

**HORICON TOWN BOARD  
REGULAR MEETING OF THE BOARD**

**SEPTEMBER 16, 2010**

**7:25 PM**

**PUBLIC HEARING:** Continuation of Public Hearing on the proposed revision to the Town of Horicon Noise Ordinance.

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

Also: Attorney Mark Schachner, HS Paul Smith, Joe and Linda Koch, Gary Frenz, Tom Johansen, Bill McGhie, Jane Smith, Jim Himoff, Brandon Himoff, and others.

Supervisor Bentley called the meeting to order at 7:00 PM and invited comments from the audience on the revisions made to the proposed noise ordinance.

Brandon Himoff spoke first noting that there were still some issues he felt should be addressed and reviewed each of the items individually. Mr. Himoff offered some suggestions as to how the items could be modified.

Gary Frenz made the point that although the proposed ordinance makes exceptions for certain types of businesses, such as camps, it should also include outdoor pools and campgrounds.

Councilman Dooris addressed several items he felt needed to be revised. Councilman Dooris said exceptions should be added for work being performed by the Town's Highway Department, as well as for the discharge of firearms. He also opposed Zoning Administrator McMeekin being allowed to enforce the ordinance and instead suggested the ordinance be enforced by the Sheriff's Department, State Police, or other authorized police agencies.

Councilman Olson suggested once again that a committee be appointed to review and revise the proposed ordinance. Supervisor Bentley then appointed Councilman Olson, Councilman Dooris, and Brandon Himoff to a committee charged with revising the proposed noise ordinance.

Based on the comments, Supervisor Bentley stated that the Committee will review the proposed Ordinance and present revisions at next meeting of the Board. Supervisor Bentley declared that the Public Hearing will remain open until Thursday, October 21, 2010 at 7:00 PM for further discussion.

**REGULAR MEETING:**

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

Also: Town Attorney Mark Schachner, HS Paul Smith, Joe and Linda Koch, Gary Frenz, Tom Johansen, Bill McGhie, Jane Smith, Jim Himoff, Brandon Himoff, and others.

Supervisor Bentley called the regular meeting to order at 7:25 PM

**Approval of Minutes:** Minutes of August 19<sup>th</sup> were approved by Motion of Messrs. Higgins and Hill, all Ayes.

**Approval of September Abstracts:**

**RESOLUTION NO. 105 OF 2010**

Messrs. Olson and Higgins introduced Res. No. 105 and moved its adoption, all Ayes.

**RESOLUTION TO AUTHORIZE PAYMENT OF ABSTRACTS**

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

General Vouchers	# 227 - 250	\$ 22,612.23
Highway Vouchers	# 151- 163	\$ 91,787.30
General Abstracts	24 & 25	\$ 17,926.03
Highway Abstracts	24 & 25	\$ 10,502.29

**Correspondence to the Board:**

Jerry & Elna Meader	RE: Thank You card for a job well done on Horicon Day
APA	RE: Invitation for written comments concerning the proposed telecommunications tower on East Schroon River Road
National Grid	RE: Notice of electric distribution line relocation project
Eleanor Higgins	RE: Letter of Resignation from the position of Tax Collector

**Old Business:**

**Dam Certification Proposals:** Supervisor Bentley said the County had obtained the quotes from various companies for the preparation of the Dam Certifications. The low bidder on the Brant Lake Upper Dam was the LaBarge Group who bid \$12,500 to do everything including the IMP, EAP, and ISI required by New York State.

**New Dog Licensing:** Effective January 1, 2011, the Department of Agriculture and Markets will be turning the Dog Licensing over to the municipalities. The Clerk noted that the Town will need to create a new Local Law to address this changeover. The Board made determinations on the necessary items which included such things as mandatory enumeration, license fees, types of licenses, and renewal dates. The Clerk is to draft a new Local Law which will be presented at a Public Hearing at next month's meeting.

**RESOLUTION NO. 106 OF 2010**

Messrs. Dooris and Higgins introduced Res. No. 106 and moved its adoption, all Ayes.

