

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

**MAY 16, 2019
7:00 PM**

Present at meeting:	Matthew Simpson	Supervisor
	Robert Olson	Councilperson
	Kenneth Higgins	Councilperson
	Sylvia Smith	Councilperson
Krista Wood	Town Clerk	
Absent:	Frank Hill	Councilperson

Also Present: ZA Jim Steen, HS Darian Granger, Assessor Christine Hayes, Peter Palmer, Bill McGhie, John Donovan, NWEMS Rep Robert French, Bret Winchip, Zack Monroe, Jeff Meyer, Joe Gensheimer, Teri Schuerlein, Roger Houck, Jason Hill, Skip Ostrander, Gary Frenz, Joan Johnson, Bill Maltbie, David and Karen Marr, Kathy Corso, Christine Riemer, and Ben Driscoll.

Ben Driscoll – SNAP Program presentation...

Ben Driscoll, of Catholic Charities, gave a brief presentation on SNAP (Supplemental Nutrition Assistance Program). Mr. Driscoll also explained some of the other federal feeding programs available to the community.

Local Board of Health:

A Motion was made by Councilperson Olson, seconded by Councilperson Higgins, to go into session as the Local Board of Health. The Board moved into session as Local Board of Health at 7:00 PM.

1 - Re-convene Public Hearing - Septic Variance for State Rt. 8 / tax map #55.8-1-1 / Singer:

Supervisor Simpson re-convened the Public Hearing for the Singer septic variance on State Rt 8 in Brant Lake. He explained this is a continuation of the public hearing for a variance to install a septic system to serve a proposed four-bedroom residence on a vacant parcel on State Rt. 8 in Brant Lake, tax map #55.8-1-1, which does not meet the minimum setback requirements of Article III, Section D of the Horicon Sanitary Regulations. Mr. Singer, represented by Winchip Engineering, proposes to install a system which will require a variance of 33.9' for the proposed absorption bed toe of fill slope to intermittent stream where 100' is required and 66.1' is proposed. Mr. Simpson noted the Town's engineer has reviewed the site and made recommendations to Winchip Engineering.

Jeff Meyer, attorney for Mr. Singer, explained that Winchip Engineering has provided updated plans based on Cedarwood Engineering's site review and subsequent recommendations regarding the proposed septic.

Joe Gensheimer, adjoining property owner, said he is against the proposed variance. He expressed concern over the impact the septic will have on Brant Lake and on his well. He said the simple alternative is for Mr. Singer to put the septic on the parcel he owns across the road.

Dave Marr said he opposes the variance and urged the Board not to do anything to harm the lake. He said the easy fix is for Mr. Singer to put the septic on his parcel across the road.

Kathy Marr said she and her husband have been coming to Brant Lake for the past thirty years. She said she always remembers the stream running; it is not an intermittent stream.

Christine Riemer said the stream is a regularly running stream and feels the septic should be put across the road.

Kathy Corso said she has documentation showing the Hollands, who were the previous owners of her home, were using the stream for drinking water years ago. She said she does not support the variance.

Bill Maltbie urged the Board to make the right decision to keep the water of Brant Lake pure.

Jeff Meyer said the system is properly designed to maintain and protect the water quality of the stream and Brant Lake. He said Cedarwood Engineering's recommendations were to raise the driveway and fix the culvert, which Winchip has made provisions for in the proposed plan. Mr. Meyer said the lot in question is a stand-alone lot that was approved as a building lot by the Health Department. He noted that moving the system across the road is unfortunately not an option and would not be cost feasible. Mr. Meyer said putting the system across the road would require additional variances because the setbacks shrink as the property narrows. Additionally, he noted they would be dealing with increased slopes that would prohibit any viable system across the road. Mr. Meyer said they have addressed both water issues, and Singer's proposed septic is actually on the other side of Mr. Gensheimer's septic so if anything goes into Mr. Gensheimer's well it will be Mr. Gensheimer's septic. He said Singer's septic is designed to 2019 standards.

