

DECEMBER 20, 2007

PUBLIC HEARING & TOWN BOARD MEETING

Present at meeting:	Ralph Bentley	Supervisor
	Frank Hill	Councilman
	Ken Higgins	Councilman
	Robert Olson	Councilman
	Shirley Hayes	Councilwoman
Gary McMeekin	Zoning Officer	
Paul Smith	Highway Superintendent	
Arlene Mayer	Town Clerk	

Also: Sandy Smith, Joe Dooris, Harry Balz, Tom Johansen, Bob Hayes, Martin Meade, Ken & Sue Dott.

Supervisor Bentley opened the public hearing regarding the 2008 Contracts. The clerk read the legal notice. There were no comments for or against the contracts. The public hearing was closed at 7:02 PM.

Supervisor Bentley then opened the regular meeting.

Fuel Bid- The fuel bid opened last month was rejected as being too high. The clerk re-bid the fuel and has one bid to open. It is from the same company that bid last month.

Buckman’s Fuel	Fuel Oil-\$2.9465 per gallon
	Kerosene- \$3.4535 per gallon

These prices are higher than the bids for last month. Bids will be discussed later in the meeting.

Approval of Minutes: The minutes of November 15th were approved by MOTION of Messrs. Higgins & Hill, all ayes.

Reports: Supervisor, Town Clerk, Zoning, Justice, New Garage, Assessor

Approval of Abstracts:

RESOLUTION 144 OF 2007

Mr. Olson & Mrs. Hayes introduced Res. 144 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT OF DEC. 20TH ABSTRACTS

RESOLVED, that the Town Board does hereby authorize the bookkeeper to pay the following December 20th Abstracts:

Highway Vouchers # 285-311	\$41,450.87
General Vouchers # 340-384	\$33,439.47
Highway Abstracts 33 & 34	\$10,493.51
General Abstracts 33 & 34	\$145,579.55

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

Communications:

Steven Smith	RE: Resignation from Planning Board
Planning Board	RE: APA Zoning Change
Joe Metzger	RE: Ball field pavilion
W.C. Real Property	RE: 2008 Tax Rates
Office of Small Cities	RE: Grant Extension
W.C. D.P.W.	RE: Snow & Ice Contract
NYS D.O.T.	RE: Safety Concern @ Town Shed
NYS D.O.T.	RE: Paving of Route 8
Joseph Dooris	RE: Second application for Planning Board

Action on Communications:

Messrs. Hill & Higgins made a MOTION to accept Steven Smith’s resignation, all ayes. Safety concern @ Town Shed- The sign from Bernie Hill’s boat business is blocking the view from Town Shed Rd. onto Rte. 8. Counselor Schachner advised that someone needs to talk with Mr. Hill as legally a sign is not supposed to block a view. ZO McMeekin said he will speak to Mr. Hill about the problem. According to the letter from Mark Kennedy of D.O.T. he states that Frank Komoroske, Warren County Resident Engineer, has had the brush trimmed back within the States right-of-way to increase visibility, however, “he has not had much success in working with the adjacent property owner to relocate

some of the obstructions near our ROW that may be affecting the available sight distance for Town Shed Road".

Old Business

APA Zoning Change- At last night's Planning Board Meeting the Board, with the assistance of Counselor Schachner, drafted new wording for Section 14.10 in answer to the APA's previous suggestion. The Planning Board has recommended to the Town Board that the suggested text for the language change is as follows: "Lots and subdivisions that qualify as "pre-existing" under this Local Law include but are not limited to the lots and subdivisions listed in Appendix E. Future determinations of "pre-existence" shall be made by the Town Planning Board." Counselor Schachner advised the Town Board to send suggested wording to APA and if they are satisfied with it we can schedule a public hearing. Councilman Olson said he feels we should schedule the public hearing now, as "I don't see there being a problem here". Councilman Higgins said " How much energy has already been spent trying to get this through?" "I don't want to see this go up there (APA) and wait month after month". "If there are other sub-divisions why weren't they listed at the same time, they all should have gone at once". Councilman Olson said that members of the Planning Board cited other sub-divisions not listed. What the Planning Board planned to do was reserve the right to make the determination if the sub-division was pre-existing and this is what should be moved forward. Mr. Dott said what the Board needs now is to follow up and keep pushing for an answer of yes or no from APA. Councilman Olson then introduced a Resolution to schedule a public hearing for January 17th.

