

**SEPTEMBER 17, 2009      MONTHLY TOWN BOARD MEETING**

Present at meeting:      Ralph Bentley      Supervisor  
                                 Frank Hill      Councilman  
                                 Ken Higgins      Councilman  
                                 Robert Olson      Councilman  
                                 Joe Dooris      Councilman  
Paul Smith      Highway Superintendent  
Arlene Mayer      Town Clerk

Also: Krista Wood, Diana Bentley, Harry Balz, Bill McGhia, Tom Johansen, Louie Russo, Mr. & Mrs. Paul Frasco, Ken Dott, Mr. & Mrs. Terry Perkins, Lisa Fish, John Goode, Mike Turano, Matt Simpson, Roscoe Chase, Patrick Farrell, Jason Paul, others.

Supervisor Bentley opened the meeting and welcomed guests.

Reports: Supervisor, Town Clerk, Zoning and Justice

Approval of Minutes: The minutes of August 20<sup>th</sup> were approved by MOTION of Messrs. Hill & Olson, all ayes. The minutes of July 16<sup>th</sup> stand as written.

Approval of September Abstracts:

Councilman Dooris has a problem with Voucher No. 258 regarding purchase of a fuel hand pump for the landfill. There seems to be no authorization for this purchase and the check will be held until Mr. Hayes is asked about it.

**RESOLUTION NO. 107 OF 2009**

Messrs. Hill & Dooris introduced Res. 107 and moved its adoption:

**RESOLUTION TO AUTHORIZE PAYMENT OF SEPTEMBER ABSTRACTS**

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

Highway Vouchers # 186-206	\$ 9,079.95
General Vouchers # 250-275	\$40,744.99
Highway Abstracts 24 & 25	\$11,114.52
General Abstracts 24 & 25	\$167,975.51

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

Communications:

Margaret Silvernail	RE: Resignation as Justice Clerk
NWCS Students	Re: Thank you to Frank Hill & Town Board
NYS Office of Real Property	RE: Board of Review Re-appointment
Warren County Attorney	RE: Amendment to Intermunicipal Agreement For Hauling & Disposal of Solid Waste

Old Business:

Fuel Bids- We had bids from Mountain Petroleum and Shaw Fuel for heating oil, kerosene and propane. Resolution to follow.

Garage key- Barbara Blum would like a key to the garage so she can store items for programs for the Friends of the Library. Messrs. Higgins & Hill made MOTION to give Mrs. Blum a key, all ayes.

Brownell Septic- The Town will authorize the Town Attorney to obtain a court order for testing of the septic system in the spring. Resolution to follow.

New Business:

Adirondack Church- Councilman Hill asked about the status of the Adirondack Church. Supervisor Bentley said a quit-claim deed is being prepared by our Town Attorney for Doug Roberts to sign. Short discussion of possible Grants available to restore or repair church as it is in very bad shape.

Budget Workshop Meeting- Messrs. Hill & Olson made a MOTION to hold the Budget Workshop on Tuesday, October 13<sup>th</sup> at 6:00 PM, all ayes.

Comprehensive Plan Informational Meeting- Councilman Olson asked who will make the presentation to the public, he feels it should be a neutral person.

Possibly Dr. Lamb has a student who was working with the Town on the plan who would be available to do it. The final corrections have not been made yet so the meeting originally set for September 24<sup>th</sup> has to be changed. Messrs. Olson & Hill made a MOTION to change meeting to Thursday, October 1<sup>st</sup> at 6:00 PM, all ayes.

#### North Warren Emergency Squad-

Lengthy discussion, sometimes heated, regarding the many pieces of information that have reached the Town Board over the past few weeks. Much of the information criticizes the way the North Warren Squad is being run and how money is being spent. Captain Jason Paul said he was here to try and clear up some of the misinformation. Captain Paul said the Medical Director was never "fired", he was told he was no longer needed. Captain Paul added that the Medical Director had "overstepped his bounds". Discussion of dispensing narcotics without a Medical Director and the repercussions of doing so. The Squad is currently not able to carry certain narcotics at this time. Councilman Dooris said that he feels it has come to the point where "serving the public has become second fiddle to private problems". Lisa Fish, a member of the Squad asked the Board to put together a list of their questions and submit it to the squad. Councilman Hill said the Squad has other problems besides narcotics. Ms. Fish said an audit is currently being done by "Lambruno", but it is taking awhile because he has asked for three years of information. Supervisor Bentley said he has a big problem with the fact that the paid members are saying they are volunteers and legally they cannot be both. "It is unethical, if not illegal to have a paid Board in charge" Supervisor Bentley said "the Squad is being run as a Dictatorship by one certain person and his small group". The Supervisor added that the Town is going to advertise for emergency services from another source. He added "if you get your house in order we might entertain contracting with you. Councilman Dooris said "we are not getting the services we are paying for". Supervisor Bentley questioned Captain Paul about a form that members are suppose to sign saying they will not talk about the workings of the squad with Town officials. The Supervisor added that "the Attorney General's Office is investigating your organization".

