

The Theresa Town Board held a Regular meeting May 11, 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: Rick Nuijens, Janet Ainsworth, Tina Morrison, Sarah Hilyer & Ed Robertson

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 2016 report
Transfer Site April 2016 report
Supervisor's April 2016 reports
Town Justice's April 2016 reports

Res. #30

Motion by: Kevin McCarthy
Seconded by: Danielle Rajner

Resolved, that the minutes of April 13, 2016 be accepted as read.

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

Discussion:

Supervisor Marcinkowski went over what had happen at the last board meeting and the events that lead to it, in regards to the Planning Board Secretary. He felt that his integrity had been questioned and that made him defensive.

Town Clerk, Kim Delles, apologized to the Board and Mrs. Ainsworth about the trouble that was caused by her mistake she made in the January 14, 2016 and January 13, 2016 minutes about the Secretary's pay. Mrs. Delles offered to pay herself the \$270.00 to Janet Ainsworth that she requested last month in back pay she believes she is owed. Mr. McCarthy did not believe it should be paid out of pocket by Mrs. Delles and it would set a bad precedent that an employee should have to pay for a mistake made. Mrs. Delles stated that she was offering to pay it because the taxpayers should not have to pay for her mistake.

Supervisor Marcinkowski asked Mrs. Ainsworth to determine how many certified letters and how much postage that she has paid for and the Town will reimburse her for everything. Also, in the future anything she needs will come from the Town Office.

Res. #31

Motion by: Charles Folsom
Seconded by: Steven Marcinkowski

Resolved, that the Town Board pay Janet Ainsworth \$210.00 for (7) meetings in 2015 and \$60.00 for (2) meetings in 2016 that is owed because of an error made in Resolution #5 dated January 14, 2015 and Resolution #4, dated January 13, 2016 stating that the Secretary be paid \$60.00 per meeting and be it

Further Resolved, that the pay for a Non-Board Member be \$30.00 each meeting and a Secretary/Board Member be \$60.00 per meeting.

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

Town Board meeting held May 11, 2016 cont'd.

Res. #32

Motion by: Steven Marcinkowski

Seconded by: Timothy Busler

Resolved, that the following bills be paid:

| | | | |
|-------------|-----------|---------|-------------|
| General | Voucher # | 124-150 | \$17,121.17 |
| General O/S | | 14-17 | \$368.03 |
| Highway | | 73-91 | \$14,372.37 |
| Cemetery | | 5-7 | \$119.09 |

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

Discussion:

The Board was given baseball schedules and informed that the bleachers that the Rotary and Progress Group purchased for the fields have arrived.

Tina Morrison, Bookkeeper, was introduced to the Board. Supervisor Marcinkowski told the Board what a great job she is doing. The 2015 annual report took several extra months to complete because of several errors made in the books dating back to the 2014 annual report. Ms. Morrison will be taking a basic and advanced Town Accounting class this summer and fall. The Board also discussed the Town going to a Town Accounting program instead of using the current Quickbooks.

Res. #33

Motion by: Timothy Busler

Seconded by: Kevin McCarthy

Resolved, that the Town Board audit the Town Supervisor's 2015 books.

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

Discussion:

Councilmember Rajner thought that the proposed fee of \$500.00 for Sunday & Holidays was too high. She researched the fee and stated that it was higher than all other Towns. She suggested it should be lowered to \$300 or \$350.

Res. #34

Motion by: Kevin McCarthy

Seconded by: Charles Folsom

Resolved, that the Town Board adopt the following new Fee Schedule for Oakwood Cemetery, retroactive to May 1st, 2016:

| | | |
|---------------------------------------|------------|------------|
| GRAVE SPACE - per grave | | \$500.00 |
| INTERMENT FEE: | | |
| Full burial (Monday thru Friday) | | \$500.00 |
| Cremated remains (Monday thru Friday) | | \$350.00 |
| Saturday charge | Additional | \$200.00 |
| Monday thru Friday charge after 3PM | Additional | \$200.00 |
| Sunday & Holiday charge | Additional | \$350.00 |
| Foundations (per square inch) | | \$0.60 |
| Receiving Vault (Non-lot owners) | | \$100.00 |
| Disinterment | | \$1,000.00 |

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

Town Board meeting held May 11, 2016 cont'd.