RESOLUTION 145 OF 2007

Messrs. Higgins and Olson introduced Res. 145 and moved its adoption:

RESOLUTION TO APPROVE PROPOSED WORDING FOR ZONING SECTION 14.10 AND SET PUBLIC HEARING

WHEREAS, the Town Board has been working on proposed new text for Section 14.10 of the Town of Horicon Zoning and Project Review Local Law, AND

WHEREAS, revisions have passed back and forth between the Town Board and the Adirondack Park Agency, AND

WHEREAS, the Town Board, after referring the latest suggested text from the APA to the Planning Board, has received back from the Planning Board their language change and the Town Board has approved said text, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board does hereby refer said text to the APA for their review and awaits their timely response, AND BE IT FURTHER

RESOLVED, that the Town Board does hereby set a public hearing for the proposed new text for Section 14.10 for January 17th at 7:00 PM.

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

Fuel Bid

It was decided that in the future the Board would invite fuel bids during the summer season and not wait until winter as we always have. After discussion regarding the higher bid, the following Resolution was introduced:

RESOLUTION 146 OF 2007

Messrs. Olson & Hill introduced Res. 146 and moved its adoption:

RESOLUTION TO AWARD BID FOR FUEL

RESOLVED, that the Town Board, after going out to bid for a second time, does hereby award the bid for fuel to Buckman Fuel for the following price:

- Fuel Oil \$2.9465 per gallon
- Kerosene \$3.4535 per gallon

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

New Business

RE-Val Information Meeting- Paul Maniacek suggested to Supervisor Bentley that the Board have an informational meeting to answer questions the public might have regarding the re-val being done this year. It was decided the meeting would take place

at our next regular meeting on January 17th. Perhaps a representative from our appraisal firm can also attend.

Seasonal Road Signs- Highway Superintendent Smith asked about having signs on all the Town's seasonal roads. Counselor Schachner said all the seasonal roads are supposed to be posted. Superintendent Smith said we only have a few signed. Councilman Hill suggested Paul go around, check them and order signs.

Planning Board Vacancy- The clerk was directed to advertise the vacancy created by Steven Smith's resignation. Mr. Dooris has a letter on file applying for the vacancy. The alternate for the Planning Board is Dennis Doyle who is gone a few months of the year. The Board would like a full-time resident for the position.

Resolutions:

RESOLUTION NO. 147 OF 2007

Messrs. Higgins & Hill introduced Res. 147 and moved its adoption:

RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN SNOW & ICE REMOVAL CONTRACT WITH WARREN COUNTY

RESOLVED, that the Horicon Town Board does hereby authorize Supervisor Ralph Bentley to sign the contract with Warren County for Snow & Ice removal according to the 2008 Schedule A Payment Rate. Compensation to the Town of Horicon from Warren County will be in the amount of \$147,357.00.

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

RESOLUTION NO. 148 OF 2007

Mr. Hill & Mrs. Hayes introduced Res. 148 and moved its adoption:

RESOLUTION TO SET SPECIAL MEETINGS

RESOLVED, that the Town Board does hereby set the following special meetings:

End of Year Meeting	December 28 th	3:00 PM
Organization Meeting	January 2 nd	6:00 PM

Ayes: 5 Nays: 0

RESOLUTION NO. 149 OF 2007

Messrs. Higgins & Hill introduced Res. 149 and moved its adoption:

RESOLUTION TO AUTHORIZE PURCHASE OF ROLLER

RESOLVED, that the Town Board does hereby authorize the purchase of a roller for the highway department from Wallace Supply. Authorizing purchase at this time will hold the price of \$12,300.00. Payment will be made in 2008.

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

RESOLUTION NO. 150 OF 2007

Messrs. Higgins & Hill introduced Res. 150 and moved its adoption:

RESOLUTION TO AUTHORIZE TRANSFER OF FUNDS

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

Highway:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
5142.4 (Snow Cont.)	5110.4 (Gen. Rep. Con.)	\$ 3,165.31
5142.4 (Snow Cont.)	5120.4 (Bridges)	\$ 474.00
5148.4 (Ser. Ot. Gov.)	5130.2 (Mach. Equip.)	\$14,432.79
5142.4 (Snow Cont.)	5130.2 (Mach. Equip.)	\$ 1,417.21

General:

9060.8 (Health Ins.)	1220.2 (Sup. Equip.)	\$ 850.10
9060.8 (Health Ins.)	1220.4 (Sup. Con.)	\$ 252.08
9060.8 (Health Ins.)	1330.4 (Tx. Coll.)	\$ 2,064.60
9060.8 (Health Ins.)	1355.4 (Asses. Con.)	\$ 8,487.89

9060.8 (Health Ins.)	1410.4 (Tw. Cl. Con.)	\$ 200.00
9060.8 (Health Ins.)	6772.4 (Aging Con.)	\$ 3,001.82
9060.8 (Health Ins.)	7310.4 (Youth Con.)	\$ 50.00
9060.8 (Health Ins.)	8160.4 (Ref. & Gar.)	\$ 5,557.06
9060.8 (Health Ins.)	9030.8 (Soc. Sec.)	\$ 1,500.00

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

RESOLUTION NO. 151 OF 2007

Mr. Hill & Mrs. Hayes introduced Res. 151 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT TO WARREN COUNTY

RESOLVED, that the Town Board does hereby authorize the payment of \$242.55 to the Warren County Treasurer to cover the charge backs amount for the Town of Horicon. The charges are \$219.14 for the Town and \$23.41 for Fire Protection.

