

APRIL 20, 2006 ZONING PUBLIC HEARING & TOWN BOARD MT.

Present at meeting: Ralph Bentley Supervisor
Kenneth Higgins Councilman
Robert Olson Councilman
Shirley Hayes Councilwoman
Councilman Hill: Absent
Arlene Mayer Town Clerk

Also: Harry Balz, Ruth Ann Assman, Mel Halliday, Joe Dooris, Bob Hayes.

Supervisor Bentley opened the public hearing regarding the proposed amendments to the Zoning & Project Review and the Subdivision Regulations. The clerk read the legal notice and communications received from the A.P.A and the Warren County Planning Bd. Neither objected to changes. Mrs. Assman commented that the changes are excellent ones, and she is glad the Town Board will be adopting them. Mr. Balz agreed. No other comments were forthcoming and the public hearing was closed at 7:05 PM. The regular meeting was then opened. The first item on the agenda is to introduce a Resolution to adopt the zoning amendments for once and all.

RESOLUTION NO. 63 OF 2006

Messrs. Higgins & Olson introduced Res. 63 and moved its adoption:

RESOLUTION TO ADOPT AMENDMENTS TO THE TOWN OF HORICON'S ZONING AND PROJECT REVIEW LAW AND THE TOWN OF HORICON'S SUBDIVISION REGULATIONS

WHEREAS, the Town Board held a public hearing on April 20, 2006 to consider certain amendments to the "Gifts, Devises and Inheritances" provision of the Town's Zoning and Project Review Law and the road standards of the Town's Subdivision Regulations, AND

WHEREAS, these amendments, together with supporting documents were forwarded to the APA and the Warren County Planning Board for their review and input, AND

WHEREAS, both the APA and Warren County have commented on these amendments and have given no reason why they should not be adopted, NOW, THEREFORE BE IT

RESOLVED, that the Town Board does hereby adopt these proposed amendments and incorporate them into the Town of Horicon Subdivision Regulations and the Town of Horicon Zoning and Project Review Law.

Hill-absent, Higgins-aye, Olson-aye, Hayes-aye, Bentley-aye

APPROVAL OF MINUTES: The clerk pointed out 3 errors in typing and spelling that have been corrected. The minutes were then approved by MOTION of Mr. Olson and Mrs. Hayes, all ayes.

RESOLUTION NO. 64 OF 2006

Messrs. Higgins & Olson introduced Res. 64 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT OF ABSTRACTS

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

Highway Vouchers #63-87	\$19,698.88
General Vouchers # 86-115	\$30,217.86
Highway Abstracts 9 & 10	\$ 9,353.80
General Abstracts 9 & 10	\$20,357.07

Hill-absent, Higgins-aye, Olson-aye, Hayes-aye, Bentley-aye

COMMUNICATIONS:

Horicon Planning Board	RE: Master Plan Committee
Mr. & Mrs. Gratzel	RE: Seasonal Road Widening
Brant Lake Foundation	RE: Donations for Mill Pond

LA Group
Bernard McCann
Theresa Sayward
Steven Smith
Village of Lake George
Mark Schachner, Esq.

RE: Joint Grant Application
RE: Bottle Drive for OAS Class
RE: CHIPS Fund
RE: Resignation from ZBA (Alternate)
RE: Visitor Center Update
RE: Computer System Notification

ACTION ON COMMUNICATIONS:

Horicon Planning Board Letter- Councilman Olsen said the Master Plan issue is a Town Board issue, not a Planning Board. Councilman Higgins said that when this was brought up before Supervisor Bentley said there was no funding asked for and none was included in this year's budget. Mrs. Assman said that this letter was not discussed at the Planning Board meeting last night. Councilman Olson said before "heading down this road we first need to know what it will cost". Councilwoman Hayes said the list of people the Planning Board sent this letter to does not include any business people. Mr. Balz said this letter was just the starting point to see who is interested. After interest is established, the plan was to bring it to the Town Board. Councilman Olson was disturbed that the Town Board had only received a copy of this letter today. The letter was dated April 7th.

Gratzel Letter-Supervisor Bentley explained that Mr. & Mrs. Gratzel own property near beginning of seasonal portion of Padanarum Road and would like the Town to widen approximately 200 yards of the road to allow for construction vehicles and power hook-up. Supervisor Bentley said there is no quick solution to this situation. Mr. Dooris asked if a Resolution was needed to open a seasonal road. Supervisor Bentley said "not if someone builds a home on it". What the Town does need is easements from the Gratzels (which they are happy to give), and also from the other two property owners at the beginning of the road. The clerk will write the Gratzels and inform them of the situation.

Theresa Sayward note- C.H.I.P.S. funds for this year will increase \$2,182 from last year.

LA Group- Supervisor Bentley said that Town of Chester is paying for the LA Group to apply for a Parks Development Grant and if Horicon wants to join in with their application we need to pass a Resolution.

