

JULY 17, 2008 PUBLIC HEARING FOR LOCAL LAWS AND TOWN BOARD MT.

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

Also: Tom Johansen, Joe Dooris, Gordon Hayes, Jean & Larry Southworth, Harry Balz, Sandy Smith, Matt Simpson, Gary & Gail Frenz, Dennis Doyle, Tom Ryan, Ted Schaap, Gary Johnson, Charlie Smith, Maureen Smith, Mr. & Mrs. Pohroppinski, Irv Friedman, Bill Bruce, Doug Paton, others.

Supervisor Bentley declared the Public Hearings open at 7:00 PM. The clerk read the legal notice from the paper. There were no questions or comments for Local Law # 1 of 2008 "A Local Law Providing for an Exemption To Cold War Veterans from Real Property Taxation". The Supervisor then closed the hearing and went on to the Public Hearing for Local Law # 2 of 2008 "A Local Law Amending Local Law # 1 of 2006, Providing for the Maximum Exemption Allowable for the Alternative Veteran's Exemption from Real Property Taxation". Councilman Olson commented that these laws are to assist veterans as much as we can to express our appreciation. There were no questions regarding Local Law # 2. Supervisor Bentley declared the public hearings closed at 7:05 PM.

Leberge Group Presentation- Ms. Cathy Connor and Ms. Stephanie Siciliano presented a slide show to explain the final draft of the "Community Development Strategic Plan" they have been working on to provide a variety of recommendations for improving the housing, economic, and tourism climate of the community. The presentation was an interesting over-view of information included in the manual and to answer questions from the audience and Town Board. The Board thanked Cathy and Stephanie for coming.

Approval of Minutes- The minutes of May 29th and June 19th were approved by MOTION of Messrs. Higgins & Hill.

July Abstracts-

RESOLUTION NO. 73 OF 2008

Messrs. Higgins & Hill introduced Res. 73 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 July Abstracts:

Highway Vouchers # 162-183	\$68,819.31
General Vouchers # 206-233	\$18,900.23
Highway Abstracts 18 & 19	\$11,664.45
General Abstracts 18 & 19	\$204,550.99

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

Communications-

Gail Sirrine	RE: Resignation from ZBA
Ad. Acres Association	RE: Speed limits
Phoenix Envir. Labs	RE: Quarterly Landfill Samplings
W.C. Attorneys Office	RE: Inter-municipal Agreement
Assoc. of Towns	RE: Summer School

Discussion regarding the request for lower speed limits. The following Resolution was introduced:

RESOLUTION NO. 74 OF 2008

Messrs. Higgins & Olson introduced Res. 74 and moved its adoption:

**RESOLUTION TO REQUEST LOWER SPEED LIMITS
ON PALISADES ROAD, GIBBONS ROAD AND
SHAW HILL ROAD IN THE TOWN OF HORICON**

RESOLVED, that the 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:

Palisades Road, a Warren County Road (CR#26). Speed limit requested is 20 miles

per hour for entire length of 7.69 miles.

Shaw Hill Road, a Town Road, between East Shore Drive and Valentine Pond Road. To lower the recently determined speed limit of 40 MPH on the paved section of the road to 30 MPH or lower.

Gibbons Road, a Town Road between Palisades Road and Dead End. A speed limit of 30 miles per hour is requested.

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

Old Business-

Sale of Air Compressor- Town had one bid for used compressor.

RESOLUTION NO. 75 OF 2008

Messrs. Hill & Higgins introduced Res. 75 and moved its adoption:

RESOLUTION TO AWARD AIR COMPRESSOR BID

WHEREAS, the Town Clerk advertised for Bids for the highway air compressor that was declared surplus by the Town Board, AND

WHEREAS, the Town received one bid on July 17th, NOW, THEREFORE BE IT

RESOLVED, that the Town Board does hereby award the bid for the air compressor to Matt Wood for the price of \$500.00.

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

Removal of National Grid Street Lights- Discussion regarding lights around pond. The National Grid lights will be left to light up the intersections by the Mill Pond.

Boat Launch site- Councilman Olson reported on discussion at the Brant Lake Association meeting. One question asked was if DEC controls the boat launch. Supervisor Bentley said "no, it does not". Councilman Olson said members of the Association still speak of the Town Buying out of the remaining years of the contract with DEC. Supervisor Bentley said we have nothing to gain from buying it out. It would cost about \$14,000 and the Town would then have the repairs, upkeep and porta-john rental to pay. As far as the lake being stocked with fish, the State will continue to stock as long as launch remains open to public. Question from audience regarding if the Town would place an attendant at the boat launch site if the Brant Lake Association paid for it? Supervisor Bentley said "yes".