Councilperson Higgins asked how far the Riemer and Gensheimer septic are from the lake because if those septic were to fail they would likely need to come for a variance also. ZA Steen said he does not have that information off-hand, however the majority of the properties along Route 8 will require variances when the time comes to update the septic.

Zack Monroe, Winchip Engineering, said he wished to clarify the classification of the stream in question. He stated the definition of a permanent stream is one that flows more than 180 days, however, they did not monitor the stream for 180 days; it was not flowing when they visited the site, so they classified it as intermittent. Mr. Monroe stated they will gladly change the designation of the stream in question to a permanent stream, but it will not change anything as there is no regulatory difference between an intermittent stream and a permanent stream.

Joe Gensheimer again spoke against the variance noting the negative impact it will have on his property and the lake.

Councilperson Higgins asked Zack Monroe if they could go under Route 8 to place the septic on the parcel across the road. Mr. Monroe responded they would have to cross the stream to do so. Councilperson Higgins suggested the Board visit the site with Cedarwood before making a decision.

Jeff Meyer stated the Board has revised, stamped plans from a licensed engineer, that have been approved by the Town's own engineer, and asked of there is anything else the Board would like before the next meeting. Supervisor Simpson said they will let him know if they need anything.

The Board agreed they want to visit the site before making a decision.

Gary Frenz said when he was on the ZBA they considered alternative solutions.

The Board will leave the public hearing open and re-convene the public hearing at the June 20, 2019 meeting.

2 - Public Hearing - Septic Variance at 1412 Valentine Pond Rd / tax map #20.10-1-31 / Hill

Supervisor Simpson opened the Public Hearing regarding the septic variance request at 1412 Valentine Pond Rd in Adirondack.

Brett Winchip, Winchip Engineering, reviewed the proposed plan to install a new septic system at 1412 Valentine Pond Road in Adirondack, NY. He explained the system will require a variance from the proposed absorption field to the neighboring shallow well of 37.5 feet. Mr. Winchip noted this is really the only viable option as moving the system would put it closer to Mill Brook.

Councilperson Olson asked how many bedrooms the home has. Mr. Winchip replied the home originally had four bedrooms, but the owner has converted one of the bedrooms into a bathroom, so it is now a three-bedroom home. Councilperson Olson said he feels the proposed system is much better than what was there and agreed it is the best option for placement.

There being no further comments the Public Hearing was closed at 7:06PM.

RESOLUTION #67-2019

Councilperson Olson and Councilperson Higgins introduced Res. No. 67 and moved its adoption:

RESOLUTION TO GRANT VARIANCE FOR A REPLACEMENT SEPTIC SYSTEM AT 1412 VALENTINE POND RD

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 #19-012), and the \$100.00 variance fee, does hereby grant a variance for an alternative septic system at 1412 Valentine Pond Rd, Adirondack (Tax Map #20.10-1-31) 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, Higgins, Smith, Simpson) Nays: 0 Absent: 1 (Hill)

A Motion was made by Councilperson Smith, seconded by Councilperson Olson, to move back into regular session. The Board moved back into regular session at 7:42 PM.

Approval of Minutes: Minutes of April 18, 2019 were approved by Motion of Councilperson Higgins and Councilperson Olson.

Ayes: 3 (Higgins, Olson, Simpson) Nays: 0 Abstain: 1 (Smith) Absent 1 (Hill)

Approval of May 2019 Vouchers and Abstracts:

RESOLUTION #68-2019

Councilperson Higgins and Councilperson Olson introduced Res. No. 68 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT OF MAY ABSTRACTS

RESOLVED, that the Town Board does hereby authorize the payment of the May 16, 2019 Vouchers and Abstracts as follows:

General Abstract	5	\$ 70,012.66
Highway Abstract	5	\$ 97,480.19

Ayes: 4 (Higgins, Olson, Smith, Simpson) Nays: 0 Absent: 1 (Hill)

Correspondence to the Board:

- Hudson Headwaters RE: Annual 5K Run Sunday, July 28th at 9 am
- Jack Baker RE: Notice of retirement from Highway Department

Resolutions:

RESOLUTION #69-2019

Councilperson Higgins and Councilperson Smith introduced Res. No. 69 and moved its adoption:

RESOLUTION TO AUTHORIZE TEMPORARY CLOSURE OF TANNERY RD. AND LANDFILL RD.

