

The Theresa Town Board held a regular meeting August 12, 2020 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 - absent	Highway Superintendent

Others present: Greg Parmes, Terry McKeever, Matt Cooper, Candice Crowsiar, Catherine Root & Kelly Busler

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 July 2020 report  
Transfer Site July 2020 report  
Judge Robert's March & April 2020 report

Res. #37

Motion by: Kevin McCarthy  
Seconded by: Timothy Busler

**Resolved**, that the minutes of July 8, 2020 be accepted as read.

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

Res. #38

Motion by: Steven Marcinkowski  
Seconded by: Darren Edgar

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

Voucher #286-288;290-293;295-300;302-326 **Total \$166,035.59**

General	\$16,842.74
General O/S	\$618.98
Highway	\$11,966.25
Highway O/S	\$72,196.49
Capital	\$64,411.13

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

Discussion:

Matt Cooper gave the Board a salt barn project update. The barn will be done on Friday, August 21<sup>st</sup>. The project was bid to be done by July 31<sup>st</sup>, so (3) weeks over is not bad with all that has happened with Covid. The project is on budget with no change orders. See project budget attached for the funding numbers.

Candice Crowsiar & Catherine Root spoke to the Board about their land on Lake of the Woods. They told the Board that they inherited the land and are looking to use the land for recreation. They were told, by Zoning Officer Terry McKeever, that they could bring a RV camper for (30) days for a cost of \$25.00. They would like to know if the Town could change the law and make it a seasonal pass to place a RV. They stated that (30) consecutive days is very difficult since they all live somewhere else (one in Arizona). Supervisor Marcinkowski said that the laws

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were there even before this current Board. Mr. McKeever stated that the law is (30) days because of septic issues. He also told them that they could apply for a variance but does not think they would get one because the land is 106 feet by 100 feet. The land does not meet zoning regulations to build on or place a well or septic on. Mr. McKeever suggested they ask the neighbor to buy some land to make it compliant. Ms. Root stated that the neighbor two lots down built a cottage on land just as small. Mr. McKeever stated that he was not the Zoning Officer at the time it was built. Ms. Root said that they pay taxes on land that they cannot use and nobody would buy it because of that. They have used the land (2) times in the last (30) years and it would take thousands of dollars to make the land usable. They stated that a seasonal pass would allow them to use it for the summer and they would bring a honey wagon in to take care of the septic. Councilman Folsom said that the Town Board does not enforce the laws and cannot change them every time someone want something different. Also, Mr. McKeever is not a full time employee so it is difficult to keep up with people bringing in RVs. They stated that they realize it is a dilemma for the Town.

The Town Board read over a letter from John Shaylor about trailers on the Indian River. He stated he might sue the town because nothing is being done about the problem. Mr. McKeever has dealt with the trailer on Nolan Road and the owner was issued a (30) day RV permit from when Terry discovered it there. Mr. McKeever is in the process of investigating the other ones on the river and on the lakes.

The Board was advised that the Town Judge has been throwing out DEC tickets issued to people swimming at the State boat launches. The Board discussed the parties and campfires that are happening at the launches. Councilman McCarthy stated that the Lake Associations have been trying to protect the lakes and that the coliform in some lakes are edging up. The Board talked about changing the local law so it states minimum mandatory fine for zoning violations. Supervisor Marcinkowski said that the lawyer said that the Zoning Officer can write a ticket for the 2<sup>nd</sup> day of the violation, 3<sup>rd</sup> day and so on. The Lawyer also stated that the Judge still has the power to dismiss if the violation is taken care of.

Supervisor Marcinkowski told the Board that he has spoken to the Town Attorney about the newly proposed noise ordinance & 4 wheeler issues. The Town already has a local law for (4) wheelers that states they cannot be on the Town Roads after sundown or before sunrise.

The Board discussed putting no human or animal feces burning in the Zoning regulations.

Tara Amato submitted a use of facilities form to use the fields for a memorial kickball tournament on September 19, 2020. The Board all agreed that recreation has been cancelled through the end of the year. The Town Board thought it could be a liability to the Town at this point to have any large gatherings.

The Board agreed to only purchase essential supplies because of the possible sales tax reduction.

Update of Highway Dept.:

- At this time the walls for the new sand/salt barn are in place and the backfilling inside is or will be done in the near future.
- Hybrid will be back, after the inside backfilling, to construct the rafters and roof system. Superintendent Savage is being told 2 to 3 weeks for them to finish. Mr. Savage has talked with Suit-Kote about blacktopping and hopes to have it done in September.
- CHIPS – Joyner Road and Burns Road are scheduled for surface treating and the Town Clerk and Mr. Savage will be submitting for the full amount of \$160,000.00 for reimbursement.
- Superintendent Savage knows that the budget is coming up and the Board has spoke about an extra line item for rental/leasing. He would like to come up with some kind of an amount looking forward. He is hoping to keep up to date with the equipment. He knows at this point and time that the Town is unable to zero in on a figure, therefore that is why he is looking to the future.

Mr. Parmes told the Board that the Veteran's Monument will be placed in the middle of August. He told the Board that Mr. & Mrs. McCormick are officially retiring from the food pantry. There is now a (6) member Board. The food pantry is open for appointment only and now has a different phone number. United Way, Renzi's and other programs have been helping keep it supplied through this pandemic.

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Kim Delles asked, as a Theresa taxpayer, why the Town has paid the Librarian full pay through the whole pandemic when other departments have been on spending freezes. The Supervisor stated that the Town Board had no say in the matter.

Councilman Edgar asked if the union could do a (1) year contract. Supervisor Marcinkowski said they can do whatever they wish.

Res. #39

Motion by: Kevin McCarthy  
Seconded by: Timothy Busler

**Resolved**, that the meeting be closed at 7:38 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