

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

**JULY 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	

Also: Tom Johansen, Terry and Bette Lynch, Kevin Kilcullen, Pete Palmer, Bobby Smith, John and Sharon Dunn, and Bill McGhie.

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

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***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 to discuss the septic at 12 Sand Beach Way in Brant Lake.

Councilperson Olson said Terry Lynch has submitted a plot plan for 12 Sand Beach Way which shows the seepage pit presently on the property. He noted seepage pits are not allowed under the current standards, the distances to other wells, etc. are extremely small, and although the system is not currently failing, it does not meet code. Councilperson Olson said he cannot accept this without an engineer's verification stating this system is the best possible solution to protect the surrounding wells and the lake.

Councilperson Higgins pointed out this issue comes up all the time with the small camps on the lake where there is not enough room to meet the separation distances. He said the Board cannot make an exception or the next one that comes up will be an issue. He said the separation distances with the current system are just too small and he is not comfortable with that.

Terry Lynch argued that these specifications were not in place in 2003 when he put the addition on and the system was deemed acceptable at that time.

Supervisor Simpson said there is no documentation in the Town to substantiate this. He also pointed out that the Zoning variance Mr. Lynch is currently requesting opened this up for review under the current standards, and the septic does not meet the current standards. He also pointed out that the APA reviews these septics and requests information which is not provided on the plot plan Mr. Lynch submitted.

Mr. Lynch asked if the Town Board could provide him some type of waiver; the Board did not feel this would be an option.

Councilperson Olson clarified that the 1000 gallon holding tank appears to be sufficient, but the issue appears to be the leeching device.

The Board agreed Mr. Lynch would need to submit documentation along with an engineer's plan to determine if a variance could be issued if he chooses to move forward with his project.

A Motion was made by Councilperson Olson, seconded by Councilperson Higgins, to go back into regular session. The Board moved back into **regular session** at 7:15 PM.

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***Regular Meeting...***

**Public Hearing: Possibility of taking ownership of the Adirondack Schoolhouse and subsequent cost of rehabilitation of the building.**

Supervisor Simpson opened the public hearing regarding the Adirondack Schoolhouse at 7:15 pm.

Bill McGhie said ESSLA, at one time, had big plans for the Schoolhouse. He said he does not see what the building would be used for now, other than an occasional meeting, as there is no air conditioning or heat. He said he personally does not see where the use justifies spending the amount of money it would take to rehabilitate the building. He is not in favor of taking the building over.

Kevin Kilcullen said he does not personally believe the Town can justify the expense of getting the building up to code and maintaining the building annually for what use it would get. He is not in favor of the Town taking it over.

Tom Johansen said this is one of four old buildings in town.

Supervisor Simpson clarified that the Fire Department owns the Adirondack Schoolhouse and there has been discussion in the past of the Town taking ownership of the building. He said there is currently no lease in place and the Board just needs to make a decision on it. Supervisor Simpson said he has heard the associations no longer want to use the building because of the condition it is in. He also pointed out there could be future issues with expansion, noting the Fire Department has talked of building a new fire house.

Councilperson Hill gave the background on how the Schoolhouse was originally turned over to the Fire Department and noted the building has been used less and less over the last few years.

Councilperson Smith said the feedback she has received on the Schoolhouse did not support taking ownership of the building. She noted that although it is a beautiful building, it would not be financially wise to take on the expense of the building.

There being no further comments, Councilperson Smith made a motion, seconded by Councilperson Higgins, to close the public hearing at 7:20 pm.

**RESOLUTION #108-2018**

Councilperson Higgins and Councilperson Olson introduced Res. No. 108 and moved its adoption:

**RESOLUTION TO NOT TAKE OWNERSHIP OF ADIRONDACK SCHOOLHOUSE**

RESOLVED, that the Town Board of the Town of Horicon does hereby state the Town of Horicon will not take ownership of the Adirondack Schoolhouse in Adirondack.

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

**Approval of Minutes:** Minutes of June 21, 2018 were approved by Motion of Councilperson Higgins and Councilperson Hill.

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

**Approval of Vouchers and Abstracts:**

**RESOLUTION #109-2018**

Councilperson Olson and Councilperson Hill introduced Res. No. 109 and moved its adoption:

**RESOLUTION TO AUTHORIZE PAYMENT OF JULY 2018 ABSTRACTS**

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

General Abstract	7	\$ 49,280.53
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Highway Abstract      7      \$ 27,414.88

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

**Correspondence to the Board...**

- Teri Schuerlein      RE: Letter of resignation from Planning Board
- Mary Jane Zorbaugh    RE: Request to be buried in family plot in Brant Lake Cemetery

**Resolutions...**

**RESOLUTION #110-2018**

Councilperson Higgins and Councilperson Olson introduced Res. No. 110 and moved its adoption:

**RESOLUTION TO AUTHORIZE ROAD CLOSURE FOR ADIRONDACK SHINDIG**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the closure of Church Street from 4pm to 9pm on Saturday, August 11, 2018 from the intersection of Red Wing Rd and Church Street to the intersection of Church Street and Bell Lane, including the Town Parking lot north of the Post Office. In the event of a rain date the same section will be closed from 1pm to 4pm on Sunday, August 12th.

