

The Theresa Town Board held a Public Hearing and a regular meeting May 12, 2021 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: Jim Marcinkowski - zoom

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 2021 report
Transfer Site April 2021 report
Judge Klepacz's March 2021 reports
Judge Robert's April 2021 report

Res. #26

Motion by: Timothy Busler
Seconded by: Charles Folsom

Resolved, that the minutes of April 14, 2021 be accepted as read.

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

Res. #27

Motion by: Kevin McCarthy
Seconded by: Darren Edgar

Resolved, that the following bills be paid:

Voucher #167-173;175-205 **Total \$217,440.84**

General	\$10,469.87
General O/S	\$300.00
Highway	\$201,416.08
Highway O/S	\$5,254.89

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

Proof of Public Hearing having been furnished, Supervisor Marcinkowski opened the Public Hearing at 6:00 p.m. on Local Law No. 2-2021 entitled “Local Law Unsafe Buildings and Structures”.

Proof of Public Hearing having been furnished, Supervisor Marcinkowski opened the Public Hearing at 6:00 p.m. on Local Law No. 3-2021 entitled “Local Law amending and/or Supplementing Local Law #2 of year 2011”.

Discussion:

Audit of the Judge's books was canceled because Judge Klepacz could not attend. Rescheduled for the June meeting

Assessor Millett needs the Boardroom on May 25th for Grievance Day.

Town Board meeting held May 12, 2021 cont'd.

Discussion cont'd.:

The Town Board discussed what account the back sick pay paid to Darren Edgar (\$6,138.00) & Mark Savage (\$4,071.47) should come out of. The Town Clerk said it should have come out of DA-5130.1, but was not sure if it did. If the account is short at the end of the year, the Town Board can transfer money from contingent fund into the account.

The Zoning Board of Appeals Secretary has not been returning Zoning Officer McKeever's calls to set up Variance hearings. Three different landowners are waiting for a meeting to be scheduled. Supervisor Marcinkowski will check with the Secretary to see where she is at.

Park & Recreation:

- Superintendent Savage told the Board that the field out back of highway barn has been mowed. McNickle has been too wet.
- The back of the skating rink building needs to be painted. Some of the boards are warped.

Supervisor Marcinkowski told the Board that the Library has still not been repaired from the water damage done (3) years ago, when the roof flooded. The insurance company paid and the money remains in the account.

Oakwood Cemetery:

- The new Cemetery employee rolled the Kabota tractor down a ravine at Oakwood Cemetery. Mr. Savage said that there is no apparent damage to the tractor and fortunately he was not injured.

Mail/correspondences:

- Town of Rossie sent a letter asking the Town to fill out a "Hold Harmless" form if the Town was interested in doing shared services with Rossie. Supervisor Marcinkowski will check with the Town's insurance company first. Superintendent Savage said we do a shared service with them now, on the end of Grass Lake Road.
- Jefferson Community College Foundation - Verne A. Sweet Scholarship 2020 year end statement.

The Board okayed the Bartlett Sand mine last meeting. Mr. Marcinkowski said that the Town was given (30) days to provide comment on the permit to NYS DEC. Since last meeting, complaints about (4) wheelers using the sand pits at all hours of the day and night have been received. The Supervisor stated that he was asked to put a stipulation on the permit to keep the (4) wheelers out of the mine. Mr. Marcinkowski talked to the DEC about adding a stipulation and they said it was not out of the ordinary to make such a request. Mr. Marcinkowski is meeting with Gerald Bartlett (landowner) in the coming week to notarize a document to give a neighbor on Bartlett Drive permission to call the police if he hears the (4) wheelers in the sand mine. As of now the Town has a (4) wheeler local law that states they cannot be on Town roads between dusk to dawn. The Board discussed passing a noise ordinance for (4) wheelers and other issues also.

Update of Highway Dept.:

- Resignation letter from Derrick Kolb, Highway MEO, was read. Mr. Kolb requested to be paid (144) sick hours and (28) hours comp time.
- The Board discussed future union contracts should have vested time (10 years) to get paid for un-used sick pay. They agreed a lot of money for someone after only (3) years of service.
- Mr. Savage has someone in mind to hire. Would like him to start tomorrow. The Board agreed to start as Laborer, since he does not have a CDL license.
- Mr. Savage told the Board that the Fire Department is re-paving their parking lot and he would like to re-pave the track to the ballfield, around the front and side doors of the skating rink and the stretch in front of Town Barn. The Town will only need to buy the fabric because the Fire Department is paying for the paving and the grinder. There will be 400 ton of pavement that will be grinded up that the Town can use in the cemetery.
- Tractor trailer that was on the Baker Road was chopped up by the highwaymen and sold for scrap (\$500 plus). Mark would also like to scrap the grader and some old plows.

Town Board meeting held May 12, 2021 cont'd.

Discussion:

Kyle McConnell would like permission to cross the Transfer Site to hunt land that he is leasing. The Board agreed that they have refused people in the past, so they do not want to give permission now.

No one appeared for or against the local laws.

Res. #28

Motion by: Steven Marcinkowski
Seconded by: Timothy Busler

Resolved, that Local Law No. 2-2021 entitled “Local Law Unsafe Buildings and Structures” be adopted.

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

Res. #29

Motion by: Kevin McCarthy
Seconded by: Darren Edgar

Resolved, that Local Law No. 3-2021 entitled “Local Law amending and/or Supplementing Local Law #2 of year 2011” be adopted.

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

Res. #30

Motion by: Steven Marcinkowski
Seconded by: Timothy Busler

Resolved, that the Town Board go into executive session at 7:15 p.m. to discuss an employee personnel issue.

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

Res. #31

Motion by: Steven Marcinkowski
Seconded by: Charles Folsom

Resolved, that the Town Board end executive session at 7:39 p.m.

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

Res. #32

Motion by: Timothy Busler
Seconded by: Charles Folsom

Resolved, that the Town Board increase the pay for Kim A. Delles, Town Clerk/Tax Collector, three percent for 2021, retroactive January 1, 2021.

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

Town Board meeting held May 12, 2021 cont'd.

Res. #33

Motion by: Steven Marcinkowski

Seconded by: Darren Edgar

Resolved, that the meeting be closed at 7:40 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