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

RESOLUTION NO. 152 OF 2007

Messrs. Higgins & Hill introduced Res. 152 and moved its adoption:

RESOLUTION TO AMEND 2007 BUDGET

RESOLVED, that the Town Board does hereby authorize the bookkeeper to make the following budget amendment in the 2007 budget. This money is for the Highway Garage Project and was appropriated in 2006, but was not transferred until 2007 and was not encumbered.

Increase- Appropriated Fund Balance	A599	\$256,711.53
Increase- Appropriations	A960	\$256,711.53
A9710.6	Trans/Cap. Project	

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

RESOLUTION NO. 153 OF 2007

Messrs. Olson & Hill introduced Res. 153 and moved its adoption:

RESOLUTION TO ENCUMBER FUNDS

RESOLVED, that the Town Board does hereby authorize that the following amount be encumbered from the 2007 Town Budget:
Encumber from Planning Contractual (8020.4) the amount of \$19,830.06, which is part of the monies earmarked for use with monies from the small cities planning grant.

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

RESOLUTION NO. 154 OF 2007

Messrs. Olson & Higgins introduced Res. 154 and moved its adoption:

RESOLUTION TO AUTHORIZE ATTENDANCE AT MEETING

RESOLVED, that the Town Board does hereby authorize Paul Maniacek, Christine Smith-Hayes and Gary McMeekin to attend the Association of Towns Meeting in New York City in February. Costs for attending the meeting will be paid and/or reimbursed by the Town.

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

Privilege of Floor

Pole lights on pond- Councilman Olson asked if we could get rid of the streetlights now that we have the pole lights. Many people feel the street lights detract from the other lights. Councilman Higgins asked if the Town could be held liable if we got rid of the street lights and someone had an accident. Counselor Schachner said the Town could be named if someone claimed there was not enough lighting. This will be looked into further.

Town Beach- Mr. Dott asked about a beach site saying "the people deserve better for a beach, is there anything better available on the pond or lake"? Councilman Olson said

there is grant monies available and the comprehensive plan could include a Town beach. Councilman Olson said perhaps a sub-committee of the Steering Committee could be appointed to look into a new beach site.

Martin Meade spoke of his frustration with the Planning Board members. He said they should not argue with the Counselor and do not seem to trust the attorney or engineers. Mr. Meade said everything is dragging on way too long for the sub-division project. Councilman Olson said that New York State has set a threshold for storm water management that is very difficult to satisfy. Councilman Olson added that the Planning Board did not have the information they needed in a timely manner as it was only delivered on Dec. 17th. Council Olson agreed that things do not seem to move fast enough. ZO McMeekin said that as the Planning Board gets more experience with what the State requires, things will progress faster.

Tom Johansen asked about the progress of the new watering tub. Supervisor Bentley said he has not had an update lately from Blair Gregson.

Landfill- Landfill Supervisor Bob Hayes responded to items that the Board had discussed at the last Board meeting when he was on vacation. Regarding the memo sent by the Board he said that there are many things from the highway that cannot be accepted by the landfill, such as oil, anti-freeze, gas tanks and big tires. Mr. Hayes added there was some kind of misunderstanding regarding the size of the tires the landfill could accept. The burn plant will only accept to a certain size and there is no way to get rid of larger truck tires that is why the landfill does not take them. Further discussion regarding returning items to highway. As far as safety of money at landfill Mr. Hayes said the Town installed a good safe just for that purpose. Mr. Hayes said he would need gas money if he needs to turn over money more often. Mr. Hayes also said that as for the stumps that were in the landfill after the storm, he had given permission for the stumps from Brant Lake Estates to be brought in. Mr. Hayes added that he did not tell the County they could not bring stumps to the landfill. Mr. Hayes said he did talk to the "dump pickers" and they have not been back. As was mentioned before, if the access road that goes directly down to the mental pile was closed it would enable the landfill employees to have much better control of who goes down there. As far as the lock on the gate being locked, Mr. Hayes said it is old and freezes up. The landfill needs a new style gate like the one at the highway Mr. Hayes added. Councilman Olson asked him to get a price on a new gate. Mr. Balz said it would probably run about \$1,500.00. One last landfill item, Mr. Hayes said the people at the landfill are "orphans" as far as the holidays. Mr. Hayes asked about the half-day holiday on Christmas Eve that other Town employees get. Councilman Hill said the landfill should get same holidays so the half-day holiday will be added to the landfill schedule.

