

**HORICON TOWN BOARD
REGULAR MEETING & CONTINUATION OF PUBLIC HEARING**

**MARCH 18, 2021
7:00 PM**

Present at meeting:	Sylvia Smith	Supervisor
	Frank Hill	Councilperson
	Robert Olson	Councilperson
	Peter Palmer	Councilperson
Krista Wood	Town Clerk	
Town Counsel	Mark Schachner	

Also: Assessor Christine Hayes, HS Darian Granger, ZA Scott Hayes, Bill McGhie, Rob Hill, Mike Geraci, Bob Smith, Neil Brandmaier, Teri Schuerlein, Matt Wood, Zack Monroe, Jake Gordon, Jason Letts, James Chadbourne, and Adam Horowitz.

Supervisor Smith called the meeting to order at 7:00 PM.

Local Board of Health...

A Motion was made by Councilperson Olson, seconded by Councilperson Hill, to go into session as the Local Board of Health. The Board moved into session as Local Board of Health at 7:01 PM.

1) Public Hearing - request for septic variance at 446 E. Shore Dr / Barriere / #36.12-1-69:

Supervisor Smith opened the public hearing for a septic variance request at 446 East Shore Drive in Adirondack.

-Zack Monroe, Winchip Engineering, explained that the proposed system requires a variance of 12.0' from the proposed absorption bed to the house and a 17.2' variance from the proposed absorption bed to a nearby stream. Mr. Monroe noted that they moved the system closer to the house in an effort to maximize the separation distance to the stream.

-Councilperson Olson asked what is currently on the property for a septic and why it is being replaced. Mr. Monroe said he does not know what is currently there but guesses it may be a drywell. He said it is being replaced because it is not functioning properly. Councilperson Olson asked if the proposed system is better than the current system. Mr. Monroe said the proposed system is an improvement over the current system because the current system has failed, and it not only violates the same setbacks as the proposed system but other setbacks as well.

-Councilperson Palmer asked if the old system will be dug out. Mr. Monroe said it will be removed, disposed of, back filled, and then the new system will be installed.

There being no further comments Supervisor Smith closed the public hearing at 7:05 pm.

RESOLUTION #50-2021

Councilperson Olson and Councilperson Hill introduced Res. No. 50 and moved its adoption:

**RESOLUTION TO GRANT VARIANCE FOR A REPLACEMENT WASTEWATER DISPOSAL SYSTEM
AT 446 EAST SHORE DRIVE IN ADIRONDACK**

RESOLVED, that the Horicon Town Board acting as Local Board of Health, based on the receipt of a set of stamped plans from Winchip Engineering (project #20-038), and the \$100.00 variance fee, does hereby grant a variance for a replacement septic system at 446 East Shore Drive, Adirondack (Tax Map #36.12-1-69) because the strict application of the minimum setback requirements, or the minimum lot size requirement, would result in a specified practical difficulty to the applicant. Further, the alternative proposed would not be materially detrimental to the purpose of this regulation, or to the property or natural resources in the area in or near the site of the proposed individual sewage disposal system, or otherwise conflict with the description, purpose, or the objectives of any plan or policy of the Town, and that the alternative proposed is the minimum variance which would alleviate the specified practical difficulty as found by the Board to affect the applicant.

Ayes: 4 (Olson, Hill, Palmer, Smith) Nays: 0

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2) Septic Variance request - 18 North Sand Beach Way / Letts / #55.10-1-5:

-Jake Gordon, C.T. Male Associates, explained they are proposing to install a wastewater disposal system which does not meet several setbacks. He said in order to mitigate the risks associated with not meeting the setback requirements they are proposing a Norweco system as well as the use of geo-textile sand filters. The use of these two features would reduce the size of the absorption area by approximately 75% thereby increasing separation distances and would increase the overall effectiveness of the treatment system as a whole. Mr. Gordon said they will bring in fill to level the proposed absorption bed to reduce the slope to 15% in order to meet the slope requirements. The following variances are being requested: 1) Proposed absorption bed to neighboring well (lot 16) where 100' is required and 70' is being proposed, which is a variance of 30'; 2) Proposed absorption bed to owner's proposed well where 100' setback is required and 48' is being proposed, which is a variance of 52'; 3) Proposed absorption bed to Brant Lake where 100' is required and 99' is being proposed, which is variance of 1'; 4) Proposed modification to absorption area slope where 20% is maximum and 15% slope is being proposed.

