

**HORICON TOWN BOARD
PUBLIC HEARING & REGULAR MEETING**

**JUNE 21, 2012
7:00 PM**

Present at meeting: Ralph Bentley Supervisor
 Frank Hill Councilman
 Kenneth Higgins Councilman
 Matthew Simpson Councilman
Absent: Robert Olson Councilman
Krista Wood Town Clerk

Also: ZA Gary McMeekin, Bob Hayes, Tom Johansen, Dana Ayres, Jane Smith, Bill McGhie, Jim Ecklund, Bob and Sylvia Smith, Dan and Nancy Freebern, Gordon Hayes, Ken Dott, Brandon Himoff, Teri Schuerlein, Kelly Dougan, Laurie Hughes, Christine Smith-Hayes, Dan Stec, Mike Erickson, and others.

Supervisor Bentley called the Meeting to order at 7:00PM and opened the Public Hearing.

PUBLIC HEARING:

Supervisor Bentley opened the floor for comments regarding the proposed amendment to the Real Property Tax Exemption.

Mike Erickson asked how many people would be affected by the proposed amendment and what the revenue effect would be to the Town. Supervisor Bentley responded that he was not sure of the exact number but thought it to be about forty people. He also noted it would only mean a few dollars to the Town, but it would help the older people stay in their homes.

There being no further comments Supervisor Bentley closed the Public Hearing at 7:10 p.m.

REGULAR MEETING:

Approval of Minutes: Minutes of May 17, 2012 were approved by Motion of Messrs. Higgins and Hill, all Ayes.

RESOLUTION #83-2012

Messrs. Higgins and Hill introduced Res. No. 83 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT OF JUNE ABSTRACTS

RESOLVED, that the Town Board does hereby authorize the payment of the June 21, 2012 Vouchers and Abstracts as follows:

| | | |
|-------------------|-------------|---------------|
| General Vouchers | # 149 – 191 | \$ 31,954.11 |
| Highway Vouchers | # 81- 92 | \$ 21,199.76 |
| General Abstracts | 15 & 16 | \$ 185,029.51 |
| Highway Abstracts | 15 & 16 | \$ 17,098.67 |

Correspondence to the Board:

- NYS Office of Emergency Mgmt RE: Denial for FEMA funding for Alder Brook Rd. project
- APA Local Government RE: Summer Lecture Series schedule
- NYS Office of Real Property RE: Notice of Tentative Equalization Rate - 2012 Assessment Roll

Resolutions:

RESOLUTION #84-2012

Messrs. Hill and Simpson introduced Res. No. 84 and moved its adoption:

RESOLUTION TO ADOPT LOCAL LAW #1 OF 2012, A LOCAL LAW TO INCREASE THE REAL PROPERTY TAX EXEMPTION LIMIT FOR PERSONS SIXTY-FIVE (65) YEARS OF AGE OR OVER IN COMBINATION WITH SLIDING SCALE OF INCREMENT LEVELS OF EXEMPTION

WHEREAS, by Resolution No. 95 of 2005, the Town Board of the Town of Horicon adopted Local Law

#2 of 2005 which granted a partial exemption from taxation up to fifty per centum (50%) of the assessed valuation of real property which is owned by certain persons as set forth in said Resolution No. 95 of 2005, now, therefore be it

RESOLVED, that the Town Board of the Town of Horicon does hereby adopt Local Law #1 of 2012, which amends Local Law #2 of 2005, and does adopt a partial exemption from County taxes of real property owned by persons qualified pursuant to the provisions of Section 467 of the Real Property Tax Law, provided the combined income of the qualified owners is up to and between the amount of Twenty-Four Thousand Dollars (\$24,000) and Thirty-Two Thousand Four Hundred Dollars (\$32,400) for the income tax year immediately preceding the date of making application for exemption pursuant to Section 467 of the Real Property Tax Law, in combination with a sliding scale of increment levels of exemption as follows:

| <u>ANNUAL INCOME</u> | <u>PERCENTAGE ASSESSED VALUE EXEMPTION FROM TAXATION</u> |
|---|---|
| Up to 24,000 | 50 per centum |
| More than \$24,000 but less than \$25,000 | 45 per centum |
| \$25,000 or more, but less than \$26,000 | 40 per centum |
| \$26,000 or more, but less than \$27,000 | 35 per centum |
| \$27,000 or more, but less than \$27,900 | 30 per centum |
| \$27,900 or more, but less than \$28,800 | 25 per centum |
| \$28,800 or more, but less than \$29,700 | 20 per centum |
| \$29,700 or more, but less than \$30,600 | 15 per centum |
| \$30,600 or more, but less than \$31,500 | 10 per centum |
| \$31,500 or more, but less than \$32,400 | 5 per centum |

This Local Law shall take effect immediately upon its filing with the Secretary of State.