The Town Board is introducing a Resolution later in meeting to Invite Bids for Emergency Services.

Cable Extension- Councilman Dooris has been asked about getting cable on Beaver Pond Road. We are already set for the next cable extensions, which are Grassville Road and then Shaw Hill.

#### Resolutions:

##### **RESOLUTION NO. 108 OF 2009**

Messrs. Higgins & Hill introduced Res. 108 and moved its adoption:

##### **RESOLUTION TO RE-APPOINT LAURI HUGHES TO THE BOARD OF ASSESSMENT REVIEW**

RESOLVED, that the Town Board does hereby re-appoint Lauri Hughes to a new term on the Horicon Board of Assessment Review. New term to run from October 1, 2009 to September 30, 2014.

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

##### **RESOLUTION NO. 109 OF 2009**

Messrs. Higgins & Hill introduced Res. 109 and moved its adoption:

##### **RESOLUTION TO AWARD BIDS FOR FUEL AND PROPANE FOR 2010**

WHEREAS, the Town Board advertised for bids for heating oil and kerosene for Town buildings and also propane for the Highway Garage, AND WHEREAS, bids were received and opened on September 17<sup>th</sup>, NOW, THEREFORE BE IT,

RESOLVED, that the Town Board does hereby award the bids as follows:

Fuel oil and Kerosene	Mountain Petroleum	.35 cents over rack
Propane	Mountain Petroleum	.35 cents over rack

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

**RESOLUTION NO. 110 OF 2009**

Messrs. Dooris & Olson introduced Res. 110 and moved its adoption:

**RESOLUTION TO AUTHORIZE  
DIVISION OF YOUTH BUDGET**

WHEREAS, the Resolution for authorizing the project application for division of Youth Budget is annually adopted by the Town of Horicon, AND WHEREAS, Warren County Division of Youth will reimburse the local Youth Program 50%, up to \$1,300.00 for the year 2010, NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Project Application for the Division of Youth.

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

**RESOLUTION NO. 111 OF 2009**

Messrs. Dooris & Hill introduced Res. 111 and moved its adoption:

**RESOLUTION TO AUTHORIZE SUPERVISOR RALPH BENTLEY  
TO SIGN THE "AMENDMENTS TO INTERMUNICIPAL DISPOSAL  
OF PROCESSIBLE AND NON-PROCESSIBLE SOLID WASTE**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Supervisor Ralph Bentley to sign the "Amendments To Intermunicipal Agreements for Hauling and Disposal of Processible and Non-Processible Solid Waste" between Warren County and the Town of Horicon.

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

**RESOLUTION NO. 112 OF 2009**

Messrs. Dooris & Higgins introduced Res. 112 and moved its adoption:

**RESOLUTION TO AUTHORIZE ADVERTISING FOR  
PROPOSALS FOR EMERGENCY SERVICES FOR  
THE RESIDENTS OF THE TOWN OF HORICON**

WHEREAS, the Horicon Town Board is deeply disturbed by recent information that has come from members and former members of the North Warren Emergency Squad, AND

WHEREAS, the taxpayers of the Town of Horicon deserve the very best of care and consideration from this very important emergency service and the Board is concerned that the current strife within this organization is endangering the inner strength of this mostly volunteer organization comprised of dedicated individuals, AND

WHEREAS, the Town Board feels it can no longer feel secure entrusting the health and welfare of its Townspeople to an organization that requests a large amount of tax dollars without justifying how this money is spent and who is making the major decisions, NOW, THEREFORE BE IT

RESOLVED, that the Town Board does hereby authorize the clerk to advertise for proposals from other entities to contract for emergency services for residents of the Town of Horicon for 2010.

