

The Theresa Town Board held a regular meeting March 13, 2024 at 6:00 p.m. in the Town Office at 215 Riverside Ave. and the following were present:

Steven Marcinkowski	Supervisor
Timothy Busler	Councilman
Jamie Papin	Councilman
Kristopher Ryder	Councilman
Lynn Brown	Councilwoman
Vickie Colvard	Town Clerk
Mark Savage	Highway Superintendent

Others present: Rachel Roberts, Christian Oblender, Rebeca Oblender, Greg Parmes, Desi Howard

The meeting was called to order by Supervisor Marcinkowski at 6 PM.

Reports received and placed on file:

Town Clerk's & Building & Zoning February 2024 report  
Transfer Site February 2024 report  
Judge Robert's February 2024 report  
Judge Oblender February 2024 report

Res. # 12

Motion by: Lynn Brown  
Seconded by: Timothy Busler

**Resolved**, that the minutes of February 14, 2024 be accepted as read.

VOTE: Steven Marcinkowski- aye, Timothy Busler- aye, Jamie Papin- aye, Kristopher Ryder- aye, Lynn Brown- aye  
Motion carried.

Proof of Public Hearing having been furnished, Supervisor Marcinkowski opened the Public Hearing at 6:05 p.m. on Local Law No. 1-2024 entitled "Local Law to override the tax levy limit established in General Municipal Law Section 3-C for the 2025 budget".

Res. # 13

Motion by: Steven Marcinkowski  
Seconded by: Jamie Papin

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

Voucher #109-110, 112-115, 117-152 Total \$ **38,870.73**

General	\$ 22,215.76
General O/S	\$ 637.05
Highway	\$ 16,017.92

VOTE: Steven Marcinkowski- aye, Timothy Busler- aye, Jamie Papin- aye, Kristopher Ryder- aye, Lynn Brown- aye  
Motion carried.

Res. # 14

Motion by: Lynn Brown  
Seconded by: Kristopher Ryder

**Resolved**, that the Town Board audit the Town Clerk and Tax Collector's books for 2023.

VOTE: Steven Marcinkowski- aye, Timothy Busler- aye, Jamie Papin- aye, Kristopher Ryder- aye, Lynn Brown- aye  
Motion carried.

Res. # 15

Motion by: Steven Marcinkowski  
Seconded by: Kristopher Ryder

**Resolved**, that the Local Law No. 1-2024 entitled "Local Law to override the tax levy limit established in General Municipal Law Section 3-C for the 2025 budget" be adopted.

VOTE: Steven Marcinkowski- aye, Timothy Busler- aye, Jamie Papin- aye, Kristopher Ryder- aye, Lynn Brown- aye  
Motion carried.

Res. # 16

Motion by: Steven Marcinkowski  
Seconded by: Timothy Busler

**Resolved**, that the Town Board audit Judge Robert's books for 2023.

VOTE: Steven Marcinkowski- aye, Timothy Busler- aye, Jamie Papin- aye, Kristopher Ryder- aye, Lynn Brown- aye  
Motion carried.

Discussion:

The Town Board, postponed the audit of Judge Oblender's books for 2023 to the April 2024 meeting because the proper paper documentation was not present.

Res. # 17

Motion by: Timothy Busler  
Seconded by: Lynn Brown

**Exemption for Volunteer Firefighters and Ambulance Workers on portion of Real Property Taxes**

**WHEREAS**, the Town Board for the Town of Theresa, New York has devoted considerable time and attention to tax exemptions, especially those for volunteer Firefighters and Ambulance Workers; and

**WHEREAS**, the New York Real Property Tax Law (NY RPTL) 466-a provides for a limited 10% exemption for real property taxes for Volunteer Firefighters and Ambulance Workers in respect to residential Real Property where that taxpayer resides in the residential property within the Town of Theresa and meets all eligibility requirements pursuant to RPTL 466-a; and

**WHEREAS**, Volunteer Firefighters and Ambulance Workers within the Town must complete RP-466-a-vol form (a copy attached hereto) to ensure eligibility and provide to the Assessor prior to March 1 of the given year; and

**WHEREAS**, the Town Board of Theresa is interested in providing this limited exemption to its Volunteer Firefighter and Ambulance Workers.

**NOW, THEREFORE, BE IT RESOLVED**, by the Town board for the Town of Theresa, New York as follows:

1. The foregoing recitations are incorporated herein and made a part hereof as if set forth hereafter.
2. The Town Board hereby adopts the exemption for Volunteer Firefighters and Ambulance Workers pursuant to the guidelines set forth at New York Real Property Tax Law (NY RPTL) 466-a.
3. The 10% property tax exemption shall apply to property used exclusively for residential purposes by the firefighter and/or ambulance worker.

4. If a portion of the property is used for non-residential purposes, or by another person for residential purposes, then the exemption shall apply only to that part used for the residential purpose by the firefighter and/or ambulance worker.
5. The firefighter and/or ambulance worker shall be eligible for a permanent residential partial exemption after at least twenty (20) years of cumulative service. This exemption shall continue for a surviving spouse that does not remarry.
6. The firefighter and/or ambulance worker shall meet a minimum service requirement of at least five (5) consecutive years before this exemption shall apply.
7. The Supervisor for the Town of Theresa, the Town Clerk, their respective agents and/or employees are hereby authorized to sign a; documents and take all steps necessary to provide full force and effect to this resolution.
8. This resolution shall take effect immediately.

