

MARCH 16, 2006 TOWN BOARD MEETING

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

Also: Ruth Ann Assman, Christine Smith-Hayes, Randy Reitnauer, Jackie Younes, Carl Younes, Harry Balz, Wes Butler, Tom Johansen, Brandon Himoff.

Supervisor Bentley opened the meeting and welcomed guests.

APPROVAL OF MINUTES: The minutes of February 19th were approved by MOTION of Messrs. Olson & Hill, all ayes.

SAND BID: One bid for sand was received and opened...Gilma Enterprises, Inc. from Chestertown. \$1.40 per yard for bank run sand.

MARCH ABSTRACTS:

RESOLUTION NO. 47 OF 2006

Mrs. Hayes & Mr. Hill introduced Res. 47 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 March Abstracts:

Highway Vouchers # 41-62	\$29,798.64
General Vouchers # 60-85	\$19,593.86
Hwy. Abstracts 6 & 7	\$ 9,715.51
Gen. Abstracts 6 & 7	\$15,870.76

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

COMMUNICATIONS:

Horicon Planning Board	RE: Revised Subdivision & Zoning Amend.
Harry Balz	RE: Surveyor Proposals
Joseph Metzger	RE: Preliminary Design for Hwy. Garage
Ronald Vincent	RE: Resignation from Planning Board
North Warren School	RE: Re-imbusement of 50% of Appraisal
Time Warner	RE: Increase in cable rates
Mike Swan, Real Property	RE: Alternative Veterans Exemption

OLD BUSINESS:

Adirondack Park Dedication- The Board wishes to have the dedication at the beginning of the Little League Season. The season begins on May 1st. The dedication is set for 5:00 PM on May 1st at the Little League Field at the park in Adirondack.

Adirondack Cemetery Roadways- Councilman Hill will meet with Keith Wood next week to determine where the roadways should be in the new section of the cemetery. This needs to be determined before the cemetery mapping can be completed.

Zoning Amendments Revisions- Counselor Schachner reported on the revisions stemming from last night's Planning Board Meeting. The Planning Board has referred them to the Town Board for action. The first thing needed tonight is the completion of the SEQRA Form. Counselor Schachner reviewed the form with the Town Board and filled out the form as the Board answered. The following Resolution was then introduced:

RESOLUTION NO. 48 OF 2006

Messrs. Olson & Higgins introduced Res. 48 and moved its adoption:

RESOLUTION APPROVING SEQR NEGATIVE DECLARATION REFERRING PROPOSED ZONING LAW & SUBDIVISION REGULATION AMENDMENTS TO APA AND WARREN COUNTY PLANNING BOARD & SCHEDULING A PUBLIC HEARING

WHEREAS, the Town is considering 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, the Town seeks Adirondack Park Agency (APA) approval of the proposed amendments to the Zoning Law and Subdivision Regulations in order to maintain an APA approved Local Land Use Plan, AND

WHEREAS, the potential environmental impacts of the proposed amendments to the Zoning Law and Subdivision Regulations are subject to review under the New York State Environmental Quality Review Act (SEQRA), AND

WHEREAS, the Town Board has reviewed a SEQRA Environmental Assessment Form and determined that adoption of the proposed amendments to the Zoning Law and Subdivision Regulations will have no significant adverse environmental impacts, AND

WHEREAS, Municipal Home Rule Law Section 20 requires the Town Board to hold a public hearing prior to the adoption of any Local Law; NOW THEREFORE, BE IT

RESOLVED, that the Horicon Town Board does hereby determine that adoption of the proposed amendments to the Zoning Law and Subdivision Regulations will not result in any significant adverse environmental impacts and therefore authorizes issuance of a SEQRA Negative Declaration, BE IT FURTHER

RESOLVED, that the Town Supervisor, Town Clerk and Town Counsel are hereby authorized and directed to submit the proposed amendments to the Zoning Law and Subdivision Regulations together with a copy of this Resolution to APA with an appropriate request seeking APA review and approval, BE IT FURTHER

