

FEBRUARY 19, 2009 MONTHLY TOWN BOARD MEETING

Present at meeting:	Ralph Bentley	Supervisor
	Frank Hill	Councilman
	Kenneth Higgins	Councilman
	Robert Olson	Councilman
	Joseph Dooris	Councilman
Mark Schachner	Town Counsel	
Gary McMeekin	Zoning Officer	
Arlene Mayer	Town Clerk	

Also: Tom Johansen, Harry Balz, Lou Russo, John Bellini & son, Gary Frenz, Cindy Meade, Nancy Harrison, Harvey Leidy, Jane Smith, Bill McGhia, Bernie Hill, Mike Hayes.

APPROVAL OF MINUTES: The minutes of January 15th were approved by MOTION of Messrs. Dooris & Olson, all ayes.

REPORTS: Supervisor, Town Clerk, Zoning, and Justice

APPROVAL OF FEBRUARY ABSTRACTS:

RESOLUTION NO. 34 OF 2009

Messrs. Hill & Olson (excepting Voucher for Zoning Mileage) introduced Res. 34 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT OF ABSTRACTS

RESOLVED, that the Town Board does hereby authorize the payment of the February Abstracts:

Highway Vouchers # 16-37	\$194,403.19
General Vouchers # 35-71	\$ 35,472.13
Highway Abstracts 3 & 4	\$ 14,210.24
General Abstracts 3 & 4	\$119,065.94

Hill-aye, Higgins-aye, Olson-aye (except for Zoning Mileage), Dooris-aye, Bentley-aye

COMMUNICATIONS:

Lk. George Property Owners Group	RE: Stream Corridor Regulations
Time Warner Cable	RE: Franchise Agreement Report
BAC	RE: Entry & Testing Agreement
Georgia McMeekin	RE: Highway Funding Grants

Action on Communications- Regarding the Stream Corridor Regulations. Supervisor Bentley explained the draft proposal. Councilman Olson said the restrictions are severe and uncalled for. Supervisor Bentley called for the Board to pass the Resolution opposing the regulations.

RESOLUTION NO. 35 OF 2009

The Members of the Horicon Town Board introduced Res. 35 and moved its adoption:

RESOLUTION OPPOSING THE CURRENT DRAFT OF STREAM CORRIDOR REGULATION PROPOSED BY THE LAKE GEORGE PARK COMMISSION

WHEREAS, the Town of Horicon respectfully opposes the current draft Stream Corridor Regulations proposed by the Lake George Park Commission (LGPC), there being no scientific documentations supporting the need for this regulation, AND

WHEREAS, the LGPC has not considered the alternatives to remedy the perceived problem and has not consulted with the county government that is elected to represent the citizens who will be adversely affected by the proposed regulation, therefore circumventing the citizens of this community, AND

WHEREAS, in a study conducted by Warren County Soil & Water, this will adversely affect 2,309 privately owned parcels comprising 21.08% of the total parcels in the basin and the LGPC has not properly notified all property owners of the potential impacts to their land investments, AND

WHEREAS, the regulations as written are vague and complex placing an unnecessary burden on the property owner and there are existing laws and permitting processes protecting these resources and this is an unnecessary action by the LGPC, AND

WHEREAS, the New York State Legislature has intended for the LGPC to promote and preserve the welfare of the public residing in the basin, not to cause detriment to the public and the LGPC has failed to follow SS43-0107 to "encourage, cooperate with, aid, and assist municipalities lying wholly or partially within the Lake George Park in the preparation and adoption of zoning laws or ordinances and other local legislation prohibiting, restricting, regulating, or controlling the uses of real property" by circumventing this country's governing bodies and creating its own land use plan, NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town of Horicon requests that the Lake George Park Commission cease its proposed regulatory action until such time as it has consulted with the governing body of the county and shown, with scientific documentation, the need for such action and that the welfare of the property owners of this county will not be adversely and unnecessarily burdened.

Hill-aye, Higgins-aye, Olson-aye, Dooris-aye, Bentley-aye

Time-Warner- Now that we again have franchise money available, we will look into doing Grassville Road and Shaw Hill Road. There is \$18,159.63 in extension fund.

BAC- Supervisor Bentley reported that the company is looking into the possibility of erecting a communications tower in the Town. The sites they are looking at are by the Highway Garage, Horicon Cemetery or Landfill.

OLD BUSINESS-

Little League Pavilion- Mr. John Bellini proposed that the building be done as an Eagle Scout Project. There would be a volunteer labor force of experienced contractors with the scout in charge of putting together the project. Councilman Olson said the Town would be glad for the assistance, but will have to look into the liability problems. The

Board asked Counselor Schachner to look into it. Supervisor Bentley said the volunteers would be covered by the Town insurance. Mr. Harvey Leidy said he would put the project news in the next Newsletter. Mr. Bellini said the Scouts have done some large projects in Chestertown and want to help in Horicon. Mr. Bellini added that they want to be part of this Community and this is a leadership project in which scouts do labor, but do not use power equipment. Mr. Bellini said the projects they have done are "done quite professionally". Supervisor Bentley said the Town would secure the permits necessary.

