

**HORICON TOWN BOARD  
REGULAR MEETING**

**MAY 17, 2018  
7:00 PM**

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

Also: ZA Jim Steen, Peter Palmer, Bill McGhie, John Donovan, NWEMS Rep Robert French.

**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.

**Request for Septic Variance at 215 East Shore Dr / Tax Map #36.3-3-8 / Larschan**

ZA Jim Steen explained the applicant, represented by Robert Tomlins, ECT Enterprises NY LLC, is seeking two variances for their property at 215 East Shore Drive in Adirondack. The first variance is necessary because the separation distance between the absorption field to the mean high-water mark of the lake is only 40' not the required 100'. The second variance is necessary because the separation distance from the absorption field to the dwelling is only 10' not the required 20'. ZA Steen said a 1250-gallon tank is being proposed to accommodate the four-bedroom house, and the engineer has determined the Eljen system is suitable to treat the capacity of the house. Councilman Hill asked if it could be moved closer to the road. ZA Steen said there really are no other placement options for the system due to the proximity of the surrounding wells. Councilman Hill asked if this would require a monitoring system. ZA Steen said it does not because it is not an aerobic treatment unit, it is a sand filtering leach system. Councilman Higgins asked if this was an expansion. ZA Steen clarified that this is replacement of a failing system not an expansion. The Board had no further questions and deemed the application complete.

**RESOLUTION #81-2018**

Councilperson Olson and Councilperson Higgins introduced Res. No. 81 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 Robert Tomlins, ECT Enterprises NY LLC, for a septic variance at 215 East Shore Drive in Adirondack complete, and does hereby set a Public Hearing for Thursday, June 21, 2018 at 7:00PM at the Horicon Community Center.

Ayes: 5 (Olson, Higgins, Hill, Smith, Simpson) Nays: 0

ZA Steen said the septic variance request submitted by Winchip Engineering for 18 Sand Beach Way has been withdrawn for now while they make changes based on recommendations from Cedarwood Engineering. After a brief discussion of the project, the Board asked ZA Steen to let the project sponsor know they would prefer to see holding tanks for this project based on the separation distances involved.

A Motion was made by Councilperson Hill, seconded by Councilperson Higgins, to go back into regular session. The Board moved back into regular session at 7:11 pm

**Approval of Minutes:** Minutes of April 12, 2018 were approved by Motion of Councilperson Hill and Councilperson Olson.

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

**Approval of May 2018 Vouchers and Abstracts:**

**RESOLUTION #82-2018**

Councilperson Olson and Councilperson Higgins introduced Res. No. 82 and moved its adoption:

**RESOLUTION TO AUTHORIZE PAYMENT OF MAY ABSTRACTS**

RESOLVED, that the Town Board does hereby authorize the payment of the May 17, 2018 Vouchers and Abstracts as follows:

General Abstract	5	\$ 69,053.34
Highway Abstract	5	\$ 135,757.96

Ayes: 5 (Hill, Smith, Olson, Higgins, Simpson) Nays: 0

**Correspondence to the Board:**

- NYS Homes & Community Renewal RE: Policy change to CDBG program income guidelines
- Adk Common Ground Alliance RE: 2018 Blueprint for the Blue Line
- Library Board of Trustees RE: Appointment of new Trustee

**Resolutions:**

**RESOLUTION #83-2018**

Councilperson Higgins and Councilperson Smith introduced Res. No. 83 and moved its adoption:

**RESOLUTION TO AUTHORIZE INTER-MUNICIPAL AGREEMENT WITH WARREN COUNTY FOR SOLID WASTE AND RECYCLABLE DISPOSAL AND TRANSPORTATION SERVICES**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Supervisor Simpson to sign the Intermunicipal Agreement with Warren County for solid waste and recyclable disposal and transportation services for 2018.

Ayes: 5 (Higgins, Smith, Olson, Hill, Simpson) Nays: 0

**RESOLUTION #84-2018**

Councilperson Smith and Councilperson Higgins introduced Res. No. 84 and moved its adoption:

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

WHEREAS, on Sunday, July 29, 2018 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 29, 2018.