RESOLVED, that in accordance with General Municipal Law Section 239-m, the Town Board shall refer the proposed amendments to the Warren County Planning Board for its review and recommendation, AND BE IT FURTHER

RESOLVED, that the Town Board shall hold a public hearing on April 20, 2006 at 7:00 PM to hear all people who are interested in the proposed amendments to the Zoning Law and Subdivision Regulations; and the Town Clerk is hereby authorized and directed to publish a Notice of Public Hearing not less than ten (10) days before the date of the public hearing.

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

Board of Review Vacancy- Applicants will be discussed during Executive Session later in meeting.

Re-imbusement to Paul Maniacek for Computer Course- Discussion regarding reimbursing Mr. Maniacek for course he is taking which he has used many time to repair and rebuild computers used by Town. Mr. Maniacek's knowledge, learned from these courses, has saved money for the Town. A Resolution follows later in meeting.

NEW BUSINESS:

New Highway Building- Plans are moving forward in the planning of a new highway garage. The Board needs to put into place a Resolution to authorize the building, and a Resolution to authorize the Bonding.

RESOLUTION NO. 49 OF 2006

Messrs. Hill & Higgins introduced Res. 49 and moved its adoption:

**RESOLUTION AUTHORIZING CONSTRUCTION
OF NEW HIGHWAY GARAGE**

WHEREAS, the Town wishes to construct a new Highway Garage for the Storage of Highway Department vehicles and equipment, AND

WHEREAS, such construction is authorized by Town Law Sections 81(1)(b) and 220(2), subject to permissive referendum, NOW, THEREFORE, BE IT

RESOLVED, by the Horicon Town Board as follows:

Section 1: The Town Board hereby authorizes construction of a new Highway Garage to be located on Town Shed Road on the same parcel of Town property as the existing Highway Garage at a maximum estimated cost of \$1,200,000.

Section 2: This Resolution is subject to permissive referendum pursuant to Town Law Sections 81(1)(b) and 220(2) and shall not take effect until such time as provided in Town Law Article 7. The Town Clerk is

hereby authorized and directed to post and publish the notice required for Resolutions subject to permissive referendum.

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

RESOLUTION NO. 50 OF 2006

Mr. Hill & Mrs. Hayes introduced Res. No. 50 and moved its adoption:

RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO \$850,000 IN SERIAL BONDS OF THE TOWN OF HORICON TO PAY A PORTION OF THE COST OF ACQUISITION, CONSTRUCTION, AND INSTALLATION OF A TOWN HIGHWAY GARAGE; AND AUTHORIZING THE ISSUANCE OF UP TO \$850,000 IN BOND ANTICIPATION NOTES OF THE TOWN OF HORICON FOR THE SAME PURPOSE

BE IT RESOLVED BY THE HORICON TOWN BOARD AS FOLLOWS:

Section 1. The specific object or purpose for which the obligations authorized by this Resolution are to be issued is the acquisition, construction, and installation of a new highway garage, including related preliminary and incidental costs (the "Project"), and such specific object or purpose is hereby authorized at a maximum estimated cost of One Million Two Hundred Thousand Dollars (\$1,200,000).

Section 2. The plan for the financing of such maximum estimated cost is as follows:

- (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 hereby authorized to be issued pursuant to the Local Finance Law.

(Entire Text included in Formal Bond Anticipation Note)

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

Councilman Olson mentioned that there may be some Federal Money out there for this project. Congressman Sweeney has gotten some funding for a few other local projects.

Agreement To Spend Highway Funds- The Board Members signed the Agreement approving the Highway Superintendent's paving projects for 2006, one mile on Pease Hill Road and one mile on Shaw Hill Road.

