

The Theresa Town Board held a Public Hearing and Regular meeting March 14, 2012 at 7:00 p.m. in the Town Office at 215 Riverside Ave. and the following were present:

Clinton Coolidge	Supervisor
Timothy Busler	Councilmember
Charles Folsom - absent	Councilmember
Pamela Brown	Councilmember
Kevin McCarthy	Councilmember
Kim Delles	Town Clerk
Gerald Reynolds	Highway Superintendent

Others present: Sarah McGeoch, Alan Whitcomb, Roger Duvall & Terry McKeever

The meeting was called to order by Supervisor Coolidge at 7:00 p.m.

Reports received and placed on file:

Town Clerk's & Building & Zoning February 2012 report  
Transfer Site February 2012 report

Res. #13

Motion by: Timothy Busler  
Seconded by: Kevin McCarthy

**RESOLVED**, that the minutes of February, 2012 be accepted as read.

VOTE: Mr. Busler – aye, Mr. Folsom – absent, Mrs. Brown – aye, Mr. McCarthy – aye  
Mr. Coolidge – aye. Motion carried.

Res. #14

Motion by: Pamela Brown  
Seconded by: Timothy Busler

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

General	Voucher #	85-133	\$42,015.25
General O/S		25-32	\$2,244.75
Highway		49-85	\$30,062.41

VOTE: Mr. Busler – aye, Mr. Folsom – absent, Mrs. Brown – aye, Mr. McCarthy – aye  
Mr. Coolidge – aye. Motion carried.

Discussion:

Sarah McGeoch, Recreation Director, told the Board that she has posted information around Town for spring recreation. Also, she told the Board that Sheila Woodward and Mike & Kylie Jones have been very helpful with baseball. Signups are going to be March 27<sup>th</sup> & 29<sup>th</sup>. The Booster Club is going to cover the cost for port-a-potties and they are going to help with paying for some extra field trips this summer.

Judge Whitcomb recommended to the Board that a Bailiff should be used for court nights also, not just DA nights. A contract for court security for the Town of Dewitt was shown to the Board. Supervisor Coolidge stated that the Town of Theresa should not be compared to Dewitt. They have their own police force and brought in \$305,000.00 in fines and fees last year. The Town of Theresa brought in \$13,900.00 last year. He checked with the surrounding Towns and (3) have a Bailiff and (3) do not. Judge Whitcomb said that wealth does not equate with power and on any night something could happen. Councilman McCarthy, who attended last night's court, suggested since (1) person was at court then maybe court could be held every other Tuesday. Judge Duvall stated that it would create a backlog for the court. Supervisor Coolidge told the Judges that the Town Board would do the hiring to prevent any nepotism. Also, the Judges are welcome to be in on the interviews.

Town Board meeting held March 14, 2012 cont'd.

Judge Duvall invited the Town Board members to sit in on Court/DA night anytime they wanted to.

The Supervisor asked Judge Duvall if he had found out about taking his salary, which was budgeted in October 2011. Judge Duvall stated he didn't have a good answer for him at this time.

Terry McKeever, Building and Zoning Officer, asked Judge Duvall why the Zoning cases that come to court have to be on the 3<sup>rd</sup> Tuesday of the month. Judge Duvall said it was per our Lawyer's request. Mr. McKeever told the Board that Judge Duvall told him that he had to appear with our Lawyer for the Zoning cases. Judge Duvall said he didn't tell him that and then said he might have. Supervisor Coolidge asked Judge Duvall when would our Lawyer have to be present on a case? Judge Duvall said that the Lawyer is not needed for an appearance, only needed for a trial. Mr. McKeever said that in other Towns where he is the Zoning Officer that he does not have to go to court for the first night, but was told by Judge Duvall that he had to be present. Judge Duvall said that he did not say that. Mr. McKeever said that he was told by the Judge that Rick Soluri didn't show up for the first night on a case, therefore he threw the case out.

Mr. McKeever said that he and the Lawyer have to wait until the end of court and was told by the Judge that he was not allowed to speak, only the Lawyer could. Supervisor Coolidge asked the Judge if the Lawyer and Mr. McKeever could go first, since we are paying the Lawyer by the hour. Judge Duvall said of course he can go first.

A case (on County Route 46) that was dismissed by Judge Duvall a couple of months ago was brought up. Mr. McKeever stated that he was told not to bring the case back in front of the Judge again. Judge Duvall told the Board that our Lawyer has thrown out some of the zoning cases. Mr. McKeever stated that was not true.

June Davis has withdrawn the lawsuit against the Town. She will be fixing up the house she owns on NYS Route 37.

Mr. Reynolds told the Board that Social Services will be sending a worker to the Transfer Site. He said he has to do 135 hours a month and he will help them mow the ballfields and cemeteries.

Res. #15

Motion by: Kevin McCarthy  
Seconded by: Timothy Busler

**RESOLVED**, that the Town hire Matthew McCullouch as full time Laborer at the Highway Department, starting April 1, 2012.

VOTE: Mr. Busler – aye, Mr. Folsom – absent, Mrs. Brown – aye, Mr. McCarthy – aye  
Mr. Coolidge – aye. Motion carried.

Res. #16

Motion by: Timothy Busler  
Seconded by: Kevin McCarthy

**RESOLVED**, that the meeting be closed at 8:07 p.m.

VOTE: Mr. Busler – aye, Mr. Folsom – absent, Mrs. Brown – aye, Mr. McCarthy – aye  
Mr. Coolidge – aye. Motion carried.

Respectfully submitted,

Kim A. Delles  
Town Clerk