

MARCH 18, 2010 PUBLIC HEARING 7:00PM

Present at meeting	Ralph Bentley	Supervisor
	Frank Hill	Councilman
	Kenneth Higgins	Councilman
	Robert Olson	Councilman
	Joseph Dooris	Councilman
Krista Wood	Town Clerk	

Also: Gordon Hayes, Gary Frenz, Harry Balz, Abraham Gadjó, Paul Frasco, Christine Smith-Hayes, Bill McGhie, Ken Dott, Tom Magee, Matt Simpson, Troy Scripture, Gayle Baker, Jason Willette, Lisa Fish, Mark Montayne.

Supervisor Bentley opened the Public Hearing and welcomed guests. The clerk read published legal notice of public hearings. There were no comments from those in attendance regarding the change to the Zoning Ordinance. Supervisor Bentley then opened the Public Hearing for the proposed closure of the center section of Pumpkin Hollow Rd. Abraham Gadjó made a request that the Board either close the section of Pumpkin Hollow Rd that crosses his property or consider re-opening the section of Pumpkin Hollow Rd. that runs north from the corner of his lot to Beaver Pond Rd. Discussion followed as to what would be involved if the Town were to re-open that portion of the road. Supervisor Bentley stated that he and Highway Superintendent Smith had looked at the northern section of the road and it would not take much work at all to re-open the road as it is presently in good condition. Mr. Gadjó would need to meet with HS Smith to determine what portion of his property would need to be deeded over to the Town of Horicon for the turnaround. Attorney Schachner noted that a Public Hearing for this matter would be appropriate and Highway Superintendent Smith would need to do the order.

The following Resolution was made:

RESOLUTION NO. 45 OF 2010

Messrs. Olson and Dooris introduced Res. No. 45 and moved is adoption:

RESOLUTION TO SET A PUBLIC HEARING REGARDING THE PROPOSED RE-OPENING OF A PARTIAL SECTION OF PUMPKIN HOLLOW RD.

RESOLVED, that the Town Board of the Town of Horicon does hereby set a Public Hearing to be held on Thursday, April 15, 2010 at 7:00 PM. The purpose of this Public Hearing is to discuss the proposal before the Board to re-open the northern end of Pumpkin Hollow Rd., a section beginning where Pumpkin Hollow Rd. intersects with Beaver Pond Rd. and extending south for approximately four tenths of a mile.

Olson-Aye, Dooris-Aye, Higgins-Aye, Hill-Aye, Bentley-Aye

Superintendent Bentley asked if there were any comments on the proposed amendment to the Zoning Ordinance to add Horicon Birches to the list of Pre-Existing Subdivisions. There being no further comments on the topic the following Resolution was made:

RESOLUTION NO. 46 OF 2010

Messrs. Dooris and Olson introduced Res. No. 46 and moved is adoption:

RESOLUTION TO AMEND BY LOCAL LAW ZONING ORDINANCE SECTION 14.10, LIST OF PRE-EXISTING SUBDIVISIONS

WHEREAS, the Town Board of the Town of Horicon held a public hearing on amending Zoning Ordinance Section 14.10 to add Horicon Birches to the list of Pre-Existing Subdivisions where the public was invited to speak for or against this amendment, NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Horicon does hereby amend Zoning Ordinance Section 14.10, Pre-Existing Subdivisions to add Horicon Birches to the list of Pre-Existing Subdivisions pending the approval of the Adirondack Park Agency.

Dooris-Aye, Olson-Aye, Higgins-Aye, Hill-Aye, Bentley-Aye

Both public hearings were closed at 7:20 PM.

MARCH 18, 2010 REGULAR MEETING 7:20PM

Present at meeting	Ralph Bentley	Supervisor
	Frank Hill	Councilman
	Kenneth Higgins	Councilman
	Robert Olson	Councilman
	Joseph Dooris	Councilman
Krista Wood	Town Clerk	

Also: Gordon Hayes, Gary Frenz, Harry Balz, Abraham Gadjoo, Paul Frasco, Christine Smith-Hayes, Bill McGhie, Ken Dott, Tom Magee, Matt Simpson, Troy Scripture, Gayle Baker, Jason Willette, Lisa Fish, Mark Montayne.