RESOLUTION NO. 65 OF 2006

Messrs. Olson & Higgins introduced Res. 65 and moved its adoption:

**RESOLUTION REQUESTING TOWN OF CHESTER TO
INCLUDE TOWN OF HORICON IN JOINT APPLICATION
FOR PARKS DEVELOPMENT GRANT COMPILED BY LA GROUP**

RESOLVED, that the Town Board wishes to apply jointly with the Town of Chester for Parks Development Grant request for developing trails in our Community.

Ayes: 4 Nays: 0 Absent: Councilman Hill

OLD BUSINESS:

Mill Pond Fountain-Type of stone decided on (darker stone chosen from brochure). Stone caps, not concrete. Plumbing and wiring almost done (thank you letters to Chuck Hilton and Don Butler when project completed). Stone will be ordered and Daryl will begin as soon as possible. We are running into problem with roadway being flooded. May need to fill pond up again for fishing derby.

NEW BUSINESS:

Adirondack Tennis Courts- Complaint regarding people roller-blading on court. Supervisor Bentley checked to see if there was any damage to surface and he found none. After discussion regarding posting, it was decided to wait.

Brant Lake Field- Complaint regarding dogs dumping on the field and children stepping in it. Supervisor Bentley has seen a man and two dogs go up there on a few occasions. There may be others who take their dogs up to exercise on field. This would not be a problem if owners would clean up after their dogs. After discussion regarding putting up a sign, it was decided that owners would be spoken to when on site.

Transfer of Street Light- Request from Wakonda for light at their new entrance. Supervisor Bentley suggested we ask National Grid to transfer light from Alder Brook Road.

RESOLUTION NO. 66 OF 2006

Mrs. Hayes & Mr. Olson introduced Res. No. 66 and moved its adoption:

RESOLUTION TO REQUEST NATIONAL GRID TO TRANSFER UNUSED STREET LIGHT TO NEW LOCATION IN HORICON

WHEREAS, there is currently an unused street light on the corner of Hayesburg Road and Alder Brook Road that has been consistently shot out over the years only to be replaced and shot out again, AND

WHEREAS, it does not appear necessary to continue to keep this street light at this location because of the vandalism that renders the light useless, AND

WHEREAS, there is a need for a new street light by a new entrance to Wakonda Campgrounds on Schroon River Road, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Horicon requests that National Grid remove the street light from Alder Brook Road and place it at a location where it will better serve public safety, the new entrance to Wakonda Campgrounds on Schroon River Road.

Hill-absent, Higgins-aye, Olson-aye, Hayes-aye, Bentley-aye

Winter Burial Policy for Cemetery- This will be discussed at a later date.

RESOLUTIONS:

RESOLUTION NO. 67 OF 2006

Messrs. Olson & Higgins introduced Res. 67 and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR FISHING DERBY & POSTING OF MILL POND

RESOLVED, that the Town Board does hereby authorize radio coverage for advertising the Annual Fishing Derby on the Mill Pond. Cost not to exceed \$450.00, BE IT FURTHER

RESOLVED, that the Town Board does hereby authorize the posting of "No Fishing" signs on the day the Mill Pond is stocked until the day of the Fishing Derby.

Hill-absent, Higgins-aye, Olson-aye, Hayes-aye, Bentley-aye

RESOLUTION NO. 68 OF 2006

Mr. Olson and Mrs. Hayes introduced Res. No. 68 and moved its adoption.

RESOLUTION TO SUPPORT AND AUTHORIZE SUBMISSION OF JUSTICE COURT ASSISTANCE PROGRAM GRANT APPLICATION

WHEREAS, the Justice Court Assistance Program has been operating for a number of years and is a way in which local towns and villages can apply for grant monies to assist them in their court operations, AND

WHEREAS, the Horicon Justice Court wishes to apply for funding assistance for a new computer and safe for the Town office, NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Horicon, wishing to assist the Justice Court, does hereby support and authorize the submission of this application.

Hill-absent, Higgins-aye, Olson-aye, Hayes-aye, Bentley-aye

RESOLUTION NO. 69 OF 2006

Messrs. Higgins & Olson introduced Res. 69 and moved its adoption:

**RESOLUTION TO ADOPT A COMPUTER SYSTEM
SECURITY BREACH NOTIFICATION POLICY FOR HORICON**

WHEREAS, State Law now requires that the Town adopt a Computer System Security Breach Notification Policy with the basic intent of preventing identity theft through accidental disclosure and/or misuse of personal record data, AND

WHEREAS, the State has provided a model policy which our Town Counsel has refined to make it more understandable and "user-friendly", NOW, THEREFORE BE IT

RESOLVED, that the Horicon Town Board does hereby adopt this policy with the following purpose: "This policy is intended to alert individuals to any potential identity theft as quickly as possible so that they may take appropriate steps to protect themselves from and remedy any impacts of the potential identity theft or security breach. This policy is consistent with and adopted pursuant to New York Technology Law Section 208".