Sale of 1997 Highway Pick-up/plow- The Town received 11 Bids on the Ford truck. The bids ranged from high bid of \$3,500.00 (some question as to way amount is written) by Dan Hayes to low bid of \$450.00. The top three bids are: Dan Hayes- \$3,500.00(?), Ken Hayes- \$2,800.00 and Ronald Bennett- \$2,300.00.

RESOLUTION NO. 36 OF 2009

Messrs. Olson & Hill introduced Res. 36 and moved its adoption:

RESOLUTION TO AWARD TRUCK BID

RESOLVED, that the Town Board does hereby award the truck bid to Dan Hayes upon clarification of his bid of \$3,500.00. If this bid is not clarified then bid is awarded to second highest bidder, Ken Hayes, for \$2,800.00.

Hill-aye, Higgins-aye, Olson-aye, Dooris-aye, Bentley-aye

Celebration Committee-Councilman Dooris gave the Board a list of his candidates for the Celebration Committee and said they would begin looking into the various ideas in order to have the Community Celebration in the summer of 2010. There will hopefully be a fireworks display and many other festivities. The Board appreciates the candidate's willingness to help and the following Resolution was introduced:

RESOLUTION NO. 37 OF 2009

Messrs. Dooris & Hill introduced Res. 37 and moved its adoption:

RESOLUTION TO APPOINT CELEBRATION COMMITTEE

RESOLVED, that the Town Board does hereby appoint the following members of the Celebration Committee:

Joseph Dooris	Councilman
Robert Olson	Councilman
Poul Carstenson	Community At Large
Greg Beckler	Chamber of Commerce
(or designee)	
Kevin Bradford	Fire Company
Dave Isevoli	Fire Company
John Bellini & Boy Scouts	

Ayes: 5 Nays: 0

Training for ZBA & Planning Boards- Councilman Dooris asked about increasing the required hours for training from 4-6 hours per year. Counselor Schachner replied that if the Board wanted "teeth" in the requirement we would need to amend the Zoning and Project Review. If the policy were done by Resolution it would not be as enforceable. Councilman Olson said he does not see enforcement as the issue with new people

coming onto the Boards. He suggested again that a class be held right here at the Community Center, as it was done before. Councilman Olson felt that until we had a problem it could be handled by Resolution. Councilman Higgins said he had notified the 2 members who have not had the required training. One took some training and the other has not. Counselor Schachner said there are at least four opportunities each year to get training in the area. Supervisor Bentley said that Christine is getting a training class together with our Town Counselor leading it.

RESOLUTION NO. 38 OF 2009

Messrs. Olson & Higgins introduced Resolution 38 and moved its adoption:

RESOLUTION TO ADOPT AS TOWN POLICY FOUR HOURS PER YEAR OF MANDATORY TRAINING FOR ZBA & PLANNING BOARD MEMBERS

RESOLVED, that the Town Board does hereby require at least four hours of training classes, per year, for each member of the Zoning Board of Appeals and the Planning Board. Failure to take the required training can result in termination of the members' ability to continue to serve on the Board.

Hill-aye, Higgins-aye, Olson-aye, Dooris-aye, Bentley-aye

NEW BUSINESS-

Private cemetery by James Farmers house- Supervisor Bentley reported that Jim Farmer wants to give an easement to the Town for a path to the small cemetery that is located behind his house. We will need to have a map done of the property in order to have easement papers drawn up. Mr. Farmer is concerned about liability regarding people he has allowed across his property in order to go to the cemetery. The clerk will contact the surveyor who mapped out the Adirondack Cemetery regarding drawing up map.

"No Parking" signs for Horicon Birches- Highway Superintendent Smith would like to put up some "No Parking" signs by the "Y" in Horicon Birches. There are vehicles parked on the road and they make it difficult to plow the road and turn around.

RESOLUTION NO. 39 OF 2009

Messrs. Hill & Higgins introduced Res. 39 and moved its adoption:

RESOLUTION TO AUTHORIZE "NO PARKING" SIGNS

RESOLVED, that the Town Board does hereby authorize the Highway Superintendent to purchase and erect "No Parking" signs in Horicon Birches. Signs are needed to allow the highway trucks to safely maintain the roads and eliminate the various vehicles that are parked in the way of doing this.

Hill-aye, Higgins-aye, Olson-aye, Dooris-aye, Bentley-aye

RESOLUTIONS

RESOLUTION NO. 40 OF 2009

Messrs. Dooris & Higgins introduced Res. 40 and moved its adoption:

RESOLUTION AUTHORIZING SOLICITATION OF SAND BIDS

RESOLVED, that the Town Board does hereby authorize the clerk to solicit, by legal advertisement, bids for highway sand. Bids to be opened at 10:00 AM on March 19th.