RESOLUTIONS- RESOLUTION NO. 51 OF 2006

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

RESOLUTION AUTHORIZING A PUBLIC HEARING FOR LOCAL LAW # 1 OF 2006

RESOLVED, that the Town Board does hereby authorize a Public Hearing for Local Law # 1 of 2006, a local law entitled "A LOCAL LAW PROVIDING FOR THE MAXIMUM EXEMPTION ALLOWABLE FOR THE ALTERNATIVE VETERAN'S EXEMPTION FROM REAL PROPERTY TAXATION". Said public hearing to be held on March 28th at 3:00 PM at the Horicon Community Center.

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

RESOLUTION NO. 52 OF 2006

Mr. Higgins & Mrs. Hayes introduced Res. 52 and moved its adoption:

RESOLUTION TO ACCEPT SAND BID

WHEREAS, the Town Board advertised for bids on prices for bank run sand of a quality acceptable to the Highway Superintendent, AND WHEREAS, bids were received until 7:00 PM on March 16th, AND WHEREAS, one bid was received for the sand, NOW, THEREFORE BE IT RESOLVED, that the Town Board does hereby award the bid for bank run sand to Gilma Enterprises, Inc. of Chestertown for the price of \$1.40 per yard for bank run sand.

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

RESOLUTION NO. 53 OF 2006

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

RESOLUTION AUTHORIZING RE-IMBURSEMENT OF COMPUTER COURSE FEE TO PAUL MANIACEK

WHEREAS, Paul Maniacek, Assessor for the Town of Horicon, has in the past and continues to, come to the aid of Town employees having problems of all sorts with computers and equipment, AND

WHEREAS, Mr. Maniacek, in many cases works on repairing our computers on his own time, using the knowledge he has gained by taking computer courses that he has paid for. The Town Board feels that many taxpayer dollars have been saved because of Mr. Maniacek's willingness to step in where and when needed, and wishes to show appreciation by reimbursing Paul for the computer course he is currently taking, NOW THEREFORE BE IT

RESOLVED, that the Town Board hereby authorizes reimbursing Paul the sum of \$1,000.00 for his schooling, BE IT FURTHER

RESOLVED, that the Board will contact the Town of Chester and give them the opportunity to share this cost as they benefit from Paul's knowledge also.

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

RESOLUTION NO. 54 OF 2006

Mr. Hill & Mrs. Hayes introduced Res. 54 and moved its adoption:

RESOLUTION TO HIRE SURVEYOR FOR HIGHWAY GARAGE

WHEREAS, requests for proposals for stage one site survey work were sent to three contractors by Project Clerk of the Works, Harry Balz, AND

WHEREAS, of the three proposals received, the lowest responsible proposal amount was from Bolster & Associates, PLS, at a price of \$4,800.00, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board does hereby hire Bolster & Associates to complete the "Scope of Work" as set forth in the Request for Proposals sent out by Harry Balz for the agreed on amount of \$4,800.00

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

RESOLUTION NO. 55 OF 2006

The Members of the Horicon Town Board introduced Res. 55 and moved its adoption:

RESOLUTION OF APPRECIATION TO RON VINCENT

WHEREAS, Ron Vincent has served the Town of Horicon as a member of the Planning Board for 20 years, setting an example of diligence and dedication in the face of adversity, AND

WHEREAS, Ron now finds he must resign from the Board due to health reasons, and the Town Board has accepted his resignation with great regret, AND

WHEREAS, Ron has shown over the years a responsibility and community spirit that is hard to replace, and a genuine interest in treating all who came before the Board in a fair and respectful manner, NOW, THEREFORE BE IT

RESOLVED, that on this day, and by this Resolution, the Horicon Town Board, on behalf of the people of Horicon wish to thank Ron for his many contributions to this Town, and to send him their thanks, appreciation and "Best Wishes".

