

**HORICON TOWN BOARD
REGULAR MEETING**

**SEPTEMBER 19, 2013
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: HS Smith, Sandy Smith, Harvey Leidy, Tom Johansen, Teri Schuerlein, Paul Holmes, Jerry and Elna Meader, Joe and Linda Koch, Peter Palmer, Bob and Shirley Hayes, Gary and Georgia McMeekin, Harry Balz, Jane Smith, Bill McGhie, Wayne Butler, Sylvia Smith, Mike Raymond, Terry Peters, Dan Freebern, Beth Gilles, 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 August 15, 2013 were approved by Motion of Messrs. Higgins and Olson, all Ayes.

Approval of Vouchers and Abstracts:

RESOLUTION #116-2013

Messrs. Hill and Simpson introduced Res. No. 116 and moved its adoption, all Ayes:

RESOLUTION TO AUTHORIZE PAYMENT OF SEPTEMBER 2013 ABSTRACTS

RESOLVED, that the Town Board does hereby authorize the payment of the September 19, 2013 Vouchers and Abstracts as follows:

General Vouchers	#250-280	\$ 24,639.58
Highway Vouchers	#116-130	\$ 89,410.74
General Abstracts	24 & 25	\$ 33,867.91
Highway Abstracts	24 & 25	\$16,680.07

Correspondence to the Board:

- Residents of Davis Rd. RE: Request to fix damages done by big trucks on Davis Rd.
- John Mucha/Time Warner RE: Survey results for cable in Brantwood Heights
- Bob Miller RE: Letter of resignation from ZBA Alternate seat
- AATV RE: Request for support in regard to the Five Towns TNC Land Classification

Beth Gilles – Lake George/Lake Champlain Regional Planning Board:

Beth Gilles addressed the Board concerning the availability of a grant which would be used for stormwater structures that need repairs such as those on Red Wing Road, Church Street, and Shaw Hill Road. She said that Horicon has approximately \$100,000.00 worth of projects. Beth noted that the Town of Schroon has some work that needs to be done as well, and they are interested in applying for the grant with the Town of Horicon. The grant funding would cover 75% of the work and the Towns would be responsible for the other 25%.

RESOLUTION #117-2013

Messrs. Olson and Simpson introduced Res. No. 117 and moved its adoption, all Ayes:

RESOLUTION TO APPROVE SUBMITTAL OF NYS DEC 2013 WATER QUALITY IMPROVEMENT PROJECTS PROGRAM GRANT

WHEREAS, Round 11 of the NYS Department of Environmental Conservation (DEC) Water Quality Improvement Projects Program grant presents an opportunity for municipalities to seek funding from the NYS DEC from a program entitled Water Quality Improvement Projects Program (WQIP); and WHEREAS, this WQIP program provides funding assistance to applicants that are working on improvements to stormwater infrastructure and related work; and

WHEREAS, an opportunity exists for all of the municipalities within the Schroon Lake Watershed to cooperate with one another for the betterment of water quality within the Schroon Lake Watershed; and

WHEREAS, the Town of Horicon wishes to apply for a WQIP grant through the DEC to implement projects outlined in the Schroon Lake Watershed Management Plan; now, therefore be it RESOLVED, that the Town of Horicon approves the submission of a NYS DEC WQIP application which will cover 75% of the work and the remaining 25% will be the responsibility of the Towns of Horicon and Schroon; and be it further

RESOLVED, that the Horicon Town Board authorizes the Supervisor to execute any and all documents associated with the submittal of the NYS DEC WQIP application.