**RESOLUTION TO SET PUBLIC HEARING REGARDING THE PROPOSED DOG CONTROL ORDINANCE**

RESOLVED, that the Town Board of the Town of Horicon does hereby set a Public Hearing for the purpose of reviewing the proposed Dog Control Ordinance for the Town of Horicon. The Public Hearing will be held Thursday, October 21, 2010 at 7:00 P.M. All those wishing to attend will be heard.

NW Emergency Squad: Councilman Dooris asked the Board what the general consensus was on making the next installment payment to the NWEMS which is due on September 30, 2010. Councilman Hill stated that regardless of the issues the Town does need coverage and payment does need to be made for that coverage. Councilman Olson agreed with Councilman Hill but did note there was a question as to whether or not there had been a breach of contract on the part of the Squad. Councilman Dooris further addressed issues related to certain members having the same duties under their paid status as well as their volunteer status, which he states is a clear violation of the contract. Councilman Dooris further added that he is opposed to making any payments to the Squad until the issues are resolved. Councilman Higgins made a motion to move ahead and make the September payment to which Councilman Olson seconded. Supervisor Bentley said that a letter would be sent with the September payment, and a copy of the FLSA, asking the Squad to make sure they were in compliance. A vote was taken as to whether or not payment should be sent as noted by Supervisor Bentley: Ayes: Higgins, Olson, Hill, Bentley Nays: Dooris

Boat Patrol on Schroon Lake: Councilman Hill has researched the matter of a boat patrol for Schroon Lake. He has been told by the Warren County Sheriff's Department that if the Towns of Horicon, Chester, and Schroon each pay \$4,000 a year the Sheriff's Department will put a boat on Schroon Lake three days a week for eight hours a day from Memorial Day to Labor Day with the possibility of adding extra weekends if necessary. Councilman Hill asked the Clerk to send a letter explaining this proposal to the Towns of Chester to see if they would be willing to share this expense. The Town of Schroon presently pays \$4,000 per year for this service.

**New Business:**

Purchase Delaney property: The Board briefly reviewed the purchase of property from Mary Delaney that adjoins the Community Center property. Councilman Olson made a motion to authorize the purchase of the property and request Attorney Schachner to proceed with the necessary paperwork.

Pease Hill Washout: Highway Superintendent Smith advised the Board that the application to FEMA for reimbursement of repair costs related to the Pease Hill washout this past March been completed. HS Smith said that FEMA has advised him the amount of reimbursement to the Town will be \$13,709.35.

New well for Museum/Cemetery: Supervisor Bentley advised the Board that he has been notified that a new well is needed for the Museum. The well will be shared by the Museum and the Cemetery. The Board authorized the Clerk to obtain quotes from three separate well drilling companies to be submitted by next month's meeting.

**Resolutions:**

**RESOLUTION NO. 107 OF 2010**

Resolution introduced By the Entire Town Board and moved for adoption, all Ayes.

**RESOLUTION OF APPRECIATION TO ELEANOR HIGGINS, TAX COLLECTOR**

WHEREAS, Eleanor Higgins has served the Town of Horicon as Tax Collector for the past 56 years, AND

WHEREAS, due to medical reasons Eleanor has regretfully tendered her resignation as Tax Collector for the Town of Horicon to be effective September, 20, 2010, and

WHEREAS, in light of her resignation, the Town wishes to take this opportunity to express their appreciation to Eleanor for her many years of service to the Town of Horicon, NOW, THEREFORE, BE IT

RESOLVED, that the Horicon Town Board, on behalf of the citizens of the Town of Horicon, does hereby wish to express their gratitude and appreciation to Eleanor Higgins, Tax Collector, for her dedication and service over the past 56 years.

**RESOLUTION NO. 108 OF 2010**

Messrs. Hill and Olson introduced Res. No. 108 and moved its adoption, all Ayes.

**RESOLUTION TO OBTAIN THE SERVICES OF A PROFESSIONAL ENGINEER TO PERFORM SERVICES RELATIVE TO DAM SAFETY**

WHEREAS, an RFP was put out by Warren County for Professional Engineering Services Relative to Dam Safety on behalf of the Townships in Warren County.