-Councilperson Palmer asked Mr. Letts if he had talked to the neighbors about this. Mr. Letts said he has been in regular communication with both the neighbors to confirm their well and septic locations, his surveyor has also worked with both neighbors on this, and he is proposing a system suggested by them.

RESOLUTION #51-2021

Councilperson Olson and Councilperson Hill introduced Res. No. 51 and moved its adoption:

RESOLUTION TO SET PUBLIC HEARING

RESOLVED, that the Town Board of the Town of Horicon, acting in its capacity as the Local Board of Health, considers the application made by C.T. Male Associates for a septic variance at 18 North Sand Beach Way in Brant Lake complete, and does hereby set a Public Hearing for Thursday, April 15, 2021 at 7:00 PM at the Horicon Community Center.

Ayes: 4 (Olson, Hill, Palmer, Smith) Nays: 0

A Motion was made by Councilperson Hill, seconded by Councilperson Olson, to go back into regular session. The Board moved back into **regular session** at 7:16 PM.

Regular Meeting...

Reports... Supervisor, Town Clerk, Zoning, Justice, Assessor, Tax Collector

Approval of Minutes: Minutes of February 18, 2021 were approved by Motion of Councilperson Hill and Councilperson Palmer.

Ayes: 4 (Hill, Palmer, Olson, Smith) Nays: 0

Approval of March 18, 2021 Vouchers and Abstracts:

RESOLUTION #52-2021

Councilperson Olson and Councilperson Hill introduced Res. No. 52 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT OF MARCH ABSTRACTS

RESOLVED, that the Town Board does hereby authorize the payment of the March 18, 2021 Vouchers and Abstracts as follows:

General Abstract	3	\$ 34,828.25
Highway Abstract	3	\$ 49,740.42

Ayes: 4 (Olson, Hill, Palmer, Smith) Nays: 0

Correspondence:

- Bob Donahue	RE: Notice of retirement in September 2021
- Mike Geraci	RE: Letter of resignation as Horicon Town Justice

Resolutions:

RESOLUTION #53-2021

Councilperson Olson and Councilperson Palmer introduced Res. No. 53 and moved its adoption:

RESOLUTION TO ACCEPT THE RESIGNATION OF JUSTICE MICHAEL GERACI, SR.

WHEREAS, Michael Geraci, Sr. submitted a letter of resignation from the position of Horicon Town Justice on March 18, 2021, and, now, therefore be it

RESOLVED, that the Town Board of the Town of Horicon does hereby regretfully accept the resignation of Michael Geraci, Sr. from the position of Town Justice effective March 18, 2021.

Ayes: 4 (Olson, Palmer, Hill, Smith) Nays: 0

RESOLUTION #54-2021

Councilperson Olson and Councilperson Hill introduced Res. No. 54 and moved its adoption:

RESOLUTION TO APPROVE 2020 FIREFIGHTER RECORDS LISTING

RESOLVED, that the Town Board of the Town of Horicon has reviewed, and does hereby approve, the 2020 Service Award Program Firefighter Records listing for the Horicon Fire Department.