Ayes: 5 (Smith, Higgins, Hill, Olson, Simpson) Nays: 0

**RESOLUTION #85-2018**

Councilperson Higgins and Councilperson Olson introduced Res. No. 85 and moved its adoption:

**RESOLUTION TO SUPPORT THE EXEMPTION OF THE NEW YORK STATE OWNED FORMER CAMP GABRIELS CORRECTIONAL FACILITY PROPERTY LOCATED IN THE TOWN OF BRIGHTON, FRANKLIN COUNTY, NEW YORK FROM THE "FOREVER WILD" PROVISION OF THE CONSTITUTION OF THE STATE OF NEW YORK**

WHEREAS, the former Camp Gabriels Correctional Facility was closed by New York State in 2009 and has been vacant and unused since that time; and

WHEREAS, when the State took possession of the original 220.9 acres in 1982, they did add 129.2 acres of the property to the forest preserve; and

WHEREAS, the 91.7 acres which is Camp Gabriels was already developed and has a long history of occupation and extensive use since the late 19<sup>th</sup> century and is inconsistent with the "forever wild" provision; and

WHEREAS, as stated in the deed, those 91.7 acres are inconsistent with the "forever wild" provision, as they contain 55 buildings, roads, a self-contained waste water treatment plant, heating plant, wells and water distribution system and a back-up generator capable of keeping the facility secure in the event of a North Country power outage; and

WHEREAS, New York State conducted several auctions to sell the Camp Gabriels property; and

WHEREAS, a prospective private purchaser was unable to complete the purchase or obtain title insurance because this property is located within the Adirondack Park and potentially subject to the “forever wild” provision in the State Constitution; and,

WHEREAS, it is in the best interests of economic development in the Adirondack North Country communities that this property and facility be unencumbered for private purchase and put to good use in the region; NOW

THEREFORE, BE IT

RESOLVED, that the Town of Horicon hereby supports a state-wide referendum by the voters of New York State that this property be unencumbered for private purchase, exempt from the “forever wild” clause in the State Constitution, and not be added to the forest preserve.

Ayes: 5 (Higgins, Olson, Hill, Smith, Simpson) Nays: 0

**RESOLUTION #86-2018**

Councilperson Olson and Councilperson Hill introduced Res. No. 86 and moved its adoption:

**RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN AMENDED INTERMUNICIPAL AGREEMENT WITH WARREN COUNTY**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Supervisor Simpson to sign the Amended Intermunicipal Agreement with Warren County ACEO for services to be provided for the aging at an amended cost of \$2,510.00. This agreement will be in effect from January 1, 2018 to December 31, 2018.

Ayes: 5 (Olson, Hill, Higgins, Smith, Simpson) Nays: 0

**RESOLUTION #87-2018**

Councilperson Higgins and Councilperson Hill introduced Res. No. 87 and moved its adoption:

**RESOLUTION TO AUTHORIZE PURCHASE OF MARKER BUOYS**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the purchase of one pair of safety marker buoys from Palmer Brothers Marina at a cost of \$473.00. Palmer Brothers Marina will supply the anchor and chain.

Ayes: 5 (Higgins, Hill, Olson, Smith, Simpson) Nays: 0

**RESOLUTION #88-2018**

Councilperson Smith and Councilperson Higgins introduced Res. No. 88 and moved its adoption:

**RESOLUTION TO AUTHORIZE ATTENDANCE AT ADIRONDACK ASSOCIATION OF TOWNS MEETING**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Supervisor Matt Simpson and Councilman Bob Olson to attend the AATV Membership Meeting in Lake Placid June 3-4, 2018. The cost is \$85.00 for Supervisor Simpson, \$37.00 for Councilman Olson, plus reimbursement for mileage.

Ayes: 5 (Smith, Higgins, Olson, Hill, Simpson) Nays: 0

**RESOLUTION #89-2018**

Councilperson Smith and Councilperson Olson introduced Res. No. 89 and moved its adoption:

**RESOLUTION TO AUTHORIZE RFP FOR EXPANSION OF FIRST WILDERNESS TO TOWN OF HORICON**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize an RFP for an update to the First Wilderness Heritage Corridor Plan that includes a section for the Town of Horicon, and an update of the Horicon Community Development Strategic Plan.

