

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

**FEBRUARY 17, 2011
7:00 PM**

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

Also: HS Smith, Gary and Gail Frenz, Harvey Leidy, Harry Balz, Bill McGhie, Jane Smith, Matt Simpson, June Maxam, Tom Johansen, Randy Duell, and Gordon Hayes.

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

Approval of Minutes: Minutes of January 20th were approved by Motion of Messrs. Dooris and Hill, all Ayes.

**Approval of Abstracts:
RESOLUTION #31-2011**

Messrs. Olson and Hill introduced Res. No. 31 and moved its adoption, all Ayes.

RESOLUTION TO AUTHORIZE PAYMENT OF ABSTRACTS

RESOLVED, that the Town Board does hereby authorize the payment of the February 2011 Vouchers and Abstracts as follows:

General Vouchers	# 37-59	\$ 20,005.97
Highway Vouchers	# 17-33	\$ 108,249.00
General Abstracts	3 & 4	\$ 36,835.50
Highway Abstracts	3 & 4	\$ 17,911.49

Correspondence to the Board:

- APA RE: Local Government Day Conference registration information
- Alice Altieri & Mary Probst RE: Request for Board intervention regarding issues with variance request
- June Maxam RE: Legal Issue/Apology Demand
- NYS Dept of Health RE: Recommendation to post the Watering Tub as non-potable
- Wakonda Campground RE: Request to reduce speed limit on section of East Schroon River Road

Action on Correspondence:

Watering Tub: The Board discussed the notice from the Department of Health which recommended the Watering Tub be posted as non-potable. This stems from a complaint of the water sickening an individual although there was no evidence that the water from the tub is what actually caused the sickness. Councilman Hill asked if the water is ok based on a test done right after the complaint was filed, and Supervisor Bentley said that the water test came back fine so the water is ok. Councilman Higgins said it would be a good idea to put up the sign as recommended by the Department of Health and then people can drink at their own risk. The other Board members agreed. In an effort to clarify why it was being posted Councilman Higgins also suggested an article be put in the paper stating it was being posted based on the recommendation of the Department of Health. Councilman Olson made a Motion to pass a Resolution to this effect:

RESOLUTION #32-2011

Messrs. Olson and Hill introduced Res. No. 32 and moved its adoption, all Ayes:

RESOLUTION TO POST THE WATERING TUB AS NON-POTABLE

WHEREAS, the Town Board recently received notification from the NYS Department of Health of a complaint of illness received by their office that was "potentially attributable" to the Watering Tub, AND

WHEREAS, the NYS Department of Health stated that it cannot be determined if the Watering Tub was the actual source of the illness, but they feel the Town should be aware of the potential liability of the use of the Watering Tub as a potable water source, AND

WHEREAS, the NYS Department of Health strongly recommends that the Town post the Watering Tub source as non-potable, AND

WHEREAS, although a test of the water done at the time the complaint was received came back fine, the Town Board of the Town of Horicon feels it would be beneficial to the residents who use the Watering Tub to post it as recommended by the NYS Department of Health, NOW, THEREFORE BE IT

RESOLVED, that the Town Board does hereby authorize the posting of the Watering Tub as non-potable, BE IT FURTHER

RESOLVED, that the Town Board authorizes the Town Clerk to post an article in the paper explaining that the Board is posting the Watering Tub upon the recommendation of the NYS Department of Health.

Old Business:

RESOLUTION #33-2011

Messrs. Olson and Hill introduced Res. No. 33 and moved its adoption, all Ayes:

RESOLUTION TO APPOINT REPRESENTATIVE TO THE ADIRONDACK PARTNERSHIP

WHEREAS, a Resolution was passed, Res. #29-2011, by the Town Board to enter into the Adirondack Partnership and as such, the Board must appoint an AATV representative to the Adirondack Partnership, NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town Horicon does hereby appoint Supervisor Ralph Bentley as the AATV representative to the Adirondack Partnership.

RESOLUTION #34-2011

Messrs. Dooris and Hill introduced Res. No. 34 and moved its adoption, all Ayes:

RESOLUTION TO AMEND RES. #22-2011 (RE-NAME SECTION OF BURNT HILL ROAD)

WHEREAS, the Horicon Town Board passed Resolution #22-2011 which re-named the section of Burnt Hill Road beginning where it intersects with Ridin-Hy Road south to the Horicon town line to East Schroon River Road, and

WHEREAS, the Board has since determined that the new name for the above noted section should be River Road, not East Schroon River Road, NOW, THEREFORE BE IT

RESOLVED, that the Horicon Town Board does hereby amend Res. #22-2011 to read as follows:

"RESOLVED, that the Town Board does hereby approve re-naming the section of Burnt Hill Road beginning where it intersects with Ridin-Hy Road south to the Horicon town line to River Road."

