

APRIL 17, 2008 MONTHLY TOWN BOARD MEETING

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

Also: Tom Johansen, Sandy Smith, Terry Peters, Harry Balz, Joe Dooris, Chris Smith-Hayes.

Supervisor Bentley opened the meeting and welcomed guests.

Reports: Supervisor, Town Clerk, Justice, Assessor, Highway

Approval of Minutes: The minutes of March 20th and April; 4th were approved by MOTION of Messrs. Hill & Olson, all ayes.

Approval of Abstracts:

RESOLUTION NO. 51 OF 2008

Messrs. Hill & Olson introduced Res. 51 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT OF ABSTRACTS

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the bookkeeper to pay the April Abstracts:

Highway Vouchers # 83-99	\$14,676.28
General Vouchers # 103-132	\$18,616.99
Highway Abstracts 9 & 10	\$11,924.32
General Abstracts 9 & 10	\$16,578.38

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

Communications:

Shirley Hayes	RE: Resignation as Councilwoman
Time Warner Cable	RE: Program Changes
Time Warner Cable	RE: Franchise Agreement Expiration
NYS Dept. of Pub. Service	RE: Franchise Renewal
NYS Dept. of State	RE: Training Sessions
Marc Lustick	RE: Thank you for additional funds
NYS DEC	RE: Award of Smart Growth Grant
Marion Luce	RE: Application to Planning Board

Old Business

Planning Board Vacancy- Mr. Harry Balz, currently serving on the ZBA has requested appointment to the Planning Board. Mr. Balz had originally requested serving on the Planning Board, but was kind enough to fill the opening on the ZBA when needed. The Board would like to appoint him to the vacancy left by Mrs. Assman's resignation.

RESOLUTION NO. 52 OF 2008

Messrs. Higgins & Olson introduced Res. 52 and moved its adoption:

RESOLUTION TO APPOINT HARRY BALZ TO PLANNING BOARD

RESOLVED, that the Town Board does hereby appoint Harry Balz to serve on the Planning Board, beginning with the May meeting, filling the un-expired term of Ruth Ann Assman. Mr. Balz' term to end on December 31, 2008.

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

Mr. Balz will resign from ZBA after the April meeting.

Property in Adirondack

Discussion regarding the pieces of property in question regarding the legality of the Town being able to sell it. When the whole park property was deeded over to the Town in 1990 there were restrictions regarding selling it. Mrs. Smith-Hayes found a later deed in the Assessor's Office that Counselor Schachner said did not appear to have the same restrictions when a piece of the property in question was given back to the Town by Adirondack Lodges after they had finished using it to meet their density requirements on a project now finished. Councilman Hill said it did not matter to him if the Town could legally sell the small pieces as he is against the Town letting go of property that was given to them. Councilman Olson agreed saying the Town should only sell property under specific circumstances, which have

been carefully looked into. Supervisor Bentley asked about a possible easement for Mr. Johnson so that he could use the property in question to put a well on. Counselor Schachner said it may be possible for that to be worked out. For the piece of property across from the Adirondack Store, the Town will try to schedule a cleanup as soon as possible as that was one of the concerns of Mr. & Mrs. Close and one of their reasons for trying to purchase property.

New Business-

Old Town Hall property- Supervisor Bentley reported on a meeting with Mr. John Palermo and his partner Mr. Frank Doberman regarding the future of the property. Councilman Higgins said the Town may be able to help them to a certain extent, but the first thing that needs to be looked into is cost of development into making a beach or park. Supervisor Bentley spoke of the possibility of the Town forces extracting gravel from the property that was formally owned by Remingtons, now part of the Palermo package. The Town can use the material and Mr. Palermo would benefit by getting the property leveled. Councilman Olson asked if we can extract the gravel without implying that we are going to take some of the property for a beach or park. Counselor Schachner said that could be done without the promise of anything further. Councilman Olson said he does not want to give even the perception that taking the gravel means we will go further. Discussion regarding the closing of Market Street to through traffic. Supervisor Bentley said the County would be willing to go along with this and it would make any future project on that site safer for the public. The Board will set up another meeting with Mr. Palermo and Mr. Doberman and also request Counselor Schachner be present.

