

The Theresa Town Board held a Public Hearing and Regular meeting February 8, 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 - absent | Councilmember          |
| Kevin McCarthy          | Councilmember          |
| Danielle Rajner         | Councilmember          |
| Kim Delles              | Town Clerk             |
| Darren Edgar            | Highway Superintendent |

Others present: Greg Parmes, Edward Klepacz, Student & Mother

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 January 2017 report  
Transfer Site January 2017 report  
Supervisor's January 2017 reports  
Town Justice Klepacz's December 2016 report

Res. #8

Motion by: Steven Marcinkowski  
Seconded by: Danielle Rajner

**Resolved**, that the minutes of January 11, 2017 be accepted as read.

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

Res. #9

Motion by: Timothy Busler  
Seconded by: Kevin McCarthy

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

**2016 bills**

|          |         |     |          |
|----------|---------|-----|----------|
| General  | Voucher | #24 | \$61.18  |
| Highway  |         | #6  | \$133.88 |
| Cemetery |         | #1  | \$27.44  |

**2017 bills**

Vouchers 20-58 Total: \$40,901.95  
General \$16,089.96  
General O/S \$49.00  
Highway \$24,544.80  
Highway O/S \$218.19

Fire District \$161,850.00

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

Proof of Public Hearing having been furnished, Supervisor Marcinkowski opened the Public Hearing at 6:10 p.m. on Local Law No. 1-2017 entitled "Local Law to override the tax levy limit established in General Municipal Law Section 3-C for the 2018 budget".

Town Board meeting held February 8, 2017 cont'd.

Discussion:

A letter from Lia Call asking permission to hold the 3rd annual Backpack run September 16, 2017 was read. The Board gave permission for the Backpack run.

Res. #10

Motion by: Steven Marcinkowski  
Seconded by: Danielle Rajner

**Resolved**, that the Town Board audit Judge Klepacz books for 2016.

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

Res. #11

Motion by: Steven Marcinkowski  
Seconded by: Kevin McCarthy

**Resolved**, that the Town Board audit the Town Clerk & Tax Collectors books for 2016.

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

Res. #12

Motion by: Steven Marcinkowski  
Seconded by: Timothy Busler

**Resolved**, that the Local Law No. 1-2017 entitled "Local Law to override the tax levy limit established in General Municipal Law Section 3-C for the 2018 budget" be adopted.

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

Res. #13

Motion by: Kevin McCarthy  
Seconded by: Timothy Busler

**RESOLUTION AUTHORIZING THE EXPENDITURE OF MONIES HELD IN  
RESERVE FOR THE PURCHASE OF HIGHWAY EQUIPMENT**

**Whereas**, the Theresa Town Board has previously by Resolution established a Reserve Fund know as "Highway Equipment Reserve Fund" in accordance with section 6-c of the General Municipal Law , and

**Whereas**, the Theresa Town Board wishes to fund the purchase of a new 2017 Tandem Truck,  
Now, therefore, be it

**Resolved**, that by the Town Board of the Town of Theresa that up to the sum of \$149,000.00 shall be expended from the Highway Equipment Reserve Fund for the purchase of a new 2017 Tandem Truck and it is further

**Resolved**, that this resolution shall be subject to permissive referendum in accordance with Article 6-c of the General Municipal Law.

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

Town Board meeting held February 8, 2017 cont'd.

Discussion:

Judge Klepacz told the Board that the State can transfer all of Judge Simpson's files to him. Judge Klepacz printed Judge Simpson's January 2017 report and explained that the bail money needed to be closed out. Supervisor Marcinkowski will meet with Judge Klepacz to close out Judge Simpson's books.

With the passing of Judge Simpson, the Town Board discussed options with Judge Klepacz on the future of the Court. The Board discussed appointing now or waiting for election. Judge Simpson's term was up at the end of this year. They discussed going to one Judge and possibly having a Court Clerk. Judge Klepacz said he would be keeping the same weekly schedule. He stated that if he is taking on both jobs then he would be looking to receive both salaries. If the Board hires a Court Clerk then his salary would decrease. Councilmember McCarthy would like to see (2) people involved in the Court. Mr. Parmes asked if (2) Judges are needed? Judge Klepacz stated it was easier with (2) but could function with (1) Judge, if the right Judge. The Board was in favor of moving forward with (1) Judge and a part-time Court Clerk. Supervisor Marcinkowski to call the Associations of Towns and ask about all the possible options.

Judge Klepacz told the Board that the State is looking to go to centralized arraignments.

Superintendent Edgar told the Board that the State is putting more liability on the Town and Mr. Edgar if an accident were to occur on the State roads plowed by the Town. He is questioning if it is worth it to continue to plow the State roads. The State has a bare road policy and he feels like the Town cannot do the bare road policy without a night crew. Several other surrounding Towns are opting out of the contract. The State is also pushing more and more towards using clear salt. He feels that in 2013 & 2014 the Town probably broke even. The past (2) years the Town probably made money with the mild winters.

Res. #14

Motion by: Steven Marcinkowski  
Seconded by: Kevin McCarthy

**Resolved**, that the meeting be closed at 7:46 p.m.

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

Respectfully submitted,

Kim A. Delles  
Town Clerk