

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

Also: Bill McGhie, Dan Freebern, Jane Smith, Harry Balls, Jan McCann, Tom Johansen, Pete Palmer, Teri Schuerlein, Bob and Sylvia Smith, John Donovan, Gary Franz, Frank Costello, Joe and Linda Koch, and others.

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

**Reports:** Supervisor, Town Clerk, Zoning, Justice, Assessor

**Approval of Minutes:** Minutes of July 18, 2013 were approved by Motion of Messrs Hill and Olson, all Ayes.

**Approval of Vouchers and Abstracts:**

**RESOLUTION #105-2013**

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

**RESOLUTION TO AUTHORIZE PAYMENT OF AUGUST 2013 ABSTRACTS**

RESOLVED, that the Town Board does hereby authorize the payment of the August 15, 2013 Vouchers and Abstracts as follows:

General Vouchers	#216-249	\$ 25,764.72
Highway Vouchers	#103-115	\$ 280,043.60
General Abstracts	21 & 22	\$ 32,030.14
Highway Abstracts	21 & 22	\$ 15,750.04

**Correspondence to the Board:**

- Christine Hayes RE: Letter of resignation as Deputy Zoning Administrator
- Tri-Lakes Business Alliance RE: Letter of request for 2014 Bed Tax monies
- Craig House RE: Request to purchase parcel from Town

**Resolutions:**

**RESOLUTION #106-2013**

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

**RESOLUTION TO AUTHORIZE JUSTICE COURT TO APPLY FOR GRANT**

RESOLVED, that the Horicon Town Board does hereby authorize the Horicon Justice Court to apply for a 2013-2014 Justice Court Assistance Program (JCAP) Grant with the New York State Office of Court Administration.

**RESOLUTION #107-2013**

Messrs. Higgins and Hill introduced Res. No. 107 and moved its adoption, all Ayes:

**RESOLUTION TO AUTHORIZE THE TRANSFER FUNDS**

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

From:	To:	Amount:
<i>General:</i>		
7310.2 (Youth-Equip)	7310.4 (Youth-Contr.)	\$ 600.00

1990.4 (Contin.)	6410.4 (Public.-Contr.)	\$ 1,500.00
1990.4 (Contin.)	7110.4 (Parks-Contr.)	\$ 314.46
8510.2 (Beaut-Equip)	8510.4 (Beaut.-Contr.)	\$ 1,000.00

**RESOLUTION #108-2013**

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

**RESOLUTION TO AUTHORIZE ATTENDANCE AT NYS ASSESSOR'S ASSOCIATION  
CONFERENCE**

RESOLVED, that the Horicon Town Board does hereby authorize Christine Hayes to attend the NYS Assessor's Association Annual Conference in Lake Placid on October 3, 2013. Christine will be reimbursed for mileage.

**RESOLUTION #109-2013**

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

**RESOLUTION TO AUTHORIZE BUDGET AMENDMENT**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Bookkeeper to make the following Budget Amendment in the Highway Fund to increase revenues and expenditures in the amount of \$116,366.60 to record the receipt of the BAN for the Highway truck:

Increase	Revenues:	
	D510 - Estimated Revenues	\$ 116,366.60
	D3551 - Bond Anticipation	\$ 116,366.60
Increase	D960 - Appropriations	\$ 116,366.60
Increase	Subsidiary Code:	
	D5130.2 – Machinery-Equipment	\$ 116,366.60

**Old Business:**

**Camp Road:**

**RESOLUTION #110-2013**

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

**RESOLUTION CONSENTING TO THE DISCONTINUANCE OF CAMP ROAD**

WHEREAS, Camp Road is a Town Road located in the Town of Horicon, New York, running from State Route 8 approximately one-half mile to a dead-end; and

WHEREAS, in or about March 2013, Brant Lake Camp, Inc., owner of two parcels of real property within the Town of Horicon adjacent to Camp Road, made written application to the Town for discontinuance of the entirety of Camp Road; and