Ayes: 4 (Olson, Hill, Palmer, Smith) Nays: 0

RESOLUTION #55-2021

Councilperson Olson and Councilperson Hill introduced Res. No. 55 and moved its adoption:

RESOLUTION TO SET STANDARD WORKDAY

BE IT RESOLVED, that the Town Board of the Town of Horicon hereby establishes the following as standard workdays for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by the official to the clerk of this body:

Standard Name & Title	Work Day	Term Begin/Ends	Participates in Employer's Time Keeping System	Days/Mo.
Darian Granger (Highway Supt.)	8	1/1/20 - 12/31/23	No	38.71
Christine Hayes (Assessor)	8	10/1/19 – 9/30/25	No	21.67

Ayes: 4 (Olson, Hill, Palmer, Smith) Nays: 0

RESOLUTION #56-2021

Councilperson Palmer and Councilperson Olson introduced Res. No. 56 and moved its adoption:

RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN INTERMUNICIPAL AGREEMENT WITH WARREN COUNTY

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Supervisor Smith to sign the Intermunicipal Agreement with Warren County ACEO for services to be provided for the aging at a cost of \$2,510.00. This agreement will be in effect from April 1, 2021 to March 31, 2022.

Ayes: 4 (Palmer, Olson, Hill, Smith) Nays: 0

RESOLUTION #57-2021

Councilperson Hill and Councilperson Palmer introduced Res. No. 57 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT FOR NEW 624P LOADER AND BUDGET AMENDMENT

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize payment in the amount of \$109,970.00 for the new John Deere 624P Wheel Loader for the Highway Department, and be it further

RESOLVED, that the Town Board authorizes the Bookkeeper to make the following Budget amendment in the Highway fund for the purchase of the new loader:

Debit	D599 Unappropriated Fund Balance	\$ 109,970.00
Credit	D5130.2 Machinery Equipment	\$ 109,970.00

Ayes: 4 (Hill, Palmer, Olson, Smith) Nays: 0

RESOLUTION #58-2021

Councilperson Olson and Councilperson Hill introduced Res. No. 58 and moved its adoption:

RESOLUTION CONFIRMING AND RATIFYING TERMINATION OF HEALTH INSURANCE FOR NON-FAMILY MEMBERS

WHEREAS, the Town Board recently became aware that Town health insurance coverage for a Town employee also included individuals who are not members of the employee's family, and

WHEREAS, town health insurance coverage for non-family members is neither required nor provided for in the Town Health Insurance Coverage Policy [and has not been provided in the past], and

WHEREAS, the Supervisor therefore had to notify the employee that such coverage would be terminated and allow sufficient time for coverage to be obtained through other means, and, now, therefore be it

RESOLVED, that the Town Board hereby confirms that Town health insurance coverage is not provided for individuals who are not members of an employee's family, and, be it further

RESOLVED, that the Town Board further ratifies the Notification of Termination sent to the employee on March 12, 2021.

Ayes: 4 (Olson, Hill, Palmer, Smith) Nays: 0

RESOLUTION #59-2021

Councilperson Olson and Councilperson Hill introduced Res. No. 59 and moved its adoption:

RESOLUTION TO AMEND WORDING IN EMPLOYEE HANDBOOK FOR CLARIFICATION PURPOSES

RESOLVED, that the Town Board of the Town of Horicon does hereby amend wording in the Employee Handbook simply to clarify, not to change, insurance coverage effective January 1, 2014 or after as adopted in Resolution #132-2013 as follows:

"Any General employee or Elected Official's insurance coverage effective January 1, 2014 or after, in the following employment classifications are eligible for the Town Health Insurance Plan (Res#132-2013):

-Regular full-time employees are eligible for individual medical insurance coverage only and must pay a 20% copay for their insurance coverage. The employee will pay 100% of the premium for coverage for a spouse and/or dependents.

-Regular part-time employees are eligible to be covered under the Town of Horicon medical insurance but must pay 100% of the premium.

-Elected Officials are eligible for individual medical insurance coverage and must pay a 20% copay for their insurance coverage. The elected official will pay 100% of the premium for coverage for a spouse and/or dependents.

