

MARCH 19, 2009 MONTHLY TOWN BOARD MEETING

Present at meeting: Ralph Bentley Supervisor
 Frank Hill Councilman
 Kenneth Higgins Councilman
 Robert Olson Councilman
 Joseph Dooris Councilman
Paul Smith Highway Superintendent
Arlene Mayer Town Clerk
Laura Saffer Warren County Public Health

Also: Gary Frenz, Martin Meade, Harry Balz, Tom Johansen, John Bellini, John Bellini, Jr
Nancy Harrison, Sandy Smith, Carl Heilman, Don Lewis

Supervisor Bentley called the meeting to order and introduced Laura Saffer from Warren County Health Services. Ms. Saffer gave a presentation with slides on "Emergency Preparedness" in case of a pandemic or any other type of health emergency.

The Board thanked Ms. Saffer for her informative presentation.

Mr. Carl Heilman spoke to the Town Board regarding his pending purchase of the Catholic Church property. Mr. Heilman intends to have a photography gallery, bookstore and coffee shop in the building but is concerned regarding septic and ample parking. Messrs. Olson & Dooris made a MOTION that the Supervisor send a letter to Mr. Heilman in support of moving this project forward and addressing the Town's cooperation for use of the Community Center septic system and parking, all ayes.

REPORTS: Supervisor, Town Clerk, Zoning, Justice

MARCH ABSTRACTS:

RESOLUTION NO. 47 OF 2009

Messrs. Hill & Higgins introduced Res. 47 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT OF MARCH ABSTRACTS

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

Highway Vouchers # 38-65	\$ 25,148.79
General Vouchers # 72-96	\$ 38,782.69
Highway Abstracts 6 & 8	\$114,639.27
General Abstracts 6 & 8	\$ 17,484.41

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

COMMUNICATIONS:

Town of Johnsbury	RE: Support for ORDA Interconnect
Agard & LePan	RE: Estimate for Farmer Survey
NYS DOT	RE: Traffic Detour
American Fireworks Co.	RE: Providing fireworks display
Daniel Ockrin	RE: Adirondack Lifeguard Position
W.C. Attorney's Office	RE: Agreement for Voting Machines
NYS Office of Real Property	RE: Triennial Aid Certification

N.W. Chamber of Commerce RE: New Upper Hudson River Waterfront Map
Dennis Bolton Sr. RE: Zoning Officer Substitute Application
Lk. George Property Owners RE: Petition re Stream Corridor Management Regs.
Laura Moore RE: Planning Board Training Class

ACTION ON COMMUNICATIONS:

North Warren Chamber of Commerce has requested the Town Board donate \$3,000.00 of the Occupancy Tax money for the development, design, printing and distribution of a NEW Upper Hudson River Waterfront Community Map. This new map will extend from the existing map that stops in the Albany/Cohoes/Troy Area. This map will continue along the Hudson to Essex County's Lake Tear of the Clouds and will recognize the Town of Horicon as a community along the Schroon River, which is a major tributary to the Hudson. This will complete the full representation of the Hudson's 315 miles.

RESOLUTION NO. 48 OF 2009

Messrs. Olson & Dooris introduced Res. 48 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT OF \$3000 FROM OCCUPANCY TAX MONIES TO NORTH WARREN CHAMBER OF COMMERCE FOR MAP

WHEREAS, the North Warren Chamber of Commerce has requested support of \$3,000.00 for developing and distributing a New Upper Hudson River Waterfront Community Map, AND

WHEREAS, this map will be utilized as an economic development tool for the areas north of Albany, which is where the current map ends the Hudson River, NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the donation of \$3,000 from the Occupancy Tax Fund to the North Warren Chamber of Commerce for this new map.

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

Planning Board Members Training- The Warren County Planning Board is holding their 3rd Annual training Session. This training can be used towards the 4 hour training requirement each member needs. Councilman Olson said the subject of this training class, "The Census, You and Your Community" does not exactly focus on the immediate problems facing our Boards, but the Town should encourage any training. Harry Balz suggested the County should coordinate training with the great program sponsored by Saratoga County. The Town will also be holding a training session soon.

RESOLUTION NO. 49 OF 2009

Messrs. Olson & Higgins introduced Res. 49 and moved its adoption:

RESOLUTION TO AUTHORIZE ATTENDANCE AT TRAINING CLASS

RESOLVED, that the Town Board does hereby authorize the attendance of any Planning or Zoning Board personnel at the Warren County Planning Board Annual Training Class, March 30th. Mileage cost to the Warren County Municipal Center will be reimbursed.

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

OLD BUSINESS:

Zoning Officer Job Description- Councilman Dooris has written up a draft for the Zoning Officer Job Description and Counselor Schachner has reviewed it. Councilman Dooris said the Town has needed a job description and perhaps this will make things clearer. Councilman Olson suggested the job title be changed to Zoning Administrator as that how it is classified in our Zoning Book. Councilman Dooris said he would make this change. Supervisor Bentley suggested the property tax map number have a space on the new Zoning Officer's Report Form. The following Resolution was then introduced:

RESOLUTION NO. 50 OF 2009

Messrs. Dooris & Olson introduced Res. 50 and moved its adoption:

RESOLUTION TO APPROVE CHANGES ON ZONING OFFICER DRAFT

RESOLVED, that the following changes be made to the original "Draft of Zoning Officer Job Description": Job Title be changed to Zoning Administrator to match title in Zoning Ordinance and space be added to draft of report form to include space for property identification number.

