

The Theresa Town Board held a regular meeting May 9, 2018 at 6:00 p.m. in the Town Office at 215 Riverside Ave. and the following were present:

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: Greg Parmes, Matt Cooper, Graham. Terry McKeever & Brandon Payne.

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 April 2018 report
Transfer Site April 2018 report
Supervisor's April 2018 report
Judge Robert's April 2018 report
Judge Klepacz's April 2018 report
Dog Control Officer's April 2018 report

Discussion:

Supervisor Marcinkowski told the Board that he ordered appearance tickets for the Dog Control Officer. Councilmember Rajner would like the Dog Officer to note on her monthly report where she goes (Village or Town) for dog complaints.

Res. #26

Motion by: Kevin McCarthy
Seconded by: Timothy Busler

Resolved, that the minutes of April 11, 2018 be accepted as read.

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

Res. #27

Motion by: Steven Marcinkowski
Seconded by: Danielle Rajner

Resolved, that the following bills be paid:

Voucher #187-233 **Total \$40,053.36**

General	\$18,875.57
General O/S	\$816.20
Highway	\$16,595.12
Highway O/S	\$3,766.47

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

Town Board meeting held May 9, 2018 cont'd.

Res. #28

Motion by: Timothy Busler
Seconded by: Kevin McCarthy

Resolved, that the Supervisor be authorized to transfer \$140.41 from General Appropriation Fund, Contingency Account, A-1990.4 to General Appropriation Fund, Veterans, Contractual Expense Account, A-6510.4.

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

Discussion:

Matt Cooper, Barton & Loguidice, spoke to the Board about re-applying for the a CFA grant for the Salt Storage Barn. Superintendent Edgar and Mr. Cooper met with the DEC about how the applications were scored. The Town narrowly missed out on last year's grant and he thinks the Town could score better this year. It will cost the Town \$300.00 to re-apply. Mr. Cooper thought asking Senator Ritchie and Assemblywomen Jenne for letters of support would also help.

Res. #29

Motion by: Kevin McCarthy
Seconded by: Danielle Rajner

Resolved, that the Theresa Town Board authorize Barton & Loguidice to submit an application on the behalf of the Town of Theresa for a Salt Storage Building of the same size, type, and location as submitted in the 2017 CFA.

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

Res. #30

Motion by: Steven Marcinkowski
Seconded by: Timothy Busler

Resolved, that the Town Board hereby request the Department of Transportation, pursuant to Section 1622.1 of the Vehicle and Traffic Law, to establish a lower maximum speed at which vehicles may proceed on County Route 22, extending the Village speed limit of 30 MPH 600 feet from the Village of Theresa boundary line heading towards Oxbow.

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

Discussion:

The Town Board reviewed a use of facilities form from Bob Alexander to use of the Ice Rink on May 25th and May 26th for a rummage sale to benefit Indian River Youth Lacrosse. The Board agreed to the request.

Supervisor Marcinkowski told the Board there have been some issues with the Planning Board/Zoning Board of Appeals Secretary. Meetings are not being advertised. Also, a major problem with scheduling meetings for the ZBA.

Town Board meeting held May 9, 2018 cont'd.

Res. #31

Motion by: Steven Marcinkowski
Seconded by: Danielle Rajner

Resolved, that the Town Board appoint Brian Chester to the Zoning Board of Appeals for a (5) year term, effective immediately.

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

Discussion:

Mail/correspondences:

- *The Board looked at a newsletter from Butterfield Press.
- *Letter from American Legion inviting the Board members to attend the Memorial Day ceremony in Philadelphia.

The Board tabled the discussion on Accounting audit/Agreed Upon Procedures (AUP) until next month.

Update of Highway Dept.:

- *Wind storm blew over trees in the cemetery and on some Town Roads. All have been taken care of.
- *Wind storm blew down the fence at McNickle field and has since been fixed. Supervisor Marcinkowski told the Board that the insurance did not cover it.
- * Superintendent Edgar thinks that a protector should be placed on top of the fence for safety.

Res. #32

Motion by: Charles Folsom
Seconded by: Steven Marcinkowski

Resolved, that the Town Board approve the purchase of safety tops for the fence at McNickle Field & Town Barn Field.

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

Supervisor Marcinkowski showed the Board the new agreement with the Town's new Attorney Burrows.

The Supervisor explained that the Town does owe the NYS DOT for an overpayment given in 2017. He stated that he talked to Dennis Pawlicki, (DOT) and explained that the Town can not pay back immediately, but would use sales tax money to repay. Mr. Pawlicki agreed to that since it was the DOT's error.

Zoning Officer Terry McKeever told the Board that he talked to Attorney Gebo about the \$600.00 fine that has still not been received for fines from Leon Zimmer. The case was brought to court (3) times with our Attorney present and finally on the 3rd time a \$600.00 fine was issued. Mr. Gebo suggested that the Town take the case to Supreme Court to put a end to it. Mr. McKeever stated that he was bringing it back to Town Court and will schedule for Judge Roberts night. Brandon Payne, neighbor to the property, told the Board that it has been going on for years. Mr. Payne told the Board that there is a deed restriction that prevents a subdivision for the property.

Mr. McKeever told the Board that he is making some progress with some zoning issues and he gave Judge Roberts the credit for it. A condemned garage on County Route 46 is going to stay condemned per the daughter of the deceased owner's request.

Town Board meeting held May 9, 2018 cont'd.

The Board discussed the Town cleaning up a property and then charging back on taxes. The Supervisor stated that not all Counties reimburse for clean up. The Town would have to look into it first.

Mr. Parmes thanked Mr. Edgar for fixing the fence at McNickle. He told the Board there was a clean up at Santway Park on May 12th. Mr. Parmes gave the Board a sketch of what the Veteran's Park will look like.

Councilmember McCarthy said that people have asked him about starting a Town compost (clippings, etc.) for residents. He will look into it some more.

Res. #33

Motion by: Steven Marcinkowski

Seconded by: Kevin McCarthy

Resolved, that the meeting be closed at 7:03 p.m.

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

Respectfully,

Kim A. Delles
Town Clerk