Ayes: 5 (Smith, Olson, Higgins, Hill, Simpson) Nays: 0

**RESOLUTION #90-2018**

Councilperson Higgins and Councilperson Hill introduced Res. No. 90 and moved its adoption:

**RESOLUTION TO AUTHORIZE PAYMENT TO JERRY HENSLER**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize payment to Jerry Hensler in the amount of \$2,610.00 for his invoice dated May 15, 2018.

Ayes: 5 (Higgins, Hill, Olson, Smith, Simpson) Nays: 0

**RESOLUTION #91-2018**

Councilperson Higgins and Councilperson Hill introduced Res. No. 91 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>
<i>Highway:</i>		
DA5148.4 (SvcOther-Contr)	DA5142.4 (SnowRmv-Contr)	\$ 23,000.00
DA5110.4 (GenRepairs-Contr)	DA5142.4 (SnowRmv-Contr)	\$ 35,254.16

Ayes: 5 (Higgins, Hill, Smith, Olson, Simpson) Nays: 0

**RESOLUTION #92-2018**

Councilperson Olson and Councilperson Higgins introduced Res. No. 92 and moved its adoption:

**RESOLUTION TO APPOINT GARY MULLER TO SCHROON LAKE STEERING COMMITTEE**

WHEREAS, Bill McGhie has regretfully stepped down as the Town of Horicon representative on the Schroon Lake Steering Committee, now therefore be it

RESOLVED, that the Town Board of the Town of Horicon does hereby appoint Gary Muller to be the new Town of Horicon representative to the Schroon Lake Steering Committee.

Ayes: 5 (Olson, Higgins, Hill, Smith, Simpson) Nays: 0

**RESOLUTION #93-2018**

Councilperson Olson and Councilperson Hill introduced Res. No. 93 and moved its adoption:

**RESOLUTION TO APPOINT LIBRARY BOARD OF TRUSTEE MEMBER**

WHEREAS, Joanne McGhie has regretfully tendered her resignation from the Library Board of Trustees, now therefore be it

RESOLVED, that the Town Board of the Town of Horicon does hereby appoint Paulette Contois to fill the vacant seat on the Board of Trustees of the Horicon Free Public Library. Paulette Contois will complete the term which will expire on December 31, 2020.

Ayes: 5 (Olson, Hill, Higgins, Smith, Simpson) Nays: 0

**RESOLUTION #94-2018**

Councilperson Olson and Councilperson Higgins introduced Res. No. 94 and moved its adoption:

**RESOLUTION TO AUTHORIZE ASSESSOR TO ATTEND NYSAA SEMINAR**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Assessor Christine Hayes to attend the NYSAA Appraising Seminar in Ithaca from July 15-21, 2018. The cost of the seminar is \$450.00, plus lodging, and reimbursement for food and mileage. The total cost of attending the seminar will be shared with Town of Bolton.

Ayes: 5 (Olson, Higgins, Hill, Smith, Simpson) Nays: 0

**Committee Reports...**

-Councilperson Sylvia Smith updated the Board on the following: Horicon section of the Southern Adirondack Guide has been edited and submitted, and a notice has been sent to local businesses who may want to advertise; Boat Stewards have been interviewed, and ten senior stewards have been hired along with five students; Beautification/Cemetery crew has been working on cleaning up downed trees from a recent storm, and a tree surgeon has been contacted about removing at least two other trees in the Brant Lake Cemetery; the cemetery barn in South Horicon was damaged in the recent storm and the engineer is expected to submit his report on whether the building should be torn down or repaired on Monday; the flowers will be planted in the next week or two, and the goal is to have them finished by Memorial Day but there is no guarantee. Councilperson Smith said she and Councilperson Hill have received several designs for the sign post/holder for the banners (which she passed out to the Board members and asked for their opinion). She and Councilperson Hill recommend the design submitted by

Garnet Signs at a cost of \$745.00 as it will match the Brant Lake sign across the road. Councilperson Smith asked the Board which projects they want to submit grant applications for through the Community Fund for Gore Mountain Region this year. There was discussion on two projects: the bleachers for the Brant Lake ballfield and the playground equipment in Adirondack. Councilperson Smith noted the Memorial Day Parade lineup will be at 9:30 on Horicon Ave and the parade will step off at 10:00 am. She said the Board has been invited to the Lake George military monument dedication at 11:00 am May 19<sup>th</sup>. Lastly, Councilperson Smith invited the Board members to attend the annual YMCA breakfast on June 26<sup>th</sup>.