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

We will check with Counselor to see if this Job Description needs a Resolution or a Local Law to be adopted.

Highway Sand Bid-The Sand Bid was legally advertised and one bid was received this morning.

RESOLUTION NO. 51 OF 2009

Messrs. Higgins & Dooris introduced Res. 51 and moved its adoption:

RESOLUTION TO AWARD SAND BID

WHEREAS, the Town Board advertised for bids for sand for highway use, AND WHEREAS, one bid was received and opened on March 19th at 10:00 AM, NOW THEREFORE BE IT

RESOLVED, that the Town Board does hereby award the sand bid to Gilma Enterprises, Inc. of Chestertown for a bid of \$1.50 per cubic yard.

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

Pavilion for Little League Field in Brant Lake- Councilman Olson said he will have the plans ready by Monday or Tuesday. Mr. John Bellini and John Bellini Jr. asked about the Boy Scouts part in the building. The Town Board wants very much to have the Scouts totally involved. The following Resolution was introduced:

RESOLUTION NO. 52 OF 2009

Messrs. Dooris & Olson introduced Res. No. 52 and moved its adoption:

RESOLUTION TO AUTHORIZE BOY SCOUTS TO ORGANIZE AND PLAN BUILDING OF LITTLE LEAGUE FIELD PAVILION

RESOLVED, that the Town Board does hereby authorize the Boy Scouts, under the direction of John Bellini Sr., to plan, organize and work on building the pavilion to be located on the Little League Field in Brant Lake. The Boy Scouts will work with Town forces and other volunteer labor on this project.

Ayes: 5 Nays: 0

Master Plan- Councilman Olson reported on the Master Plan draft that was presented to the Town Board in January. He said there is a lot of information contained in plan, some good things and some bad for the Town. Councilman Olson added, "the Board needs to take their time to review this plan at one or two workshop meetings". A MOTION was introduced by Messrs. Olson and Dooris to hold a Workshop Meeting on Thursday, April 9th at 6:00 PM, all ayes.

Councilman Olson said there would be a series of public informational meetings held before the Town Board acts on any changes. At these informational meetings the Board will welcome input from those attending. Councilman Dooris added that the Town Board is not going to "rubber stamp" this Plan without a lot of review. Any suggested changes in zoning will be drafted and sent to the Planning Board for their review and recommendation. These suggested changes would come about during the careful study of the Plan by the Town Board.

Future Bid Procedures- Due to the problems encountered with this last bid sale of the highway truck Councilman Dooris suggested the Board might want to look into requesting a BID DEPOSIT in the future. Many times this is done to put some responsibility on the bidder. The two highest bidders for the truck backed out of buying the truck when they were notified.

Youth Commission- Nancy Harrison reported that the Commission received a Grant of \$400.00. Ms. Harrison spoke of the Monthly movie night and said the Youth Commission is always looking for new people to volunteer.

NEW BUSINESS

Proposals for Sound System for Community Center- Councilman Olson received two proposals: Adirondack Audio and Video- \$2,076.00

Ray Supply- \$5,112.19

The Board felt we could get by with the lower price one. Further discussion needed before deciding.

Community Service Placement- The Town was asked if they could provide some work hours for a North Warren student who needs to do community service for 8 hours. Councilman Hill suggested working for a Saturday at the landfill. We will suggest this to probation department.

RESOLUTIONS:

RESOLUTION NO. 53 OF 2009

Messrs. Dooris & Olson introduced Res. 53 and moved its adoption:

RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN THE AMENDMENT TO INTERMUNICIPAL AGREEMENT REGARDING VOTING MACHINE DELIVERY AND STORAGE

RESOLVED, that the Horicon Town Board does hereby authorize Supervisor Ralph Bentley to sign the "Amendment To Intermunicipal Agreement Regarding Voting Machine Delivery and Storage". This Agreement continues the re-imbursement for

delivery and storage of voting machines until the time that new machines are obtained by the County.

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

RESOLUTION NO. 54 OF 2009

Messrs. Hill & Olson introduced Res. 54 and moved its adoption:

RESOLUTION TO CONTRACT WITH AGARD & LEPAN SURVEYORS

RESOLVED, that the Town Board does hereby authorize Supervisor Ralph Bentley to contract with Agard & LePan Land Surveying, PLLC for services to provide a survey description and sketch for the easement on James Farmer's property. Cost of services is estimated at \$1,300.00.