Supervisor Bentley opened the Meeting at 7:20 PM.

Approval of Minutes: The minutes of February 18, 2010 were approved by MOTION of Messrs. Dooris and Olson, all ayes:

Approval of March Abstracts:

RESOLUTION NO. 47 OF 2010

Messrs. Higgins and Olson introduced Res. 47 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT OF ABSTRACTS

RESOLVED, that the Town Board does hereby authorize the Bookkeeper to pay the following March Vouchers and Abstracts:

General Vouchers	#66-92	\$ 29,977.30
Highway Vouchers	#37-58	\$ 31,139.77
General Abstracts	#6 & 8	\$ 32,942.20
Highway Abstracts	#6 & 8	\$ 10,049.74

Higgins-Aye, Olson-Aye, Dooris-Aye, Hill-Aye, Bentley-Aye

Resolutions:

RESOLUTION NO. 48 OF 2010

Messrs. Dooris and Higgins introduced Res. No. 48 and moved its adoption:

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS

RESOLVED, that the Horicon Town Board does hereby authorize the Bookkeeper to make the following fund transfers:

<u>FROM:</u>	<u>TO:</u>	<u>AMOUNT:</u>
1990.4 (Conting.)	1660.4 (StoreRm.)	\$ 1,000.00
1990.4 (Conting.)	9055.8 (Disab.)	\$ 1,283.90
1990.4 (Conting.)	9050.8 (Unemp.)	\$1,000.00

Dooris-Aye, Higgins-Aye, Hill-Aye, Olson-Aye, Bentley-Aye

RESOLUTION NO. 49 OF 2010

Messrs. Olson and Hill introduced Res. No. 49 and moved its adoption:

**RESOLUTION AUTHORIZING ATTENDANCE AT
NYS DECALS TRAINING CLASS**

RESOLVED, that the Town Board does hereby authorize Krista Wood, Town Clerk, to attend the mandatory training for the NYS DECALS system to be held in Kingston, NY on Tuesday, April 20, 2010. There is no fee for the training. The Board authorizes reimbursement for travel expenses.

Higgins-Aye, Hill-Aye, Dooris-Aye, Olson-Aye, Bentley-Aye

Correspondence to the Board:

- Time Warner Cable RE: Notification of new Interactive Program Guide
- Time Warner Cable RE: Report of planner's findings regarding service on Dorset Rd.
- NW Chamber RE: Occupancy Tax use proposals for 2010
- NW Chamber RE: Request for NW Special Events Committee for Bicentennial

Old Business:

Highway Sand Bid: The Sand Bid was legally advertised and one bid was received.

RESOLUTION NO. 50 OF 2010

Messrs. Hill and Higgins introduced Res. 50 and moved its adoption:

RESOLUTION TO AWARD SAND BID

WHEREAS, the Town Board advertised for bids for sand for highway use, AND WHEREAS, one bid was received and opened on March 18th at 10:00 AM, NOW THEREFORE BE IT

RESOLVED, that the Town Board does hereby award the sand bid to Gilma Enterprises, Inc. of Chestertown for a bid of \$2.00 per cubic yard.

Hill-Aye, Higgins-Aye, Dooris-Aye, Olson-Aye, Bentley-Aye

Rollfilm Carrier Z40 Bid: The Rollfilm Carrier Z40 was legally advertised and one bid was received.

RESOLUTION NO. 51 OF 2010

Messrs. Hill and Higgins introduced Res. 51 and moved its adoption:

RESOLUTION TO AWARD ROLLFILM CARRIER Z40 BID

WHEREAS, the Town Board advertised for bids for the Rollfilm Carrier Z40, AND WHEREAS, one bid was received and opened on March 18th at 10:00 AM, NOW THEREFORE BE IT

RESOLVED, that the Town Board does hereby award the Rollfilm Carrier Z40 bid to Stony Creek Historical Association for a bid of \$1020.00.

