rink for the Thousand Island Battlefield Betties to practice once per week for a local roller derby. The Board suggested they use it on a Thursday or Friday because of summer recreation. The Board approved the use of the rink.

Supervisor Marcinkowski stated that only one person requested to be on the agenda to discuss the RV regulations and that was Jeff Tetrault. The Town Board ask that a request be made in advance of the meeting to be placed on the agenda to speak to the Town Board. The following are comments made during the open discussion of the RV Law.

*Jeff Tetrault said that he has owned land on Sixberry Lake for the last (5) years. He stated he is on the Planning Board in the Town he resides in. He applauds the Board for what they do. He also applauds the Board for putting the RV law in place and the way it is maintained and enforced. He thinks there could be clarity on the storage and in use wording. Also, the (30) day wording could be clearer. He thinks that having no more than (1) RV is a hardship and that it should be (2). Mr. Tetrault thinks that utilities and sanitation should be addressed in the law.*

*Supervisor Marcinkowski invited Jiggs Jones to speak and stated that he assumed he was representing a majority of the crowd. Mr. Jones said that he feels that it is the land of lakes and people should be able to use their property. He stated that he used to have get togethers on the river and people would kayak. He was able to buy permits for each camper that came to his property. He was issued an appearance ticket for court, but it was thrown out because the (2) trailers on his property were both registered in his name. He said that it shouldn't be (30) consecutive days. People should be able to come and use their property. He feels that by only allowing (1) RV the Town is losing out on permit money. The Supervisor said the origins of the law were in place long before he came to Theresa. He built a cottage because RVs were not permitted where he owned land. Mr. Marcinkowski said that the Planning Board and Town Board had the foresight to protect the river and lakes. The Town's bigger picture is to protect them for the future. The Supervisor said that he was told once the campground on Hyde Lake closed (Health Department shut it down) the lake started getting better. Mr. Jones said that some people do not have neighbors like his and are able to have several campers. He even has a dump station at his house for the waste but is unable to have friends in. He stated that if more RV are allowed, they would be going to the businesses in Town and spending money. The Supervisor said that they could be opening a can of worms because if the law was changed the Town would have to hire more employees to enforce the law. If someone had an RV after the stated date on their permit the Town would take a picture and send an appearance ticket. Mr. Jones stated that he is not trying to get hard feelings and his point of view is there must be some kind of common ground.*

*James Bartlett said that he has lived in Theresa his whole life. He owns his own property, and he should be able to put a camper on his own property. He stated that the Zoning Enforcement Officer picks and chooses who he issues violation notices to. Supervisor Marcinkowski stated that when a complaint is made the Town is required to follow up on the complaint. Mr. Bartlett thinks that the issue should be put on the ballot and thinks a lot of people are against the law.*

*Steve Backus has owned land in Theresa for (3) years. He thinks that the Board has good intentions but the (30) days' wording needs clarification. He questioned whether an RV could be parked on vacant land. The Supervisor said no it cannot. Mr. Backus asked if someone is building is it alright to be on their land. Jiggs Jones stated it is in the law that you can have it on their land.*

*Allyson Stephenson asked who revamped the law. The Supervisor said that the Planning Board did and then gave it to the Town Board to go over and pass into law. She suggested in the future the Town should advertise public hearings somewhere other than the Times. She cannot seem to find it advertised. She quoted the 2009 version of the law on RV's. Supervisor Marcinkowski said the Town could put a moratorium on the RV law and that would give the Town Board and Planning Board time to revamp the law. A moratorium would put a hold on current things and there would be no camping permitted this summer.*

*Desi Howard said that she sees things differently. She sees them through a small business perspective. She stated that if the Town Board does not understand the rules for RVs, then how can they understand them. She said that Theresa was the land of lakes, and she is pushing for it to grow and to be forward thinking. She questioned (1) camper per (1) acre and (1) camper per (50) acres. She thinks there are other solutions and that everyone can work together.*

*Supervisor Marcinkowski stated that there is a campground located in the Town of Theresa that goes by campground laws.*

*Jason Crysler said he is not a resident yet but might be soon. He said he was sensing energy and a lot of emotion in the room. He stated that Jim Bartlett represents everyone here.*

*Greg Parmes asked the Board if Realtors are required to disclose the restrictions.*

*Dave Ebbrecht said that he thought this was more of a sewage problem than a camper problem. He asked if Hyde Lake's water issue was because of Gibb's campground? Mr. Marcinkowski said he was*

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not sure. He suggested the Town address the sewage problem. He said that people pay their taxes on their land and questioned did they really need to buy a permit to put a camper on their land, especially if they are licensed and self-contained. He suggested if a neighbor calls about a sewage problem/smell then issue a ticket. He thinks it is a neighbor problem. Supervisor Marcinkowski stated that one percent are doing it properly. Others do not follow the law.