Resolutions

RESOLUTION NO. 76 OF 2008

Messrs. Olson & Hill introduced Res. 76 and moved its adoption:

RESOLUTION TO ENACT LOCAL LAW # 1 OF 2008

WHEREAS, a public hearing was held by the Town Board of the Town of Horicon on July 17th on the matter of the proposed Local Law and notice of such public hearing having been duly published and posted as required by law and all persons appearing at said public hearing desiring to be heard, having been heard, NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Horicon on this 17th day of July, 2008 does hereby enact and adopt Local Law #1 of 2008, " A LOCAL LAW PROVIDING FOR AN EXEMPTION TO COLD WAR VETERANS FROM REAL PROPERTY TAXATION".

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

RESOLUTION NO. 77 OF 2008

Messrs. Olson & Hill introduced Res. 77 and moved its adoption:

RESOLUTION TO ENACT LOCAL LAW # 2 OF 2008

WHEREAS, a public hearing was held by the Town Board of the Town of Horicon on July 17th on the matter of the proposed Local Law and notice of such public hearing having been duly published and posted as required by law and all persons appearing at said public hearing desiring to be heard, having been heard, NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Horicon on this 17th day of July, 2008 does hereby enact and adopt Local Law # 2 of 2008, " A LOCAL LAW AMENDING LOCAL LAW # 1 OF 2006, PROVIDING FOR THE MAXIMUM EXEMPTION ALLOWABLE FOR THE ALTERNATIVE VETERAN'S EXEMPTION FROM REAL PROPERTY TAXATION".

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

RESOLUTION NO. 78 OF 2008

Messrs. Higgins & Olson introduced Res. 78 and moved its adoption:

RESOLUTION TO AUTHORIZE ATTENDANCE TO ASSOCIATION OF TOWNS PLANNING AND ZONING SUMMER SCHOOL

RESOLVED, that the Town Board does hereby authorize Marion Luce and Gary Frenz to attend the Association of Towns Planning & Zoning Summer School in Queensbury on July 23rd. Registration fee of \$120.00 will be paid by the Town. Ms. Luce and Mr. Frenz will be reimbursed for their expenses of lunch and mileage.

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

RESOLUTION NO. 79 OF 2008

Messrs. Higgins & Olson introduced Res. 79 and moved its adoption:

RESOLUTION TO APPOINT NEW ZONING BOARD MEMBER

WHEREAS, Gail Serrine, a member of the Zoning Board of Appeals has resigned her seat on the Board due to family commitments, AND

WHEREAS, the Town Board wishes to fill this vacancy with a qualified person as soon as possible, NOW, THEREFORE BE IT

RESOLVED, that the Town Board does hereby appoint Zoning Board Alternative Marion Luce to fill the vacancy created by Ms. Serrine's resignation. Ms. Luce will fill the un-expired portion of the term, which ends December 31, 2009.

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

RESOLUTION NO. 80 OF 2008

Messrs. Higgins & Hill introduced Res. 80 and moved its adoption:

RESOLUTION TO AUTHORIZE BUDGET TRANSFERS

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

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Highway		
D5120.4 (Bridge)	5130.2 (Mach. Eq.)	\$ 510.96
D5148.4 (Ser. Ot. Gov.)	5142.4 (Snow Rem.)	\$18,000.00
D5148.1 (Ser. Ot. Gov.)	5142.1 (Snow Rem.)	\$43,000.00
General		
A1990.4 (Contingency)	A1920.4 (Mun. Dues)	\$ 299.00
A1990.4 (Contingency)	A4560.4 (Health Center)	\$5,000.00

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

RESOLUTION NO. 81 OF 2008

Messrs. Higgins & Hill introduced Res. 81 and moved its adoption:

RESOLUTION TO AUTHORIZE BUDGET AMENDMENT

RESOLVED, that the Town Board does hereby authorize the following Budget Amendments:

Highway-			
Increase	D510	Estimated Revenues	\$18,450.00
	D3501	Consolidated Highway	
Increase	D960	Appropriations	\$18,450.00
	D5112.4	General Repairs	
General-			
Increase	A510	Estimated Revenues	\$25,000.00
	A4902	Planning Studies	
	A960	Appropriations	\$25,000.00
	A8020.4	Planning	

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

RESOLUTION NO. 82 OF 2008

Messrs. Higgins & Hill introduced Res. 82 and moved its adoption:

RESOLUTION TO AUTHORIZE BUDGET AMENDMENT

RESOLVED, that the Town Board does hereby authorize the transfer of funds from Expendable Trust to the General Fund.