WHEREAS, on Sunday, July 28, 2019 Hudson Headwaters will hold the Care for Kids 5K race, NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Horicon, in consideration of the safety of the participants of the 5K Race, does hereby authorize the closing of Tannery Road and Landfill Road between 8:00 AM and 10:30 AM on Sunday, July 28, 2019.

Ayes: 4 (Higgins, Smith, Olson, Simpson) Nays: 0 Absent: 1 (Hill)

RESOLUTION #70-2019

Councilperson Higgins and Councilperson Olson introduced Res. No. 70 and moved its adoption:

RESOLUTION TO AUTHORIZE TRANSFER OF FUNDS

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

<u>From:</u>	<u>To:</u>	<u>Amount:</u>
D5148.1 (Svcs Other Gov't)	D5142.1 (Snow Rmvl – Pers.)	\$ 7,795.69
D5110.4 (Gen Rpr-Cont)	D5142.4 (Snow Rmvl-Contr)	\$67,497.94

Ayes: 4 (Higgins, Olson, Smith, Simpson) Nays: 0 Absent: 1 (Hill)

RESOLUTION #71-2019

Councilperson Olson and Councilperson Higgins introduced Res. No. 71 and moved its adoption:

RESOLUTION TO AUTHORIZE ASSESSOR TO ATTEND CONTINUING EDUCATION CLASSES

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Assessor Christine Hayes to attend the following continuing education classes:

- NYSAA Seminar at Cornell in Ithaca, July 14-19, 2019, cost of the seminar and lodging is \$700.00
- Ethics Class in Lake George, August 16, 2019, cost of class is \$110.00
- NYSAA Fall Conference in Lake Placid, Sept 22-25, 2019, cost of conference and lodging is \$400.0

The total cost of the classes and lodging, plus reimbursement for food and mileage, will be split equally with the Town of Bolton.

Ayes: 4 (Olson, Higgins, Smith, Simpson) Nays: 0 Absent: 1 (Hill)

RESOLUTION #72-2019

Councilperson Smith and Councilperson Olson introduced Res. No. 72 and moved its adoption:

RESOLUTION TO AUTHORIZE BUDGET AMENDMENT FOR PAYOFF OF BAN ON 2019 WESTERN STAR

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the payoff of the BAN for the 2019 Western Star plow truck, and be it further

RESOLVED, that the Town Board authorizes the Bookkeeper to make the following Budget Amendment in the Highway Fund to reduce the unexpended fund balance to cover the early payoff:

Debit	DA599.....Appropriated Fund Balance.....	\$ 137,573.04
Credit	DA9730.6.....BAN-Principal.....	\$ 137,573.04

Ayes: 4 (Smith, Olson, Higgins, Simpson) Nays: 0 Absent: 1 (Hill)

RESOLUTION #73-2019

Councilperson Higgins and Councilperson Smith introduced Res. No. 73 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT TO CATALFAMO CONSTRUCTION

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize payment to Catalfamo Construction in the amount of \$33,425.00 for work on the 1881 Union Church.

Ayes: 4 (Higgins, Smith, Olson, Simpson) Nays: 0 Absent: 1 (Hill)

Committee Reports...

-Councilperson Sylvia Smith suggested they re-appoint Christine Hayes as Assessor.

