

**HORICON TOWN BOARD
REGULAR MEETING**

**JANUARY 19, 2012
7:00 PM**

Present at meeting: Ralph Bentley Supervisor
 Frank Hill Councilman
 Robert Olson Councilman
 Kenneth Higgins Councilman
 Matthew Simpson Councilman

Krista Wood Town Clerk

Also: Mike Erickson, Harry Balz, Jim Steen, Bill McGhie, Tom Johansen, Edna and Andy Trumble, Gordon Hayes, Gary and Gail Frenz, Harvey and Herta Leidy, Jane Smith, Dana Ayres, Laurie Hughes, Don Butler, Keith Wilkinson, Abe Gadjo, Jason Hill, Roger Houck, Frank Costello, Bob and Sylvia Smith, HS Paul Smith, Sandy Smith, Troy Scripture, ZA Gary McMeekin, Georgia McMeekin, Assessor Paul Maniacek, and others.

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

Approval of Minutes: Minutes of December 29, 2011 and January 3, 2012 were approved by Motion of Messrs. Olson and Hill, all Ayes.

Approval of January 19, 2012 Vouchers and Abstracts:

RESOLUTION #29-2012

Messrs. Hill and Olson introduced Res. No. 29 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT OF JANUARY ABSTRACTS

RESOLVED, that the Town Board does hereby authorize the payment of the January 19, 2012 Vouchers and Abstracts as follows:

General Vouchers	#1- 44	\$ 102,914.02
Highway Vouchers	#1- 12	\$ 91,727.66
General Abstracts	1	\$ 14,076.72
Highway Abstracts	1	\$ 13,787.33

New Business:

Adirondack Union Church: Edna Trumble addressed the Board as to what the goals of the Historical Society are in terms of the Adirondack Union Church. She explained that they want to restore, not renovate, the Church as close to its original state as possible. They have had several people look over the building and the general consensus is that they should either put in a full basement or a crawl space but not a slab. They have invited Joe Metzger here tonight to discuss these options and to answer any questions the Board may have. Mr. Metzger explained that ideally the best approach would be to lift the building and put in a new basement, however, this would not be the most economical. He explained that the most economical solution would be to use a concrete pier setup which should meet code. There was discussion on the various options and Councilman Olson said he feels a crawl space would be the better way to go. He asked the Historical Society if they have a proposed budget. Tom Johansen said they are waiting on the Board's decision as to which way to go. After more discussion the Board agreed they would like to see costs for both a full basement and a crawl space before making a final decision.

RESOLUTION #30-2012

Messrs. Olson and Hill introduced Res. No. 30 and moved its adoption, all Ayes:

RESOLUTION TO AUTHORIZE JOE METZGER TO PUT SPECS TOGETHER

RESOLVED, that the Horicon Town Board does hereby authorize Joe Metzger to put together specs for a foundation and a crawl space for the Adirondack Union Church. The Board will use these specs to bid out the work.

Deputy Assessor: Assessor Paul Maniacek addressed the Board regarding the appointment of a Deputy for the Assessor's office now that he is part-time. He requested the appointment be given to his

Secretary, Christine Hayes, as she has the skills, knowledge, and accessibility for the position. The Board asked what the salary was based on and if Ms. Hayes would be doing the same work she is already doing or if the Deputy appointment would create additional work. Mr. Maniacek explained that he had put a number to the position so there was some form of compensation for the added responsibility. He also explained that while she would be doing the same work as before, this would create some additional work, as well as allow her to answer questions and address issues in his absence.

RESOLUTION #31-2012

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

RESOLUTION TO APPOINT DEPUTY ASSESSOR

WHEREAS, part of the agreement with Assessor Maniacek that allows for him to work part time is the establishment in 2012 of the position of Deputy Assessor, AND

WHEREAS, Assessor Maniacek has requested the appointment go to his assistant Christine Hayes, NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Horicon does hereby appoint Christine Hayes to the position of Deputy Assessor, for a one year term to expire December 31, 2012, at an annual salary of \$3,000.00.