Discussion:

The Board was updated by Superintendent Edgar on the Cemetery:

- *New employee Allen Streeter is working very hard and doing a great job
- *John Deere Gator is not working well and equipment not serviced at the end of last year
- *Equipment in the Cemetery is not meant for commercial use, more for homeowners
- *In the most need of a backhoe in the future

Update of Highway Department:

- * A letter was read about the trimming that was done on the Town Roads. It stated that it was a horrible job and looked like a tornado went through. Supervisor Marcinkowski replied to the concerned taxpayer that it had to be done because of overgrowth and concerns that have been voiced about fire trucks and ambulances not being able to get through after heavy snow and ice. He explained that it was addressed in the most cost effective and timely manner by using the machine to cut them down and back. If it was done by hand it would take the Highway Department years to complete.
- *Mr. Edgar stated that the next (3) weeks the men will be working on trucks.

A letter from the Volunteer Transportation Center thanking the Town for their continued support of their volunteers.

A letter from the American Legion inviting the Board to the Memorial Day ceremony at the Robert Markwick American Legion in Philadelphia on May 31st.

Councilmember Rajner asked Supervisor Marcinkowski about the VFW site. Mr. Marcinkowski told the Board that the Progress Group had approached him and he in turn contacted the Jefferson County Attorney. The County Attorney said the Town could have for \$1.00 plus filing fees. The Progress Group would like to put a Veteran's Memorial and would pay the filing fees. Mrs. Rajner wondered who would maintain if the Progress Group disbands. The Town and Village crews are too busy maintaining what they already have. Mr. Marcinkowski said that it was not a done deal.

Ed Robertson spoke to the Board about the proposed Onsite Wastewater Treatment Local Law. The Town Board members had a chance to review the new proposed law and had several questions:

- * Councilmember Rajner stated that it is extremely expensive and that the average resident does not have the money to comply. She had spoken to (2) Engineers about the proposed law and wondered why the Town of Theresa needs to have higher standards than the State Law. Mr. Robertson said that the Town has never enforced septic systems. She asked how would the Town enforce new law if they don't enforce now? Mr. Robertson said there would be a check off list on the new application for the Engineer and Code officer. Also there would be pre-designed systems and local engineers would be trained to inspect. Mrs. Rajner wondered how will the Town know if property has changed hands?
- * Councilmember Busler stated that having to replace a tank after 25 years is absurd. Tanks do not go bad after 25 years.
- * Councilmember McCarthy said that new construction is not the problem, existing systems are. He said that it was determined after the last law was presented to the public, by the Planning Board, that the septic was the biggest problem not the setbacks on the lakes or the trees. He stated that this is the mildest plan and it is a 30 to 40 year process.
- * Councilmember Folsom wondered why the Planning Board was not headed this all up. He thought since this is such a major change in the law it should go on the ballot this fall and have it voted on by the people.
- * Rick Nuijens stated it was older systems that are the problem. He also said that it would be up to the engineer to inspect the system since they designed it for the soil and terrain of the property. Mr. Nuijens told the Board that Black Lake has a problem because of the Theresa lakes and river that all flow into it.
- * Mr. Robertson told the Board that other communities (Lake George, Huron & Cayuga Counties) have a similar law in place. He stated that it is critical around the lakes to do something. Other wise the lake owners will want their assessment dropped because the lakes will be so bad. He said that an average system is \$12,000.00.

Town Board meeting held May 11, 2016 cont'd.

Discussion:

Supervisor Marcinkowski asked Mr. Robertson what is going on with the dump site on Sweet Point Road. Mr. Marcinkowski said that Mr. Hillbeck from Indian River Lakes Conservancy had not responded to a letter sent months ago. He would like to see a game plan started and have it resolved. Mr. Robertson said he would relay the message.

Res. #35

Motion by: Kevin McCarthy
Seconded by: Danielle Rajner

Resolved, that the Town Board go into Executive Session at 8:52 p.m to discuss possible litigation.

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

Res. #36

Motion by: Steven Marcinkowski
Seconded by: Timothy Busler

Resolved, that the Town Board end Executive Session at 9:12 p.m.

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

Res. #37

Motion by: Kevin McCarthy
Seconded by: Steven Marcinkowski

Resolved, that the meeting be closed at 9:12 p.m.

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

Respectfully submitted,

Kim A. Delles
Town Clerk