

The Theresa Town Board held a regular meeting August 9, 2017 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: Greg Parmes, Donald Jones & Weston Gray

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 2017 report
Transfer Site July 2017 report
Supervisor's July 2017 reports

Res. #51

Motion by: Kevin McCarthy
Seconded by: Charles Folsom

Resolved, that the minutes of July 12, 2017 be accepted as read.

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

Res. #52

Motion by: Steven Marcinkowski
Seconded by: Timothy Busler

Resolved, that the following bills be paid:

Voucher #342-349;351-388 **TOTAL: \$35,999.22**

General	\$17,619.18
General O/S	\$630.00
Highway	\$5,319.40
Highway O/S	\$12,300.12
Cemetery	\$130.52

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

Res. #53

Motion by: Danielle Rajner
Seconded by: Kevin McCarthy

Resolved, that the Supervisor be authorized to transfer \$29,406.00 of Library Fund surplus money to Library Fund Appropriation, Clerk Contractual, L-7410.4.

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

Town Board meeting held August 9, 2017 cont'd.

Discussion:

Supervisor Marcinkowski told the Board that Senator Patty Ritchie has secured \$2,000.00 in funding for the Theresa Free Library.

Park & Recreation update:

*Supervisor Marcinkowski received a complaint from a concerned parent about the program. He met with Linda McMahon and resolved the issue.

*Supervisor Marcinkowski told the Board that he thought that the Insurance Company required individuals who used the Town's facilities to provide insurance. After a phone call the Insurance Company does not mandate, they suggest it. He wanted to discuss with Board Members. Mrs. Rajner was concerned that Insurance Companies would not give riders to individuals and that it would be done on homeowner policies. Mr. McCarthy suggested that Theresa tax payers do not need to provide insurance but non-taxpayers do. The Board agreed.

*Supervisor Marcinkowski told the Board that no one has ever been denied the use of the fields. Talford Wynne was told to fill out the forms for the Joel Davis peewee tournament, but he never did until this week.

*(3) request to use the fields were reviewed by the Board. The Board granted permission for the following:

*Talford Wynne - Joel Davis peewee tournament - August 11th thru August 13th.

*Albert & Shelly Gonzalez - Joel Davis softball tournament - September 9th & 10th.

*Krista Boshane & Donald Jones to host a kickball tournament for to raise money for the Parody family who passed away from complications with diabetes - September 2nd & 3rd.

*The Board was told that 17 baseball peewee kids out of 33 were from other Towns. The Board was led to believe that Philadelphia didn't have enough for a team so they needed to combine with Theresa. This was not the case. Supervisor Marcinkowski stated that next year the Town would not be combining teams.

Supervisor Marcinkowski told the Board that Mark Gebo, Town Attorney, will be retiring as of June 30, 2018. The Town will need to start looking for a new Attorney.

Town Court update:

*Supervisor Marcinkowski has been in communication with the 5th Judicial District Special Counsel David Gideon about the 4 cases that have been dismissed by Judge Klepacz. Mr. Gideon's letter (see attached) to the Town defends Judge Klepacz's decision to dismiss the cases because an Accusatory Instrument was not provided in the cases. Mrs. Rajner suggested that someone other than Mr. McKeever, Mr. Marcinkowski or Mrs. Delles needs to discuss with Judge Klepacz. She feels that there is a conflict between those parties. Mr. McCarthy said that it is a small Town and everyone needs to work together.

*The Town Clerk told the Board that Judge Klepacz has thrown out several unlicensed dog tickets. He told Mrs. Delles that the Dog Control guy doesn't know the law just like the Zoning Officer. He said that an Accusatory Instrument is needed with the ticket.

Daniel Moyer, Dog Control Officer, said he does not need an Accusatory Instrument with the other Town Judges from different Towns, but would provide to the Theresa Judge in the future.

Highway Department update:

*Mr. Edgar told the Board that he has been working on washouts on some roads.

*He has spent a week working on correcting some violations that PESH issued. Nothing major but they take a lot of time. He told the Board that the doors down stairs needs be fixed. They are very hard to open.

*The cemetery needs to replace a gas tank according to PESH. He is looking into solutions for replacing it.

*Mr. Edgar stated that they paved the intersection of Orebed Road and State Route 26. Shared services with the State was used.

*Mr. Edgar asked the Board if next year's budget could maybe include a part-time employee to mow ballfields. He feels that in the summer with the men using vacation time he doesn't have the manpower to get roads ready for paving. Board agreed to budget for part-time employee.

Town Board meeting held August 9, 2017 cont'd.

Supervisor Marcinkowski read a letter (see attached) from T.J. Burkhard about concerns about Crystal Lake Campgrounds. Councilmember Folsom addressed the Board about the letter. He is partial owner of the property. He told the Board that the campground is inspected yearly by the Department of Health. The campground has been there for 53 years and at one time had 60 trailers. It now has 46 trailers and they are all located across the road from the lake. Mr. Folsom stated that his grandchildren swim in the lake and the last thing he would want is for the lake to be polluted. As far as the building going on without a permit, he thinks that someone was fixing a porch that had sunk because of all the rain. Mrs. Rajner suggested that the Board direct Terry McKeever, Building and Zoning Officer, down to check it out. The Board was all in favor of sending Mr. McKeever there to inspect.

The Board was told that the Village of Theresa has already bought porta johns for the (2) ballfields and will maintain both for the Town.

Res. #54

Motion by: Steven Marcinkowski

Seconded by: Timothy Busler

Resolved, that the Town Board go into Executive Session at 7:21 p.m. to discuss a personnel issue.

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

Res. #55

Motion by: Steven Marcinkowski

Seconded by: Danielle Rajner

Resolved, that the Board end Executive Session at 7:26 p.m.

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

Res. #56

Motion by: Steven Marcinkowski

Seconded by: Timothy Busler

Resolved, that the meeting be closed at 7:26 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