

**HORICON TOWN BOARD  
REGULAR MEETING**

**SEPTEMBER 21, 2017  
7:00 PM**

Present at meeting:	Matthew Simpson	Supervisor
	Frank Hill	Councilperson
	Robert Olson	Councilperson
	Kenneth Higgins	Councilperson
	Sylvia Smith	Councilperson
Krista Wood	Town Clerk	

Also: ZA Jim Steen, Joyce Greenidge, Bob Smith, Tom Hutchins (Hutchins Engineering), Assessor Christine Hayes, Tom Johansen, John Donovan, Joe Koch, Kathy Vanselow, HS Darian Granger, Chris South, Bill McGhie, Gary Frenz, Marc Lustick, Kevin and Deborah Reeth, Tom and Jayne Wynne, and Teri Schuerlein.

Supervisor Simpson called the meeting to order at 7:00 PM.

**Local Board of Health...**

A Motion was made by Councilperson Hill, seconded by Councilperson Olson, to go into session as the Local Board of Health. The Board moved into session as Local Board of Health at 7:00 PM.

**Request for Septic Variance at 248 E. Shore Dr / tax map #36.3-3-2 / Hughes**

Tom Hutchins, Hutchins Engineering, said the owners of 248 E. Shore Drive are in the process of replacing the residence on the property, and are looking at an updated wastewater treatment system. He explained in detail the proposed system of holding tanks which include an alarm system. Supervisor Simpson asked how often the tanks would need to be pumped. Mr. Hutchins said residences on holding tanks use much less water, therefore, he expects the tanks would need to be pumped about once a month, or two to four times a summer. He further explained that once the tanks reach 85% capacity there is a warning alarm to alert the owner the tanks will need to be pumped; once they reach 100% capacity there is another alarm which is interlocked with the water supply to shut the water off until the tanks are pumped. He noted the reason for proposing holding tanks is due to the various constraints on the property. Supervisor Simpson and Councilperson Olson felt this should be referred to Cedarwood Engineering for review.

**RESOLUTION #123-2017**

Councilperson Olson and Councilperson Hill introduced Res. No. 123 and moved its adoption:

**RESOLUTION TO SET PUBLIC HEARING**

RESOLVED, that the Town Board of the Town of Horicon, acting in its capacity as the Local Board of Health, considers the application made by Hutchins Engineering for a septic variance at 248 East Shore Drive in Adirondack complete, and does hereby set a Public Hearing for Thursday, October 19, 2017 at 7:00 PM at the Horicon Community Center, pending review by Cedarwood Engineering.

Ayes: 5 (Olson, Hill, Higgins, Smith, Simpson) Nays: 0

A Motion was made by Councilperson Olson, seconded by Councilperson Hill, to move back into regular session. The Board moved back into regular session at 7:11PM.

**Regular Meeting...**

**Reports:** Supervisor, Town Clerk, Zoning, Justice, Assessor

**Approval of Minutes:** Minutes of August 17, 2017 were approved by Motion of Councilperson Olson and Councilperson Smith.

Ayes: 5 (Olson, Smith, Higgins, Hill, Simpson) Nays: 0

**Approval of Vouchers and Abstracts:**

Councilperson Smith said she did not feel Voucher #1101, which was reimbursement for coffee and pastries for a meeting between five Town employees, was appropriate and asked that this Voucher be voted on separately.

**RESOLUTION #124-2017**

Councilperson Higgins and Councilperson Hill introduced Res. No. 124 and moved its adoption:

**RESOLUTION TO AUTHORIZE PAYMENT OF SEPTEMBER 2017 ABSTRACTS**

RESOLVED, that the Town Board does hereby authorize the payment of the September 21, 2017 Vouchers and Abstracts, except for Voucher #1101, as follows:

General Abstract	9	\$ 42,023.60
Highway Abstract	9	\$ 77,485.16

Ayes: 5 (Hill, Olson, Higgins, Smith, Higgins, Simpson) Nays: 0

**RESOLUTION #125-2017**

Councilperson Hill and Councilperson Higgins introduced Res. No. 125 and moved its adoption:

**RESOLUTION TO AUTHORIZE PAYMENT OF VOUCHER #1101 ON GENERAL ABSTRACT #9**

RESOLVED, that the Town Board does hereby authorize the payment of Voucher #1101 in the amount of \$20.40 as it appears on General Abstract #9.