Ayes: 5 Nays: 0

RESOLUTION NO. 41 OF 2009

Messrs. Higgins & Hill introduced Res. 41 and moved its adoption:

RESOLUTION TO AUTHORIZE POSTING OF ROADS

RESOLVED, that the Town Board of the Town of Horicon hereby authorizes the Highway Superintendent to advertise and post the Town Roads for spring conditions when warranted.

Ayes: 5 Nays: 0

RESOLUTION NO. 42 OF 2009

Messrs. Olson & Dooris introduced Res. 42 and moved its adoption:

**RESOLUTION TO DESIGNATE POLLING PLACES
IN THE TOWN OF HORICON**

WHEREAS, pursuant to Article 4-104 of the New York State Election Law, the Town Board of the Town of Horicon must submit to the Warren County Board of Elections a listing of the polling places in the Town of Horicon in each Election District in which Elections are held, NOW THEREFORE BE IT

RESOLVED, that the following locations be and hereby are designated as the respective polling places in the Districts as enumerated:

Election District # 1	Horicon Community Center
Election District # 2	6604 State Route 8 Brant Lake, NY 12815

Hill-aye, Higgins-aye, Olson-aye, Dooris-aye, Bentley-aye

RESOLUTION NO. 43 OF 2009

Messrs. Higgins & Dooris introduced Res. 43 and moved its adoption:

RESOLUTION TO HIRE SURVEYOR FOR FARMER EASEMENT

RESOLVED, that the Town Board does hereby authorize Supervisor Bentley to engage a surveyor to map and provide a description of property belonging to James Farmer that will provide an easement for access to the small cemetery behind his home.

Hill-aye, Higgins-aye, Olson-aye, Dooris-aye, Bentley-aye

RESOLUTION NO. 44 OF 2009

Messrs. Olson & Dooris introduced Res. 44 and moved its adoption:

**RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN AMENDED
AGREEMENT WITH TOWER DEVELOPMENT**

RESOLVED, that the Town Board does hereby authorize Supervisor Ralph Bentley to sign an agreement with Tower Development I, LLC providing the Agreement is amended to include a Certificate of Insurance with a minimum amount of \$1,000,000 and naming the Town of Horicon on it.

Hill-aye, Higgins-aye, Olson-aye, Dooris-aye, Bentley-aye

RESOLUTION NO. 45 OF 2009

Messrs. Olson & Hill introduced Res. 45 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT OF GAS BOY VOUCHER

RESOLVED, that the Town Board does hereby authorize the payment of the November and December Gas Boy bills. These bills were not received until yesterday

and are leftover from 2008. The Board authorizes payment in the amount of \$10,943.90.

Hill-aye, Higgins-aye, Olson-aye, Dooris-aye, Bentley-aye

RESOLUTION NO. 46 OF 2009

The Members of the Horicon Town Board introduced Res. 46 and moved its adoption:

RESOLUTION OF APPRECIATION TO NORTH WARREN SCHOOL

WHEREAS, the North Warren School students in grades Kindergarten through 12th, the teachers and the non-teaching staff collected 515 pounds of non-perishable food during a food drive held recently, AND

WHEREAS, the great effort and community spirit involved in this project is an outstanding reminder of what can be accomplished when people join together to aid those who are in less fortunate situations, AND

WHEREAS, the food collected was sorted and packaged by dedicated students and teaching and non-teaching staff so that it could be divided between the food pantries in both the Town of Horicon and the Town of Chester, NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Horicon, by virtue of this Resolution, wishes to recognize the efforts and awareness that launched and carried out this food drive in order to remember and aid those who are having a difficult time feeding their families, BE IT FURTHER

RESOLVED, that the Town Board takes this opportunity to thank each and every person involved in this project and the North Warren School for contributing this gift of food to our food pantry. We thank you on behalf of all those who you are helping.

Ayes: 5 Nays: 0

PRIVILEGE OF FLOOR

Mr. Lou Russo spoke on behalf of the American Legion and V.F.W. regarding the new Honor Roll in Adirondack. Mr. Russo asked that the Town Board provide a flagpole and lighting at the site. The V.F.W. will supply the flags and wreath for services. Mr. Russo also thanked the Town Board for letting the veterans groups meet at the Community Center. Supervisor Bentley said the Town would erect the flagpole and lighting on site.

Nancy Harrison reported that more people are attending the Youth Commission Meetings. They have received a \$400.00 Grant towards the "lock in". Ms. Harrison said they are working on planning more activities for the kids.

The Board then moved to Executive Session at 7:50 PM, by MOTION of Messrs. Hill & Olson, all ayes. Supervisor Bentley announced that litigation and personnel would be discussed.

The Board returned to Regular Session at 9:00 PM by MOTION of Messrs. Olson and Dooris, all ayes. Supervisor Bentley reported that no decisions were reached.

Brief discussion regarding limiting contact with APA by the Zoning and Planning Boards, also the Zoning Administrator. Messrs. Olson & Higgins moved to table further discussion until later date, all ayes.

This being all the business to attend to the meeting was adjourned at 9:05 PM by MOTION of Messrs. Olson & Dooris, all ayes.

Respectfully submitted:

Town Clerk