Proposed Resolutions:

RESOLUTION #118-2013

The Entire Board introduced Res. No. 118 and moved its adoption, all Ayes:

RESOLUTION OF APPRECIATION TO RALPH BENTLEY, SUPERVISOR UPON HIS RETIREMENT FROM SERVICE TO THE TOWN

WHEREAS, Ralph Bentley has served The Town of Horicon in various capacities for over 30 years as:

Zoning Board of Appeals Member (1978 - 1979)

Councilman (1980 - 1995)

Supervisor (1998 - 2013)

County Board of Supervisors (1998 - 2013)

Former Chairman Legislative Committee

Committee Chairman: Public Works, Criminal Justice, Traffic Safety Board,

Inter-County Legislative Committee of the Adirondacks,

Committee Member, Past and Present: Finance, Social Services, Real Property, Occupancy Tax Coordination, County Clerk, Health Services, Human Services, Support Services, Legislative and Rules, Invasive Species

Warren County Representative: Adirondack Park Local Government Review Board, Region 5

Fish and Wildlife Management Board and Region 5 Open Space Committee,

Republican Committeeman, AND

WHEREAS, as he carefully managed change in difficult times with integrity, quiet leadership, and fiscal responsibility, AND

WHEREAS, earlier this year Ralph announced his retirement effective December 31, 2013

WHEREAS, that The Town wishes to thank Ralph for his service and dedication throughout the past 32 years, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Horicon, on behalf of the citizens of the Town of Horicon, does hereby express sincere appreciation to Ralph Bentley,

BE IT FURTHER RESOLVED, that The Town Board also wishes Ralph an enjoyable retirement pursuing his interest in hunting and fishing. We wish him good health and much happiness.

RESOLUTION #119-2013

Messrs. Hill and Olson introduced Res. No. 119 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:

<u>From:</u>	<u>To:</u>	<u>Amount:</u>
General:		
7620.4 (Adult Rec-Contr.)	6410.4 (Public.-Contr.)	\$ 3,500.00
1110.1 (Justice-Pers.)	1110.4 (Justice-Contr.)	\$ 100.00
1990.4 (Contin.)	1910.4 (Insur.)	\$ 34.03
7310.1 (Youth-Pers.)	7310.4 (Youth-Contr.)	\$ 1,000.00
Highway:		
5140.4 (Brush-Contr.)	5112.4 (CHIPS)	\$ 4,997.00
5140.4 (Brush-Contr.)	5130.2 (Mach.-Equip.)	\$ 920.00

RESOLUTION #120-2013

Messrs. Olson and Simpson introduced Res. No. 120 and moved its adoption, all Ayes:

RESOLUTION IN SUPPORT OF THE TOWNS OF INDIAN LAKE, LONG LAKE, NEWCOMB, MINERVA AND NORTH HUDSON CONCERNING THEIR PLAN FOR ECONOMIC SUCCESS

WHEREAS, we are in receipt of a letter from the Five TNC (The Nature Conservancy) Towns (The Upper Hudson Recreation Hub/Indian Lake, Long Lake, Newcomb, Minerva and North Hudson) expressing concerns over the current Adirondack Park Agency process, and

WHEREAS, we deem the "classification" of the newly acquired TNC lands, and the subsequent management of same, as critically important to the future of the Five Towns and the entire Adirondack Park, and

WHEREAS, we conclude that for all of us to say, "It is a new day in the Adirondack Park", it means we ALL have to do business differently. The sense that the Adirondack Park Agency, may be poised to, "do business as usual", is of grave concern, and

WHEREAS, staff references to things like the Snowmobile Guidance Document, as an alleged barrier to recreation, are at a minimum disheartening, and

WHEREAS, these observations only reinforce the message which was previously sent by the Adirondack Park Agency, when they failed to offer a broader range of options for public consideration during the recent Classification process, specifically the sad reality that no option considered a campsite, or any significant Intensive Use Area, and

WHEREAS, based on this pattern of disturbing facts, we find it critical to weigh in.

NOW THEREFORE, BE IT RESOLVED that the Horicon Town Board hereby asserts that the desires and the direction of the Upper Hudson Recreation Hub (Indian Lake, Long Lake, Newcomb, Minerva and North Hudson) are absolutely consistent with:

1. The Common Ground Alliance stated vision for a more sustainable/usable Park.
2. The Rec Strategies work asserting the need for more recreational opportunities (the Upper Hudson Recreational Hub was actually showcased as a pilot area).
3. The Adirondack Futures vision for a more usable Park.
4. The highly touted success story involving the Moose River Plains Partnership.
5. The Governor's stated vision for these lands.