Ayes: 3 (Hill, Higgins, Simpson) Nays: 1 (Smith) Abstain: 1 (Olson)

**Correspondence to the Board...**

-AVFBA	RE: Letter of introduction and description of goals
-Dan & Sue Garrison	RE: Letter requesting portion of Bean Rd remain as seasonal use only
-S.A.V.E. LG Partnership	RE: Notice regarding 3 <sup>rd</sup> Annual Salt Summit on Oct. 5 <sup>th</sup>
-Kathy Hill	RE: Request the Town spray for black flies in 2018
-Jennifer Green	RE: Request the Town spray for black flies in 2018
-Brant Lake Association	RE: Request for additional Budget funding for Milfoil in 2018

**Resolutions...**

**RESOLUTION #126-2017**

Councilperson Smith and Councilperson Hill introduced Res. No. 126 and moved its adoption:

**RESOLUTION TO SET BUDGET WORKSHOP MEETING**

RESOLVED, that the Town Board of the Town of Horicon does hereby set a Budget Workshop Meeting for Wednesday, October 11, 2017 at 2:30 pm to discuss the 2018 Preliminary Budget.

Ayes: 5 (Smith, Hill, Olson, Higgins, Simpson) Nays: 0

**RESOLUTION #127-2017**

Councilperson Smith and Councilperson Hill introduced Res. No. 127 and moved its adoption:

**RESOLUTION TO AMEND CEMETERY REGULATIONS**

WHEREAS, the Town Board of the Town of Horicon has obtained a new vendor for corner markers, for which there will be a slight cost increase, and they wish to reduce the number of cremation burials allowed per lot, now, therefore be it,

RESOLVED, that the Town Board of the Town of Horicon does hereby amend the Cemetery Regulations as follows:

- Increase cost of one set of corner markers from \$150.00 per set to \$155.00 per set, and
- One full burial, up to four (4) cremation burials in vaults, or up to six (6) cremation burials in urns will be allowed per 11ft by 4ft lot.

Ayes: 5 (Smith, Hill, Olson, Higgins, Simpson) Nays: 0

**RESOLUTION #128-2017**

Councilperson Higgins and Councilperson Hill introduced Res. No. 128 and moved its adoption:

**RESOLUTION TO AUTHORIZE ATTENDANCE AT SOUTHER ADK PLANNING & ZONING CONFERENCE**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Supervisor Matt Simpson, PB Chair Bill McGhie, and PB Vice-Chair Teri Schuerlein to attend the Southern Adirondack Planning and Zoning Conference in Lake George on October 3, 2017. The cost is \$25.00 per person plus reimbursement for food and mileage.

Ayes: 5 (Higgins, Hill, Olson, Smith, Simpson) Nays: 0

**RESOLUTION #129-2017**

Councilperson Higgins and Councilperson Olson introduced Res. No. 129 and moved its adoption:

**RESOLUTION TO AUTHORIZE ATTENDANCE AT STORMWATER CONFERENCE**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Supervisor Matt Simpson and PB Chair Bill McGhie to attend the North Country Stormwater Tradeshow and Conference in Lake George on October 19, 2017. The cost is \$80.00 per person plus reimbursement for food and mileage.

Ayes: 5 (Higgins, Olson, Smith, Hill, Simpson) Nays: 0

**Committee Reports...**

-Gary Frenz, NWEMS, reported on the number of calls the Squad has responded to in the past month. He also noted the issues they had with the recent bike race and suggested the Race committee plan better next time.

-Councilperson Smith said she and Supervisor Simpson accepted a grant check from the Community Fund for Gore Mountain Region for the Heintzelman Library on August 25<sup>th</sup>. She added that there was a meeting with Rucinski Hall at the Heintzelman Library to review the work needed, and thanked John Donovan for his help with the TAG grant application for that project. She said there was a needs assessment meeting with Jerry Hensler regarding safety lights for the ball field behind the Community Center. Councilperson Smith said she and Councilperson Hill met with Jack Baker regarding the removal of the unsafe equipment from the playground in Adirondack, and discussion on the new layout. She noted they will apply for a CFGMR grant for new equipment.