RESOLUTION #74-2019

Councilperson Smith and Councilperson Higgins introduced Res. No. 74 and moved its adoption:

RESOLUTION TO RE-APPOINT CHRISTINE HAYES AS ASSESSOR

RESOLVED, that the Town Board of the Town of Horicon does hereby re-appoint Christine Hayes as Assessor for the Town of Horicon for a six-year term. The new term will be in effect October 1, 2019 and expire on September 30, 2025.

Ayes: 4 (Smith, Higgins, Olson, Simpson) Nays: 0 Absent: 1 (Hill)

-Councilperson Sylvia Smith updated the Board on the following:

-There is a First Wilderness Corridor meeting on Thursday, May 23rd at 7pm to share ideas about the Town's strengths, challenges, and specific improvements that could be made in the town.

-She and Supervisor Simpson met with Laurie Arnheiter of the Southern Adirondack Guide regarding the Horicon page. If the town participates the Horicon businesses can advertise for half price, plus they will highlight the town's Food Truck Fridays event. Ms. Arnheiter suggested the focus be on all there is to do in town like the Historical Society, the museums, the Winter Carnival, and the Food Truck Fridays event. The Board approved.

-She attended a Food Truck Friday meeting recently and congratulated the group of local businesses on the great job they are doing organizing this.

-Cemeteries – Brant Lake Cemetery is almost finished. Underwood Cemetery was a mess with all the winter damage but that is almost done as well. They are still working on getting the trees in Brant Lake Cemetery removed; they may have to go with County contract for that. She noted the guys are working hard to get everything done but the weather has made it very challenging.

-The swings for the Adirondack Playground are here and hopefully that project can be finished up within the next couple of weeks so the final report can be submitted for the CFGMR grant.

-She and Supervisor Simpson will work on applying for a \$1,000 CFGMR grant to repair headstones in the cemeteries. The grant deadline is May 31st.

-Due to the weather, flowers will not be in before Memorial Day.

-Hailey Killon has asked if the 4H can plant 6-7 fir trees for the town somewhere for a project.

-The repairs and painting at the Horicon Museum are almost complete; Mike and Bill have done a great job.

-The bathrooms and the ball field fence in Adirondack are in need of repair.

-Robert French, NWEMS Representative, reported the EMS had 22 calls in April, and Cash Jones is the new Treasurer and is also handling payroll.

-Councilperson Higgins will meet with Darian Granger about the ballfield behind the Community Center.

-Councilperson Olson said an application for ZBA Alternate has been received so he and Councilperson Smith will schedule an interview. He said during the recent Zoning & Planning seminar the topic of meeting rules was discussed. Councilperson Olson read several of the meeting rules that both the Planning and Zoning Boards would like to implement at their meetings. He felt it should be printed on the back of the Agenda. He made a Motion to adopt these as Town meeting rules. Supervisor Simpson said the Town already adopted Robert's Rules of Order so a Resolution is not necessary. He said the Chair of the Planning and Zoning Boards can enforce the rules of order as they see fit.

-Supervisor Simpson updated the Board on the following:

-He had the opportunity to represent the Adirondacks during a meeting with a group from China. He said the group is from a region similar to the Adirondacks in respect to the environment and the economy but it is more heavily populated. They met to discuss tourism, economic development, and other challenges they face.

-He spent two days in Albany for the Adirondack Lobby Days. He attended meetings on mandatory boat washing and the need to get to a point where it is supported by a State Agency.

-Milfoil harvesting will be starting the first week of June in Brant Lake.

-He has received a copy of a letter from Dan Stec and Steve Englebright asking the DOT to urge that the funding be maintained for the Middleton Bridge project.

Old Business...

1881 Union Church: The Clerk advertised for bids for a drilled well at the 1881 Union Church. Three bids were received and opened May 2nd at 2:00 pm. The bidders were Sterling Well Drilling with a bid of \$19,050.00 and \$20.00/lf over 250 ft, Parker Water Wells with a bid of \$8,040.00 and \$14.00/lf over 250 ft, and Rosick Well Drilling with a bid of \$9,450.00 and \$16.00/lf over 250 ft.