Don Butler / Tri-Lakes Business Alliance: Don Butler addressed the Board regarding the Tri-Lakes Business Alliance. He explained that this is a group of business people that has formed in an effort to help local businesses in the Brant Lake, Chestertown, and Pottersville areas. He said that they have several projects they are working on in Chester already. Mr. Butler noted that local government needs to get involved and invited the Board members to attend their meetings.

Assistant Court Clerk: Laurie Hughes, Justice Court Clerk, asked the Board to consider hiring an Assistant Court Clerk to help alleviate some of her workload as it is too much for her. She has spoken with the Justice who is agreeable to hiring someone. Laurie Hughes suggested hiring Karen Burka as she has good qualifications for the job. Councilman Olson asked if there were any other interested people. Laurie said she did not know but asked the Board if something could be done soon. Councilman Olson suggested hiring Karen Burka in the interim while the position is advertised.

RESOLUTION #32-2012

Messrs. Simpson and Higgins introduced Res. No. 32 and moved its adoption, all Ayes:

RESOLUTION TO HIRE ASSISTANT COURT CLERK

WHEREAS, due to the time involved with the position, the Court Clerk has asked that the Board consider hiring an Assistant and has recommended Karen Burka, NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Horicon does hereby temporarily appoint Karen Burka to the position of Assistant Court Clerk at the rate of \$12.50 per hour. The appointment will be for a two month period, not to exceed three months, while the position can be advertised. If there are no acceptable applicants then the appointment may be made for a longer period of time.

Correspondence:

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|--------------------------|--|
| - Florida Tower Partners | RE: Tower Removal Bond |
| - NYS OGS | RE: Municipal acquisitions of State surplus vehicles and items |
| - Waste Management | RE: Clarification of rates for 2012 |
| - Warren Co. Youth Court | RE: Request for financial support of Youth Court |
| - Harvey Leidy | RE: Request for "No Parking" sign on Palisades Rd. |
| - Assoc. of Towns | RE: Additional training opportunities |

Resolutions:

RESOLUTION #33-2012

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

RESOLUTION TO ACKNOWLEDGE COMPLETION OF AUDIT OF THE TOWN CLERK RECORDS

RESOLVED, that the Town Board of the Town of Horicon does hereby state that the examination of the 2011 Town Clerk records was completed at the meeting of the Board on January 19, 2012 and the records were approved by all members of the Board.

RESOLUTION #34-2012

Messrs. Olson and Higgins introduced Res. No. 34 and moved its adoption, all Ayes:

RESOLUTION TO ACKNOWLEDGE COMPLETION OF AUDIT OF THE JUSTICE COURT RECORDS

RESOLVED, that the Town Board of the Town of Horicon does hereby state that the examination of the 2011 Justice Court records was completed at the meeting of the Board on January 19, 2012 and the records were approved by all members of the Board.

RESOLUTION #35-2012

Messrs. Hill and Simpson introduced Res. No. 35 and moved its adoption:

Ayes: 4 (Hill, Simpson, Higgins, Bentley) Nays: 0 Abstain: 1 (Olson)

RESOLUTION TO AMEND RES. #1-2012 (DESIGNATING COMMITTEES)

WHEREAS, Supervisor Ralph Bentley appointed Committees in Resolution No. 1 of 2012, and WHEREAS, Supervisor Bentley wishes to amend Resolution 1 of 2012 making changes to two Committees, NOW, THEREFORE BE IT

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

- PLANNING, COMMUNITY DEVELOPMENT,
- ZONING, REAL PROPERTY ASSESSMENT,
- DATA PROCESSINGHIGGINS & HILL (replaces Simpson)
- HORICON DAYSimpson, K. Radford, Olson (replaces Hill)

No other Committees will be affected.

New Business (cont'd):

BTI Training Costs: Supervisor Bentley noted that Kevin Radford has researched the BTI training and found a class in Colton which he is available to attend. Supervisor Bentley also noted that he will see George Cannon in the next day or two and discuss this with him further.

RESOLUTION #36-2012

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

RESOLUTION TO ADVERTISE FOR BTI WORKERS

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Clerk to advertise for interested persons to work on the seasonal black fly program for the Town. Course attendance and certification will be required for anyone that is hired.

