

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

**JUNE 21, 2018
7:00 PM**

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

Also: Pete Palmer, Chris South, John Donovan, Tom Johansen, Assessor Christine Hayes, ZA Jim Steen, Terry Lynch, Ross and Mary Schoembs, Bryce and Joan Johnson, Gerard and Paulette Contois, Joyce Greenidge, Robert Tomlins, Pat Farrell, Albert Maday, Tom Luciano, Teri Schuerlein, Don Butler, Jim Lieberum, Gina Mintzer, Deb Eves, Scott Campbell, and others.

Supervisor Simpson called the meeting to order at 7:00 pm.

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.

Supervisor Simpson opened the Public Hearing for the proposed septic variance for 215 East Shore Drive in Adirondack.

Robert Tomlins, ECT Enterprises NY LLC, explained the need for two variances for the Larschan property at 215 East Shore Drive in Adirondack. He said the proposed system, designed by D.L. Dickinson Associates, does not meet the separation distance from the absorption field to the mean high-water mark of the lake, nor does it meet the separation distance from the absorption field to the dwelling. Mr. Tomlins noted the location of neighboring wells prevent any other placement options.

ZA Steen stated his office has not received any comments from the public. He said the proposed system, an Eljen sand bed which provides enhanced treatment, is as far away from the lake as possible. ZA Steen noted the proposed system is 80 feet from the normal mean high-water mark of the lake. He said the house was built in 1920 but the age of the cesspools is unknown. ZA Steen stressed this is not an expansion, it is replacement of a failing system which is presently comprised of two cesspools. He said to place this system any further away from the lake would encroach on both the owner's well and the neighbor's well, therefore this is the best that can be done.

Councilman Olson agreed, noting the proposed system is substantially better than what is there.

There being no further comments from the Public Hearing, motion was made by Councilperson Olson, seconded by Councilperson Higgins, to close the public hearing at 7:05 pm.

RESOLUTION #98-2018

Councilperson Olson and Councilperson Higgins introduced Res. No. 98 and moved its adoption:

RESOLUTION TO GRANT VARIANCE FOR AN ALTERNATIVE SEPTIC SYSTEM AT 215 EAST SHORE DRIVE

RESOLVED, that the Horicon Town Board acting as Local Board of Health, based on the receipt of a set of stamped plans from ECT Enterprises (project-Larschan), and the \$100.00 variance fee, does hereby grant a variance for an alternative septic system at 215 East Shore Dr, Adirondack, NY (Tax Map #36.3-3-8) 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: 5 (Olson, Higgins, Hill, Smith, Simpson) Nays: 0

Before returning to regular session, the Board of Health heard from Terry Lynch. Mr. Lynch explained that he is currently in the process of obtaining a zoning variance to put a dormer on his home. He said he was told by ZA Steen that because the home is going from a two bedroom to a three bedroom home there needs to be a septic review by the Board of Health. Mr. Lynch said he disputes this because they will be adding a bedroom, but they will also be eliminating another bedroom in the process. He added that this has been a three-bedroom home since he added the third bedroom during renovations back in 2003, even though the zoning records do not show the change back in 2003. Councilman Higgins asked when the last time the septic was pumped; Mr. Lynch replied two years ago. Councilman Olson asked how many bedrooms the home has now; Mr. Lynch replied three. He again stated they will be adding a bedroom with the current renovation project but also taking another away, so the home will remain a three-bedroom home as it has been since 2003. ZA Steen explained his reasons for his decision to require a septic review of this project. He said this all should have been addressed back in 2003, however, there is nothing in the zoning records pertaining to this. He said the size and depth of the seepage pit are unknown, it is located under a road, and there are no records to indicate whether the current system can handle the size of the house because it was installed prior to the 2003 addition. ZA Steen said he had the engineer visit the property, and he said there is a 1000-gallon tank which is sufficient for a three-bedroom house, however it does not meet the separation distances from existing wells. ZA Steen noted he is simply trying to be consistent with everyone else who has additions to their homes. The Board was in agreement that they will need more information on this before making any kind of decision. Councilman Olson said the Board will need a letter and a set of plans indicating the location of the tank, seepage pit, and surrounding wells before a public hearing can be set.

A Motion was made by Councilperson Higgins, seconded by Councilperson Olson, to go back into regular session. The Board moved back into **regular session** at 7:20 PM.

Approval of Minutes: Minutes of May 17, 2018 were approved by Motion of Councilperson Hill and Councilperson Olson.

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

Approval of June 21, 2018 Vouchers and Abstracts:

RESOLUTION #99-2018

Councilperson Olson and Councilperson Hill introduced Res. No. 99 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT OF JUNE ABSTRACTS

RESOLVED, that the Town Board does hereby authorize the payment of the June 21, 2018 Vouchers and Abstracts as follows:

General Abstract	6	\$ 53,249.14
Highway Abstract	6	\$ 43,478.17

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

Correspondence to the Board...