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

**RESOLUTION NO. 113 OF 2009**

Messrs. Dooris & Higgins introduced Res. 113 and moved its adoption:

**RESOLUTION TO AUTHORIZE OBTAINING A COURT ORDER  
REGARDING THE POSSIBLE FAILED SEPTIC SYSTEM  
LOCATED ON BROWNELL PROPERTY**

RESOLVED, that the Town Board, determining that all previous methods of discussion in trying to find a solution to fixing the possible failed septic system located on the Brownell Property at 183 Duell Hill Road, Brant Lake, does hereby authorize Town Counsel to obtain a court order for septic testing on this property in 2010, as soon as time and conditions are favorable.

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

**RESOLUTION NO. 114 OF 2009**

The Members of the Horicon Town Board introduced Res. 114 and moved its adoption:

**RESOLUTION OF APPRECIATION TO JAMES FARMER**

WHEREAS, James Farmer is the owner of property on Hayesburg Road that contains a small family cemetery behind his home, AND

WHEREAS, over the years many people have come to his property seeking to see stones for relatives buried in this small cemetery and Mr. Farmer has graciously allowed these people on his property at his own liability, AND

WHEREAS, Mr. Farmer had contacted the Town asking if the Town would like him to sign an easement for a strip of land across his property to allow egress and ingress into the cemetery thereby allowing the Town to improve the pathway and also relieve him of the liability of visitors while still giving them access to the cemetery, NOW, THEREFORE BE IT

RESOLVED, that the Town Board would like to thank Mr. Farmer for making it possible for visitors to be able to continue coming to this private cemetery by crossing his land in a safe manner. Mr. Farmer’s community spirit is appreciated by all.

Ayes: 5 Nays: 0

**RESOLUTION NO. 115 OF 2009**

The Members of the Horicon Town Board introduced Res. 115 and moved its adoption:

**RESOLUTION OF APPRECIATION TO MARGARET SILVERNAIL**

WHEREAS, Margaret Silvernail has served the Town of Horicon for many years as the Justice Clerk in a honorable and dedicated way, AND

WHEREAS, Mrs. Silvernail will be moving from the area and has tended her resignation from the position she has long held, NOW, THEREFORE BE IT

RESOLVED, that the Town Board wishes to thank Marge for all the years spent so ably serving the Town and to wish her the very best of health and happiness as she begins a new phase of her life.

Ayes: 5 Nays: 0

**RESOLUTION NO. 116 OF 2009**

Messrs. Dooris & Higgins introduced Res. 116 and moved its adoption:

**RESOLUTION TO AUTHORIZE PAYMENT FOR  
BROKEN WINDOW TO JIMS GLASS**

RESOLVED, that the Town Board does hereby authorize payment of \$119.98 to Jim’s Glass for the glass to repair the broken window in the door at the Highway Garage.

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

Pavilion Update- Councilman Olson reported there are some problems with the structure that need to be corrected in order to pass inspection. The Warren County Building Code inspector said it needs galvanized bolts, which will have to be special ordered. The Boy Scouts are waiting for the siding to come.

Adirondack Park- Councilman Higgins reported that Harry Balz is drawing up a plan for the park. We will try to get as much done as possible before winter.

Highway Garage Doors- Councilman Dooris asked if Town ever got reimbursed for the doors at garage that were supposed to be insulated? The answer was “no”. Councilman Dooris said the architect “dropped the ball” and he wants to see the Town get the money back from him.

Privilege of Floor:

Lou Russo announced that the VFW will hold a service on Veteran's Day at the Adirondack Honor Roll at 10:30 A.M. and they are hoping for a good turn out of people.

Culverts on Pease Hill Road:

Patrick Farrell complained that the culverts by his house have still not been cleaned. Mr. Farrell said the Supervisor told him months ago that the County would be up to clean them. Supervisor Bentley said he spoke with Bill Lamy at the County and was told they would clean them out. Mr. Farrell said he was putting the Town on notice that he will "give you two weeks and then I will start legal action".

Mr. John Goode complained about the fee the Town charged for building a shed. Mr. Goode feels the fee schedule is "out of whack". Councilman Dooris said the Board would revisit and review the fee schedule.

This being all the business to attend to, the meeting was adjourned at 8:10 PM by MOTION of Messrs. Dooris & Higgins, all ayes.

Respectfully submitted:

Town Clerk