WHEREAS, the Town Board held a Public Hearing on the requested discontinuance of Camp Road on March 21, 2013 and heard all interested persons; and

WHEREAS, after that Public Hearing, the Town Board adopted Resolution #48-2013 consenting to the discontinuance of Camp Road conditioned upon compliance with all statutory requirements for discontinuance; and

WHEREAS, the Town Board now wishes to supplement and amend Town Board Resolution #48-2013; and

WHEREAS, by letter dated June 5, 2013, attorneys for Brant Lake Camp, Inc. submitted documents requesting the discontinuance of Camp Road, including an agreement between all owners of property adjacent to Camp Road providing that all owners will execute a reciprocal easement for access over and maintenance of Camp Road if it is discontinued; and

WHEREAS, by formal Petition dated July 14, 2013, Brant Lake Camp, Inc., Brant Lake Farm, LP and Hortense Mound, constituting all owners of real property abutting Camp Road, petitioned Town Highway Superintendent Paul Smith to discontinue Camp Road pursuant to Highway Law § 171(2); and WHEREAS, the Town Board understands that all owners of property adjacent to Camp Road will provide the Town with a release from all damages in recordable form as full consideration for the discontinuance;

WHEREAS, upon review of all documents submitted and all persons heard, the Town Board finds Camp Road to be useless and unnecessary for Town highway purposes as the only persons who travel Camp Road are the petitioning adjacent landowners and their guests and Camp Road does not provide access to any other lands or roadways; now, therefore be it

RESOLVED, that the Town Board consents to the discontinuance of Camp Road and the Town Board Members are authorized to execute a written consent to the discontinuance upon receipt of Releases from the adjacent property owners.

***Solar Power:*** Councilman Olson told the Board that he and Harry will be meeting with the design people from Monolith to determine the location of the solar panels.

***New Business:***

***Old highway truck:***

**RESOLUTION #111-2013**

Messrs. Hill and Simpson introduced Res. No. 111 and moved its adoption, all Ayes:

**RESOLUTION TO DECLARE HIGHWAY TRUCK AS SURPLUS**

RESOLVED, that the Town Board of the Town of Horicon does hereby declare the old 1988 Ford Dump Truck as surplus equipment and authorizes that it may be sold as junk.

***Town property adjacent to Northwoods Concrete:*** Councilman Olson asked how this would proceed; Supervisor Bentley indicated Craig would need to get it surveyed and he thought Mike Swan would be able to do the appraisal for the Town. Councilman Olson said he would like to see it surveyed so the Board members could walk the property line prior to making a final decision.

**RESOLUTION #112-2013**

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

**RESOLUTION TO REQUEST PROPERTY SURVEY**

RESOLVED, that the Town Board of the Town of Horicon does hereby request that Craig House have a survey done of the parcel he is interested in purchasing from the Town. The parcel is an approximate one acre parcel which is part of tax map 88.-2-3.

***Cemetery Request:***

The Board was told that Susan Retherford has requested the right to be buried in the cemetery lot of Ruth and Ellis Bolton in South Horicon Cemetery. According to Cemetery records this is a one grave lot in South Horicon Cemetery in which Ruth and Ellis are buried. Ruth and Ellis Bolton were cremation burials so there would be room for the cremation burial of Susan and John Retherford. Councilman Hill asked what the regulations specify as to how many cremations may be placed into one lot. The Clerk noted that the regulations allow for up to eight cremation burials per lot.

**RESOLUTION #113-2013**

Messrs. Higgins and Simpson introduced Res. No. 113 and moved its adoption, all Ayes:

**RESOLUTION TO ALLOW BURIAL IN SOUTH HORICON CEMETERY**

WHEREAS, Susan and John Retherford have requested that they be allowed to have their ashes placed in the cemetery plot of Ruth and Ellis Bolton (family members) in the South Horicon Cemetery when the time comes, now, therefore be it

RESOLVED, that the Town Board of the Town of Horicon does hereby agree to allow Susan and John Retherford to have their ashes buried in the Ruth and Ellis Bolton plot in the South Horicon Cemetery.