- NYSDOT RE: Notification of availability of funding through the Transportation Alternatives Program (TAP) and the Congestion Mitigation and Air Quality Improvement Program (CMAQ)

Resolutions...

RESOLUTION #100-2018

Councilperson Higgins and Councilperson Hill introduced Res. No. 100 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 fund transfers:

<u>From:</u>	<u>To:</u>	<u>Amount:</u>
<i>Highway:</i>		
DA9060.8(Med Insur)	DA5142.4 (SnowRmv-Contr)	\$ 11,900.73
<i>General:</i>		
A1355.4 (Assess-Contr)	A1355.2 (Assess-Equip)	\$ 357.97

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

RESOLUTION #101-2018

Councilperson Higgins and Councilperson Smith introduced Res. No. 101 and moved its adoption:

RESOLUTION TO CHANGE DATE OF JULY 2018 TOWN BOARD MEETING

RESOLVED, that the Horicon Town Board does hereby change the date of the July 2018 Town Board meeting from Thursday, July 19 to ***Tuesday, July 17, 2018*** at 7:00PM.

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

RESOLUTION #102-2018

Councilperson Smith and Councilperson Hill introduced Res. No. 102 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT FOR TREE REMOVAL IN BRANT LAKE (ELBOW) CEMETERY

WHEREAS, several large pine trees in the Brant Lake Cemetery were damaged during a recent windstorm and needed to be removed, NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize payment in the amount of \$3,200.00 to Tree Care by Stan Hunt, Inc. for the removal of the trees; payment is to be taken from Perpetual Care funds.

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

RESOLUTION #103-2018

Councilperson Higgins and Councilperson Smith introduced Res. No. 103 and moved its adoption:

RESOLUTION TO HIRE LIFEGUARDS FOR SUMMER

RESOLVED, that the Town Board does hereby hire Tim O'Neil as lifeguard for the Adirondack beach for the 2018 summer season at a rate of \$13.40 per hour for a thirty-hour week. The Chester Horicon Youth Commission will schedule the lifeguards for the Brant Lake beach on a rotating schedule at a rate of \$13.40 per hour. The beach will be open 11am - 5pm Monday through Thursday and 11am-6pm Friday through Sunday.

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

RESOLUTION #104-2018

Councilperson Smith and Councilperson Hill introduced Res. No. 104 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT TO MINDY CONWAY

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize payment to Mindy Conway in the amount of \$500.00 for her work in scheduling the lifeguards for the Brant Lake beach. Payment is to come from Special Publicity Fund (A6412.4).

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

Committee Reports...

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-Councilman Higgins said he looked at the tennis courts in Adirondack and, in his opinion, they definitely need to be redone. Councilman Hill noted the basketball court could probably just be resealed. Councilman Higgins said he also spoke with HS Granger about putting in steps from the parking lot to the ballfield for access to the proposed bleachers; HS Granger said that would be no problem.

-Councilwoman Smith updated the Board on the following: the CFGMR grant applications for the bleachers and the Adirondack Playground have been submitted; the Historical Society and Horicon Library also submitted CFGMR grant applications; the flowers were done by Memorial Day; the sign for banners will be done by next week according to Garnet Signs; the lifeguards have been hired for the summer; the Brant Lake beach will be open Monday through Thursday from 11:00am to 5:00pm and Friday through Sunday from 11:00am to 6:00pm with swim lesson at 5:00pm; there is a meeting with Dean Moore from WCSWD next week in regard to changing the roadside design at the Adirondack Beach and addressing the poison ivy; she and Supervisor Simpson met with Erin Tobin, of the NY Preservation League, for the final inspection at the Heintzelman Library for the grant application; there was a meeting with Cedarwood Engineering to review their recommendations for the Community Center parking lot and sidewalks; a training session is being scheduled with Paradox Consulting and the Community Center staff regarding management of the Town's website.

-Councilman Hill updated the Board on the following: sand has been ordered for both the Adirondack and the Brant Lake beaches, new buoys and line need to be ordered for the beaches and he suggested ordering one set from Palmer Bros. Marina and one set from EZ Marine and Storage, and lastly after reviewing the tennis court repair quotes he recommends Vermont Tennis Court at a price of \$8,003.00.

RESOLUTION #105-2018

Councilperson Higgins and Councilperson Hill introduced Res. No. 105 and moved its adoption:

RESOLUTION TO AUTHORIZE TENNIS COURT REPAIRS AND MAKE THE FOLLOWING BUDGET AMENDMENT

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Vermont Tennis Court Surfacing to make repairs to the tennis courts in Adirondack as quoted at a cost of \$8,003.00, and be it further

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Bookkeeper to make the following Budget amendment in the General fund for the tennis court repairs:

Debit	A599	Unappropriated Fund Balance	\$ 8,003.00
Credit	7620.4	Adult Recreation-Contractual	\$ 8,003.00

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

New Business...