Increase	510	Estimated Revenues	\$9,000.00
	A2775	Trust Fund Income	
Increase	960	Appropriations	\$9,000.00
	A8810.4	Cemetery Contractual	

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

RESOLUTION NO. 83 OF 2008

Messrs. Higgins & Hill introduced Res. 83 and moved its adoption:

RESOLUTION TO INCREASE MILEAGE REIMBURSEMENT

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the increase of the mileage reimbursement to .585 cents per mile for officials and employees who are traveling for Town business. This increase shall be retroactive back to July 1, 2008.

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

RESOLUTION NO. 84 OF 2008

Messrs. Olson & Higgins introduced Res. 84 and moved its adoption:

RESOLUTION TO AUTHORIZE SUPERVISOR TO CONTACT NATIONAL GRID REGARDING REMOVAL OF LIGHTS

RESOLVED, that the Town Board does hereby authorize Supervisor Ralph Bentley to contact National Grid regarding the removal of, or shutting down of, their lights around the Mill Pond in the Hamlet of Brant Lake. With the placement of old fashioned lights around the Pond the National Grid lights are no longer needed.

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

RESOLUTION NO. 85 OF 2008

Messrs. Olson & Higgins introduced Res. 85 and moved its adoption:

RESOLUTION TO SET PUBLIC HEARING FOR RENEWAL OF THE CABLE TELEVISION FRANCHISE AGREEMENT BETWEEN TOWN OF HORICON AND TIME WARNER CABLE

RESOLVED, that the Town Board does hereby set a public hearing for the renewal of the cable television franchise agreement by and between the Town of Horicon and Time Warner d/b/a Time Warner Cable. Said hearing to be held on August 21st at 7:00 PM at the Horicon Community Center.

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

RESOLUTION NO. 86 OF 2008

Messrs. Hill & Olson introduced Res. 86 and moved its adoption:

RESOLUTION TO APPROVE THE "INTERMUNICIPAL AGREEMENT CONCERNING USE OF HYPER-REACH NOTIFICATION SYSTEM" AND AUTHORIZING SUPERVISOR TO SIGN AGREEMENT

WHEREAS, Warren County through the Warren County Sheriff's Office is contracting for the use of a Hyper-Reach Notification System through Software House International, AND

WHEREAS, other municipalities in Warren County are being allowed to utilize the system for those instances in which they wish to have notices sent to residents of their communities of portions thereof, AND

WHEREAS, the Town of Horicon wishes to enter into an Intermunicipal Agreement with Warren County at a pre-determined cost per minute, NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Horicon hereby authorizes the Supervisor to execute an agreement with Warren County for the use of a Hyper-Reach Notification System through Software House International.

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

RESOLUTION NO. 87 OF 2008

Messrs. Olson & Higgins introduced Res. 87 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT TO MURPHY CONSTRUCTION

RESOLVED, that the Town Board does hereby authorize a second payment to Murphy Construction for the addition at the Museum. Payment requested is for 25% of concrete and 50% of framing with 5% retainage for a total of \$5458.70.

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

RESOLUTION NO. 88 OF 2008

Messrs. Olson & Hill introduced Res. 88 and moved its adoption:

RESOLUTION TO ACCEPT DEDICATION OF GIFT OF PROPERTY FROM CLAYTON BOLTON

WHEREAS, Clayton Bolton wishes to convey to the Town of Horicon, as a gift, a parcel of property located on State Route 8, Brant Lake (88.10.1-42), NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Horicon hereby accepts dedication of this gift contingent upon obtaining Title Insurance in a form acceptable to Town Counsel, BE IT FURTHER

RESOLVED, that the Town Board authorizes Town Counsel, Mark Schachner to obtain Title Insurance for said property and authorizes the Town Supervisor and Town Clerk to take all actions necessary to effect this Resolution.