***Horicon Volunteer Firefighter Service Award program:***

**RESOLUTION #114-2013**

Messrs. Simpson and Olson introduced Res. No. 114 and moved its adoption, all Ayes:

**RESOLUTION AMENDING TOWN'S VOLUNTEER FIREFIGHTER SERVICE AWARD PROGRAM**

WHEREAS, pursuant to General Municipal Law Section 216, the Horicon Town Board previously adopted a defined benefit Volunteer Firefighter Service Award Program (the "Program"), as described in General Municipal Law Section 219, which was effective January 12, 1999 and amended in 2006; and

WHEREAS, the Town Board has received a request for certain amendments to the Program; and

WHEREAS, such amendments are authorized, subject to a mandatory referendum, pursuant to Article 11-A of the New York General Municipal Law; and

WHEREAS, the Town Board wishes to amend portions of the Volunteer Fire Fighter Service Award Program Plan Document as requested; and

WHEREAS, the requested amendments are not expected to result in any increase in cost to property owners in the Town Fire Protection District; NOW, THEREFORE, BE IT

RESOLVED, that the Horicon Town Board hereby amends the Volunteer Firefighter Service Award Program to: (a) increase the maximum years of service credit from 20 years to 25 years, (b) increase the maximum monthly service award from \$200 to \$250 and (c) allow for post Entitlement Age service credit point accruals beginning with points earned during calendar year 2013; and be it

FURTHER RESOLVED, that in order to effectuate the approved amendments, the Town Board adopts the following revisions to the Volunteer Fire Fighter Service Award Program Plan Document (the "Plan"), subject to a mandatory referendum at the November 5, 2013 general/biennial election:

1. Section 10 of the Adoption Agreement, entitled "Formula for Monthly Benefit Paid at Entitlement Age", is amended as follows:
  - A. Paragraph (b) is amended to read as follows:
    - (b) \$10 multiplied by Years of Service completed after the Effective Date of the Plan, with such future Years of Service not to exceed 25 years.
  - B. Paragraph (d) is amended to read as follows:
    - (d) Total Years of Service under (a) and (b) not to exceed 25 years.
  - C. Paragraph (e) is amended to read as follows:
    - (e) \$250 is the maximum monthly benefit that may be earned.
2. The VFIS Length of Service Awards Program Master Plan for Horicon Volunteer Fire Department is amended as follows:
  - A. Section 6.1, entitled "Entitlement Age (Retirement Age)", is amended to read as follows:
    - 6.1 ENTITLEMENT AGE (RETIREMENT AGE). A Participant shall, at Entitlement Age, be entitled to receive his Accrued Benefit and at the time and form specified in Article 6 of the Master Plan document. Years of, and points for, active firefighting service shall be credited for periods after a Participant has reached the Entitlement Age and has received or is receiving benefits.

and be it

FURTHER RESOLVED, that the estimated annual cost of the amended Service Award Program will continue to be the \$28,973.10 included in the 2013 Town Budget, the estimated annual administration cost will remain at \$5,000, the projected monthly award will be \$10 per year of service up to a maximum of \$250 per month and the estimated annual cost per covered participant is \$625; and be it

FURTHER RESOLVED, that the Service Award Program shall continue to be administered by the Town of Horicon; and be it