-Councilperson Frank Hill reviewed two quotes for the tennis court repairs with the Board. There was discussion as to where the money would come from to pay for the repairs, and whether it was absolutely necessary that the repairs be done this year. Councilpersons Hill and Higgins will take another look at the courts and report back next month.

-Robert French, NWEMS representative, told the Board things at the NWEMS seem to be headed in a positive direction. He said they are still making improvements, and they are making all first calls.

**Old Business...**

*Sign Post for Banners:* Supervisor Simpson asked which design the Board would like for the sign post. Councilperson Olson noted the sign post he designed did not require a zoning permit; he then asked if the cable on the sign post proposed by Garnet Signs would make it a structure and therefore require a zoning permit. ZA Steen replied a sign is a sign, and furthermore, the Zoning Ordinance indicates municipal signs are exempt, so a permit would not be needed. The rest of the Board members agreed they liked the design from Garnet Signs.

**RESOLUTION #95-2018**

Councilperson Smith and Councilperson Hill introduced Res. No. 95 and moved its adoption:

**RESOLUTION TO AUTHORIZE PURCHASE OF NEW HORICON SIGN**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the purchase of a sign post holder for the banners from Garnet Signs at a price of \$745.00.

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

*Paradox Consulting / Town website:* Supervisor Simpson said Paradox Consulting has proposed a monthly two-hour time bank for the town at a cost of \$237.50 per month. There was brief discussion on the need for Paradox to update the site rather than the Town employees. It was noted the employees could do quite a bit with the site if trained, however training so far had been limited. Councilperson Smith will talk to Paradox about getting additional training and report back next month.

*1881 Union Church:* John Donovan said they are working on the bid package for the final phase of construction and are sending seven pages of comments on the plans to the architect for review. He said they hope to have this ready to bid by the Town Board meeting in June.

**New Business...**

*Letter folder/insertor:* Supervisor Simpson said the Town has received several quotes for a letter folder/insertor machine; two quotes on a new machine and one quote on a used machine. The Board asked the Clerk to have the sales rep bring the used machine up for a demonstration for the Community Center staff.

*Community Fund for Gore Mt. Region grant application:* The Board agreed they will submit two grant applications to CFGMR; one for the playground equipment in Adirondack and one for bleachers for the Brant Lake ball field.

*Southern Adirondack Magazine Ad:*

**RESOLUTION #96-2018**

Councilperson Smith and Councilperson Hill introduced Res. No. 96 and moved its adoption:

**RESOLUTION TO AUTHORIZE AD IN SOUTHERN ADIRONDACKS GUIDE**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize an ad in the Southern Adirondacks Guide to the First Wilderness Heritage Corridor (Summer 2018-Spring 2019) at a cost of \$945.00 to come out of Occupancy Tax funds (A6412.4). The Town will be reimbursed for half the cost of the ad by First Wilderness Heritage Corridor.

Ayes: 5 (Smith, Hill, Olson, Higgins, Simpson) Nays: 0

*American Legion:* Councilperson Hill explained to the Board that the American Legion in Chestertown is in the process of renovating their building, and Town of Chester will not waive the landfill fee for them to dispose of the C&D. He said they asked if the Town of Horicon would waive their landfill fee for the veterans. The Board agreed they would do this for the Legion.

**RESOLUTION #97-2018**

Councilperson Smith and Councilperson Hill introduced Res. No. 97 and moved its adoption:

**RESOLUTION TO WAIVE LANDFILL FEE**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the fee for the disposal of C&D from the American Legion building project be waived.

Ayes: 5 (Smith, Hill, Olson, Higgins, Simpson) Nays: 0

*Alternate PB or ZBA Members:* Councilperson Olson asked Counselor Schachner if alternate members of the Planning or Zoning Board are allowed to participate in discussions of a project when not sitting in for an absent member. Counselor Schachner said it is not advisable as it creates a Super Board, and gives the impression of a Board consisting of 7 or more members, therefore, it is not ideal. Councilperson Olson confirmed then it is better if the alternate does not participate; Counselor Schachner said that is correct.

**Adjourn...** There being no further business to attend to the meeting was adjourned at 8:15 PM by MOTION of Councilperson Hill and Councilperson Olson, all in favor.

Respectfully Submitted:

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Town Clerk