Ayes: 5 Nays: 0

RESOLUTION NO. 56 OF 2006

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

RESOLUTION OF APPRECIATION TO ROBERT HAYES

WHEREAS, Robert Hayes has served on the Board of Assessment Review for 23 years, filling an often "thankless" job and diligently working toward finding a fair and equal resolution to grievances, and

WHEREAS, Mr. Hayes will no longer be serving on this Board and the Town Board would like to take this opportunity to thank him for his dedication and efforts on behalf of the Town, NOW, THEREFORE BE IT

RESOLVED, that on this day, and by this Resolution, the Horicon Town Board, on behalf of the people of this Community, wish to thank Bob for the responsible way he carried out his position on this Board and his contributions to this Town. Accompanying this Resolution is the appreciation of the Town Board and their "Best Wishes".

Ayes: 5 Nays: 0

PRIVILEGE OF FLOOR-

Mr. Tom Johansen reminded the Board of the split tree trunks in front of the museum. Mr. Johansen feels the trees are more of a safety hazard every day. Supervisor Bentley said that Benny Newton has been contacted and he said he could do the job. Mr. Johansen also spoke about the mold problem in the Carriage Shed. The water must be diverted. Discussion regarding Keith Wood coming with backhoe and re-routing water.

There being no further questions, Messrs. Hill & Higgins made a MOTION at 7:30 PM for the Board and Town Counsel to meet in Executive Session to discuss Personnel (Highway & General), all ayes.

The Board returned to regular meeting at 8:20 PM by MOTION of Messrs. Hill & Higgins, all ayes.

Supervisor Bentley reported that Highway Personnel and job applications for Board of Review & Groundskeeper were discussed. The following decisions were reached.

RESOLUTION NO. 57 OF 2006

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

**RESOLUTION TO TERMINATE RUTH ANN ASSMAN'S
TERM ON BOARD OF ASSESSMAN REVIEW**

WHEREAS, Ruth Ann Assman's term on the Board of Review is scheduled to end on September 31, 2006, AND

WHEREAS, the Town Board has become aware that the Board of Review needs to be comprised of not more than one member who is employed by the Town, or an officer of the Town AND

WHEREAS, even with the term of Robert Hayes ending, there is still another member that needs to be replaced because of legal constraints of conflict with the Town, AND

WHEREAS, Ruth Ann has served the Town with dedication and it is only because of her involvement on the Planning Board that he term must be ended, NOW, THEREFORE BE IT

RESOLVED, that the Town Board does hereby terminate the term of Ruth Ann Assman as of this date (March 16, 2006).

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

RESOLUTION NO. 58 OF 2006

The Members of the Horicon Town Board introduced Res. 58 and moved its adoption:

RESOLUTION OF APPRECIATION TO RUTH ANN ASSMAN

WHEREAS, Ruth Ann Assman has served on the Board of Assessment Review for 4 years, representing the Town in a diligent and responsible way, AND

WHEREAS, Ruth Ann will no longer be serving on the Board of Assessment Review due to a conflicting position on the Planning Board, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board wishes to thank Ruth Ann for her efforts and dedication doing an often times "thankless job" for our Community, BE IT FURTHER

RESOLVED, that together with this Resolution is the appreciation of the Town Board Members on behalf of this Community, and their "Best Wishes".

Ayes: 5 Nays: 0

RESOLUTION NO. 59 OF 2006

Messrs. Olson & Hill introduced Res. 59 and moved its adoption:

RESOLUTION TO APPOINT TWO NEW BOARD OF REVIEW MEMBERS

WHEREAS, the Town Board wishes to fill two vacancies on the Horicon Board of Assessment Review, AND

WHEREAS, the Board has reviewed applications received and has been pleased at the response of the community, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board does hereby appoint John Goode to serve a term ending on September 31, 2010 and Harold Katsch to serve a term ending on September 31, 2006 on the Horicon Board of Assessment Review.