Gina Mintzer / Lake George Regional Chamber: Gina Mintzer gave the Board an update on what the Lake George Regional Chamber is currently working on.

Jim Lieberum / Warren County SWCD: Jim Lieberum, of Warren County Soil and Water, gave a presentation to the Town Board on hazard mitigation.

Joan Johnson – Library Board of Trustees: Joan Johnson, President of the Library Board of Trustees, introduced new Trustee Paulette Contois and gave a report on what is happening at the Library.

Supervisor Simpson said he is working on a grant for the Schroon Lake Watershed to offset the cost of the boat inspections as well as milfoil control. This is a \$250,000.00 three-year grant through CFA.

Old Business...

Letter Folding/Inserting machine: Supervisor Simpson said the sales rep brought the used letter folder/insert machine up and did a demonstration for the Community Center staff who felt the DS70 model would work for what is needed.

RESOLUTION #106-2018

Councilperson Smith and Councilperson Higgins introduced Res. No. 106 and moved its adoption:

RESOLUTION TO AUTHORIZE PURCHASE OF LETTER FOLDER/INSERT AND MAKE THE FOLLOWING BUDGET AMENDMENT

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the purchase of a used DS70 letter folder/insert machine from Metroland Business Machines at a cost of \$4,795.00, and be it further RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Bookkeeper to make the following Budget amendment in the General fund for the DS70 letter folder/insert machine:

Debit	A599	Unappropriated Fund Balance	\$ 4,795.00
Credit	1620.4	Buildings-Contractual	\$ 4,795.00

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

1881 Union Church: John Donovan said the architect is working on the bid packages now, and the goal is to have the packages ready to go out for bid by the July Town Board meeting.

Adirondack Schoolhouse: Supervisor Simpson said he would like to have a public hearing to see if the townspeople want the Town to take ownership of the Adirondack Schoolhouse. He noted there will be a cost to the Town to make the needed repairs to the building if the Town takes ownership.

RESOLUTION #107-2018

Councilperson Olson and Councilperson Higgins introduced Res. No. 107 and moved its adoption:

RESOLUTION TO SET PUBLIC HEARING

RESOLVED, that the Town Board of the Town of Horicon does hereby set a Public Hearing for Thursday, July 17, 2018 at 7:00PM at the Horicon Community Center regarding whether the Town should take ownership of the Adirondack Schoolhouse.

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

Privilege of the Floor...

-Christine Hayes asked what is being done with regulations concerning travel trailers as they are getting out of control. Councilman Olson said he is not prepared to discuss it; he thought it was being reviewed at the APA. Supervisor Simpson noted there was correspondence from Town Counsel to the Town Board in November 2017 with comments on the proposed changes; nothing has been done since. Councilman Olson will meet with ZA Steen to review Town Counsel's notes.

-Ross Schoembs asked if the Board is considering a black fly program, noting he guessed there would be interest from the community for the program. Supervisor Simpson said this would be a discussed at budget time.

-Scott Campbell addressed the Board regarding his "Save the Tub" campaign. He discussed in detail his ideas as to how the watering tub could be improved to produce safe drinking water. He added that he has over \$200,000.00 pledged for the cause, and he is personally willing to contribute to the effort to buy and clean up the tub; eventually taking over ownership along with the expense and liability. Supervisor Simpson there is nothing that can be done with the tub. He said he spoke with Town Counsel just prior to the Town Board meeting who explained that the Town cannot legally expend money on the watering tub because the Town does not own the property. Town Counsel also explained that the Schroon Lake Park District, which was created in 1955 by the NYS Legislature, is not allowed under the legislation to buy or sell

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property. He said that the Schroon Lake Park District Commissioners are not allowed under the legislation to make a decision on maintaining or expending money on the watering tub; the legislation states the SLPD Commissioners are specifically allowed to control the waters of Schroon Lake and nothing more. There was lengthy discussion on the topic amongst the Board and members of the audience. Tom Luciano, SLPD Commission, read the legislation which clearly indicates the authority of the Park District relates to the regulation of the waters of Schroon Lake only. Scott Campbell asked what the solution is to re-opening the tub. Supervisor Simpson said there is no solution; the SLPD has no authority to do anything other than regulate water, and the Town has no authority to regulate the SLPD property.

Adjourn... There being no further business to attend to the meeting was adjourned at 8:58 PM by MOTION of Councilperson Higgins and Councilperson Smith, all in favor.

Respectfully Submitted:

Town Clerk