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

**RESOLUTION #111-2018**

Councilperson Smith and Councilperson Higgins introduced Res. No. 111 and moved its adoption:

**RESOLUTION TO AUTHORIZE SUBMITTAL OF A NEW YORK STATE DEPARTMENT OF STATE LOCAL WATERFRONT REVITALIZATION PROGRAM GRANT APPLICATION**

**WHEREAS**, the Horicon Town Board wishes to prevent the introduction and manage the growth of aquatic invasive species in the waters of Schroon Lake; and

**WHEREAS**, the Horicon Town Board seeks to coordinate efforts to prevent and eliminate the introduction of aquatic invasive species into the waters of Schroon Lake with the towns of Chester and Schroon; and

**WHEREAS**, Round VIII of the New York State Consolidated Funding Application (CFA) is accepting applications through July 27, 2018; and

**WHEREAS**, the New York State Department of State (NYS DOS) has announced the availability of funds through the Environmental Protection Fund – Local Waterfront Revitalization Program (EPF-LWRP) to implement priorities identified in approved watershed management plans; and

**WHEREAS**, the project partners must provide evidence that a local match of twenty-five percent (25%) of the total project cost for the EPF-LWRP application will be available; and

**WHEREAS**, the Warren County Department of Planning & Community Development has agreed to apply on behalf of the towns of Horicon, Chester, and Schroon; and

**WHEREAS**, the Horicon Town Board wishes to authorize the submission of an application for EPF-LWRP funds.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Horicon Town Board further authorizes and directs submission of Warren County's application for Environmental Protection Fund – Local Waterfront Revitalization Program (EPF-LWRP) grant funds through the New York State Department of State (NYS DOS), with such application due by July 27, 2018; and

**BE IT FURTHER,**

**RESOLVED**, that should the project be awarded funds by NYSDOS, the Town Board pledges to work in cooperation with the partnering communities to provide the required twenty-five percent (25%) local match share of the total project cost; and

**BE IT FURTHER,**

**RESOLVED**, that the Town Board authorizes and directs the Town Supervisor and Warren County staff to sign any necessary documents in connection with the submission, including all applications, certifications and forms and further authorizes and directs the Town Supervisor and Warren County staff to take such other and further action as may be necessary to effectuate the terms of this resolution.

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

**RESOLUTION #112-2018**

Councilperson Smith and Councilperson Olson introduced Res. No. 112 and moved its adoption:

**RESOLUTION TO AUTHORIZE ADDITIONAL BUDGET AMENDMENT FOR TENNIS COURT REPAIR**

WHEREAS, in Resolution #151-2018 the Town Board of the Town of Horicon authorized Vermont Tennis Court Surfacing to make repairs to the tennis courts in Adirondack at a cost of \$8,003.00, and further authorized a budget amendment for this amount, and

WHEREAS, the tennis court repair was instead done by Adirondack Sports Surfaces, Inc. at a cost of \$11,975.00, now, therefore be it

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 to cover the additional cost of the tennis court repairs:

Debit	A599	Unappropriated Fund Balance	\$ 3,972.00
Credit	7620.4	Adult Recreation-Contractual	\$ 3,972.00

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

**Committee Reports...**

-Councilperson Sylvia Smith updated the Board on the following items: Highway Department is doing a fabulous job on the Pease Hill project; she, Councilperson Hill, the Beautification crew, and Dean Moore from WC Soil & Water met to develop a plan to eradicate the poison ivy in Adirondack, and to develop a garden; Rich Nawrot and his team have finished his Occupancy Tax project which was the beautification of the Adirondack welcome sign; the banner holder, although it has not been used yet, has been up for three weeks; the Community Fund for the Gore Mountain Region awarded the Town a grant for the Adirondack playground project; the Horicon Historical Society and the Horicon Library were also awarded grants through the CFGMR; the website training will be July 23<sup>rd</sup> and a list of questions to be covered was sent to Paradox Consulting who stated they will cover a portion of the items on the list, however, they feel the other items are beyond the capabilities of the staff at the Town Hall; and lastly, the tennis court repair is complete. Councilperson Smith asked Supervisor Simpson if has heard from the Fire Department regarding what they want for fireworks, when they want them, etc.; Supervisor Simpson will contact them.

-Councilperson Frank Hill updated the Board on the following items: the tennis court repair is complete, and the courts are ready to be used; he has received one quote from D&S Sealcoating to sealcoat the half basketball court in Adirondack for \$460.00, but he has not heard back from the other two companies he contacted about seal coating.

**RESOLUTION #113-2018**

Councilperson Hill and Councilperson Olson introduced Res. No. 113 and moved its adoption:

**RESOLUTION TO AUTHORIZE BASKETBALL COURT REPAIR**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize D&S Sealcoating to sealcoat and re-strip the basketball court in Adirondack at the estimated cost of \$460.00.

