

**AUGUST 21, 2008 PUBLIC HEARING FOR CABLE, MONTHLY 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, Mike Raymond, Sandy Smith, Joe Dooris, Harry & Elaine Balz, Carol Gregson, Matt Simpson, Greg Beckler, Gary Frenz, John Mucha (Time Warner Cable).

Supervisor Bentley opened the public hearing regarding the renewal of the cable franchise and the clerk read the legal notice. Mr. Mucha explained the renewal process for the franchise agreement. Mr. Mucha said that currently the franchise agreement calls for a 3% return to the Town but it could go up to 5%. Two people had complaints about the repair service from Time Warner. Mr. Mucha will look into the situations and get back to the people. There were no further questions. The public hearing was closed at 7:15 PM.

Chamber of Commerce- Mr. Greg Beckler addressed the Board regarding up-coming events and plans for future events. Mr. Beckler said that Pam Morin would be coming to our Town Board meeting next month to make a presentation.

Approval of Minutes- The minutes of July 17<sup>th</sup> and 31<sup>st</sup> were approved by MOTION of Messrs. Higgins & Hill, all ayes.

August Abstracts-

**RESOLUTION NO. 91 OF 2008**

Messrs. Hill & Higgins introduced Res. 91 and moved its adoption:

**RESOLUTION TO AUTHORIZE PAYMENT OF ABSTRACTS**

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

Highway Vouchers # 184-211	\$103,940.67
General Vouchers # 234-276	\$ 34,443.78
Highway Abstracts 21 & 22	\$ 12,448.42
General Abstracts 21 & 22	\$274,358.17

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

Communications:

Horicon Free Public Library	RE: Thank you for support
NYS DOT	RE: Study of Gibbons Road
Amy Stursberg	RE: Swimming with no lifeguard
NYS Real Property	RE: Equalization Rate- 100%
Carol Gregson	RE: Watering tub memorial
Overhead Door	RE: Maintenance proposal
Warren Co. Parks & Rec.	RE: Pavillion specs
Riversedge Stone & Carpentry	RE: Proposal for stone work at Cemetery
D & G Enterprises	Re: Proposal for cardboard & cans at landfill
Cheryl Erickson, James Steen & Michael Raymond	RE: ZBA Alternate opening
Murphy Construction	RE: Request for payment

Action on Communications-

The Board authorized the Gregson Family to proceed with engraving the new stone watering tub in memory of Lance Gregson as Mrs. Carol Gregson had requested.

Zoning Board Alternate-

**RESOLUTION NO. 92 OF 2008**

Messrs. Higgins & Hill introduced Res. 92 and moved its adoption:

**RESOLUTION TO APPOINT ZONING BOARD ALTERNATES**

RESOLVED, that the Town Board does hereby appoint Cheryl Erickson and James Steen as Zoning Board of Appeals Alternates. Effective immediately.

Ayes: 4 Nays: 0

Payment to Murphy Construction- The request for payment came in after the Abstracts were already finished. The % of work completed merits a further payment.

**RESOLUTION NO. 93 OF 2008**

Messrs. Olson & Hill introduced Res. 93 and moved its adoption:

**RESOLUTION TO APPROVE PAYMENT TO MURPHY CONSTRUCTION**

RESOLVED, that the Town Board does hereby approve another payment to Murphy Construction for further work completed on the addition to the Horicon Museum Carriage Shed. Payment of \$8,575.88 is hereby authorized.

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

Overhead Door Agreement- Discussion regarding the on-going problem with door at highway garage. Mr. Balz said the Town would be better off with a maintenance agreement, but we still have the original problem with one of the doors and this needs to be worked out before an agreement can be finalized. It was decided that agreement would only be authorized beginning on January 1<sup>st</sup>. The problem with the door will be worked out by then (?)

**RESOLUTION NO. 94 OF 2008**

Messrs. Olson & Hill introduced Res. 94 and moved its adoption:

**RESOLUTION TO APPROVE AGREEMENT WITH OVERHEAD DOOR**

RESOLVED, that the Town Board does hereby authorize the Supervisor to enter into a Maintenance Agreement with Overhead Door Company of Glens Falls. Agreement states that Overhead Door will "perform preventative maintenance on 10 doors-16'2" X 14'0" and 1 door 8'2" X 10'0" and 11-JST openers as needed. Each door to be oiled, lubed and adjusted as needed. Each opener will have limits adjusted. All parts are above and beyond this quote. Having a preventative maintenance agreement with us gives you a 10% discount on the total bill". The Agreement price is \$795.00 per year. The Town Board requests the Agreement begin on January 1, 2009.

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

D & G Enterprises- Discussion regarding proposal from D & G regarding removal of tin cans and cardboard from landfill. It was decided to go with proposal for tin cans at this time and look into the cardboard recycling for a later date.

**RESOLUTION NO. 95 OF 2008**

Messrs. Olson & Hill introduced Res. 95 and moved its adoption:

**RESOLUTION TO CONTRACT WITH D & G FOR REMOVAL OF TIN CANS**

RESOLVED, that the Town Board does authorize D & G Enterprises to "provide a tin can container and pick up service at no charge to the Town of Horicon, plus pay the Town a fee of \$10.00 per gross ton".