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

RESOLUTION NO. 55 OF 2009

The Members of the Horicon Town Board introduced Res. 55 and moved its adoption:

**RESOLUTION IN SUPPORT OF THE OLYMPIC REGIONAL
DEVELOPMENT AUTHORITIES FUNDING INTERCONNECT
INSTALLATION OF LIFT & TRAIL SYSTEM**

WHEREAS, Gore Mountain Ski Center operated by the Olympic Regional Development Authority is an economic strength of unparalleled proportion for multiple towns and counties in upstate New York, AND

WHEREAS, after many years of planning including engineering and legal work Gore has proposed to pursue an interconnect between Gore Mountain as it presently exists and the North Creek Ski Bowl at the edge of the hamlet of North Creek, AND

WHEREAS, in pursuit of this interconnection the Olympic Regional Development Authority has purchased a triple chair lift to install at said Ski Bowl Park which will permit a skiable connection in both directions between Gore Mountain and the North Creek Ski Bowl permitting skiers and tourists more substantial access to the hamlet of North Creek, AND

WHEREAS, such changes including the interconnect and other recent developments will help to render Gore Mountain amongst the five largest vertical ski experiences East of the Mississippi River, AND

WHEREAS, the New York State Comptroller has estimated the interconnect lift alone will result in 74,000 additional skiers visiting Gore Mountain annually with an influx of 1.8 million dollars in revenues to the ORDA/Gore budget, AND

WHEREAS, the New York State Comptroller estimates that the interconnect will generate 7.4 million dollars to the local economy, NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Horicon urges the Olympic Regional Development Authority to fund operations of the interconnect at its earliest possible convenience and aggressively pursue installation of the lift and trail system necessary to fulfill the interconnect.

Ayes: 5 Nays: 0

RESOLUTION NO. 56 OF 2009

Messrs. Dooris & Higgins introduced Res. 56 and moved its adoption:

**RESOLUTION TO AUTHORIZE CHRISTINE SMITH-HAYES
TO ATTEND RPS USER GROUP MEETING**

RESOLVED, that the Town Board does hereby authorize Christine Smith-Hayes to attend the RPS User Group Meeting in Albany on April 7th. Ms. Smith-Hayes will be reimbursed for mileage and lunch expenses.

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

RESOLUTION NO. 57 OF 2009

Messrs. Dooris & Higgins introduced Res. 57 and moved its adoption:

**RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN
THE CSEA EMPLOYEE BENEFIT FUND CONTRACT**

RESOLVED, that the Town Board does hereby authorize Supervisor Ralph Bentley to sign the new CSEA Employee Benefit Fund Contract that provides dental and vision insurance to Town employees.

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

PRIVILEGE OF FLOOR:

Museum- Tom Johansen reported that Tommy Hannaberg, Eagle Scout/Boy Scouts would be working on the interior of the museum as a community project.

Starbuckville Dam- Harry Balz presented the Board with a photo album depicting the whole re-building of the Starbuckville Dam. The Board thanked Mr. Balz for this great keepsake of the project as well as his gifts of the pictorial histories of the demolition of the old Horicon School and building of the Community Center, and the building of the new Highway Building.

The Board moved to Executive Session at 8:20 PM by MOTION of Messrs. Hill & Dooris, all ayes. Supervisor Bentley reported that Executive Session will be discussing Personnel & CSEA Union.

The Board returned to Regular Meeting at 9:50PM by MOTION of Messrs. Olson & Dooris, all ayes. Supervisor Bentley reported that CSEA Union & personnel were discussed. The following Resolutions were then introduced:

RESOLUTION NO. 58 OF 2009

Messrs. Higgins & Dooris introduced Res. 58 and moved its adoption:

RESOLUTION TO CLARIFY ACCUMULATED LEAVE & DISABILITY

WHEREAS, the Town Board met in Executive Session on March 19th to discuss accumulated leave time and disability insurance payments as it applies to Town of Horicon Employees, AND

WHEREAS, the CSEA has asked for clarification on the matter of "Off-The-Job Insurance" and accrued leave time, NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Horicon does hereby determine that when an employee leaves work because of illness or off the job disability the employee must use all accumulated time before going on disability. When all disability payments are exhausted the employee may apply for family medical leave.

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

RESOLUTION NO. 59 OF 2009

Messrs. Higgins & Dooris introduced Res. 59 and moved its adoption:

RESOLUTION CLARIFYING CHRISTMAS EVE HOLIDAY HOURS

WHEREAS, the CSEA Contract contains two separate mentions of the Christmas Eve Holiday, one stating that CSEA highway employees have 12 ½ (1/2 day being Christmas Eve) holidays and the other naming "Christmas Eve Afternoon", AND

WHEREAS, years ago the highway employees worked from 8:00 AM to 4:00 PM thus making ½ day end at 12:00 Noon, but for many years now the highway employees have started their day at 7:00 AM, thereby making ½ day end at 11:00 AM. The Town has honored the 11:00 AM time until a "misunderstanding" this past Christmas Eve, NOW, THEREFORE BE IT

RESOLVED, that the Town Board does hereby determine that the Christmas Eve Holiday shall begin at 11:00 AM.

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

This being all the business to attend to the meeting was adjourned at 9:50 PM by MOTION of Messrs. Higgins & Hill, all ayes.

Respectfully submitted:

Town Clerk