Museum Addition Bid- The Town has opened the bids received for the addition on the Horicon Museum and the lowest responsible bidder has been selected. The following Resolution was introduced:

RESOLUTION NO. 53 OF 2008

Messrs. Hill & Higgins introduced Res. 53 and moved its adoption:

RESOLUTION TO AWARD BID FOR MUSEUM ADDITION

RESOLVED, that the Town Board does hereby award the bid for the addition to the Horicon Museum to Murphy Construction of 2 Vanderwalker Road, Chestertown, NY for the bid price of \$32,835.00.

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

Banners for Mill Pond & Adirondack- Supervisor Bentley spoke of request to purchase some banners for the light poles to brighten up the hamlets of Brant Lake & Adirondack. The banners can be purchased with tourism funds as they enhance the beauty of the Town and encourage visitors to the area.

RESOLUTION NO. 54 OF 2008

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

RESOLUTION TO AUTHORIZE PURCHASE OF BANNERS

RESOLVED, that the Town Board does hereby authorize the purchase of banners for Brant Lake and Adirondack. Price for banners not to exceed \$2,000.00. Money to be taken from Tourism Code.

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

Landfill Boxes- HS Smith reported on his conversation with Gary Finger of D&G Enterprises regarding the placing of metal containers at the landfill to be filled with tires and metal. Paul said a 48 ft box will hold 1,000 car tires or 500 truck tires and would cost \$900.00 to take away. We can also get \$120.00 per ton for Grade A metal. Councilman Olson said an insurance certificate would have to be given to the Town before we begin doing business. The Board is interested in trying out this system and the following Resolution was introduced:

RESOLUTION NO. 55 OF 2008

Messrs. Olson & Hill introduced Res. 55 and moved its adoption:

RESOLUTION TO CONTRACT FOR TIRE & METAL BOX AT LANDFILL

RESOLVED, that the Town Board does hereby authorize entering into an agreement with Gary Finger to place metal containers in the landfill to collect tires in one and metal in another.

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

RESOLUTIONS-

RESOLUTION NO. 56 OF 2008

The Members of the Town Board introduced Res. 56 and moved its adoption:

RESOLUTION OF APPRECIATION TO SHIRLEY HAYES

WHEREAS, Shirley Hayes has served on the Town Board for over four years and during this time has spent time and effort in working towards solving the problems that face our Town, AND

WHEREAS, Mrs. Hayes finds that she is no longer able to continue as Councilwoman and has resigned from the office, NOW, THEREFORE BE IT

RESOLVED, that the remaining members of the Town Board, by this Resolution, wish to thank Mrs. Hayes on behalf of this Community and to convey their appreciation for her dedication while serving the people of Horicon, BE IT FURTHER

RESOLVED, that the Town Clerk be, and she hereby is instructed to forward a copy of this Resolution to Mrs. Hayes with their "Best Wishes."

Ayes: 4 Nays: 0

RESOLUTION NO. 57 OF 2008

Messrs. Hill & Olson introduced Res. 57 and moved its adoption:

RESOLUTION TO AUTHORIZE ADVERTISING FOR FISHING DERBY

RESOLVED, that the Town Board does hereby authorize radio coverage for advertising the Annual Fishing Derby (May 17th) 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 when the Mill Pond is stocked until the day of the Derby.

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

Privilege of Floor-

Mr. Harry Balz reported on the status of the Highway Garage. Mr. Balz said the general contractor has a man on the job to complete the "punch list" items. The internal damage to one of the garage doors is still being discussed and some sort of agreement as to "fault for door" needs to be reached.

English as official language- Mr. Balz spoke to the Board regarding the possibility of the Town adopting a Resolution stating that US English is the official language of the Town. Mr. Balz said this sentiment has been discussed in the state government recently. The Board suggested this issue be researched and asked Counselor Schachner to do so.

New lawnmower trailer- Terry Peters spoke about the need for a double axle tilt trailer to facilitate moving the Kaboda tractor where it is needed. Right now the highway has to work around their schedule to move it for cemetery. Councilman Hill asked Terry to get some prices for the trailer and let the Board know.

Water line to fountain- Terry said line is broken and he is waiting for the County to drain the pond before repairing it.

The Board moved to go into Executive Session at 8:05 PM by MOTION of Messrs. Hill & Higgins, all ayes. Supervisor Bentley reported that CSEA Negotiations would be discussed.

Return to regular meeting at 8:20 PM by MOTION of Messrs. Higgins & Olson, all ayes.

Supervisor Bentley reported that CSEA Negotiations were discussed, no decisions reached.

The meeting was adjourned at 8:23 PM by MOTION of Messrs. Hill & Higgins, all ayes.

Respectfully submitted:

Town Clerk