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

Councilperson Olson said the Pease Hill project is going well and HS Granger expects to be paving by the end of August. Councilperson Olson addressed the travel trailer regulations, noting Counselor Schachner had sent a memo with suggestions for what could be done to restrict travel trailers in the R1 zone. He said Assessor Hayes has told him travel trailers are also a problem in other zones as people are using them as residences, but they can't be taxed as such. Councilperson Olson suggested the

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Board move quickly to address travel trailers in the R1 zone, and then re-visit the regulations later to address those outside of the R1 zone. He made a **motion, seconded by Councilperson Hill, to set a public hearing for August 16<sup>th</sup> regarding an amendment to the travel trailer regulations.** Supervisor Simpson questioned whether a public hearing could be set as there is no formal draft amendment yet. It was noted that the Board would first need to draft a proposed amendment to the Zoning Law, approve the proposed amendment by Resolution, and then at that point set a public hearing. Councilperson Olson withdrew his motion.

**Old Business...** Still waiting on plans for the 1881 Union Church.

**New Business...**

**Zorbaugh cemetery burial request:**

**RESOLUTION #114-2018**

Councilperson Smith and Councilperson Higgins introduced Res. No. 114 and moved its adoption:

**RESOLUTION TO ALLOW BURIAL IN BRANT LAKE CEMETERY**

WHEREAS, Mary Jane Bolton Zorbaugh has requested that she and her husband, Larry, be allowed to have their cremains placed in the cemetery plot of her parents, Charles and Marion Bolton, in Section 1 of the Brant Lake Cemetery when the time comes, now, therefore be it

RESOLVED, that the Town Board of the Town of Horicon does hereby agree to allow Mary Jane Bolton Zorbaugh and Larry Zorbaugh to have their cremains buried in the Charles and Marion Bolton plot, in the Brant Lake Cemetery. This allows for the burial of cremains only, no full burials, which must be placed to the right of the headstone of Charles and Marion Bolton to avoid disruption of other possible burials in the plot.

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

**Brant Lake Association sign:** Supervisor Simpson said the Brant Lake Association has asked if they could put up a 42"x96" sign at the Brant Lake Boat Launch that recognizes the businesses that have donated to the control of invasive species in Brant Lake. The Board members agreed this would be fine.

**Planning Board Vacancy:** In light of Teri Schuerlein's resignation from the Planning Board, Councilperson Olson recommends moving alternate Joe Turcotte to fill Teri's seat, and then advertising for another alternate.

**RESOLUTION #115-2018**

Councilperson Higgins and Councilperson Olson introduced Res. No. 115 and moved its adoption:

**RESOLUTION TO APPOINT PB MEMBER AND ADVERTISE FOR ALTERNATE**

WHEREAS, Teri Schuerlein has tendered her resignation from the Planning Board effective immediately, now, therefore be it

RESOLVED, that the Town Board does hereby move current Planning Board Alternate Joe Turcotte up to the full Planning Board seat to complete that term which will expire on December 31, 2022, and be it further RESOLVED, that the Town Board does hereby authorize the Clerk to advertise for a Planning Board Alternate.

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

**South Horicon Cemetery Building:** Supervisor Simpson said he received two quotes to fix the roof on the South Horicon Cemetery Building: one from Eric & Eric at an estimated cost of \$3,775.00, and one from Crosscut, LLC at an estimated cost of \$1,550.00. Councilperson Hill said the Board had previously discussed tearing the building down. Supervisor Simpson said if the Town were to tears the building down and builds a new one there are just so many regulations that would have to be met that it would make it very difficult. He noted the Town received a \$1,900.00 insurance payment to be used towards

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repairs and feels the roof should be repaired. He noted the repair consists of replacing four sheets of roofing and the ridge cap.

**RESOLUTION #116-2018**

Councilperson Olson and Councilperson Higgins introduced Res. No. 116 and moved its adoption:

**RESOLUTION TO AUTHORIZE REPAIR TO CEMETERY BUILDING**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Crosscut, LLC to make the roof repair on the South Horicon Cemetery Building at the estimated cost of \$1,550.00.

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

Community Center Parking Lot: Supervisor Simpson said the engineer has given them an estimated cost of \$320,000.00 to fix the parking lot at the Community Center. Councilperson Olson said he will speak with another engineer for what is referred to as value engineering to see if there could be any cost savings on the project. Supervisor Simpson suggested the best option may be to take care of some of the bad spots and top it. He said the engineer's estimate was for everything including drainage, sidewalks, etc. Councilpersons Hill and Higgins said the Town should have more than one person quote the repairs, so Councilperson Olson suggested putting out an RFP. Supervisor Simpson said he was comfortable with the engineer's estimate. The Board will research this further.

Privilege of the Floor... no comments.

Adjourn... There being no further business to attend to the meeting was adjourned at 8:02 PM by MOTION of Councilperson Higgins and Councilperson Smith, all in favor.

Respectfully Submitted:

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Town Clerk