Highway Superintendent Smith spoke about all the help we have received from Benny Newton and his equipment. The following Resolution was introduced:

RESOLUTION NO. 155 OF 2007

The members of the Horicon Town Board introduced Res. 155 and moved its adoption:

RESOLUTION OF APPRECIATION TO BENNY NEWTON

WHEREAS, the Town of Horicon, from time to time is in need of special services that cannot be met by Town forces or equipment, AND

WHEREAS, sometimes we are fortunate enough to have someone living within the Town who has the talent and equipment needed to come to the Town's aid, AND

WHEREAS, sometimes the exact person needed steps up and volunteers his services to the Town and enables the project to be completed, thereby helping the Town and the taxpayers, AND

WHEREAS, sometimes his name is Benny Newton and on numerous occasions he has given of his time and equipment to fix the pole lights at the boat launch, the lights in the parking lot at the Community Center and the lights at the new highway garage project, NOW, THEREFORE BE IT

RESOLVED, that by this Resolution, the Town Board and the people of Horicon wish to thank Benny for the help he so generously donated to the Community, BE IT FURTHER

RESOLVED, that the Town Clerk be, and she hereby is directed by the Town Board to forward this Resolution to Benny Newton with their "Best Wishes and Appreciation".

Ayes: 5 Nays: 0

Councilwoman Hayes asked about an Open House for the new highway building. This will be planned for after the holidays.

Highway Superintendent Smith thanked Harry Balz for all his hard work and commended him on a very good building that meets all the highways needs. Everyone agreed that Mr. Balz did a good job indeed.

Councilman Hill reported that he had received \$1520.00 for his latest return of landfill bottles and cans. Money went to Junior class at North Warren.

This being all the business to attend to, the meeting was adjourned at 8:15 PM by MOTION of Messrs. Hill & Olson, all ayes.

Respectfully submitted:

Town Clerk

DECEMBER 28, 2007 3:00 PM END-OF YEAR MEETING

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

Also: Harry Balz

Supervisor Bentley opened the meeting. The first order of business is to pay the final abstracts of the year.

RESOLUTION NO. 156 OF 2007

Mrs. Hayes & Mr. Olson introduced Res. 156 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT OF DEC. 28TH ABSTRACTS

RESOLVED, that the Town Board does hereby authorize the bookkeeper to pay the December 28th abstracts:

Highway Vouchers # 312-317	\$12,191.02
General Vouchers # 385-395	\$ 7,487.94
Hwy Abstract # 36	\$ 1,904.54
Gen. Abstract # 36	\$78,735.62

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

RESOLUTION NO. 157 OF 2007

Messrs. Hill & Olson introduced Res. 157 and moved its adoption:

RESOLUTION TO AUTHORIZE TRANSFER OF FUNDS

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

General

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
9060.8 (Health Ins.)	1310.1 (Dir. Fin)	\$ 98.00
"	1330.4 (Tax Coll)	\$ 43.18
"	1355.4 (Asses. Con.)	\$ 657.75
"	1950.4 (Tax & Asses.)	\$ 242.55
"	5132.4 (Gar. Con.)	\$1,992.81
"	8160.1 (Ref. Per.)	\$ 63.23
"	8160.4 (Ref. Con.)	\$2,445.05

Highway

9060.8 (Health Ins.)	5110.4 (Gen. Rep. Con.)	\$ 76.48
"	5130.1 (Mach. Per.)	\$ 942.15
"	5130.4 (Mach. Con.)	\$3,345.85
"	5142.4 (Snow. Con.)	\$ 797.56
"	9030.8 (Soc. Sec.)	\$ 247.99

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

Lawsuit with New York State- Supervisor Bentley received word from our Town Attorney, Mark Schachner that Horicon's Appeal regarding the ATV Access Lawsuit has been settled and the Town lost. We are now at the end of the litigation. Councilman Olson said the Town needs to watch the State regarding snowmobiles, as the State is trying to make new regulations concerning how private landowners can give permission to cross their land. Councilman Olson added that any rules made must be "reasonable to the average citizen".

Regarding Steve Smith's resignation from the Planning Board, the clerk will write a thank you to him from the Town Board.

Highway Garage Project- Mr. Balz thanked the Board for the honor and privilege of working with the highway and building the new garage.

This being all the business for the last meeting, the meeting was adjourned at 3:14 PM by MOTION of Mrs. Hayes and Mr. Hill, all ayes.

Respectfully submitted: