

The Theresa Town Board held a Regular meeting June 8, 2016 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: Ed Robertson, Rick Nuijens, Brittany Pitts, Ken McCormick, Kristi Perry, Theresa Leeson, Greg Parmes, Bethany Neuroth, Paul Hornack, Tracy Hudon, Lance Evans, Todd Gibbs, Agnes Gibbs, Terry McKeever & Timothy Karg.

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 May 2016 report  
Transfer Site May 2016 report  
Town Justice's May 2016 reports

Res. #38

Motion by: Danielle Rajner  
Seconded by: Kevin McCarthy

**Resolved**, that the minutes of May 11, 2016 be accepted as read.

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

Res. #39

Motion by: Timothy Busler  
Seconded by: Kevin McCarthy

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

General	Voucher #	151-177	\$32,696.69
General O/S		18&19	\$39.16
Highway		92-110	\$14,940.27
Cemetery		8-11	\$503.93

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

Res. #40

Motion by: Steven Marcinkowski  
Seconded by: Kevin McCarthy

**Resolved**, that the Town of Theresa, Location Code 30656 hereby establishes the following work days for these titles (see attached) and will report the officials to the New York State and Local Retirement System based on their record of activities.

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

Town Board meeting held June 8, 2016 cont'd.

Discussion:

Paul Horneck, Library Board Trustee, showed the Board a clipping from a 1911 newspaper that showed Andrew Carnegie built the Library and had the Town (who owns the building) pledge to maintain the building. Mr. McCormick, Library Board Chairman, spoke to the Board about the Library trying to procure funding to make the necessary repairs to the deteriorating brickwork on the Library (see letter). They have decided to pursue state funding through the North Country Library System construction grants. If the grant is awarded to the Library it would approximately be June/July 2017. The Library is requesting a letter that would state the Theresa Free Library would have use of the building for at least 10 years following the completion of the project. Also, a letter is needed to state that the Town can provide up to 50% of the needed funds. They are anticipating a cost of approximately \$30,000 and hope that the NCLS will grant 75% of the cost. The Library would like the Town's help in getting contractor estimates for the grant process as soon as possible. As of now the Library has \$13,100.00 available (\$7,000.00 the Town has in a capital repair fund; \$5,000.00 extra from IR School District's funding; \$1,100 in donations given to the Library).

Res. #41

Motion by: Steven Marcinkowski

Seconded by: Kevin McCarthy

**Resolved**, that the Town Board authorize Supervisor Marcinkowski to write the necessary letters that the Theresa Free Library Board has requested to pursue state funding through the North Country Library construction grants.

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

Discussion:

The Library Board would like to, in the future, take a portion of the monies provided through the School and then put into a Capital Fund to fund a project such as the one now facing them. The Board all agreed that it was a great idea.

Supervisor Marcinkowski told the Board that he has gotten a lot of positive feedback of how the cemetery in being maintained this year.

Dollar General is looking to open the 3rd week of July, ahead of schedule. They will be having a job fair at the firehall 6/14/2016. Superintendent Edgar is waiting until the dump trucks are done with construction and then the Town will pave Wilson Road.

Sarah Hilyer, Recreation Director, told the Board that she was working on the day camp paperwork and getting the summer recreation program up and running. Supervisor Marcinkowski would like everything inventoried for the baseball program and summer recreation after each season.

Scott Kelsey was granted permission to use the fields for a Sunday Co-ed league.

Update of highway dept:

\*Bleachers are all done

\*Trucks are pretty much all painted

Superintendent Edgar would like to get a sign for the back of each backstop thanking the Rotary, Progress Group & Route 37 Building Supply for all the donations for the dugouts and bleachers. Mr. Parmes thanked Darren and the Board for the pads for the bleachers and installation of them. Mr. Marcinkowski thanked the Progress Group and Rotary for all they have done for the fields.

Rick Nuijens, Planning Board Chairman asked the Board to remove Rebecca Wewer from the Planning Board. He stated that she has not been at several meetings and when she does come she is on her phone. Supervisor Marcinkowski would like to talk to her and ask if she is going to participate. If not he will ask for her resignation.

Town Board meeting held June 8th, 2016 cont'd.

Councilmember Folsom stated that he has had so many complaints on the proposed Septic Law. More than any other over his past 8 years on the Board. Mr. Folsom motioned that the Town Board do away with the Water Quality Committee. Mr. Busler seconded the motion. Supervisor Marcinkowski suggested the Board listen to the Committee since they were appointed. Councilmember McCarthy thought there should be some discussion before the vote.

Discussion about the Law:

\*Todd & Agnes Gibbs ask the Board to explain the proposed septic law. Ed Robertson gave them a quick review of the proposed law.

\*Rick Nuijens said he was informed that the water coming out of Mud Lake is clean and the water going into Butterfield is bad.

\*Councilmember Rajner stated that she called DEC and they said all water quality is better on the lakes. Mr. Robertson said that the long term trend of phosphorus levels on Butterfield Lake are going up.

\*Mr. Folsom said that every lake has an association and they should be working with each camp owner. Some camp owners are only there for (2) weeks a year. He suggested grant money could be available. Mr. McCarthy suggested a block grant through the US Agriculture but said it was not a solution but something to work with the law. Mr. McCarthy said that (29) cottages have been looked at and (27) of them need upgrades.

\*Bethany Neuroth asked how many cottage owners are local and how many are just using a couple of weeks a year. Mr. Robertson stated that people are staying longer at the cottages.

\*The Planning Board will not have anything to do with the law going forward. Mr. Marcinkowski said that in the past the Planning Board has done the work then sent on to the Town Board to pass.

\*Mr. McCarthy said that it is a slap in the face that this has been short circuited. A lot of people have spent time on it and a lot of money has been spent. Not going to sit and tolerate in-action. He stated that if you took away the realtor table at the public meeting about half of the people were for it.

\*Mr. & Mrs. Gibbs said that a lot of people were not informed about the meeting and thought they were not going about it the right way. They also wondered why it is all of Theresa and not just the lakes. Mr. Nuijens stated that the soil quality in Theresa is all bad. He explained what was shown at the public meeting to them.

\*Mr. Robertson stated at the public hearing there was an organized group of septic people and realtors who were looking out for their own interest. He said that the Town is continuing to break the law by not enforcing 75-a.

\*Terry McKeever, Building & Zoning Officer, said that if that is so then Jefferson County is breaking the law too, because they do the same as him. Mr. McKeever said that someone installing a new septic system hires an engineer; engineer test; drawings are submitted; he then reviews drawings and takes picture of the installed system. He stated that he is not an engineer.

\*Lance Evans, Executive Officer at Jefferson/Lewis/St. Lawrence County Board of Realtors said that there were (6) Realtors at the public meeting and (1) owns on Butterfield Lake. He asked if a system fails what does Mr. McKeever do? Terry explained that one just failed and it has been changed to work properly. Mr. Evans what will happen if a seller tries to sell and the septic fails? Would the seller increase the cost? Would the buyer have to come up with more money? Also, in the winter how are they tested? Buyer might not have the money and go to the next Town. Mr. Evans wondered if half of Butterfield Lake is in Alex Bay and Theresa side cleans up, would'nt the lake still be bad?

\*Mrs. Neuroth asked how much of the IR Lakes Conservancy land is tax exempt? She thought it should have went through the Planning Board first. Mr. Robertson replied that most of IR Lakes Conservancy's land is swamp. The land donors gave land worth a total of \$78,000 over the last 16/17 years. They have brought 1.2 million into the Town. Mr. McCarthy said that a lot of Towns have green spaces & hiking trails. The service is free of charge.

\*Mr. Nuijens would like to see them all septic tested in (5) years. It would take over (70) years to get done now with only an average of (30) houses sold in a year in Theresa. He thought the public hearing was held too early.

\*Mr. Folsom said people are sick of big government. That DEC should be doing this. Also, as a Board Member no one is in favor of this.

\*Mr. Robertson stated that local engineers and inspectors are not doing their jobs.

\*Councilmember Busler thought that the Zoning Officer was doing a good job and things are getting better.

Town Board meeting held June 8, 2016 cont'd.

Discussion about Septic Law cont'd.:

Supervisor Marcinkowski told the Board that he had told Mr. Robertson a week or two before the public informational meeting that the Town was not following proper procedure and the committee should go to the Planning Board to work out the details of proposed rules. He felt that the Board was not ready for the public meeting. Revisions that were supposed to go on the Town web site were not there and the appendixes were not finished in time for the meeting, after some residents were told they would be there. He thought that the Board was left to look and feel incompetent and it was not acceptable. He said that the Planning Board started working on water front rules, water quality and other thing related to this. Under Pat Williams as Planning Board Chair there was a public meeting at the fire hall and the outcome was that the septic systems were a big culprit of water degradation. The next steps should be through the Planning Board and the committee, then brought to the Town Board.

Councilmember Rajner thought that the Town Board did not know what was going on and they should sit with the committee to be educated in the future. She had thought this had all been worked on before she started her term as Councilmember in January.

Res. #42

Motion by: Charles Folsom  
Seconded by: Timothy Busler

**Resolved**, that the Town Board dissolve the Water Quality Committee working on the Onsite Wastewater Treatment proposed law.

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

Discussion:

Timothy Karg asked the Board if they would write a letter supporting 5k/10k walk or run fundraiser for the Fire Dept., to be held October 8, 2016. The Fire Dept. will have the proper insurance in place and do traffic control for the run. The route would be NYS Route 26 to Schell Road to Coon Bridges Road to County Route 46 to the Village.

Res. #43

Motion by: Steven Marcinkowski  
Seconded by: Timothy Busler

**Resolved**, that the Town Board authorize Supervisor Marcinkowski to write a letter of support that the Theresa Fire Department hold a 5k/10k walk on October 8, 2016.

Res. #44

Motion by: Steven Marcinkowski  
Seconded by: Timothy Busler

**Resolved**, that the meeting be closed at 8:00 p.m.

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

Respectfully submitted,

Kim Delles  
Town Clerk