FURTHER RESOLVED, that the point system shall remain unchanged; and be it  
FURTHER RESOLVED, that any other amendments to related Program documents required to effectuate the intent of this Resolution are hereby authorized and approved; and be it  
FURTHER RESOLVED, that such amendments shall take effect January 1, 2014; and be it  
FURTHER RESOLVED, that this Resolution is subject to mandatory referendum and the Town Board hereby authorizes and directs the Town Clerk and Town Counsel to prepare a proposition relating to this Resolution to be placed on the November 5, 2013 election ballot for the approval or disapproval of the eligible voters within the Town Fire Protection District, and the Town Clerk, with the advice of Town Counsel, to prepare an abstract of the proposition, and be it  
FURTHER RESOLVED, that the Town Board hereby authorizes and directs the Town Clerk to transmit a certified copy of this Resolution together with the proposition and abstract to the Warren County Board of Elections or other appropriate officials so that the proposition will be placed on the November 5, 2013 election ballot in all the voting locations in the Town of Horicon Fire Protection District; and be it  
FURTHER RESOLVED, that the Town Supervisor, Town Clerk and Town Counsel are hereby authorized and directed to take such additional actions as may be necessary and appropriate in connection with the mandatory referendum and the Program amendments.

***Southern Adirondack Planning and Zoning Conference:***

**RESOLUTION #115-2013**

Messrs. Olson and Higgins introduced Res. No. 115 and moved its adoption, all Ayes:

**RESOLUTION AUTHORIZING ATTENDANCE AT CONFERENCE**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize six people to attend the Southern Adirondack Planning and Zoning Conference on September 19<sup>th</sup> in Lake George at a cost of \$20 per person. Attendees will be reimbursed for mileage.

***Privilege of the Floor:***

-Bill McGhie asked the Board to consider a regulation requiring lakeside property owners to have their septic systems pumped when they sell their property. Councilman Olson suggested the Board refer this to Counselor Schachner for a draft regulation. The Board agreed and will move forward with this.

-Harry Balz gave an update on the Mill Pond/Dam project. He said that he has made a request to Kevin Hajos several times for an update on the pedestrian bridge and guard rails that were proposed for the upper dam and has had no response. Second, Harry suggested that the Board consider a regulation that addresses dilapidated properties like the one on the corner of Red Wing Road and Church Street. He noted that dilapidated properties, such as the one he mentioned, are unattractive and also create safety issues. Lastly, Harry asked the Board to consider budgeting monies in 2014 for work on Church Street and the lower part of Red Wing Road. He noted that drainage on the road is a problem and no work has been done on the road for years and it needs attention.

-Councilman Olson said he would be back on the Mill Pond issues once the Bicentennial event is over. Councilman Higgins noted that it would look much better on the one section of the back side of the Mill Pond if they at least put in some top soil and have it seeded. Pete Palmer told the Board that the Dam Committee has been trying to move forward on the items they were promised by the County, however, the County will simply not respond to them. Pete urged the Board to pressure the County to take action on the things they have promised. Councilman Higgins agreed with Pete and said the Town Board should send a letter to the County requesting action; otherwise nothing is going to happen.

-Dan Freebern asked what can or will be done about the dilapidated property in Adirondack that was mentioned by Harry Balz. Councilman Olson suggested the County Building Inspector be contacted to take a look at the property. Councilman Simpson suggested contacting the attorney for guidance.

-Sylvia Smith, Co-Chair of Team North Warren Bicentennial Committee, updated the Board on the upcoming celebration. She noted that the Towns of Chester and Horicon have each given the Team Bed Tax funds, but the Team itself, through their fundraising efforts, has raised the remaining monies for the event.

-Matt Simpson recognized all those who worked so hard to make Horicon Day a success. He noted that without all the volunteers it would be very difficult to make this happen.

***EXECUTIVE SESSION:***

Councilman Simpson made a motion, seconded by Councilman Olson, to move to Executive Session to discuss CSEA negotiations, all in favor. The Board moved to Executive Session at 7:50 PM.

The Board returned from Executive Session at 8:20 PM and Councilman Simpson made a motion to return to Regular Session, seconded by Councilman Olson, all in favor. No decisions were made.

***ADJOURN...*** There being no further business to attend to the meeting was adjourned at 8:20 PM by MOTION of Messrs. Simpson and Hill, all in favor.

Respectfully Submitted:

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Town Clerk