-Councilperson Olson commended the Highway Department on the Ernest Smith Road bridge project. He said the job went very smooth and he feels it is because of the preparation work done by the Highway crew. Councilperson Olson said Steve Smith is going to get quotes for a snow blower for the Landfill. He noted there is still a problem with people leaving garbage at the metal pile and it was suggested that cameras be installed. He said he does not feel it is that big of a problem, but he will look into pricing for cameras.

-Supervisor Simpson said he is working on the 2018 Budget.

**Old Business...**

**BTI Program:** Kathy Vanselow, of Bioconservation, explained how the BTI program works and answered questions from the Board. She presented contracts to the Board for their consideration; a one-year contract would be \$19,900.00 annually, and a three-year contract would be slightly discounted at \$19,500.00 annually.

**ZBA Member:** Two applications were received. Councilperson Olson said they will conduct interviews.

**Board of Ethics Member:** The Clerk advertised for the open seat on the Horicon Board of Ethics and one application was received.

**RESOLUTION #130-2017**

Councilperson Higgins and Councilperson Smith introduced Res. No. 130 and moved its adoption:

**RESOLUTION TO APPOINT EMILY JOYCE GREENIDGE TO BOARD OF ETHICS**

RESOLVED, that the Town Board of the Town of Horicon does hereby appoint Emily Joyce Greenidge to fill the vacant seat on the Town of Horicon Board of Ethics for an unexpired term that will end on December 31, 2020.

Ayes: 5 (Higgins, Smith, Olson, Hill, Simpson) Nays: 0

**Proposed addition to Zoning Fee Schedule:** ZA Steen asked that sheds and fences under 144 square feet be exempt from the proposed addition to the Zoning Fee Schedule.

**RESOLUTION #131-2017**

Councilperson Olson and Councilperson Higgins introduced Res. No. 131 and moved its adoption:

**RESOLUTION TO ADOPT AMENDMENT TO ZONING FEE SCHEDULE**

RESOLVED, that the Town Board of the Town of Horicon does hereby adopt the following additions to the Horicon Zoning Fee Schedule to cover the additional administrative costs associated with “after the fact” Zoning Compliance Certificates and Variances. The following fees shall be added effective October 15, 2017:

1. Surcharge for After-the Fact Zoning Compliance Certificate (in addition to regular fee) - \$150.00
2. Surcharge for After-the-Fact Variances (in addition to regular fee) - \$100.00

Ayes: 5 (Olson, Higgins, Smith, Hill, Simpson) Nays: 0

Landfill well redevelopment: Supervisor Simpson said Cedarwood Engineering worked with DEC and found they can actually do the re-development, and this should cost the Town less. He explained the previous proposal from Aztec was more than what is necessary.

Boat Launch Paving: Supervisor Simpson said the Boat Launch in Brant Lake will be closed Thursday, Sept. 28<sup>th</sup> and Friday, Sept. 29<sup>th</sup> for paving.

**New Business...**

Cold War Veterans Exemption Extension: Assessor Christine Hayes explained the Cold War Veterans Exemption was originally set to expire after ten years, however, Governor Cuomo recently passed legislation extending the exemption indefinitely. She said it is up to the Towns to decide if they will extend this or not.

**RESOLUTION #132-2017**

The Entire Board introduced Res. No. 132 and moved its adoption:

**RESOLUTION TO EXTEND COLD WAR VETERAN’S EXEMPTION**

WHEREAS, the Cold War Veterans Exemption allowed under Real Property Tax Law was originally allowed to be given to veterans of the Cold War for a period of ten years, and

WHEREAS, Governor Cuomo recently passed legislation extending this exemption indefinitely, now, therefore be it

RESOLVED, that the Town Board of the Town of Horicon does hereby pass the Cold War Veteran’s Exemption Extension indefinitely without regard to such ten (10) year limit.

Ayes: 5 (Olson, Smith, Higgins, Hill, Simpson) Nays: 0

BLA request for 2 additional weeks of milfoil harvesting 2018: Supervisor Simpson said a request has been received from the Brant Lake Association for two additional weeks of milfoil harvesting in 2018 based on the steady increase in milfoil. He said he has included two additional weeks in the 2018 Budget for a total of seven weeks. The cost will be split evenly between the Town of Horicon and the Brant Lake Association. Tom Wynne, Marc Lustick, and Jayne Wynne urged the Board to include this in the 2018 Budget.