Ted Granger house: Supervisor Bentley explained that the Horicon VFD has asked if the Horicon Highway Crew can tear down Ted Granger's old house which the Fire Department recently bought. Councilman Olson felt it was okay and asked HS Smith if he knew of any issues with this. HS Smith said he was not aware of any. Members of the audience questioned as to whether or not there was asbestos or lead paint in the house to which no definitive answer was given. Supervisor Bentley stated that the Fire Department would need to go through the County to obtain the permits to have the house torn down.

RESOLUTION #37-2012

Messrs. Olson and Hill introduced Res. No. 37 and moved its adoption, all Ayes:

RESOLUTION TO AUTHORIZE DEMOLITION

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Horicon Highway Department to tear down Ted Granger's old house which was recently purchased by the Horicon Volunteer Fire Department and haul it to the landfill. The Fire Department will need to obtain permits through Warren County for the demolition.

Hamlet Revitalization Committee update: Councilman Olson said he had several topics he would like to address in regards to the Hamlet Revitalization Committee. He asked Supervisor Bentley if there was any word on when the bridge at the upper dam would be done. Supervisor Bentley said it has to get into the Federal pipeline and it would likely be two to three years. Councilman Olson said if it is going to be that long then the Town should look into putting up a more attractive barricade and signage. Next, he then noted that he would be looking into creating a walking path around the Mill Pond. Councilman Olson then asked if the County still planned on painting the pedestrian bridge across the lower dam. Supervisor Bentley said they are trying. Next, Councilman Olson said he will be forming a Citizens Exploratory Committee to see what can be done in Town and noted that government does need to get involved with groups like Tri-Lakes Business Alliance. Lastly, Councilman Olson asked if there had been any further updates on the proposed General Store and Supervisor Bentley said he had not heard anything recently.

Horicon Day: Councilman Simpson explained to the Board that the Horicon Day Committee had contacted the S.L. Smith Band to perform at Horicon Day.

RESOLUTION #38-2012

Messrs. Olson and Hill introduced Res. No. 38 and moved its adoption, all Ayes:

RESOLUTION TO AUTHORIZE CONTRACT WITH THE S.L. SMITH BAND FOR HORICON DAY

RESOLVED, that the Horicon Town Board does hereby authorize Supervisor Bentley to sign the contract with Steven Smith (S.L. Smith Band) to provide musical entertainment for Horicon Day at a cost of \$850.00. The Board authorizes a deposit of \$100.00 be paid to confirm the date. Funding for this will be taken from the Special Publicity Fund (A6412.4).

Update on Zoning Ordinance Changes: Supervisor Bentley asked if there was an update on the Zoning Ordinance changes. Harry Balz said that as far as he knows the Committee is all set and a draft of the revised Ordinance should be in the Board's hands. Supervisor Bentley said that the Board has not been given a copy yet. Councilman Olson noted that once the Board gets the copy they can review it and then a Public Hearing can be scheduled.

Air Compressor Bid:

RESOLUTION #39-2012

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

RESOLUTION TO AWARD COMPRESSOR BID

WHEREAS, the Town Board advertised for bids for the Bel-Air Compressor at the Highway Garage, AND WHEREAS, one bid was received and opened on January 19th at 10:00 AM, NOW THEREFORE BE IT

RESOLVED, that the Town Board does hereby award the Bel-Air Compressor bid to Jack Baker for the bid of \$110.00

Burnt Pond Road: There are issues again this year with people being routed over Burnt Pond Road via their GPS systems. The Town has been asked to block the road during the winter to prevent further issues.

RESOLUTION #40-2012

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

RESOLUTION TO BLOCK OFF BURNT POND ROAD

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WHEREAS, problems have arisen with people trying to use Burnt Pond Road during the winter months because they are routed that way by their GPS, AND WHEREAS, Burnt Pond is a seasonal use road that is not maintained during the winter months and is therefore impassable much of the time, NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Highway Department to set up barriers to block access to Burnt Pond Road until such time as the Highway begins maintaining the road again in the Spring.

Starbuckville Dam access road: Councilman Hill said that the Horicon VFD would like to have an access point below the Dam and the current access road needs some work.