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

Old Business- "National Language Act" Bill #S.2715

Mr. Balz has previously brought to the attention of the Town Board a proposal for new legislation to make English the national language of the United States. The following resolution was introduced:

**RESOLUTION NO. 96 OF 2008**

Messrs. Olson & Hill introduced Res. 96 and moved its adoption:

**RESOLUTION IN SUPPORT OF THE  
"NATIONAL LANGUAGE ACT OF 2008" (S.2715)**

WHEREAS, the Town Board of the Town of Horicon has become aware of the introduction in the Senate of new legislation, S.2715 regarding making English the national language of the United States. This bill continues similar provisions to those passed by the Senate twice in the last two years making English the national language of America and clarifying government policy on the provisions of multilingual documents, AND

WHEREAS, it is reported that, according to recent polls, more than four-fifths of Americans support making English the official language of the U.S., including majorities of Democrats, Republicans, Independents, Hispanics, and first and second generation immigrants, NOW, THEREFORE, BE IT

RESOLVED, that the Town of Horicon would like to join the majority of the Senate in supporting legislation to make English our national language and urge our U.S. Senators demonstrate their consistency on this issue by voting S.2715, BE IT FURTHER

RESOLVED, that a copy of this Resolution be forwarded to government agencies and elected officials directly involved with this important issue.

Ayes: 3    Nays: 0    Abstain: 1

New Business-

Problem at spring house- HS Smith showed pictures taken of human waste around the springhouse across from the watering tub. We have had trouble with contamination in the water supply a few times this summer and the spring had to be shut down. After further discussion, it was decided that a fence needs to be erected around the springhouse to prevent further dumping.

**RESOLUTION NO. 97 OF 2008**

Messrs. Hill & Olson introduced Res. 97 and moved its adoption:

**RESOLUTION TO AUTHORIZE FENCING AROUND THE  
SPRINGHOUSE TO PROTECT WATER SUPPLY**

RESOLVED, that the Town Board, upon receiving approval from the Schroon Lake Park District, does hereby authorize gathering proposals and proceeding to have fencing with a locked gate erected around the springhouse to protect the grounds from further trespassing and dumping. Prices will be reviewed and project will be awarded to the lowest responsible proposal.

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

**RESOLUTION NO. 98 OF 2008**

Messrs. Hill & Olson introduced Res. 98 and moved its adoption:

**RESOLUTION TO REQUEST LOWER SPEED LIMITS  
ON HORICON AVENUE & TANNERY ROAD**

RESOLVED, that the Horicon Town Board does hereby petition the Warren County DPW Superintendent and the New York State Department of Transportation for lower speed limits on the following roads in the Town of Horicon:

Horicon Avenue, a Warren County Road from New York State Route 8 to the end of the road at Hayesburg Road.

Tannery Road, a Town Road, for the entire length between Horicon Avenue and New York State Route 8.

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

**RESOLUTION NO 99 OF 2008**

Messrs. Olson & Higgins introduced Res. 99 and moved its adoption:

**RESOLUTION APPROVING THE RENEWAL OF THE  
CABLE TELEVISION FRANCHISE AGREEMENT**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Town Supervisor, Ralph Bentley to sign the renewal Cable Television Franchise Agreement

between Time Warner Entertainment-Advance/Newhouse Partnership d/b/a Time Warner Cable and the Town of Horicon, New York.

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

**RESOLUTION NO. 100 OF 2008**

Messrs. Hill & Higgins introduced Res. 100 and moved its adoption:

**RESOLUTION TO AUTHORIZE TRANSFER OF FUNDS**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the bookkeeper to make the following fund transfers:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Highway		
9060.8 (Ins.)	5110.4 (Gen. Repairs)	\$26,000.00
5112.4 (CHIPS)	5110.4 (Gen. Repairs)	\$14,514.01
General		
9060.8 (Ins.)	1220.4 (Sup. Cont.)	\$5,000.00
	1920.4 (Mun. Dues)	\$ 100.00
	3100.4 (Signs)	\$2,000.00
	6410.4 (Publicity)	\$1,000.00
	6510.4 (Veterans)	\$ 945.98
	8090.4 (BTI)	\$2,693.86
	9050.8 (Unemp.)	\$1,000.00
	8510.4 (Beaut. Con.)	\$4,000.00

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

**RESOLUTION NO. 101 OF 2008**

Messrs. Hill & Higgins introduced Res. 101 and moved its adoption:

**RESOLUTION TO AUTHORIZE BUDGET AMENDMENT**

RESOLVED, that the Town Board does hereby authorize the bookkeeper to make the following budget amendment in the highway fund to compensate for increased spending:

Increase:	D599 (Appropriated Fund Balance)	\$50,000.00
Increase:	D960 (Appropriations)	\$50,000.00
Increase:	Subsidiary Codes:	
	D5110.4 (General Repairs Contractual)	\$30,000.00
	D5130.4 (Machinery Contractual)	\$20,000.00

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

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

Respectfully submitted:

Town Clerk