-Regular full-time employees and elected officials hired prior to January 1, 2014 will still be eligible for paid individual medical insurance, but must pay 100% of the premium for coverage for a spouse and/or dependents added to their plan after January 1, 2014.

Ayes: (Olson, Hill, Smith) Nays: 1 (Palmer)

Committee Reports:

- Councilperson Frank Hill reported on the following:

- Shed for the Brant Lake boat launch is in and will be installed once the weather clears. He and Councilperson Palmer want to make some changes at the boat launch before the shed is put in.

- Working on the bathrooms in Adirondack – they should be done next week.

- Quote for sealcoating and painting the lines on the Community Center parking lot is \$4,234.70, will be \$300 less if the highway sweeps the sand off the parking lot. Quote to paint stripes and 'no parking' at the boat launch is \$300-\$400.

- Supervisor Smith noted it might be a good idea to check with DEC on the line painting at the boat launch.

- Councilperson Olson reported on the following:

- Neil Brandmaier brought information to him regarding some issues he has with the Starbuckville Dam.

Mr. Olson called Horicon SLPD Commissioner Tom Luciano who said Neil could forward his concerns to the SLPD Commissioners for review.

- Supervisor Smith commented on this stating the Town Board does not run the Schroon Lake Park District (SLPD) and the Town Board is not responsible for the SLPD. The SLPD is run by three commissioners, one each from Horicon, Chestertown, and Schroon Lake, and any concerns Mr. Brandmaier has must go direct to the SLPD Commissioners for review.
- Neil Brandmaier addressed the Board with some of his concerns and said it is his belief that the Town Board is responsible for the SLPD. Supervisor Smith advised him to take his concerns to the SLPD Commissioners because the Town has no authority over the SLPD nor can they interfere with the workings of the SLPD. Mr. Brandmaier advised Supervisor Smith to speak with a lawyer about this. Supervisor Smith asked Town Counselor Schachner to address this. Town Counselor Schachner confirmed what Supervisor Smith had said previously stating that the Town Board has no authority over the SLPD unlike some other park districts. He noted the SLPD is its own separate special legal entity created by the State of New York decades ago and the SLPD Commissioners have sole oversight over it. The only involvement the Towns have are to appoint the Commissioners.
- Mike Geraci, Horicon representative to the NWEMS reported on the following:
 - The outstanding receivables now total approximately \$150,000.00, some of which is outstanding insurance payments and some is simply unpaid balances from individuals. He is working with billing to get more specific details, and they are going to take a hard look at how to recoup some of these funds.
- Councilperson Palmer reported on the following:
 - Working with the Bookkeeper on ways to evaluate the Landfill revenue and expenditures per month to see what the bottom line is for the Landfill.

New Business:

Agreement to Expend Highway Funds:

RESOLUTION #60-2021

Councilperson Hill and Councilperson Olson introduced Res. No. 60 and moved its adoption:

RESOLUTION TO APPROVE AGREEMENT TO EXPEND HIGHWAY MONIES

RESOLVED, that the Town Board of the Town of Horicon does hereby approve the 2021 Agreement to Expend Highway Monies, submitted by the Highway Superintendent as follows: 1) Hayesburg Road - \$225,000.00 for reconstruction of a 1.4 mile section between pole #1304/56 and house #348; 2) Red Wing Road - \$121,224.00 for reconstruction of 7 tenths of a mile between East Shore Drive and Adirondack Road; 3) Church Street - \$42,284.00 for reconstruction of 1.9 tenths of a mile between Redwing Road and East Shore Drive.

Ayes: 4 (Hill, Olson, Palmer, Smith) Nays: 0

Sealcoat Community Center parking lot: Councilperson Hill noted that the Town can remove the sand off the parking lot so \$300.00 can be deducted from the quote of \$4,234.70.