New Business:

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Highway Garage: HS Smith has brought it to the attention of the Board that heating tape is needed for the rain gutters on the Highway Garage. HS Smith has received a quote for the parts of \$2800.00 and that does not include labor. He stated that the Highway crew will do the installation, but there will be additional expenses including rental of a lift and some re-wiring will need to be done due to inadequate voltage. The Board agreed that they should wait on making a decision until they can get costs on the additional expenses.

NW Chamber/Use of Meeting Room: The North Warren Chamber of Commerce has requested the use of the Meeting Room on Wednesday, May 4, 2011 to hold their Business Expo which will include Horicon businesses.

RESOLUTION #35-2011

Messrs. Olson and Higgins introduced Res. No. 35 and moved its adoption, all Ayes:

RESOLUTION TO APPROVE REQUEST TO USE MEETING ROOM

WHEREAS, the North Warren Chamber of Commerce has requested the use of the Meeting Room in the Community Center on Wednesday, May 4, 2011 for a Business Expo which will include businesses from Horicon, NOW, THEREFORE BE IT RESOLVED, that the Horicon Town Board does hereby approve the use of the Meeting Room by the North Warren Chamber of Commerce on Wednesday, May 4, 2011.

Schroon Lake Boat Launch Steward:

RESOLUTION #36-2011

Messrs. Dooris and Higgins introduced Res. No. 36 and moved its adoption, all Ayes:

RESOLUTION TO ADOPT A NATURAL RESOURCES AGREEMENT

WHEREAS, the Board has been advised by NYS DEC that the Town of Horicon should enter into an Adopt-A-Natural Resources agreement with NYS DEC to accommodate placement of a steward at the Horicon Boat Launch site on Schroon Lake, NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Horicon does hereby wish to enter into the AANR agreement with NYS DEC to accommodate placement of a steward at the Horicon Boat Launch on Schroon Lake.

Landfill Metal: Roger Howe has submitted a bid to obtain the metal from the Landfill.

RESOLUTION #37-2011

Messrs. Dooris and Hill introduced Res. No. 37 and moved its adoption:

RESOLUTION TO APPROVE REMOVAL OF METAL FROM THE LANDFILL

WHEREAS, the Town Board has received a bid from Roger Howe and Nathan H. Kelman, Inc. to buy the metal scrap from the Landfill at a price of \$168.00 per metric ton, NOW, THEREFORE BE IT RESOLVED, that the Horicon Town Board does hereby approve the bid from Roger Howe and Nathan H. Kelman, Inc. to buy the scrap metal from the Landfill at a price of \$168.00 per metric ton and this agreement will remain in effect "until further notice".

Request for Speed Limit Reduction: Wakonda Family Campground has requested there be a speed limit reduction on a section of CR64 as well as additional signage.

RESOLUTION #38-2011

Messrs. Dooris and Hill introduced Res. No. 38 and moved its adoption:

**RESOLUTION TO INVESTIGATE AND INITIATE SPEED LIMIT REDUCTION
ON SEGMENT OF CR64**

WHEREAS, the Town Board has received a request from Wakonda Family Campground, Inc. to have the County investigate and initiate a speed limit reduction for the segment of CR 64 which is currently posted at 55 mph to a reduced speed of 40 mph. In addition, Wakonda Campground has requested that two shared roadway signs be installed on East Schroon River Rd, one near the intersection of CR64 with CR55 and another near the intersection of CR64 with East Shore Drive and the state boat launch (CR62). These requests are being made for safety reasons, NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the study of this segment of CR64, and BE IT FURTHER

RESOLVED, that the Horicon Town Board authorizes both the reduction of the speed limit from 55mph to 40mph and the installation of shared roadway signage, and BE IT FURTHER

RESOLVED, that the Board authorizes the Clerk to forward a copy of this Resolution to Warren County Department of Engineering for review.