AYES: 4 (Hill, Simpson, Higgins, Bentley) ABSENT: 1 (Olson)

RESOLUTION #85-2012

Messrs. Hill and Simpson introduced Res. No. 85 and moved its adoption:

RESOLUTION TO INCREASE THE PRICE OF CEMETERY CORNER MARKERS

WHEREAS, the Town has been notified by Mt. View Memorials owner Bob Nichols that he will be raising the price of a set of four (4) corner markers from \$125.00 a set to \$150.00 a set due to increases in costs and shipping, now, therefore be it

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize an increase in the price of a set of four (4) corner markers from \$125.00 a set to \$150.00 a set. The new price will be effective immediately.

AYES: 4 (Hill, Simpson, Higgins, Bentley) ABSENT: 1 (Olson)

RESOLUTION #86-2012

The Entire Town Board Introduced Res. No. 86 and moved its adoption:

RESOLUTION OF APPRECIATION TO CURTIS LUMBER

WHEREAS, Curtis Lumber of Warrensburg has kindly agreed to donate the materials needed to build picnic tables for the Pavilion in Adirondack, now, therefore be it

RESOLVED, that the Town Board of the Town of Horicon does hereby express their appreciation to Curtis Lumber of Warrensburg for their generous donation.

AYES: 4 (Hill, Simpson, Higgins, Bentley) ABSENT: 1 (Olson)

RESOLUTION #87-2012

Messrs. Simpson and Higgins introduced Res. No. 87 and moved its adoption:

RESOLUTION TO AUTHORIZE AN UPGRADE TO THE WEB HOSTING

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize an upgrade to the web

hosting, provided by North Shore Solutions, which will prevent any future issues when uploading documents to the website, for an additional cost of \$9.99 per month.

AYES: 4 (Simpson, Higgins, Hill, Bentley) ABSENT: 1 (Olson)

RESOLUTION #88-2012

Messrs. Hill and Simpson introduced Res. No. 88 and moved its adoption:

RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH ISCREAM!

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Supervisor Bentley to sign a contract with ISCREAM! who will be providing a Rock Climbing Wall for the 2012 Horicon Day festivities for a cost of \$450.00. A deposit of \$100.00 will be due upon signing the contract.

AYES: 4 (Hill, Simpson, Higgins, Bentley) ABSENT: 1 (Olson)

RESOLUTION #89-2012

Messrs. Simpson and Hill introduced Res. No. 89 and moved its adoption:

RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH JOHNSBURG VOLUNTEER FIRE COMPANY, INC.

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Supervisor Bentley to sign a contract with the Johnsburg Volunteer Fire Company, Inc. who will be providing a Dunking Booth for the 2012 Horicon Day festivities.

AYES: 4 (Simpson, Hill, Higgins, Bentley) ABSENT: 1 (Olson)

RESOLUTION #90-2012

Messrs. Simpson and Hill introduced Res. No. 90 and moved its adoption:

RESOLUTION TO HIRE PART-TIME LANDFILL HELPERS

RESOLVED, that based on the recommendation of the Personnel Committee, the Town Board of the Town of Horicon does hereby appoint James Dewar and Ethan Moffitt as part-time Landfill Helpers on an as needed basis at a pay rate of \$12.45 per hour.

AYES: 4 (Simpson, Hill, Higgins, Bentley) ABSENT: 1 (Olson)

Old Business:

Cemeteries: Councilman Simpson asked the Board for clarification regarding what was allowed in the cemeteries in terms of in-ground plantings, artificial flowers, benches, etc. He noted that he needs to be clear on what is allowed and also whether or not the Town is going to enforce these regulations. There was some discussion and it was noted that benches and in-ground plantings are not allowed and anyone who has such items needs to be contacted and the items need to be removed. Councilman Hill noted that artificial flowers are fine as long as people take care of them by Fall. Councilman Simpson asked again about new fencing for several of the cemeteries. Supervisor Bentley told Councilman Simpson to get a price for what is needed.

