

The Theresa Town Board held a regular meeting December 11, 2019 at 6:00 p.m. in the Town Office at 215 Riverside Ave. and the following were present:

| | |
|---------------------|------------------------|
| Steven Marcinkowski | Supervisor |
| Timothy Busler | Councilman |
| Charles Folsom | Councilman |
| Kevin McCarthy | Councilman |
| Darren Edgar | Councilman |
| Kim Delles | Town Clerk |
| Mark Savage | Highway Superintendent |

Others present: Matthew Cooper & Rachel Roberts

The meeting was called to order by Supervisor Marcinkowski at 6:01 p.m.

Discussion:

The Board discussed and signed a letter (see attached) addressed to the Town Justices about use of the Town meeting room. The Judges scheduled DA night the same night as the Town Board meeting, so the Town's meeting was held in the front foyer of the Town Clerk's office. The letter stated in the future Town Board meetings take precedence and if Court is to be held other than scheduled nights then the Judges were to submit in writing to the Board. Also, in the letter, the Assessor would like to use the Town meeting room for Grievance day in the future. It falls on the fourth Tuesday of May.

Reports received and placed on file:

Town Clerk's & Building & Zoning November 2019 report
Transfer Site November 2019 report
Judge Klepacz's November 2019 reports
Judge Robert's October & November 2019 report

Res. #83

Motion by: Charles Folsom
Seconded by: Darren Edgar

Resolved, that the minutes of November 6, 2019 be accepted as read.

VOTE: Mr. Busler – aye, Mr. Folsom – aye, Mr. McCarthy – aye, Mr. Edgar – aye,
Mr. Marcinkowski – aye. Motion carried.

Res. #84

Motion by: Steven Marcinkowski
Seconded by: Timothy Busler

Resolved, that the following bills be paid:

Voucher #557-563;565-610 **Total \$22,257.96**

| | |
|-------------|-------------|
| General | \$12,991.81 |
| General O/S | \$511.97 |
| Highway | \$6,201.06 |
| Highway O/S | \$2,553.12 |

VOTE: Mr. Busler – aye, Mr. Folsom – aye, Mr. McCarthy – aye, Mr. Edgar – aye,
Mr. Marcinkowski – aye. Motion carried.

Town Board meeting held December 11, 2019 cont'd.

Discussion:

Judge Roberts told the Board that as of January 1st, 2020 the Judges cannot set bail for a misdemeanor charge. She stated that this affects the Town because as of now violations are a misdemeanor and the Town Lawyer would have to be present at a hearing or the Lawyer could send a letter that Mr. McKeever can represent the Town. She stated that if the Board wished to do so they could change the law from a misdemeanor to a violation level and then the Judges could arraign as a violation or a civil charge. The Board discussed putting cameras in the Court room. The Board all agreed that they did not want Mr. McKeever to have to defend the Town against a Lawyer on zoning cases. Judge Roberts and Councilman Folsom went back and forth because he stated that the Judges dismiss a lot of cases. She stated she would not dismiss his if he came to court. As Judge Roberts was leaving the room she hit Mr. Folsom on the back.

The Salt Storage Facility bids were opened on December 5th and the Town Board reviewed the following bids:

| | |
|---|--------------|
| ➤ Dow Electric, Inc., Malone, NY 12953 | \$538,832.00 |
| ➤ Upstate Construction Services Inc., East Syracuse, NY 13057 | \$572,807.00 |
| ➤ Lawman Heating Cooling, Inc., Sackets Harbor, NY 13685 | \$596,542.00 |
| ➤ Eagle Associates of Cazenovia, LLC, Cazenovia, NY 13035 | \$615,000.00 |
| ➤ Whitton Construction, LLC, Gouverneur, NY 13642 | \$649,900.00 |
| ➤ Hybrid Building Solutions, LLC, Clarence Center, NY 14032 | \$682,880.00 |

Matt Cooper said the bids were higher than expected. He stated that concrete and steel prices are up. A couple of years ago concrete was between \$400.00 and \$500.00. Now it is between \$650.00 and \$750.00. The Town is short in the budget at least by \$100,000.00. The Board discussed rejecting the bids and rebidding with pre-cast walls instead of concrete. Mr. Cooper showed the Board a spreadsheet with new figures for cost for precast walls. Councilman Edgar said that the Town first decided to go with concrete walls when the State would have paid 75% of the cost. The cement walls are taller and better. There is less of a chance to push salt or sand over that wall, which in return can ruin the roof and rust the sides. The Board does not want to accept the bids because they are too high. They would like to re-bid. Mr. Cooper said that could go to bid the end of January and open the bids in February.

Res. #85

Motion by: Timothy Busler
Seconded by: Darren Edgar

Resolved, that the Town Board reject all bids for the Salt Storage Facility.

VOTE: Mr. Busler – aye, Mr. Folsom – aye, Mr. McCarthy – aye, Mr. Edgar – aye,
Mr. Marcinkowski – aye. Motion carried.

Res. #86

Motion by: Steven Marcinkowski
Seconded by: Darren Edgar

Resolved, that the Town re-bid the Salt Storage Facility with precast walls instead of cement walls.

VOTE: Mr. Busler – aye, Mr. Folsom – aye, Mr. McCarthy – aye, Mr. Edgar – aye,
Mr. Marcinkowski – aye. Motion carried.