RESOLUTION NO. 60 OF 2006

Mr. Hill & Mrs. Hayes introduced Res. 60 and moved its adoption:

RESOLUTION TO HIRE ASSISTANT GROUNDSKEEPER

WHEREAS, the Town advertised the position of Assistant Groundskeeper for the coming season, AND

WHEREAS, after reviewing applications received the Board has agreed on a candidate for this position, NOW, THEREFORE BE IT

RESOLVED, that the Town Board does hereby hire Jackie Younes as Assistant Groundskeeper for 20 weeks, 40 hours per week @ \$9.00 per hour.

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

This being all the business to attend to, the meeting was adjourned at 8:45 PM by MOTION of Messrs. Higgins & Hill, all ayes

Respectfully submitted:

Town Clerk

MARCH 28, 2006 PUBLIC HEARING FOR LL# 1 & SPECIAL MEETING

Present at Public Hearing	Ralph Bentley	Supervisor
	Frank Hill	Councilman
	Kenneth Higgins	Councilman
	Shirley Hayes	Councilwoman

Councilman Robert Olson absent due to previous commitment.

Arlene Mayer Town Clerk

Also: Tom Jones, Phil Aiken, Lou Russo, Joe Dooris, Harry Katsch, Jack Higgins, Don Lewis, Brandon Himoff.

Supervisor Bentley opened the Public Hearing regarding the Veterans Exemption and the Clerk read the legal notice from the Post Star.

Mr. Lou Russo spoke on behalf of Veterans Organizations he represents. He asked Supervisor Bentley if the County had passed the same Local Law we have. Supervisor Bentley said they had. Mr. Jones spoke in favor of passing this Law as did the other veterans present.

There being no further comments, the public hearing was closed at 3:06 PM by Supervisor Bentley.

The following Resolution was then introduced:

RESOLUTION NO. 61 OF 2006

Mr. Hill & Mrs. Hayes introduced and the Board Members gladly moved the adoption of Resolution 61 of 2006.

RESOLUTION TO ENACT LOCAL LAW NO. 1 OF 2006

WHEREAS, a proposed local law was duly presented to the Horicon Town Board and considered by them, said proposed local law being entitled "A Local Law Providing for the Maximum Exemption Allowable for the Alternative Veteran's Exemption from Real Property Taxation", AND

WHEREAS, a public hearing was set for March 28th at 3:00 PM on the matter of the proposed law and notice of such public hearing having been duly published and posted as required by law, and said public hearing having been held 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 28th day of March, 2006 does hereby enact and adopt Local Law # 2 of 2006 as set forth.

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

The Veterans present thanked the Town Board for passing this law for all the Veterans.

The Board then moved into the Special Meeting. Purpose of meeting is appointing a candidate to fill the vacancy on the Planning Board.

Messrs. Hill & Higgins made a MOTION to move into Executive Session to discuss Personnel, namely candidates for the Planning Board, all ayes.

After Executive Session, Mr. Higgins & Mrs. Hayes moved to resume regular meeting, all ayes.

Supervisor Bentley reported that Personnel had been discussed during Executive Session. The following Resolution was then introduced:

RESOLUTION NO. 62 OF 2006

Mrs. Hayes & Mr. Higgins introduced Res. 62 and moved its adoption:

RESOLUTION TO APPOINT NEW PLANNING BOARD MEMBER

WHEREAS, the Planning Board has a vacancy due to the resignation of member Ron Vincent, AND

WHEREAS, the Town Board advertised for candidates who were interested in serving on this Board, AND

WHEREAS, after reviewing the applications, all of whom were qualified, the Board made their decision, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board does hereby appoint Steven Smith to serve on the Planning Board for the remainder of the term vacated by Ron Vincent. Term to end December 31, 2010.

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

Mr. Smith will resign as alternate member of the Zoning Board as of tomorrow's date.

The meeting was adjourned at 3:25 PM by MOTION of Mr. Hill and Mrs. Hayes, all ayes.

Respectfully submitted:

Town Clerk