Resolutions:

RESOLUTION #39-2011

Messrs. Hill and Higgins introduced Res. No. 39 and moved its adoption, all Ayes:

BUDGET AMENDMENT RESOLUTION TO AMEND 2011 BUDGET

WHEREAS, the amount of taxes to be allocated to Highway was overstated by \$150,000.00 in the 2011 Budget, NOW, THEREFORE BE IT

RESOLVED, that the Horicon Town Board does hereby authorize the Bookkeeper to make the following amendment to the 2011 Budget. General Appropriations and Highway Revenues will be reduced by \$150,000.00 as follows:

General:

Reduce A960-Appropriations by \$150,000.00 making it \$1,760,394.00

Reduce A9901.9-Transfer to Other Funds by \$150,000.00 making it \$387,963.00

Highway:

Reduce D510-Estimated Revenues by \$150,000.00 making it \$646,461.00

Reduce D5031-Interfund Transfer by \$150,000.00 making it \$387,963.00

RESOLUTION #40-2011

Messrs. Dooris and Higgins introduced Res. No. 40 and moved its adoption, all Ayes:

RESOLUTION TO APPROVE PURCHASE OF SIGN FOR THE DOG CONTROL OFFICER

WHEREAS, the Horicon Dog Control Officer has requested a set of magnetic signs for his vehicle for identification purposes when out on a call, AND

WHEREAS, a quote of \$75 for a set of signs has been obtained from Garnet Signs, NOW THEREFORE BE IT

RESOLVED, that the Horicon Town Board does hereby approve the purchase of a set of magnetic signs for the Horicon Dog Control Officer's vehicle from Garnet Signs.

RESOLUTION #41-2011

Messrs. Higgins and Hill introduced Res. No. 41 and moved its adoption, all Ayes:

RESOLUTION TO APPROVE ATTENDANCE AT THE REGIONAL NYSTCA MEETING

RESOLVED, that the Town Board does hereby authorize Krista Wood, Town Clerk, to attend

the Regional NYS Town Clerks Association meeting on Monday, March 7, 2011. There is a \$30 seminar fee.

RESOLUTION #42-2011

Messrs. Higgins and Olson introduced Res. No. 42 and moved its adoption, all Ayes:

RESOLUTION TO RE-APPOINT LIBRARY TRUSTEE

RESOLVED, that the Horicon Town Board does hereby re-appoint Marijane Bouchard to serve on the Board of Trustees of the Horicon Free Public Library for a term of five years. Term to expire on December 31, 2015.

RESOLUTION #43-2011

The Entire Town Board introduced Res. No. 43 and moved its adoption, all Ayes:

RESOLUTION TO OPPOSE NYS PURCHASE OF FORMER FINCH AND FOLLENSBY POND LANDS

WHEREAS, the State of New York plans to purchase more than 60,000 acres of the former Finch Pruyn (Finch) timberlands in fee from the Nature Conservancy (TNC), and
WHEREAS, the state plans to purchase 15,000 acres of the Follensby Pond timberlands in fee from TNC, and

WHEREAS, based on estimations noted in a recent article by DEC Lands and Forests Director Rob Davies, if 75,000 acres of the former Finch and Follensby Pond lands are purchased in fee, 225 forestry related jobs will be lost, and only 60 tourism related jobs will be created, and
WHEREAS, the Finch and Follensby Pond lands are both highly productive forest lands, and there are currently 20 recreational leases on the former Finch lands with approximately 200 hunting and fishing cabins which provide not only recreation to thousands of members, but revenue to TNC for the payment of real property taxes and maintenance of those lands, as well as millions of dollars of revenues for Adirondack businesses from club and member expenditures, and

WHEREAS, fee purchase by the state will result in the Finch and Follensby lands becoming Forever Wild forest lands, the loss of the 20 recreational leases, the destruction of hunting and fishing cabins, the net loss of 165 forestry related jobs, the loss of spin off jobs in the affected communities, the loss of club and members expenditures to businesses in the community, and the loss of practical access to remote areas of the purchased lands, and

WHEREAS, in these dire financial times, with the state facing bankruptcy, the priorities of the state should not include buying any more land, when people are facing job losses and local government will be seeing cuts in aid from the state, and

WHEREAS, the necessities of life should come first – not more land buys when we already have millions of acres in state hands. The role of private conservation groups like TNC should not be as a real estate broker for the state. Their continued stewardship, as a well-funded private conservation organization with billions in assets should be about stewarding the land, not being the acquisition department of New York State subsidized by the taxpayers of New York, NOW, THEREFORE BE IT

RESOLVED, that the Town of Horicon does hereby fully support the opinion of the Adirondack Park Local Government Review Board in opposing the fee acquisition by the state of the former Finch and Follensby Pond lands; urging the APA to insure compliance with the SLMP by recommending against the DEC fee purchase of highly productive timberland, and urging

Governor Cuomo to direct that the state not purchase the former Finch and Follensby lands, AND, BE IT FURTHER

RESOLVED, that copies of this Resolution be forwarded to Governor Cuomo, Senator Little, Assemblywoman Sayward, and DEC Commissioner Martens.