Health & Safety Land Bank Amendment:

**RESOLUTION #133-2017**

Councilperson Olson and Councilperson Smith introduced Res. No. 133 and moved its adoption:

**RESOLUTION SUPPORTING STATEWIDE BALLOT PROPOSAL NUMBER #3 THAT WILL CREATE A LAND ACCOUNT TO ADDRESS SPECIFIC PUBLIC HEALTH AND SAFETY CONCERNS FOR USE BY TOWNS, VILLAGES, AND COUNTIES HAVING NO VIABLE ALTERNATIVE OTHER THAN USING FOREST PRESERVE LAND.**

WHEREAS, the State Forest Preserve lands, in many instances, border local and state highways where local government needs to use a portion of that land to straighten a dangerous road, replace a culvert to prevent floods, create a safer bike path, drill a water supply well or install broadband and other critical infrastructure, and

WHEREAS, the proposed Amendment will create a land account with up to 250 acres of Forest Preserve land eligible for use by towns, villages, and counties that have no viable alternative to using Forest Preserve land to address specific public health or safety concerns, and

WHEREAS, as in exchange for the land removed from the Forest Preserve, another 250 acres of land, will be added to the Forest Preserve, subject to Legislative approval, and  
WHEREAS, the proposed Amendment also will allow bicycle trails and certain public utility lines to be located within the width of specified highways that cross the Forest Preserve while minimizing removal of trees and vegetation, and  
WHEREAS, the State Constitution has been amended to allow such projects in the past requiring approval by two separately elected state legislatures and a statewide referendum, and  
WHEREAS, there exists currently a NYS DOT Landbank for State Road projects which has a long standing track record of success, and  
WHEREAS, If approved by voters, Ballot Proposition #3 would eliminate the time-consuming and costly bureaucratic process for completing important road maintenance, utility installation and bicycle path creation projects in the Adirondacks and Catskills, a process not faced by communities in any other part of the state, and  
WHEREAS, the Amendment has wide bi-partisan support from local governments, environmental protection organizations, business groups, recreational enthusiasts and others for two simple reasons: It's for the public good and it's rooted in plain old common-sense, and  
WHEREAS, this Amendment represents the best possible solution to long standing or continuing issues, which Local Government leaders have worked for many years to resolve, and  
WHEREAS, Ballot Proposal #3 warrants the support of the voters of New York State,  
NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Horicon does hereby support Ballot Proposal Number #3, which is deemed critically important to our communities, the Forest Preserve, the environment, and the People of the State of New York.  
Ayes: 5 (Olson, Smith, Hill, Higgins, Simpson) Nays: 0

***Privilege of the Floor...***

-Kevin Reeth explained to the Board that he built a seasonal home on Bean Road twenty-five years ago that is just past the "seasonal use" sign. He said the house is now for sale but the fact that the road is seasonal use is a problem for potential buyers. He asked the Board, and HS Granger, to maintain the additional 900 feet of road to his driveway and to move the "seasonal use" sign just past his driveway. Mr. Reeth said he has contacted the adjoining landowners; one is in favor of this and one is not. Supervisor Simpson noted the road is currently wheel track to wheel track with no right of way. He explained that the Town would need easements from the landowners to open that portion of the road. HS Granger said he is not in favor of opening this section of road because he currently does not have the truck or the manpower it would require to maintain that one small section of road. He added that it would take quite a bit of work to get the road to a point where it could be plowed. HS Granger said he is not in favor of this right now; in the future if the Town were able to acquire the easements it might be something to consider, but not right now.

-ZA Jim Steen asked the Board to approve additional monies for the mailing they are working on. He noted the original number of mailings they calculated was too low; the cost of the mailing will actually be \$630.00.

**RESOLUTION #134-2017**

Councilperson Olson and Councilperson Higgins introduced Res. No. 134 and moved its adoption:

**RESOLUTION TO AUTHORIZE ADDITIONAL EXPENDITURE FOR MAILING**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize an additional \$200.00 be spent on the mailing of an informational postcard to the residents of the Town; total cost not to exceed \$650.00.

Ayes: 5 (Olson, Higgins, Smith, Hill, Simpson) Nays: 0

***Adjourn...*** There being no further business to attend to the meeting was adjourned at 8:30 PM by MOTION of Councilperson Higgins and Councilperson Olson, all in favor.

Respectfully Submitted:

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Town Clerk