Hill-absent, Higgins-aye, Olson-aye, Hayes-aye, Bentley-aye

**RESOLUTION NO. 70 OF 2006
RESOLUTION ESTABLISHING CAPITAL RESERVE
FUND FOR HIGHWAY GARAGE PROJECT**

WHEREAS, the Town Board wishes to construct a new highway garage (the "Project"); AND

WHEREAS, the plan for financing of the maximum estimated cost is (a) use of \$350,000 of unexpended funds from the 2005 Town of Horicon General Fund; and (b) issuance of up to \$850,000 in serial bonds or bond anticipation notes of the Town pursuant to the Local Finance Law;

NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 6-c of the General Municipal Law, as amended, the Horicon Town Board hereby establishes a Capital Reserve Fund to finance the cost of the highway garage Project; and be it

FURTHER RESOLVED, that it is the intent of the Board to accumulate all of the cost of the Project; and be it

FURTHER RESOLVED, that the Town Supervisor is hereby directed to deposit the moneys of this reserve fund in a separate bank account to be known as the "Highway Garage Project Reserve Fund"; and be it

FURTHER RESOLVED, that the Town Supervisor is authorized to invest, from time to time, the moneys of this Fund pursuant to Section 11 of the General Municipal Law; and be it

FURTHER RESOLVED, that expenditure of the moneys in this Fund shall be made only upon authorization of the Town Board; and be it

FURTHER RESOLVED, that this Resolution is subject to permissive referendum as provided by General Municipal Law Section 6-c and Town Law Article 7, and shall not take effect until such time as provided therein; and the Town Clerk is hereby authorized and directed to post and publish the notice required for Resolutions subject to permissive referendum.

Hill-absent, Higgins-aye, Olson-aye, Hayes-aye, Bentley-aye

PRIVILEGE OF FLOOR

Mrs. Halliday spoke on behalf of the Historical Society asking when the damaged trees by the museum will be taken care of. Councilman Higgins said he asked Benny Newton to look them over this weekend. If the project is more than Mr. Newton can do, the Town will look elsewhere. Mrs. Halliday also asked when the sweeping on Grassville Road will be finished. Supervisor Bentley said it should be finished soon. Mrs. Halliday then asked how the project sponsors were able to get the pheasant shooting, skeet shooting and shooting range project passed on Grassville Road. Mrs. Assman (Planning Board member) responded by saying

the project sponsors had met all the requirements asked of them and the Town had to approve based on the Zoning & Project Review Law.

Mr. Balz asked about having roadside brush removed on Valentine Pond Road as the traffic is moving faster and you cannot see cars coming south. Mr. Balz also asked about noise ordinance progress. Also, Mr. Balz invited Board members to a Scoping Session for an emergency shelter at the North Warren School. Meeting to be held on May 1st at 7:00 PM.

Mr. Bob Hayes had some suggestions for the Mill Pond fountain, and also asked if the Board has a master plan for the placement of lights and trees around the pond. Mr. Hayes also would like to go on record as being opposed to a new Town Garage. Mr. Hayes feels the Town can't afford it and the people can't survive if taxes go higher. Mr. Hayes does not think a new building is critical at this time.

At 8:15 PM the Board moved to go into Executive Session by MOTION of Messrs. Higgins & Olson to discuss Personnel, all ayes.

The Board returned to regular meeting at 8:30 PM by MOTION of Mr. Olson and Mrs. Hayes, all ayes.

Supervisor Bentley reported that Personnel had been discussed and the following Resolution was then introduced:

RESOLUTION NO. 71 OF 2006

Mr. Olson & Mrs. Hayes introduced Res. 71 and moved its adoption:

RESOLUTION TO HIRE LIFEGUARD FOR MILL POND

WHEREAS, the clerk advertised for lifeguards for the summer season and presented the applications to the Town Board members, AND

WHEREAS, Daniel Ockrin, the lifeguard for the Adirondack beach has already notified the Town that he is planning on coming back for this summer season and the Town policy is to keep the same lifeguard from summer to summer whenever they can, AND

WHEREAS, applications were reviewed and a qualified applicant who wanted to lifeguard at the Mill Pond was found, NOW, THEREFORE BE IT

RESOLVED, that the Town Board does hereby hire Richard Hannaburgh as lifeguard for the Mill Pond Beach at \$10.00 per hour, 30 hours per week.

Hill-absent, Higgins-aye, Olson-aye, Hayes-aye, Bentley-aye

There being no further business, the meeting was adjourned at 8:35 PM by MOTION of Mrs. Hayes and Mr. Olson, all ayes.

Respectfully submitted:

Town Clerk