RESOLUTION #41-2012

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

RESOLUTION TO AUTHORIZE WORK ON ACCESS ROAD

WHEREAS, the Horicon VFD Dive Team has requested boat access below the Starbuckville Dam and there is currently an access path from the parking lot to a point below the dam but it needs work, AND WHEREAS, the Schroon Lake Park District is fine with improving the access path in order to make it possible for the Horicon VFD to use this access, NOW, THEREFORE BE IT RESOLVED, that the Horicon Town Board does hereby authorize the necessary improvements to the access path located at the Starbuckville Dam.

Old Business:

North Warren Emergency Squad: Supervisor Bentley asked Councilman Olson if he had been able to confirm if the NW Emergency Squad is still in compliance with the FLSA. Councilman Olson stated that he had discussed the issue with Kevin White who said he has held the position in question for four years. Councilman Olson did ask for a copy of the list of all positions and which individual holds each position. He will also ask for the By-law changes. Once these items are received he and Councilman Simpson will review them, meet with the Squad, and report back to the Board. He further added that there does not seem to be a problem but they are looking into it.

Pumpkin Hollow Road: Abe Gadjo addressed the Board regarding Pumpkin Hollow Road. Mr. Gadjo read a letter to the Board expressing his concerns over right-of-way issues on the road and submitted a copy of the letter to the Board. He asked the Board for a legal three rod right-of-way so that, even if the Town does not maintain the road, the landowners know they have no liability and that they cannot be blocked from accessing their property by another landowner. He stated the Town is obligated to obtain the right-of-way and should do so. Supervisor Bentley said he, personally, feels the Town should obtain the right-of-way. There was discussion on why there had been no further action taken on the road. Councilman Higgins clarified that the Board had stopped work on the Town portion of the road for this year and would finish it next year. He also noted that once they saw what it was going to take to do the Town portion of the road no further action was taken on the rest of the road because the cost would be too high and it would not be fair to the taxpayers to expend that amount of money on the road. He then asked if the Town could just do the right-of-way without taking over and maintaining the road. Councilman Olson said it sounds like they should do the right-of-way. The Board discussed asking Counselor Schachner to continue on with the process of obtaining the three rod right-of-way.

RESOLUTION #42-2012

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

RESOLUTION AUTHORIZING ESTABLISHMENT OF RIGHT-OF-WAY

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Town Counsel to move forward with the process of obtaining and establishing a three rod right-of-way on Pumpkin Hollow Road beginning at the Beaver Pond Rd. intersection and ending at the Abe Gadjo property line which is a distance of approximately 3/10 mile.

Abe Gadjo asked if Counselor Schachner would agree with this and Councilman Olson noted that the Board will ask him to continue with the process of obtaining the right-of-way and Counselor Schachner can give legal opinion on it.

Privilege of the Floor:

-Jane Smith asked the Board if they would consider a five year term for the Board of Ethics members. Supervisor Bentley said he believes the Code of Ethics would have to be amended to do that but they will check with Town Counsel on this.

-Harvey Leidy addressed the Board concerning the parking issue on Palisades Road. He said it is a safety issue and the *No Parking* sign would alleviate parking issues at this spot. He urged the Board to pass a Resolution asking the County to place a *No Parking* sign along the portion of Palisades Rd that runs parallel to the Brant Lake Pine Ridge Homeowners Association beach parcel. Councilman Higgins noted that the people with the camp do need a place to park and if there is an issue they could contact the police to address the situation. Councilman Olson suggested the issue be referred to the Highway Committee for review and they can report back at next month's meeting.

Executive Session: Councilman Olson made a motion, seconded by Councilman Hill, to move to Executive Session to discuss Highway negotiations, all in favor. The Board moved to Executive Session at 8:45 PM.

The Board returned from Executive Session at 8:55 PM and Councilman Olson made a motion to return to Regular Session, seconded by Councilman Simpson, all in favor. Highway negotiations were discussed and no decisions were made.

Adjourn... There being no further business to attend to the meeting was adjourned at 8:56PM by MOTION of Messrs. Olson and Hill, all in favor.

Respectfully Submitted:

Town Clerk