WHEREAS, the Town Board of the Town of Horicon has reviewed the bids submitted and does hereby accept the bid of \$12,500 for professional engineering services relative to dam safety submitted by the Laberge Group of Albany, NY. NOW, THEREFORE, BE IT

RESOLVED, that the Horicon Town Board does hereby wish to contract with the Laberge Group to complete the Initial Safety Inspection (ISI), Emergency Action Plan (EAP), and the Inspection and Maintenance Plan (IMP) required by NYS Department of Environmental Conservation.

**RESOLUTION NO. 109 OF 2010**

Messrs. Dooris and Hill introduced Res. No. 109 and moved its adoption, all Ayes.

**RESOLUTION TO INVITE BIDS FOR FUEL AND PROPANE**

RESOLVED, that the Town Board does hereby authorize the clerk to advertise for bids for heating fuel, kerosene and propane for 2011. Bids will be opened on October 21<sup>st</sup> at 10:00 AM.

**RESOLUTION NO. 110 OF 2010**

Messrs. Olson and Higgins introduced Res. No. 110 and moved its adoption, all Ayes.

**RESOLUTION TO AUTHORIZE THE PURCHASE OF THE DELANEY PROPERTY**

WHEREAS, a 30 acre parcel of property owned by Mary Delaney which, adjoins the Community Center property, has been offered for sale to the Town of Horicon at a price of \$20,000.

WHEREAS, the Town Board of the Town of Horicon, noting the benefit of ownership, wishes to purchase the property, NOW THEREFORE, BE IT

RESOLVED, that the Board does hereby authorize the purchase of the Delaney property and requests Attorney Schachner prepare the documents necessary to complete the sale of property from Mary Delaney to the Town of Horicon.

**RESOLUTION NO. 111 OF 2010**

Messrs. Dooris and Olson introduced Res. No. 111 and moved its adoption, all Ayes.

**RESOLUTION TO OBTAIN QUOTES FOR A NEW WELL**

RESOLVED, that the Town Board authorizes the Clerk to obtain quotes for a new well at the Horicon Museum to be shared by the Museum and the Brant Lake Cemetery.

**RESOLUTION NO. 112 OF 2010**

Messrs. Dooris and Olson introduced Res. No. 112 and moved its adoption, all Ayes.

**RESOLUTION TO APPROVE TRANSFER OF FUNDS**

RESOLVED, that the Town Board authorizes the Bookkeeper to make the following transfer of fund:

<u>From:</u>	<u>To:</u>	<u>Amount:</u>
A9901(Other funds to Hwy)	D5031(Interfund Transfer-Gen.)	\$156,054.00

**Privilege of the Floor:**

Bill McGhie – Mr. McGhie explained to the Board that the SLA would like to see a Committee comprised of the three Towns and the two Lake Associations to work with Dave Wick to address and prioritize different projects within the Schroon Lake Watershed Plan. Councilman Olson suggested deferring this until next month's meeting which would give the Board time to fully review the SL Watershed Plan. He further noted that it would be wise to have a resident citizen as well as a Board member on the Committee. Jane Smith requested the Board ask for the full support of both Chestertown and Schroon Lake in this endeavor; she also asked that the two lake associations (SLA & ESSLA) be included. The following Resolution was then introduced:

**RESOLUTION NO. 113 OF 2010**

Messrs. Olson and Olson introduced Res. No. 113 and moved its adoption, all Ayes.

**RESOLUTION URGING THE TOWNS OF CHESTER AND SCHROON TO WORK IN UNISON WITH THE TOWN OF HORICON**

RESOLVED, that the Town Board of the Town of Horicon does hereby urge the Towns of Horicon, Chester and Schroon to work in a collaborative manner regarding the review and implementation of the Schroon Lake Watershed Plan. The Board further suggests the Schroon Lake Association and the East Shore Schroon Lake Association be an integral part of the process as well.

**Adjourn...**

There being no further business to attend to the meeting was adjourned at 8:40 PM by MOTION of Messrs. Olson and Higgins, all in favor.

Respectfully Submitted:

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Town Clerk