6. Commissioner Marten's stated vision for these lands.

AND BE IT FURTHER RESOLVED, that it is critically important that the Adirondack Park Agency recognize the physical and logical reasons to classify these lands as Wild Forest:

1. There is an existing network of roads sufficient to support higher levels of use.
2. There are existing bridges, demonstrating these lands are NOT Wilderness Classification.
3. Rights will remain on these lands for motorized use (authorized through 2018 for lease holders and 2019 for TNC) which is absolutely inconsistent with a Wilderness Classification.

AND ALSO BE IT FURTHER RESOLVED, that the use of an Intensive Use Corridor, similar to the successful example demonstrated in the Moose River Plains, is hereby encouraged. This is to allow roadside camping and greater densities of camping, both of which are designed to entice use away from more sensitive areas. Plus an Intensive Use Corridor will open up the opportunity for a groomed cross country ski trail connection between all of the participating towns,

AND BE IT ALSO RESOLVED, the Town Board of the Town of Horicon does hereby go on record, with the strongest level of support possible, for the Governor's vision that these lands provide recreational opportunities for all recreational users, which is basically captured in the plan set forth by the Upper Hudson Recreation Hub (The Five Towns), and be it further

RESOLVED, that copies of this Resolution be forwarded to Governor Cuomo, Senator Farley, Senator Little, Assemblyman Butler, Assemblyman Stec, NYSDEC Commissioner Martens, APA Chairwoman Ulrich, Hamilton County Board of Supervisors and Essex County Board of Supervisors.

RESOLUTION #121-2013

Messrs. Hill and Simpson introduced Res. No. 121 and moved its adoption, all Ayes:

RESOLUTION TO AUTHORIZE THE SUPERVISOR TO APPROVE THE AATV RESOLUTION IN SUPPORT OF THE FIVE TOWNS

RESOLVED, that the Horicon Town Board does hereby authorize the Supervisor to approve the AATV Resolution in support of the Five Towns.

RESOLUTION #122-2013

Messrs. Higgins and Hill introduced Res. No. 122 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 1990 Ford Dump Truck as surplus equipment and authorizes that it may be advertised and sold "as is".

New Business:

Upper Dam:

The Town has received a Notice of Violation (NOV) from NYS DEC on the Upper Dam regarding necessary Inspection Assessment plans and Environmental Assessment plans. There was lengthy discussion regarding the condition of the upper dam and the possible removal of the planks. Councilman Higgins said the Board should meet with NYS DEC as soon as possible to discuss this whole situation. Supervisor Bentley noted that the Engineer will be meeting with him on October 4th to discuss the dam.

RESOLUTION #123-2013

Messrs. Simpson and Higgins introduced Res. No. 123 and moved its adoption, all Ayes:

RESOLUTION TO AUTHORIZE THE SUPERVISOR TO SIGN LABERGE GROUP PROPOSAL

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Supervisor Bentley to sign the proposal from Laberge Group who will respond to the NOV from NYSDEC, complete a Hydrologic and Hydraulic analysis, and complete Schematic Design alternatives regarding the Brant Lake Upper Dam at a cost of \$18,500.

RESOLUTION #124-2013

Messrs. Simpson and Higgins introduced Res. No. 124 and moved its adoption, all Ayes:

RESOLUTION IN SUPPORT OF THE LAZY MOOSE COUNTRY STORE & GARDEN CENTER

WHEREAS, when Daby's General Store, which had served the residents and visitors of Brant Lake for over 100 years, was destroyed by fire in 2006 it was a significant loss to the Town, and
WHEREAS, Paul and Teri Schuerlein have purchased the old Brant Lake Supply property on Route 8 with the goal of renovating the building for the purpose of re-establishing two businesses, a garden center and a general store, which will serve the Town's residents and visitors, and
WHEREAS, the Schuerlein's have started renovations and are encountering increased project costs due to the existing condition of the building which could cause delay and difficulty in completing the project in a timely manner, and
WHEREAS, the Horicon Town Board and the community of Brant Lake strongly support this project; which will not only provide a grocery store and garden center, but employment opportunities for eight to ten individuals, and
WHEREAS, the Warren County Economic Development Corporation (EDC) is assisting the Schuerlein's in seeking funding for their project, and now, therefore be it
RESOLVED, that the Horicon Town Board supports this project, and supports the efforts of Warren County EDC in exploring funding opportunities for this important project for the Town of Horicon, and be it further
RESOLVED, that the Town Board authorizes the Supervisor to execute any letters and applications in support of this project.