New Business:

Computer Network: In light of recent computer issues the Board has received information on a possible way to protect the Town's computers and data. James Ecklund, of StoredTech, addressed the Board regarding the quote his company submitted for a computer network for the Town. He explained that StoredTech's proposal is to move the Town from a PC based peer to peer network to a client/server network which would enhance data security and increase the backup and retention of data. This new configuration would also help enable a paperless office by providing a secure central location for any and all scanned paperwork. In addition to these changes, the network would be better secured by an enterprise firewall with security features critical to today's cyber world. Finally the email addresses of all employee's would be updated to reflect a more professional and polished image of the town by utilizing the horiconny.org domain structure. Mr. Ecklund then answered questions from the

Board and the audience. Councilman Higgins noted that it is very important to protect the computers and the information. The following Resolution was passed.

RESOLUTION #91-2012

Messrs. Hill and Higgins introduced Res. No. 91 and moved its adoption:

RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN AGREEMENT WITH STOREDTECH

RESOLVED, that the Town Board of the Town of Horicon does hereby accept the quote submitted by StoredTech and authorizes Supervisor Bentley to sign the contract with StoredTech for the installation and setup of a managed secure network server and backup for a cost of \$5,872.73.

AYES: 4 (Simpson, Hill, Higgins, Bentley) ABSENT: 1 (Olson)

Beach Sand: Councilman Simpson said he does not believe they have the right type of sand at the Brant Lake beach and asked the Board if it would be possible to replace it with real beach sand. He spoke with HS Smith and Jack Baker who thought that two loads should be sufficient. The Board felt this was fine and Councilman Simpson will take care of this. Councilman Simpson also advised the Board that the float is getting bad and they should look at repairing or replacing it.

Adirondack Sign: Councilman Simpson noted the Adirondack sign on East Shore Drive needs to be painted and it was suggested that a flower box be added to the sign post. The Board is fine with this.

Warren County Bicentennial Update: Councilman Simpson updated the Board on North Warren's County Celebration, noting that there will be a fundraiser coming up in September as well as other fundraisers that are in the planning stages.

Beautification: Supervisor Bentley told the Board that Dana Ayres needs a mower for Adirondack. The Town has two mowers but each one needs approximately \$600.00 worth of repairs. Dana Ayres told the Board that Dave Whitty, in Schroon Lake, has a used mower for \$800.00 which is a very good deal. Councilman Hill said he would look into it and let Dana know in a few days.

Privilege of the Floor:

-Jane Smith updated the Board on the work being done at the Community Center in Adirondack. She noted that the kitchen is in and hopefully the plumbing and electric would be hooked up in time for the kids' camp. Jane thanked Matt Simpson for doing the drywall and also thanked Dana Ayres for donating a hot water heater and for doing a good deal of the plumbing work.

-Brandon Himoff asked the Board for clarification on the Zoning and Planning Review Committee. He asked if the mandate is to review both documents in their entirety or just to review his comments alone. Brandon stated that he would be happy to review his comments, and Supervisor Bentley stated that is what the Review Committee wants. Brandon Himoff urged the Board to do a more extensive review as he feels it is still flawed. ZA Gary McMeekin stated that if there are public concerns then the public needs to come forward with those concerns and the Review Committee can go over them. Brandon Himoff also asked who is on the Committee and said he would be happy to come and discuss his comments, but asked if the Board intended for him to be on the Committee or just an audience member. ZA Gary McMeekin stated that the Committee would be happy to review any concerns but to restart the whole process would not be sensible. Brandon Himoff stated that to be productive he would ask to be appointed to the Committee, a request supported by the North Warren Chamber of Commerce, to be an integral part of the review process. He again noted that he feels the Draft has some serious flaws which he pointed out was supported by the comments at the public hearing. ZA Gary McMeekin again stated that the public can bring their concerns to the Committee but it does not make sense to hit the restart button. Supervisor Bentley said Brandon should put his comments in writing and forward them to the Committee. Councilman Higgins further asked Brandon to sit down

with the Committee to review his concerns. Councilman Higgins also noted that they spent a lot of time on this and it is very difficult to please everyone. Councilman Simpson said he hoped Brandon would come in and talk with the Committee to answer questions that he has. Brandon again requested that he be appointed to the Committee because he feels it would be a more productive way to approach it. Supervisor Bentley stated that they already have a Committee and they will deal with it.