Sandra LaClair said she bought land in Theresa but does not reside here. She said friends and family should be attached to the law. She asked why the Town would assume a lot of people would be trashing their own property. Supervisor Marcinkowski said that the Town has properties where the septic goes right into the water.

Kip LaClair told the Board that he was going to build on his land someday. He owns (3) campers and is now being told he can only have (1) camper for (30) days. He stated he might not even live here and thinks the Town has overstepped its bounds.

Eileen Kaleel stated that she didn't own a camper. She questioned if someone could build a pole barn and have a camper, how is that dealing with septic issues. Councilman Ryder said that if someone has a storage barn than a camper can be stored on the property.

The Solar Energy Local Law hearing is delayed until further notice. The Law needed to go to the Jefferson County Planning Board first. The Board talked about a moratorium for the law until it can be researched and passed.

Supervisor Marcinkowski updated the Board on the pricing of the (3) portable restrooms the Town is purchasing. The biggest cost is for the shipping.

The Town Board viewed the drawings for the entryway to the Town Office. The Town will be using COVID monies to construct. The project will need to go out to bid.

## Mail/Correspondence:

- A letter from NYMIR about property losses & risk management protocol was discussed. It spoke about employing and activating master battery disconnect switches to cut power to heavy trucks and equipment when not in use. Superintendent Savage said that is hard to do with all the equipment computerized. After a disconnect everything must be reprogrammed again.
- A Use of Facilities application, from Donald & Kathey Jones, to use the ice rink on July 8<sup>th</sup>, 2023 for a graduation cookout was granted by the Town Board.
- A letter from NYSDOT about the speed limit on County Route 136 was read. The State received a letter from Supervisor Marcinkowski stating that their study was flawed. The letter stated that the speed limit reduction was not warranted.

## Update of Highway Dept.:

- Paving is done and surface treatment will be done tomorrow.
- CHIPS paperwork has been submitted and the Town will receive \$164,000 plus at the end of this month.
- The Town will be assisting the County on Route 46 this summer.

## Update Park &amp; Rec. (per Councilman Ryder):

- Interviewed aides for summer recreation last night. They will all be taking CPR courses together.
- Background checks will be needed for the hires.
- He thanked Mr. Parmes for doing concessions at the ballfields this season and for the Progress Groups donations.
- He thanked Mark Savage for all the help with the dugouts.
- CAPC will be providing food for summer rec for weeks 2 through 6, but they are unable to do the first week. Mr. Ryder will be cooking hotdogs for the kids for a couple of days in the first week and the Progress Group has offered to help on the other days.
- The summer program will be a lot more structured this year compared to prior years.
- The Theresa Youth Commission will be paying for the end of the season little league party.

## Progress Group update (per Mr. Parmes):

- The ice cream social at Gilman Park will be held on July 26<sup>th</sup>. Any left-over ice cream will be donated to the summer recreation program.

Aimee Martini told the Board that the Theresa Small Business Coalition is officially a non-profit.

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Mr. Parmes asked about the Town launching a Facebook page. Supervisor Marcinkowski stated that it is already in progress.

Res. #40

Motion by: Steven Marcinkowski

Seconded by: Timothy Busler

**Resolved**, that the Town Board to go into Executive Session at 7:43 p.m to discuss a personnel issue.

VOTE: Mr. Busler – aye, Mr. McCarthy – aye, Mr. Papin – aye, Mr. Ryder – aye,  
Mr. Marcinkowski – aye. Motion carried.

Res. #41

Motion by: Steven Marcinkowski

Seconded by: Timothy Busler

**Resolved**, that the Town Board close Executive Session at 8:30 p.m.

VOTE: Mr. Busler – aye, Mr. McCarthy – aye, Mr. Papin – aye, Mr. Ryder – aye,  
Mr. Marcinkowski – aye. Motion carried.

Discussion:

The Town Board has given the Town Supervisor directions to obtain the necessary information and to pursue the discussed outcome of the personal matter.

Res. #42

Motion by: Steven Marcinkowski

Seconded by: Timothy Busler

**Resolved**, that the meeting be closed at 8:34 p.m.

VOTE: Mr. Busler – aye, Mr. McCarthy – aye, Mr. Papin – aye, Mr. Ryder – aye,  
Mr. Marcinkowski – aye. Motion carried.

Respectfully submitted,

*Kim A. Delles*

Kim A. Delles  
Town Clerk