Old Business:

Door repair at Landfill:

RESOLUTION #125-2013

Messrs. Simpson and Olson introduced Res. No. 125 and moved its adoption, all Ayes:

RESOLUTION TO AUTHORIZE REPAIRS TO OVERHEAD DOOR AT LANDFILL

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize repairs to be done on the overhead door at the Landfill. Monies are to come out of Buildings & Grounds code.

Camp Road update: Supervisor Bentley told the Board that Counselor Schachner said they are still waiting on the proper signatures for the Releases.

Solar Power update: Councilman Olson said that he, Councilman Simpson, and Harry Balz, met with the representative from Monolith regarding the placement of the solar panels. He said the panels will be placed on the roof of the Community Center and the Highway Garage. He noted that the panels at the Community Center will not be visible from the road.

Set Budget Workshop Meeting:

RESOLUTION #126-2013

Messrs. Higgins and Olson introduced Res. No. 126 and moved its adoption, all Ayes:

RESOLUTION TO SET BUDGET WORKSHOP MEETING DATE

RESOLVED, that the Horicon Town Board will hold a Budget Workshop Meeting on Monday, October 7, 2013 at 5:00 PM to discuss the 2014 Preliminary Budget.

ZBA Alternate vacancy:

RESOLUTION #127-2013

Messrs. Olson and Higgins introduced Res. No. 127 and moved its adoption, all Ayes:

RESOLUTION TO ADVERTISE FOR ZONING BOARD OF APPEALS ALTERNATE

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Clerk to advertise for an alternate for the Zoning Board of Appeals.

Beautification Mower: Supervisor Bentley said the Woods mower needs a new motor. He said he received an estimate of \$1,100.00 to repair the lower end, and an estimate of \$1,150.00 to replace the complete motor. The price including labor to replace the motor will be less than \$1,600.00.

RESOLUTION #128-2013

Messrs. Hill and Simpson introduced Res. No. 128 and moved its adoption, all Ayes:

RESOLUTION TO AUTHORIZE REPLACEMENT OF MOTOR

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the replacement of the motor on the Woods mower at a cost not to exceed \$1,600.00.

Northwoods Concrete request to purchase one acre parcel: Councilman Olson told the Board that he met with Dave House and they walked the property that Northwoods Concrete wants to purchase from the Town. He also noted that he had obtained an approximate assessed value of \$2,300.00 for the parcel from Assessor Christine Hayes. He explained that Mr. House is willing to have the survey done if he can be assured that the Board will convey the property for \$2,300.00.

RESOLUTION #129-2013

Messrs. Olson and Simpson introduced Res. No. 129 and moved its adoption, all Ayes:

RESOLUTION TO CONVEY PROPERTY AT ASSESSED VALUE

RESOLVED, that the Town Board of the Town of Horicon does hereby agree to convey a certain parcel of property to Northwoods Concrete, once Northwoods Concrete has obtained a survey of the parcel, for the price of \$2,300.00.

Privilege of the Floor:

-Tom Johansen asked the Board if the Town could assist in putting up the tents for the Pug Parade.

RESOLUTION #130-2013

Messrs. Simpson and Hill introduced Res. No. 130 and moved its adoption, all Ayes.

RESOLUTION TO AUTHORIZE HELP WITH TENTS

RESOLVED, that the Horicon Town Board does hereby give permission for the Highway crew to help Tom Johansen set up tents for the Pug Parade.

-Harry Balz addressed the Board regarding the Zoning and Planning Conference he attended. He said the State is changing the SEQR forms and they are going to be more elaborate. The State has a manual online explaining the SEQR process and he requested that the Town download a copy for reference. In addition, Harry said there was a presentation on land clearing in relation to erosion control. He said it was suggested that the Town Board consider preparing a document to have on hand in the Zoning

Office which would explain to people the protocol that must be followed. Harry also noted that the owner of the property on the corner of Red Wing Road and Church Street has been working diligently to clean up the property. Lastly, Harry commended the Highway Department on the good work they did on Dorset Road.