Dooris-Aye, Higgins-Aye, Hill-Aye, Olson-Aye, Bentley-Aye

Deputy Zoning Administrator: The Deputy Zoning Administrator position was legally advertised and applications were received from Troy Scripture and Christine Smith-Hayes. Councilman Olson gave a recommendation for Mr. Scripture citing his experience, availability and Horicon residency. Councilman Dooris agreed with Mr. Olson. Mr. Dooris also expressed a concern over a possible conflict with Ms. Smith-Hayes holding the position as she is currently the Zoning Clerk. Attorney Schachner stated there would be no conflict as she is the clerk only and has no influence on the ZBA decision-making. Supervisor Bentley asked for a recommendation from the Zoning Committee and there were none. Councilman Higgins stated that Ms. Smith-Hayes is willing to take on the position and she is in the office already on a regular basis. He also suggested that in the future when this position opens up the Board consider changing it to Secretary/Assistant Zoning Officer to save having an additional person. Councilman Dooris stated he would feel better with Mr. Scripture holding the position as he is a neutral party and has no connection to Mr. McMeekin or the Zoning Office. Councilman Higgins stated he feels Mr. Scripture would be a good candidate and clarified that rules must be followed. The following Resolution was made:

RESOLUTION NO. 52 OF 2010

Messrs. Dooris and Olson introduced Res. No. 52 and moved its adoption:

**RESOLUTION TO APPOINT TROY SCRIPTURE
AS DEPUTY ZONING ADMINISTRATOR**

RESOLVED, that after reviewing the applications received for the position of Deputy Zoning Administrator, the Town Board does hereby appoint Troy Scripture to the position. Mr. Scripture will be paid at a rate of \$25.00 per hour worked plus mileage. *Dooris-Aye, Olson-Aye, Higgins-Aye, Hill-Aye, Bentley-Aye*

North Warren Emergency Squad: Supervisor Bentley asked Attorney Schachner if he had reviewed the Squad's bylaws and if they now meet the 401c3 regulations. Attorney Schachner stated that it is his understanding that the bylaws have recently been revised and he believes that upon that revision they do meet the 401c3 regulations. Councilman Dooris clarified that the bylaws in question are Section 3. Attorney Schachner said that was correct and that he has also reviewed the entire set of Bylaws. Mr. Harry Balz, a representative appointed by the Board to meet with the Squad, gave a report regarding his initial findings to date on the organization of the Squad. He stated that he found the records to be very detailed and noted that as a volunteer himself for 58 years was very impressed with what he saw. It was the feeling of Mr. Balz that the Squad is trying very hard to do things right and to gather the information requested of them. He will continue to meet with them and address some other issues raised by the Town Board. Mr. Balz stated that he will not address EMS protocol as any complaints or issues with EMS protocol are handled through the Department of Health. Councilman Olson asked Mr. Balz if there were any red flags that went up to indicate that the citizens were not being well served. Mr. Balz responded that he did not see anything. Councilman Dooris inquired as to why he was not involved with the meeting as he and Mr. Balz were the members of the two-person committee appointed at the January 2010 meeting. Councilman Higgins stated that he felt a Board member should not be involved, instead it should be a representative each from Horicon, Chestertown, and Pottersville. The following Resolution was introduced:

RESOLUTION NO. 53 OF 2010

Messrs. Higgins and Hill introduced Res. No. 53 and moved its adoption:

**RESOLUTION TO RESCIND APPOINTMENT OF COUNCILMAN DOORIS TO
NWEMS COMMITTEE**

RESOLVED, that the Town Board does hereby rescind the appointment, made in Resolution No. 31 of 2010, of Councilman Dooris to the North Warren Emergency Squad Committee.