Res. #87

Motion by: Darren Edgar
Seconded by: Charles Folsom

Resolved, that the Town Board Authorize Supervisor Marcinkowski to sign the Jefferson County Road Maintenance/Snow & Ice Agreement commencing January 1, 2020 and expiring December 31, 2022.

VOTE: Mr. Busler – aye, Mr. Folsom – aye, Mr. McCarthy – aye, Mr. Edgar – aye,
Mr. Marcinkowski – aye. Motion carried.

Town Board meeting held December 11, 2019 cont'd.

Res. #88

Motion by: Kevin McCarthy
Seconded by: Timothy Busler

Resolved, that the Supervisor be authorized to transfer \$556.45 from General Fund Appropriation Contingent Account, A-1990.4 to the following General Fund Appropriation Accounts:

| | | |
|----------|-------------------------|----------|
| A-1410.4 | Town Clerk, Contractual | \$110.37 |
| A-6410.4 | Publicity, Contractual | \$446.08 |

VOTE: Mr. Busler – aye, Mr. Folsom – aye, Mr. McCarthy – aye, Mr. Edgar – aye,
Mr. Marcinkowski – aye. Motion carried.

Res. #89

Motion by: Timothy Busler
Seconded by: Kevin McCarthy

Resolved, that Supervisor Marcinkowski be appointed as the Town of Theresa's Delegate/Representative at all official Town functions.

VOTE: Mr. Busler – aye, Mr. Folsom – aye, Mr. McCarthy – aye, Mr. Edgar – aye,
Mr. Marcinkowski – aye. Motion carried.

Res. #90

Motion by: Steven Marcinkowski
Seconded by: Timothy Busler

Resolved, that the Town Board re-appoint Brian Overby to the Zoning Board of Appeals for a (5) year term, effective January 1, 2020.

VOTE: Mr. Busler – aye, Mr. Folsom – aye, Mr. McCarthy – aye, Mr. Edgar – aye,
Mr. Marcinkowski – aye. Motion carried.

Res. #91

Motion by: Steven Marcinkowski
Seconded by: Kevin McCarthy

Resolved, that the Town Board re-appoint Nancianne Cutler to the Zoning Board of Appeals for a (5) year term, effective January 1, 2020.

VOTE: Mr. Busler – aye, Mr. Folsom – aye, Mr. McCarthy – aye, Mr. Edgar – aye,
Mr. Marcinkowski – aye. Motion carried.

Res. #92

Motion by: Steven Marcinkowski
Seconded by: Timothy Busler

Resolved, that the Town Board re-appoint Glenn VanHoesen to the Zoning Board of Appeals for a (5) year term, effective January 1, 2020.

VOTE: Mr. Busler – aye, Mr. Folsom – aye, Mr. McCarthy – aye, Mr. Edgar – aye,
Mr. Marcinkowski – aye. Motion carried.

Discussion:

Update of Highway Dept.

- Town Dump Truck was finally totaled by the Insurance Company.
- Superintendent has met with Beam Mack to discuss replacement

➤ Town Board meeting held December 11, 2019 cont'd.

Letters & correspondence:

- Progress Group letter thanking the Board for the \$50.00 donation for the Halloween party. They were unable to have the horse drawn ride because of the weather. The Group would like to know if the Town wanted the donation back. The Board agreed they should use for whatever they want or need.

Res. #93

Motion by: Kevin McCarthy
Seconded by: Charles Folsom

Resolved, that the Town Board hold a meeting on December 30th, 2019 at 9:00 a.m. to audit for payment any unpaid bills and for whatever other business there may be to transact.

VOTE: Mr. Busler – aye, Mr. Folsom – aye, Mr. McCarthy – aye, Mr. Edgar – aye,
Mr. Marcinkowski – aye. Motion carried.

Res. #94

Motion by: Steven Marcinkowski
Seconded by: Timothy Busler

Resolved, that the Town Board go into Executive Session at 7:03 p.m. to discuss a personnel issue.

VOTE: Mr. Busler – aye, Mr. Folsom – aye, Mr. McCarthy – aye, Mr. Edgar – aye,
Mr. Marcinkowski – aye. Motion carried.

Res. #95

Motion by: Steven Marcinkowski
Seconded by: Timothy Busler

Resolved, that the Town Board end Executive Session at 7:26 p.m.

VOTE: Mr. Busler – aye, Mr. Folsom – aye, Mr. McCarthy – aye, Mr. Edgar – aye,
Mr. Marcinkowski – aye. Motion carried.

Res. #96

Motion by: Steven Marcinkowski
Seconded by: Timothy Busler

Resolved, that the Town Board postpone changing the Zoning Law for charges for a violation from a misdemeanor to a violation until more research can be done.

VOTE: Mr. Busler – aye, Mr. Folsom – aye, Mr. McCarthy – aye, Mr. Edgar – aye,
Mr. Marcinkowski – aye. Motion carried.

Res. #97

Motion by: Timothy Busler
Seconded by: Charles Folsom

Resolved, that the meeting be closed at 7:30 p.m.

VOTE: Mr. Busler – aye, Mr. Folsom – aye, Mr. McCarthy – aye, Mr. Edgar – aye,
Mr. Marcinkowski – aye. Motion carried.

Respectfully submitted,

Kim A. Delles
Town Clerk