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

Privilege of Floor

Pavillion- Joe Dooris asked the Board if it was their intention to proceed with building the pavilion this year or is it a "dead issue"? Councilman Hill said maybe it can be done this year, but highway duties come first. Superintendent Smith said right now they are busy getting Johnson Road read to pave. Discussion regarding price of materials going up the longer we wait. Supervisor Bentley said we have the money to do it from "bed tax" funds.

Gate at Mill Pond Beach- Terry Peters asked about locking the gate at the beach whenever life guard is not on duty. The Board directed that the gate be locked. Discussion regarding sign being put on fence saying that new fencing and locked gate is at direction of the NYS Board of Health.

Gary Johnson asked about his request to purchase a piece of Town property across from his house in Adirondack so he can have the distance between sewer and well that he needs. Supervisor Bentley said that the Town is not interested in selling the property, but an easement could be drawn up to allow him to use property. Mr. Johnson was satisfied with that.

Oil & Propane Bids- Discussion regarding best time to go out to bid for next year. It was decided to do it earlier this year. Mr. Balz said he was talking to someone from the propane company who suggested that early September may be a good time to open bids for next year. MOTION made by Mr. Higgins to authorize the clerk to advertise for bids, seconded by Mr. Hill, all ayes.

English as Official Language- Mr. Balz would like to see the Town pass some type of resolution or law to make English the official language in the Town of Horicon. Mr. Balz brought this up at the last meeting and the Supervisor asked our Town Counsel to look into it. Councilman Olson said perhaps we should have a public information meeting to see how the community feels about it. The Board will check with Town Counsel and discuss further next month, possibly setting a public hearing.

Mr. Johansen commented on all the good things he has heard regarding the work the highway and beautification did at the museum. Mr. Johansen added that attendance is up 45% at the museum this summer.

This being all the business to attend to, the meeting was adjourned at 9:00 PM by MOTION of Messrs. Hill & Olson, all ayes.

Respectfully submitted:

Town Clerk

JULY 31, 2008 SPECIAL TOWN BOARD MEETING

Present at meeting	Ralph Bentley	Supervisor
	Frank Hill	Councilman
	Ken Higgins	Councilman
	Robert Olson	Councilman
Gary McMeekin	Zoning Officer	
Dawn Higgins	Deputy Town Clerk	

Supervisor Bentley opened the special meeting and reported the Board would be moving into Executive Session to discuss litigation regarding Brant Lake Heights Homeowners Association. Messrs. Higgins & Hill moved to go into Executive Session, 3 ayes, 1 abstains. Councilman Olson then recused himself from the meeting as he is a member of the Brant Lake Heights Homeowners Association.

After Executive Session the Board moved back into regular meeting by MOTION of Messrs. Higgins & Hill, all ayes.

Supervisor Bentley reported that litigation against Brant Lake Heights Homeowners Association had been discussed and the following Resolution was introduced:

RESOLUTION NO. 89 OF 2008

Messrs. Hill & Higgins introduced Res. 89 and moved its adoption:

RESOLUTION IN SUPPORT OF THE ENFORCEMENT OF ZONING VIOLATIONS REGARDING BRANT LAKE HEIGHTS

RESOLVED, that the Town Board of the Town of Horicon, upon advice of Town Counsel, does hereby support and sanction Horicon Zoning Officer Gary McMeekin's citing and enforcement of the Brant Lake Heights Homeowners Associations long standing violation of the New York State Supreme Court Decision.

Hill-aye, Higgins-aye, Bentley-aye, Olson-absent (recused)

Landfill Substitute- The landfill is in immediate need of a person to work at the landfill on weekends. Full-time employee Chad Jones is out on medical leave and present substitutes are not always available on weekend. Councilman Olson had previously suggested Matthew Morehouse as able to work weekends.

RESOLUTION NO. 90 OF 2008

Messrs. Higgins & Hill introduced Res. 90 and moved its adoption:

RESOLUTION TO HIRE LANDFILL SUBSTITUTE

RESOLVED, that the Town Board does hereby hire Matthew Morehouse to work as a substitute in the landfill. Mr. Morehouse will work on an "as needed" basis at an hourly wage of \$9.95.

Hill-aye, Higgins-aye, Bentley-aye, Olson-absent (recused).

This being all the business to attend to the meeting was adjourned by MOTION of Messrs. Bentley & Hill, all ayes.

Respectfully submitted:

Deputy Town Clerk