

The Theresa Town Board held a regular meeting September 9, 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	Highway Superintendent

Others present: Greg Parmes, Dave Magbee, Matt Cooper & Terry McKeever

The meeting was called to order by Supervisor Marcinkowski at 6:02 p.m.

Reports received and placed on file:

Town Clerk's & Building & Zoning August 2020 report
Transfer Site August 2020 report
Judge Klepacz's August 2020 report
No reports submitted from Judge Roberts since April 2020

Res. #40

Motion by: Kevin McCarthy
Seconded by: Timothy Busler

Resolved, that the minutes of August 12, 2020 be accepted as read.

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

Res. #41

Motion by: Steven Marcinkowski
Seconded by: Charles Folsom

Resolved, that the following bills be paid:

Voucher #335-372 **Total \$40,896.56**

General	\$2,704.30
General O/S	\$193.44
Highway	\$2,286.68
Highway O/S	\$34,004.65
Capital	\$1,707.49

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

Discussion:

Matt Cooper told the Board that the Contractor has completed the salt barn. The Contractor and Inspector did not feel, during the walk thru inspection, that anything was compromised. Councilman Busler took a closer look and noticed tears on the underside near the tie down locations. Mr. Cooper did not know if that would compromise the material and he would talk to the manufacturer about it. The Board wanted to know if the contractor made a mistake. Mr. Busler stated that the fabric looks too big for the building and for a \$600,000.00 project, things are horrible. There is also an issue with the concrete. In one section the face of the concrete is scaling off and sounds hollow. The Board is not okay with the tears and want to hold off payment for now. Mr. Cooper stated that the second application for full payment is due, but there is a 5% retainage withheld that equals \$20,000.00. There is also a 15 year warranty on the building.

Town Board meeting held September 9, 2020 cont'd.

Res. #42

Motion by: Steven Marcinkowski

Seconded by: Timothy Busler

Resolved, that the Town Board do not pay Hybrid Solutions until a resolution of the canvas cover is remedied and the concrete anchors in the wall are repaired.

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

Dave Magbee, 31060 Cottage Hill Road, spoke to the Board about a road issue at his house. He stated that his 15 month old puppy was hit by a driver (who admitted going 50 mph) in front of his house. It cost him \$3,854 to keep the dog alive. He told the Board that he and his wife run an airbnb and last year had 1,200 guest to the property. This year over 300 guest have stayed there, which means they bring a lot of people to the area and it helps the Town financially. He had called Supervisor Marcinkowski and commissioned additional signage to be put up on the road. The main issue is a blind hill. He has property on both sides of the road, with a barn on one side and the house on the other. At a minimum he would like a reduced speed limit and a blind driveway sign. He has been almost hit several times and would use his own money for speed limit signs. He stated he would go to Albany if he needs to. Supervisor Marcinkowski told him how long the process is. First it goes to the Lawyer and then to the County. Councilman Edgar said he would like all Town Roads speed limits reduced to 40mph. Superintendent Savage said he could possibly cut more trees on the side of the road and put the signage up, but it is very hard to get the speed limit reduced and to enforce it if it happens. Mr. Savage said that he would look into it again and get with the County. Mr. Magbee has invited troopers to sit in front of his house to catch speeders. Code Officer Terry McKeever told Mr. Magbee that he was not zoned for a business on Cottage Hill. Mr. Magbee said that they were a registered LLC and it was a passive business. Mr. McKeever told him he would have to go in front of the Planning Board to do a Site Plan Review to operate a business there. Mr. McKeever said that on the Better Farms website it looks like there are living quarters in the Barn and that is not allowed. Mr. Magbee said there is no sleeping quarters in the barn only an art studio and radio studio on the second floor.

The next Town Board meeting will be held October 7th. The Town Clerk will email the preliminary budget to each Board member by October 5th.

Update of Highway Dept.:

- An email from the State stated that the Town will only receive 80% of the CHIPS/PAVENY/EWR money for 2020. That means approximately \$40,000.00 less. Mr. Savage billed equipment and labor so the Town only paid \$110,000.00 to vendors. Mr. Savage stated he did not like doing it this way but knew of the possibility of the cuts. Usually the Town likes to spend every penny on the roads.
- The Town rebuilt the pump for the excavator themselves.
- The blacktop is finished around the salt barn and they are starting to backfill around it.
- All the paving is done. Mr. Savage stated that a lot was done this year considering the virus.

Mr. Savage told the Board that the Transfer Site received a compliment on Facebook. The Town only selling stickers in bulk at the transfer site is working well and the revenue is good. There was an issue with someone dropping off garbage when the Transfer Site was closed. Mr. Savage called the police and the guy was from Black Lake. Mr. Savage stated that cameras are needed at all the buildings.

Supervisor Marcinkowski told the Board that Allen Streeter is all done working in the cemetery for this year. Mr. Marcinkowski does not know who will be available to dig a grave for a burial if it is needed through the end of the year.

Mr. Parmes told the Board that the Progress Group's Halloween party has been cancelled. They might set up a tent in the Village parking lot the night of Halloween to give out candy. Mr. Parmes requested that the new phone number for the food pantry be put on the Town website. The Veteran's monument will be up in (3) weeks.

Town Board meeting held September 9, 2020 cont'd.

Councilman McCarthy asked what steps have been taken about the burning of waste ban. Supervisor Marcinkowski stated that nothing has been done as of now. He would like to include the other changes to be made to the Zoning Law (four wheeler, RV rules) at the same time to save advertising and lawyer fees.

Res. #43

Motion by: Steven Marcinkowski
Seconded by: Charles Folsom

Resolved, that the Town Board go into executive session at 7:04 p.m. to discuss union negotiations.

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

Res. #44

Motion by: Steven Marcinkowski
Seconded by: Timothy Busler

Resolved, that the Town Board end executive session at 7:45 p.m.

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

Res. #45

Motion by: Steven Marcinkowski
Seconded by: Timothy Busler

Resolved, that the meeting be closed at 7:46 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