

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

Krista Wood Town Clerk

Mark Schachner Town Counsel

Also: ZA Gary McMeekin, HS Paul Smith, Tom Johansen, Gary Frenz, Gordon Hayes, Harvey and Herta Leidy, Jane Smith, Bill McGhie, Teri Schuerlein, Tom Monaco, Andy and Edna Trumble, Harry Balz, Wayne Butler, and others.

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

Approval of Minutes. Minutes of July 19, 2012 and August 7, 2012 were approved by Motion of Messrs. Hill and Olson, all Ayes.

Approval of August 16, 2012 Vouchers and Abstracts:

RESOLUTION #100-2012

Messrs. Olson and Hill introduced Res. No. 100 and moved its adoption, all Ayes:

RESOLUTION TO AUTHORIZE PAYMENT OF AUGUST ABSTRACTS

RESOLVED, that the Town Board does hereby authorize the payment of the August 16, 2012 Vouchers and Abstracts as follows:

General Vouchers	# 231-266	\$ 23,440.79
Highway Vouchers	# 108-121	\$ 137,395.76
General Abstracts	21 & 22	\$ 19,611.49
Highway Abstracts	21 & 22	\$ 15,988.05

Correspondence to the Board:

- Time Warner RE: Franchise fee due Town of Horicon
- Computel Consultants RE: Cable Franchise Fee audit
- Office of Real Property RE: Final State Equalization rate
- Curt Castner RE: Letter of resignation from ZBA
- Adk. Lodges HOA RE: Request to install a Town Beach sign in Adirondack
- ACT RE: Approval of grant for the Adirondack Community Center

Action on Correspondence:

Councilman Olson noted that the Town’s equalization rate is 100% which is an enviable position for the Town to be in and also attests to the quality of the Town Assessor.

Councilman Olson also noted that Curt Castner has served the Town faithfully for many years and he believes it would be appropriate to present Curt with a Resolution of Appreciation.

RESOLUTION #101-2012

The Entire Town Board introduced Res. No. 101 and moved its adoption, all Ayes:

RESOLUTION OF APPRECIATION TO CURT CASTNER

WHEREAS, Curtis V. Castner is a longtime resident of the Town of Horicon, and
WHEREAS, Curt helped many of the citizens of the Town of Horicon to enjoy the benefits of our natural outdoors by sharing the bounty of his ice fishing, and
WHEREAS, Curt served the Town of Horicon as the Zoning Administrator from 1982 through 1995 with fairness and respect, and

WHEREAS, Curt was appointed to the Zoning Board of Appeals in January of 2003 and served faithfully until his resignation in August of 2012, now, therefore be it

RESOLVED, that the Town of Horicon does hereby express its appreciation for the many years of service to the Town of Horicon and its citizens, and be it further

RESOLVED, that a copy of this Resolution be presented to Curtis V. Castner along with the sincere appreciation of the Town Board.

Supervisor Bentley noted that Computel Consultants needs a Resolution from the Board in order to move forward with the claim to Time Warner.

RESOLUTION #102-2012

Messrs. Hill and Simpson introduced Res. No. 102 and moved its adoption, all Ayes:

RESOLUTION TO AUTHORIZE COMPUTEL CONSULTANTS TO FILE CLAIM WITH TIME

WARNER

WHEREAS, the Town Board had requested that Computel Consultants perform an audit of the Town's cable franchise agreement with Time Warner, and

WHEREAS, Computel Consultants has performed the requested audit and found that there are underpaid franchise fees due to the Town of Horicon, now, therefore be it

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Computel Consultants to file a claim with Time Warner, on the Town's behalf, to recover past underpaid franchise fees and to prevent future underpayments related to this issue.

In regards to the request from the Adirondack Lodges HOA to install a Town Beach sign in Adirondack, the Board decided it is too late in the year and they will hold off on this until next year.

Resolutions:

RESOLUTION #103-2012

Messrs. Olson and Hill introduced Res. No. 103 and moved its adoption, all Ayes:

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 a change to one

Committee, NOW, THEREFORE BE IT

RESOLVED, that the following change will become effective immediately for the Committee hereby named:

HIGHWAY, TRAFFIC SAFETY, STREET

LIGHTS, LAKE AFFAIRS, DAM.....HILL & SIMPSON (replaces Higgins)

No other Committees will be affected.