VOTE: Steven Marcinkowski- aye, Timothy Busler- aye, Jamie Papin- aye, Kristopher Ryder- aye, Lynn Brown- aye  
Motion carried.

Res. # 18

Motion by: Steven Marcinkowski  
Seconded by: Jamie Papin

**Resolved**, be it enacted by the Town Board of the Town of Theresa that the proposed Local Law #2 entitled “Exemption for Volunteer Firefighters and Ambulance Workers on portion of Residential Real Property” be introduced and be it

**Further Resolved**, that the Board hold a Public Hearing on April 10<sup>th</sup>, 2024 at 6:05 p.m. for the adoption of Local Law #2.

VOTE: Steven Marcinkowski- aye, Timothy Busler- aye, Jamie Papin- aye, Kristopher Ryder- aye, Lynn Brown- aye  
Motion carried.

Res. # 19

Motion by: Steven Marcinkowski  
Seconded by: Timothy Busler

**Resolved**, be it enacted by the Town Board of the Town of Theresa that the proposed Local Law#3 entitled “Establishing a Townwide Six (6) Month Moratorium of Solar Energy Facilities” be introduced, and be it

**Further Resolved**, that the Town Board hold a Public Hearing on April 10<sup>th</sup>, 2024 at 6:06 p.m. for the adoption of the Local Law.

VOTE: Steven Marcinkowski- aye, Timothy Busler- aye, Jamie Papin- aye, Kristopher Ryder- aye, Lynn Brown- aye  
Motion carried.

Res. # 20

Motion by: Steven Marcinkowski  
Seconded by: Kristopher Ryder

**WHEREAS**, NYS Real Property Law, 512 stipulates the hearing of complaints (Tax Grievance day) shall be no earlier than the fourth Tuesday in May and not later than the second Tuesday of June, and

**WHEREAS**, NYS Real Property Law, 525 requires a Board of Assessment Review shall fix the place or places for the hearing of complaints in relation to assessments and fix the hours of such hearing and,

**WHEREAS**, the Town of Theresa Assessor performs Assessor duties for other municipalities and is not available May 28<sup>th</sup>, 2024, be it therefore,

**RESOLVED**, the 2024 Hearing of Complaints (Real Property Tax Grievance Day) shall be May 29<sup>th</sup>, 2024 between the hours of 4:00 PM-8:00 PM at the Theresa municipal building and be it further,

**RESOLVED**, the Town Clerk shall transmit a copy of this resolution to the Jefferson County Office of Real Property.

VOTE: Steven Marcinkowski- aye, Timothy Busler- aye, Jamie Papin- aye, Kristopher Ryder- aye, Lynn Brown- aye  
Motion carried.

Discussion:

FD storage barn, Tracy Bartlett is interested in getting a port-a-potty for Memorial Day parade, possibly making public notices on Facebook or public social media forums.

Assessor is requesting a camera system that is about \$1500 for the program- all Board members agree of purchase.

Update of Highway Dept.:

- Suit Kote quote for tennis court, tennis courts already in agreement need to get done sooner than later.
- The rink floor isn't in dire need to be redone now, just seal it and leave it as is.
- Spring work has begun, Mcnickle work begins as soon as it dries up.
- Mark went to Advocacy Day in Albany for two days because the state is looking to cut state funding statewide and had a local meeting with Scott Gray.

Update Park & Rec: Tennis courts to get done. Kris is getting ideas and places for the playground and meeting with the sponsors. Desi Howard is requesting use of the ice rink for the eclipse on April 8<sup>th</sup> from 1pm-4pm, approved by the Town Board. Kristopher Ryder and Lynn Brown interviewed Ambyr Hartman for the Parks and Rec director; Town Board approved the hire.

Res. #21

Motion by: Kristopher Ryder

Seconded by: Lynn Brown

**Resolved**, that the Town Board voted to hire Ambyr Hartman for Recreation Director effective March 20, 2024 at the hourly rate of \$21.00.

VOTE: Steven Marcinkowski- aye, Timothy Busler- aye, Jamie Papin- aye, Kristopher Ryder- aye, Lynn Brown- aye  
Motion carried.

Zoning officer: the advertisement is on indeed, agreement to move forward with interviewing.

Brief open forum: Timothy Busler has gotten quotes of about \$5900 from a company to get port-a-potties for the Town areas, if purchased through Tim, the Town would save almost \$2000, split shipping cost and make a public notice that it is approved through the Town Board to buy through Timothy Busler.

Progress Group has ordered 66 Veteran banners, the deadline to order is March 30, 2024, the Progress Group is also having an Easter egg hunt on March 23, 2024 from 10am-12pm. Also, Earth Day is on April 22, 2024. Lynn is spearheading grant money for future Town of Theresa projects.

Res. # 22

Motion by: Steven Marcinkowski

Seconded by: Lynn Brown

**Resolved**, that the meeting be closed at 8:25 p.m.

VOTE: Steven Marcinkowski- aye, Timothy Busler- aye, Jamie Papin- aye, Kristopher Ryder- aye, Lynn Brown- aye  
Motion carried.

Respectfully submitted,

Vickie Colvard  
Town Clerk