RESOLUTION #44-2011

Messrs. Olson and Hill introduced Res. No. 44 and moved its adoption, all Ayes:

**RESOLUTION TO ADOPT THE WARREN COUNTY PRE-DISASTER
MULTIJURISDICTIONAL HAZARD MITIGATION PLAN**

WHEREAS, the Town of Horicon, with the assistance from the Friends of the North Country, Inc., has gathered information and prepared the Warren County Pre-Disaster Multijurisdictional Hazard Mitigation Plan, AND

WHEREAS, the Warren County Pre-Disaster Multijurisdictional Hazard Mitigation Plan

Has been prepared in accordance with the Disaster Mitigation Act of 2000, AND

WHEREAS, the Town of Horicon is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan, AND

WHEREAS, the Town of Horicon, has reviewed the Plan and affirms that the Plan will be updated no less than every five years, NOW, THEREFORE BE IT

RESOLVED, by the Horicon Town Board that the Town of Horicon adopts the Warren County Pre-Disaster Multijurisdictional Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

RESOLUTION #45-2011

Messrs. Olson and Higgins introduced Res. No. 45 and moved its adoption:

RESOLUTION TO AMEND RES. #1 OF 2011 (DESIGNATING COMMITTEES)

WHEREAS, Supervisor Ralph Bentley appointed Committees in Res No. 1 of 2011, and

WHEREAS, Supervisor Bentley wishes to amend Resolution 1 of 2011 making changes to four Committees, NOW, THEREFORE BE IT

RESOLVED, that the following changes will become effective immediately for the four Committees hereby named:

FINANCE, INSURANCE, PERSONNEL,
ELECTIONS & LEGISLATIVE

DOORIS (replacing Hill) & OLSON

FACILITIES, GROUNDS, PUBLICITY,
BEAUTIFICATION, CABLE

HILL & DOORIS (replacing Higgins)

CEMETERY & LIBRARY

DOORIS (replacing Olson) & HILL

RECREATION (YOUTH & SENIORS),
HEALTH, INSECT CONTROL

HIGGINS & DOORIS (replacing Hill)

No other Committee assignments are affected.

RESOLUTION #46-2011

Messrs. Higgins and Olson introduced Res. No. 46 and moved its adoption:

RESOLUTION TO ESTABLISH AND INCREASE SECOND NOTICE FEE

WHEREAS the Town is required by Sec. 987 of the Real Property Tax Law to mail a Notice of Delinquency to land owners who are delinquent in making real property tax payments and charge the land owner a second notice fee of \$1.00, and
WHEREAS, the mailing of said notices costs the Town postage along with the cost of preparing and handling said notices, NOW, THEREFORE BE IT
RESOLVED, that the Second Notice fee be established and increased from \$1.00 to \$2.00 for each delinquent notice that is sent, AND, BE IT FURTHER
RESOLVED, that the Horicon Town Board does hereby authorize the Tax Collector of the Town of Horicon to impose the charge of \$2.00 for sending delinquent notices of \$2.00 each to compensate for postage and cost sent to taxpayers.

RESOLUTION #47-2011

Messrs. Higgins and Olson introduced Res. No. 47 and moved its adoption:

RESOLUTION TO AUTHORIZE POSTING OF ROADS

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Highway Superintendent to advertise and post the Town Roads for spring conditions when warranted.

RESOLUTION #48-2011

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

RESOLUTION AUTHORIZING SOLICITATION OF SAND BIDS

RESOLVED, that the Town Board does hereby authorize the Town Clerk to solicit, by legal advertisement, bids for highway sand. Bids are to be opened at 1:00 PM on March 17th, 2011.

Privilege of the Floor:

-Mr. Harvey Leidy provided the Board with copies of the book he spoke of at last month's meeting and advised the Board that if they so wished he would be happy to contact the author about doing a presentation to the Board in the summer.

-Councilman Olson addressed the Board regarding a point that had been raised at a recent Planning Board meeting in regards to a subdivision application that is currently being reviewed. He expressed concern over the possibility of the Planning Board overstepping their authority with approving certain requests. Attorney Schachner told Councilman Olson that his team has clearly advised the Planning Board on the boundaries of their authority. Harry Balz, Planning Board Member, addressed the issue that Councilman Olson spoke of and assured the Board that no action has been taken on the issue and they have no intention of making any decisions that are beyond their authority.

-Bill McGhie gave the Board a brief update on the implementation of the Schroon Lake Watershed Management Plan.

Adjourn... There being no further business to attend to the meeting was adjourned at 8:10 PM by MOTION of Messrs. Olson and Higgins, all in favor.

Respectfully Submitted:

Town Clerk