RESOLUTION #104-2012

Messrs. Higgins and Olson introduced Res. No. 104 and moved its adoption, all Ayes:

RESOLUTION TO CHANGE FROM TD BANK TO GLENS FALLS NATIONAL BANK AND

AUTHORIZE EXECUTION OF SIGNERS AGREEMENT

WHEREAS, TD Bank has recently amended their fee schedule, AND

WHEREAS, due to the new fee schedule being implemented by TD Bank, the Board wishes to close out the Town's accounts at TD Bank, NOW, THEREFORE BE IT

RESOLVED, that the Horicon Town Board does hereby authorize the accounts of the Town of Horicon be moved from TD Bank to Glens Falls National Bank, BE IT FURTHER

RESOLVED, that the Horicon Town Board authorizes Supervisor Ralph Bentley and Deputy Supervisor Frank Hill to execute the "Municipal Master Signers Certificate" for the Town of Horicon. This certificate will be effective for the remainder of 2012 and will be on file with Glens Falls National Bank.

Old Business:

Cemetery Fence: Two quotes were received to replace the fencing in Underwood Cemetery.

RESOLUTION #105-2012

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

RESOLUTION TO AUTHORIZE FENCING THROUGH ADIRONDACK FENCE

WHEREAS, the cemetery fence in Underwood Cemetery needs to be replaced and
WHEREAS, two quotes have been received for new fencing, now, therefore be it
RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Adirondack Fence to
replace the fence in Underwood Cemetery at the quoted price of \$8,650.00, be it further
RESOLVED, that the funds to pay for the new fence will come from the perpetual care account.

Garage: Roof repairs & Electrical issues: The roof is still leaking and there is now a problem with the electrical outlets in the garage possibly due to the water leaking in. Councilman Olson said he has a quote for a new roof that will be considered for the 2013 Budget. In the meantime, he said he will try to patch the roof and will also try to set up a meeting with the electrician to look into the electrical issues.

New Business:

ZBA vacancy: Curt Castner has tendered his resignation from the ZBA.

RESOLUTION #106-2012

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

RESOLUTION TO APPOINT ZONING BOARD OF APPEALS MEMBER AND ADVERTISE FOR ZBA ALTERNATE

WHEREAS, the Town Board has received a letter of resignation from Curtis Castner from his seat on the Zoning Board of Appeals due to his health, now, therefore be it
RESOLVED, that the Town Board of the Town of Horicon does hereby appoint current ZBA alternate Carl Heilman to fill the vacant seat of Zoning Board of Appeals member effective immediately for a term that will expire on December 31, 2012, be it further
RESOLVED, that the Town Board authorizes the Clerk to advertise for an alternate for the Zoning Board of Appeals. Applications will be accepted until September 20, 2012 at 1:00 PM.

Boat Launch – Wayne Butler: Wayne Butler, President of the Brant Lake Association, addressed the Board regarding the Brant Lake Boat Launch. Mr. Butler presented the Board with a proposed budget regarding the costs associated with controlling invasive species and the health of the lake if the Town were to take over the boat launch. Mr. Butler said they believe it is important to have access to Brant Lake, and he also pointed out that the health of the lake directly affects the local businesses. He explained that the Brant Lake Association is proposing the Town Board pass a Resolution to notify DEC that the Town will not renew their lease when it comes up for renewal. He suggested a planning committee be formed to see that the residents of Horicon have access and to see that the lake is protected. The Board said they will take this under consideration.

New roof for Union Church: Tom Johansen told the Board that the roof on the Adirondack Union Church is leaking and needs to be replaced. He asked if the Town would put out an RFP for a new roof and also asked if the Town could pay for half of the repairs. Supervisor Bentley stated that the Town can put out the RFP but the Historical Society will need to pay for the repairs. The Board agreed, noting they have the Adirondack Community Center that needs roof repairs and the Garage roof that needs replacing and those need to come first.

RESOLUTION #107-2012

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

RESOLUTION TO PUT OUT RFP FOR ADIRONDACK UNION CHURCH ROOF

WHEREAS, the 1881 Union Church in Adirondack is in need of a new roof, and
 WHEREAS, the Horicon Historical Society has asked the Horicon Town Board to put out an RFP for a new roof on their behalf, now, therefore be it
 RESOLVED, that the Horicon Town Board will put out an RFP for a new roof for the 1881 Union Church on behalf of the Horicon Historical Society, and the Horicon Historical Society is to cover the cost of the new roof in its entirety.

Zoning change request on dock configurations: ZA Gary McMeekin requested a change be made to the conditional use process for dock configurations for commercial marinas and multiple access docks in the Zoning Ordinance. He noted that the current configurations for docks are not sufficient, and therefore, he would like to request the addition of "E" and "multiple E" configurations under commercial marinas and multiple access docks.