-Tom Johansen asked if he can have permission from the Town Board for the Highway Department to put up the museum tents for Summerfest.

RESOLUTION #92-2012

Messrs. Hill and Simpson introduced Res. No. 92 and moved its adoption:

RESOLUTION TO AUTHORIZE HELP SETTING UP TENTS FOR SUMMERFEST

RESOLVED, that the Horicon Town Board does hereby authorize the Highway crew to help set up the Museum tents for Summerfest.

AYES: 4 (Simpson, Hill, Higgins, Bentley) ABSENT: 1 (Olson)

-Bob Hayes presented the Board with a petition for the Board to consider and asked for action to be taken if possible. He explained that the individuals that signed the petition, being adjacent property owners along with a few others that wanted to sign it, feel the multi-colored house on Route 8 depreciates the property values of those around it. Supervisor Bentley stated the Town does not have a paint ordinance and does not believe you can legally tell someone what color they can paint their house. Bob Hayes noted that if his assessment value goes down because of that house then he would expect his taxes to go down and if that happened the Town should recoup their money from the owners of that house. Supervisor Bentley said that is not legal either. He then asked Bob Hayes if the color makes it a nuisance and if all houses in Town should be the same color. Bob Hayes said he does not care what color it is as long as it is just one color, noting the point is that it is a blatant splash that does not fit in a rural setting. Supervisor Bentley said he totally agreed but there is no law on the books. Teri Schuerlein asked what review process the owners would need to go through for what they were planning on doing. ZA Gary McMeekin said the owners had already gone through Planning Board review for a new building and noted when the new building goes up the old building has to come down.

-Dana Ayres asked for an update on the Bruce Smith trailer. ZA Gary McMeekin noted that the owners have until August 1st to remove the trailer.

-Tom Johansen advised the Board that the Friends of the Library have requested that the garage door be fixed.

-Dan Freebern asked what recourse residents have if the Smith trailer is not removed. ZA Gary McMeekin said if the trailer is not removed by August 1st then it will go back to court by August 8th and fines will be levied after that date if no action is taken. Gary noted that they have to go through the process.

Executive Session: Councilman Higgins made a motion, seconded by Councilman Hill, to move to Executive Session to discuss CSEA negotiations, all in favor. The Board moved to Executive Session at 8:30 PM.

The Board returned from Executive Session at 8:50 PM and Councilman Hill made a motion to return to Regular Session, seconded by Councilman Simpson, all in favor. CSEA negotiations were discussed and no decisions were made.

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7:00 PM**

Councilman Hill advised the Clerk he would like a letter of appreciation sent to Jack Baker, Highway Foreman, and his crew for building the Adirondack Pavilion. Supervisor Bentley made a Motion to name the new Pavilion in Adirondack the Frank Hill Pavilion. He further suggested the Board thank the Highway Department, being Jack Baker and his crew, who built it by placing their names on the plaque that will be placed at the Pavilion.

RESOLUTION #93-2012

Messrs. Bentley and Simpson introduced Res. No. 93 and moved its adoption:

RESOLUTION TO DEDICATE THE ADIRONDACK PAVILION TO FRANK HILL AND THE HIGHWAY CREW

RESOLVED, that the Horicon Town Board does hereby wish to dedicate the Adirondack Pavilion to Frank Hill and the Highway crew members that built it. The Board authorizes a plaque to be placed at the Pavilion naming it the Frank Hill Pavilion with a list of the Highway crew member's names.

AYES: 3 (Simpson, Higgins, Bentley) ABSTAIN: 1 (Hill) ABSENT: 1 (Olson)

Councilman Hill advised the Clerk that he wants letters sent to the owners of the boat trailers parked in the public parking lot in Adirondack advising them that the parking lot is short-term parking only and cannot be used to park their boat trailers. They are to be notified that if they do not move the trailers then they will be towed.

Adjourn.. There being no further business to attend to the meeting was adjourned at 8:55PM by MOTION of Messrs. Olson and Higgins all in favor.

Respectfully Submitted:

Town Clerk