RESOLUTION #61-2021

Councilperson Hill and Councilperson Olson introduced Res. No. 61 and moved its adoption:

RESOLUTION TO AUTHORIZE SEALCOATING OF PARKING LOT

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize D&S Adirondack Sealcoating to sealcoat the Horicon Community Center parking and paint all parking spaces at a cost not to exceed \$3,934.70.

Ayes: 4 (Hill, Olson, Palmer, Smith) Nays: 0

Renovate Assessor's office:

RESOLUTION #62-2021

Councilperson Palmer and Councilperson Olson introduced Res. No. 62 and moved its adoption:

RESOLUTION TO AUTHORIZE RENOVATION OF ASSESSOR'S OFFICE

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Crosscut, LLC to renovate the Assessor's office to create a separate second office within that space for the Bookkeeper for the quoted price of \$14,500.00.

Ayes: 4 (Palmer, Olson, Hill, Smith) Nays: 0

Generator Repairs:

RESOLUTION #63-2021

Councilperson Hill and Councilperson Palmer introduced Res. No. 63 and moved its adoption:

RESOLUTION TO AUTHORIZE REPAIRS TO GENERATORS

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Cummins Sales and Service to make necessary repairs to the Highway Department generator at the estimated cost of \$639.95 and to the Community Center generator at the estimated cost of \$828.93.

Occupancy Tax 2021: Supervisor Smith said three applications were received for 2021 Occupancy Tax as follows: 1) Brant Lake Bike Park - \$1,000 for Ride On! event; 2) Matt Strickland - \$1,500 for Great Brant Lake Canoe Race; 3) Joel Friedman - \$3,500 for the Adirondack Marathon. She noted that the Board had agreed last year to roll over the Occupancy tax monies awarded in 2020 for Food Truck Fridays to 2021 because the event had to be cancelled due to covid. There was discussion and it was noted that The Hub/Brant Lake Bike Park did receive funds in 2020, but the other applicants had their events cancelled due to Covid. The Board agreed Food Truck Fridays will be funded with the monies rolled over from 2020, and awarded the following Occupancy tax funds:

RESOLUTION #64-2021

Councilperson Palmer and Councilperson Hill introduced Res. No. 64 and moved its adoption:

RESOLUTION TO AUTHORIZE OCCUPANCY TAX FUNDS

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize a total of \$5,000.00 in Occupancy Tax funds, code A6412.4 - Special Publicity, be given to the following as listed:

<u>Group/Individual:</u>	<u>Purpose/Event:</u>	<u>Amount:</u>
Matt Strickland	Great Brant Lk Canoe Race	\$ 1,500.00
Joel Friedman	Adirondack Marathon	\$ 3,500.00

Ayes: 4 (Palmer, Hill, Olson, Smith) Nays: 0

- Supervisor Smith asked Teri Schuerlein to give a report on Food Truck Fridays 2021. Teri Schuerlein reported that the Committee had recently met to begin planning the 2021 event. She provided the Board with a budget and quotes for tents. The Committee will be reaching out to businesses who wish to get involved, developing a Covid plan, and continuing with the planning. She noted the response from the vendors has been phenomenal and everyone is excited about this.

Community Center re-opening: Supervisor Smith said that with the Covid numbers improving the Community Center would be re-opening to the public on Monday, April 5th. Anyone coming into the building must wear a mask, enter through the front entrance, and they must sign in.

Privilege of the floor...

- Matt Wood commented on the proposal to rent or purchase a large tent for Food Truck Fridays. He said he realizes it is a lot of money for the Town to spend but purchasing a tent would be more cost effective than renting because it would pay for itself in two years. Mr. Wood also noted the tent could be used for any town event.

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- Bill McGhie thanked the SLPD Commissioners for being so proactive and said they are doing a great job.

Adjourn... There being no further business to attend to the meeting was adjourned at 8:07 PM by MOTION of Councilperson Palmer and Councilperson Hill, all in favor.

Respectfully Submitted:

Town Clerk