RESOLUTION #75-2019

Councilperson Olson and Councilperson Smith introduced Res. No. 75 and moved its adoption:

RESOLUTION TO AWARD CONTRACT FOR DRILLED WELL AT THE FORMER 1881 UNION CHURCH

WHEREAS, installation of a new drilled potable water well is required to enable use of the former 1881 Union Church as a historical museum facility; and,

WHEREAS, the Town of Horicon issued a New York State-compliant Request for Bids for the new drilled potable water well and three bids were received, now, therefore be it

RESOLVED, that the Town Board of the Town of Horicon does hereby award the contract, pending review by Town Counsel, for the new water well to Parker Water Wells in the amount of \$8,040.00, and, if necessary, \$14.00 per linear foot for any well drilling deeper than 250 feet.

Ayes: 4 (Olson, Smith, Higgins, Simpson) Nays: 0 Absent: 1 (Hill)

Millpond Fountain Repair: Roger Houck submitted a quote for repair work on the fountain and explained to the Board what would be involved with the repair. The Board will re-visit this in June.

Tree Removal in Cemetery: Supervisor Simpson said the tree removal work will be quite costly, therefore the town will need to go with the County contract for tree removal. He said it will be approximately \$30,000.00 to take down the remaining four trees, and it will be a lengthy process.

Agreement for pontoon on Millpond:

RESOLUTION #76-2019

Councilperson Olson and Councilperson Higgins introduced Res. No. 76 and moved its adoption:

RESOLUTION TO AUTHORIZE AGREEMENT WITH EZ MARINE & STORAGE

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Supervisor to sign the Revocable License Agreement by and between the Town of Horicon and E-Z Marine & Storage, Inc. for a Mill Pond pontoon ferry.

Ayes: 4 (Olson, Higgins, Smith, Simpson) Nays: 0 Absent: 1 (Hill)

New Business...

Repair to Old Highway Garage Roof: Supervisor Simpson explained the roof on the old highway garage needs to be replaced. He received a quote from Crosscut Construction for the labor portion of the job. He got three quotes for the materials, and Curtis Lumber in Warrensburg was the second lowest quote at just \$8.00 above the lowest quote.

RESOLUTION #77-2019

Councilperson Olson and Councilperson Higgins introduced Res. No. 77 and moved its adoption:

RESOLUTION TO AUTHORIZE ROOF REPAIRS ON OLD HIGHWAY GARAGE

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Crosscut Construction to make the necessary repairs to the roof of the old highway garage at a cost of \$5,200.00 for labor; materials will be purchased by the Town through Curtis Lumber at a quoted cost of \$2,998.57, and be it further

RESOLVED, that the Town Board authorizes the Bookkeeper to make the following Budget amendment in the General Fund to cover the cost of these repairs:

Debit A599.....Appropriated Fund Balance.....\$ 8,188.57

Credit A5132.4.....Garage.....\$ 8,188.57

Ayes: 4 (Olson, Higgins, Smith, Simpson) Nays: 0 Absent: 1 (Hill)

Privilege of the Floor...

-John Donovan thanked the Highway Superintendent and the Highway crew for taking care of the clogged culvert on Beaver Pond Rd. He also noted the new owners of the Adirondack General Store are doing well.

-Supervisor Simpson said he is sad to see Jack Baker retire, and he is thankful for Jack's service to the town.

-Teri Schuerlein spoke about Food Truck Fridays on the Pond which will kick-off Friday, June 28th. She said there will be a variety of food trucks each Friday night at the Community Center along with live music. She thanked Margaret Holmes for all the works she's done on the Facebook page and for preparing the advertising. Teri explained the purpose of this event is to bring people into town and to promote local business. The group is looking for sponsors for the bands. She asked everyone to help spread the word and help make this a successful event.

Adjourn... There being no further business to attend to the meeting was adjourned at 8:33 PM by MOTION of Councilperson Smith and Councilperson Olson, all in favor.

Respectfully Submitted:

Town Clerk