Higgins-Aye, Hill-Aye, Olson-Aye, Dooris-Nay, Bentley-Nay

Councilman Dooris suggested contacting Greg Payne, an individual who operates most of the emergency squad's in Washington County, to discuss services for the future. Mr. Payne had missed the Town's ad for bid on Emergency Squad service in December. Mr. Dooris suggests it would be proactive to talk with him in the event that the issues with North Warren EMS are not resolved by Contract time in the Fall. Mr. Payne will be contacted and invited to attend the April 15 meeting.

Several other topics of were discussed briefly including the nearing of completion of the Pavilion, Veterans Park in Adirondack, permitting for Adirondack Pavilion, and the appearance of the footbridge over the Dam. Supervisor Bentley states he will talk to County to see about getting the bridge painted.

New Business:

Community Fund: Mr. Tom Magee gave a brief presentation on the Community Fund for Gore Mt. Region and what resources are available through the Fund.

Council for Prevention of Alcohol and Substance Abuse: The Council has asked the Board to pass a Proclamation to declare April the "Parents Who Host Lose the Most" month. The Council has created this public awareness campaign to inform parents and other adults about the legal ramifications and health and safety risks of serving alcohol to teens. The Board made the following Proclamation:

PROCLAMATION

WHEREAS, adults who provide alcohol to those below the legal drinking age of 21 are placing those youth at risk for health, safety and legal problems, and

WHEREAS, alcohol kills 6.5 times more young people than ALL other illicit drugs combined, and usage among teens often accompanies traffic fatalities and other high risk behaviors such as unsafe sexual activity, tobacco and other drug use, and contributes to illegal activity such as vandalism and theft, and

WHEREAS, alcohol use by young people is dangerous, not only because of the risks associated with acute impairment, but also because of the threat to their long-term development and well-being, and

WHEREAS, it is illegal to give or allow teens other than your own, to drink alcohol in your home, even with their parent's permission, and

WHEREAS, anyone found guilty of providing alcohol to youth can face up to a \$1,000.00 fine and six months in jail, in addition to any civil action that can be brought as a result of damages or injury related to the offense, and

WHEREAS, any citizens who are aware of underage drinking at teen house parties are responsible to report such activity to their local law enforcement agency by calling their local law enforcement agency, and
WHEREAS, adults have the authority and responsibility to our youth to provide them with alternative opportunities by creating alcohol free activities, and
WHEREAS, New York Parents For Drug Free Youth, through the Parents Who Host, Lose The Most Campaign provides the educational materials to raise community awareness regarding this illegal and unhealthy practice, and
WHEREAS, parents and the community must take responsibility to give teens the clear message that there is no safe way to drink alcohol, and
WHEREAS, Horicon encourages residents to refuse to provide alcoholic beverages to underage youth and to take the necessary steps to discourage the illegal and unhealthy practice, including the reporting of underage drinking by calling your local police, and
NOW, THEREFORE, be it resolved that Horicon not only discourages the use of alcohol by those below the legal age of consumption but also exhorts all residents of Horicon to refuse to provide alcoholic beverages to those underage youth, and will continue to take the necessary steps to discourage this illegal and unhealthy activity.
NOW, THEREFORE, I, Ralph Bentley, Supervisor of Horicon, State of New York, do hereby proclaim, the month of April 2010 to be: Parents Who Host, Lose the Most Month 2010.

Dated: March 18, 2010

By: Ralph Bentley, Supervisor

Speed and Noise Ordinance: Supervisor Bentley met with the Supervisors of Chestertown and Schroon Lake to discuss setting a Speed and Noise Ordinance modeled after the Lake George Ordinance. After discussions by the Boards at their next scheduled meeting, the Supervisors of Horicon, Chestertown, and Schroon Lake plan to hold a joint Public Hearing.

Adjourn...

There being no further business to attend to the meeting was adjourned at 8:20 PM by MOTION of Messrs. Dooris and Higgins, all ayes.

Respectfully Submitted:

Town Clerk