-Sylvia Smith, Co-Chair of the Bicentennial Committee, told the Board that the Bicentennial event was a great success! She noted that they will be having their final meeting to wrap everything up in the next few weeks.

-Paul Holmes addressed the Board and the audience at length regarding his involvement with the Dam Committee and the issues with the Upper Dam. Further discussion amongst the audience members and the Board ensued.

-Joe Koch spoke about the problems with the Dam, referring back to his situation with the Starbuckville Dam, and urged the Board to meet with DEC first in an effort to make some headway on the issue.

Executive Session:

Councilman Higgins made a motion, seconded by Councilman Olson, to move to Executive Session to discuss CSEA negotiations and Personnel, all in favor. The Board moved to Executive Session at 8:25 PM.

The Board returned from Executive Session at 8:45 PM and Councilman Olson made a motion to return to Regular Session, seconded by Councilman Simpson, all in favor. CSEA negotiations and Personnel were discussed and no decisions were made.

RESOLUTION #131-2013

Messrs. Olson and Hill introduced Res. No. 131 and moved its adoption, all Ayes:

RESOLUTION TO ACCEPT THE CSEA CONTRACT

WHEREAS, the Horicon Town Board has been negotiating with the CSEA unit from the Town Highway Department and an agreement has been reached for a three year contract beginning January 1, 2014 that is acceptable to both parties, now, therefore be it

RESOLVED, that the Horicon Town Board does hereby accept the proposed CSEA Contract and authorizes Supervisor Bentley to sign the Contract.

RESOLUTION #132-2013

Messrs. Olson and Simpson introduced Res. No. 132 and moved its adoption, all Ayes.

RESOLUTION TO AMEND EMPLOYEE HANDBOOK

RESOLVED, that the Town Board of the Town of Horicon does hereby amend the Town of Horicon Employee Handbook for General employees to be effective January 1, 2014 as follows: new hires will pay a 20% co-pay for insurance no matter whether it is single, two-person, or family plan; and the eligibility for retiree health benefits is based upon a minimum of twenty (20) years of continuous service with the Town and the employee must be employed by the Town and eligible for retirement at the time the employee wishes to retire.

Supervisor Bentley noted that the Board will meet with the Engineer on the Dam on Friday, October 4, 2013 at 9:00am. Councilman Higgins said the Board should meet with DEC as well and Supervisor Bentley said he will see if DEC can also attend.

Councilman Hill suggested a Resolution recognizing people from the Town of Horicon who worked on the Bicentennial.

RESOLUTION #133-2013

The Entire Board introduced Res. No. 133 and moved its adoption, all Ayes.

RESOLUTION TO EXPRESS APPRECIATION TO TEAM NORTH WARREN

RESOLVED, that the Town Board of the Town of Horicon does hereby wish to recognize the efforts, made on behalf of the Towns of Horicon and Chester, of all those individuals who were involved with North Warren's County Celebration held on August 24, 2013.

RESOLUTION #134-2013

Messrs. Higgins and Olson introduced Res. No. 134 and moved its adoption, all Ayes.

RESOLUTION TO SEND LETTER REGARDING PARKING SITUATION

RESOLVED, that the Town Board of the Town of Horicon authorizes the Clerk to send a letter to the owners of St. Theresa's Church requesting that they either park in the parking spaces or park out back to alleviate congestion in the driveway of the Community Center.

RESOLUTION #135-2013

Messrs. Olson and Hill introduced Res. No. 135 and moved its adoption, all Ayes.

RESOLUTION TO SET TIME LIMIT ON 'PRIVILEGE OF THE FLOOR'

RESOLVED, that the Town Board of the Town of Horicon does hereby set a policy that there will be a five (5) minute time limit on those individuals speaking during Privilege of the Floor at Town Board meetings.

Adjourn... There being no further business to attend to the meeting was adjourned at 8:50 PM by MOTION of Messrs. Olson and Hill, all in favor.

Respectfully Submitted:

Town Clerk