RESOLUTION #108-2012

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

RESOLUTION TO ADD ZONING LANGUAGE CHANGE

WHEREAS, the current Zoning Ordinance does not sufficiently address dock systems under Commercial Marinas and Multi-Access Docks, and

WHEREAS, the Zoning Administrator has requested a change be made to the conditional use under Commercial Marina and Multi-Access Docks to correct this, now therefore be it

RESOLVED, that the Horicon Town Board does hereby wish to add the following language to the Proposed Revisions to the Horicon Zoning Ordinance:

The following sections shall now read as follows:

Section 9.50 / 9. Commercial Marinas / Item e – All docking facilities shall be in a T, L, U, F, E, (multiple) E, or straight line configuration

Section 9.50 / 10. Multiple Access Docks / Item a – (5) All docking facilities shall be in a T, L, U, F, E, (multiple) E, or straight line configuration

On the topic of the Zoning Ordinance, Councilman Simpson said he had a copy of the revised Zoning Ordinance from last month's meeting and there is a line that has been added in the R1 District list that should not be there. He pointed out that under conditional uses in the R1 District it reads "Inn (prohibited use in R1 1.3 acre zones)". Councilman Simpson noted that this wording negates what the Board approved when they added Inn to the R1 District at last month's meeting. Supervisor Bentley said the Inn would be allowed if it was at least 3.2 acres though. Councilman Simpson agreed, noting that acreage requirement is addressed elsewhere in the document, but, he pointed out that with the added wording he is referring to an Inn would be prohibited in the R1 District. Councilman Olson said it appears to have been added after it was approved by the Board and before it went to the APA. ZA Gary McMeekin said the Inn was discussed with the APA before it went up for review and they felt the 1.3 acre zone was exempt so they suggested that wording be added in. Councilman Olson noted that the APA was not part of the Review Committee and asked if anything else had been added in. ZA McMeekin said nothing else had been added. Councilman Olson suggested the Board consider rescinding Resolution #99-2012 from last month's meeting in which the Board supported the verbiage of the Zoning changes. He said that in light of other people adding things to the Ordinance after the Board had approved it he wished to have the record reflect that he is changing his vote on Resolution #99-2012 from Aye to Nay. He noted it is simply not good that the document was changed by people without Board approval. Councilman Simpson agreed noting he is no longer confident as to what is in the document. Councilman Olson then made the following Motion:

RESOLUTION #109-2012

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

RESOLUTION TO RESCIND RESOLUTION #99-2012

WHEREAS, changes have been made to the proposed Zoning Ordinance after the language was accepted by the Horicon Town Board in Resolution #99-2012 at their meeting on July 19, 2012, and WHEREAS, the Board is no longer confident that the document reflects the language they accepted, now, therefore be it

RESOLVED, that the Horicon Town Board does hereby rescind Resolution #99-2012 wherein the Board accepted the proposed changes to the Horicon Zoning Ordinance as proposed by the Zoning and Planning Review Committee and authorized a copy of said document be sent to the APA for review, be it further

RESOLVED, that the Town Board authorizes the Clerk to notify the APA of their decision and instruct the APA to hold off on their review for the time being.

RESOLUTION #110-2012

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

RESOLUTION TO ACCEPT PROPOSED LANGUAGE CHANGES TO THE HORICON ZONING ORDINANCE AS IT WAS PRESENTED AT THE JULY 19TH BOARD MEETING

RESOLVED, that the Horicon Town Board does hereby accept the language changes to the Horicon Zoning Ordinance as proposed by the Zoning and Planning Review Committee at the Town Board Meeting on July 19, 2012, along with the dock changes noted in Resolution #108-2012 of August 16, 2012.

Privilege of the Floor:

-Tom Monaco asked what the Board's decision was on the Boat Launch proposal. Supervisor Bentley said the Board would take it under consideration.

-Harry Balz noted that again this year the County has done very little work on East Shore Drive in Adirondack. He further noted that there are several spots that are in need of repair due to washouts. Councilman Higgins said the same problem exists on Palisades Road. Councilman Higgins suggested Supervisor Bentley contact the County and have this addressed as soon as possible because it is a hazard.

-Councilman Simpson thanked everyone who came to Horicon Day, and he thanked the great group of volunteers that made it happen. He said they are anxiously anticipating next year's event and noted they have some good ideas.

-Bill McGhie said they held a Milfoil Summit at the Horicon Community Center today, and they had a lot of people comment on what a beautiful facility the Town had.

Executive Session:

Councilman Hill made a motion, seconded by Councilman Simpson, to move to Executive Session to discuss CSEA negotiations, all in favor. The Board moved to Executive Session at 7:45 PM.

The Board returned from Executive Session at 8:10 PM and Councilman Higgins made a motion to return to Regular Session, seconded by Councilman Simpson, all in favor. CSEA negotiations were discussed.

Adjourn... There being no further business to attend to the meeting was adjourned at 8:11 PM by MOTION of Messrs. Higgins and Hill, all in favor.

Respectfully Submitted:

Town Clerk