

HORICON TOWN BOARD
REGULAR MEETING & PUBLIC HEARING

April 15, 2021
7:00 PM

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

Also: Bob Smith, Gabe Lucas, John Hall, Jim Steen, Assessor Christine Hayes, HS Darian Granger, Rob Hill, Matt Wood, Mike Geraci, Joyce Greenidge, and Jake Gordon from C.T. Male via Zoom.

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 7:00 PM.

1) Public Hearing - request for septic variance at 18 North Sand Beach Way / Letts / #55.10-1-5:

Supervisor Smith opened the public hearing for a septic variance request at 18 N. Sand Beach Way in Brant Lake.

- John Hall, neighboring property owner, expressed personal concerns on several things regarding the proposed septic variance. He said the proposed system is close to his well and the neighbor's well. He noted the potential health risks from well contamination could mean a possible lawsuit down the road. He also noted the owners may not be able to sell the property down the road because of the potential health risks. Mr. Hall, respectfully, disputed the perc test which noted the soil was sandy. He said he knows first hand that the soil on that section of the lake is hard pan and boulders. He said the proposed plan does not show Mrs. Lucas's well which is actually quite close to both the proposed septic and the owner's proposed well which poses a definite health risk. He said this is not just an issue now, but down the line as well.

- Gabe Lucas, grandson of Evelyn Lucas who owns a neighboring property, spoke against the septic variance on his grandmother's behalf noting the same concerns that Mr. Hall expressed.

- Councilperson Olson said he has issues with a few things including the cumulative effect of the variances, the steep pitch of the property, and the fact that stormwater and erosion have not been addressed by the project sponsor. He noted there have been real, legitimate concerns raised tonight and he feels the Town should get the opinion of Cedarwood Engineering. Councilperson Olson also recommended it go back to C.T. Male so they can address the concerns raised.

- Jim Steen noted there are two levels of protection in the proposed septic, and sometimes the best you can do is the best you can do, but if the Board feels it should be reviewed by Cedarwood then they should do that.

- Councilperson Olson pointed out it is incumbent to prove the proposed is the least possible variance to accommodate the viability of the lot. He said more details are needed before he would feel comfortable voting on this.

- Councilperson Palmer said he looked at the lot and it is a very challenging lot. He said he agreed with Councilperson Olson. He also noted that at the last meeting Mr. Letts had said the neighbors were fine with the proposal, but, obviously, from the neighbors' comments tonight they are not ok with this.

Motion made by Councilperson Palmer, seconded by Councilperson Hill to send the Letts septic variance application to Cedarwood Engineering for review. All in favor.

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

**April 15, 2021
7:00 PM**

The Board will leave the public hearing open and re-convene the public hearing at the next Town Board meeting on Thursday, May 20, 2021.

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

REGULAR MEETING...

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

Approval of Minutes... Minutes of March 18 and April 1, 2021 were approved by Motion of Councilperson Olson and Councilperson Hill.

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

Approval of April 2021 Vouchers and Abstracts:

RESOLUTION #68-2021

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

RESOLUTION TO AUTHORIZE PAYMENT OF APRIL ABSTRACTS

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the payment of the April 15, 2021 Vouchers and Abstracts as follows:

General Vouchers	#4	\$ 35,207.44
Highway Vouchers	#4	\$ 144,535.67
Upper Hudson River	#4	\$ 18,632.30

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

Correspondence to the Board...

- Library Trustees RE: Clarification on library personnel compensation
- Justice Court RE: Notification of JCAP grant award for 2021
- June Maxam RE: Compliance with purchasing policy and residency issue
- NYAOT RE: 2021 Virtual Finance School May 19-20, 2021

Discussion on Correspondence...

The Horicon Library Trustees have requested clarification regarding library personnel compensation. In response to this request, the Board will send a letter clarifying there has been no change to library personnel compensation; the Library Clerk was hired by Resolution #115-2016 as a part-time employee not to exceed forty (40) hours per pay period. Supervisor Smith said, as requested, she did check with Town Counsel on this and was advised that the Resolution gives the direction as to the number of hours the Library Clerk is to be paid. Trustee Joyce Greenidge asked about additional reimbursement for meetings, training, and mileage. Supervisor Smith explained that the Library Clerk is allowed forty hours per pay period so if she has training or a meeting that would fall within the forty hours. In addition, Supervisor Smith explained that the Library Clerk Assistant can cover the library when the Library Clerk has other obligations. She noted the Town will pay for the cost of training, which would be included in the yearly budget request or requested at the time it becomes available and, the Town will also pay mileage if the employee submits a voucher for those things.

Resolutions...

RESOLUTION #69-2021

Councilperson Hill and Councilperson Olson introduced Res. No. 69 and moved its adoption:

RESOLUTION TO APPOINT JIM STEEN AS INTERIM ZONING ADMINISTRATOR

WHEREAS, Scott Olson has resigned as Horicon Zoning Administrator, and now, therefore be it

RESOLVED, that the Town Board of the Town of Horicon does hereby appoint Jim Steen to act as interim Zoning Administrator, effective April 16, 2021, at the pay rate set forth in Resolution #3-2021.

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

RESOLUTION #70-2021

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

RESOLUTION TO AUTHORIZE BUDGET AMENDMENT

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Bookkeeper to make the following budget amendment in the Highway fund to account for FEMA aid money received:

Increase	DA3306 – Homeland Security Aid	\$ 73,098.61
Increase	DA5110.4 – General Repairs	\$ 73,098.61

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

RESOLUTION #71-2021

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

RESOLUTION TO AUTHORIZE 2021 OCCUPANCY TAX FUNDS AND BUDGET AMENDMENT

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize \$11,720.00 in Occupancy Tax funds, rolled over from 2020 in code A6412.4 - Special Publicity, to fund Food Truck Fridays on the Pond for 2021, and hereby authorizes the Bookkeeper to make the following budget amendment in the General fund to account for this:

Debit	A599 Unappropriated Fund Balance	\$ 11,720.00
Credit	A6412.4 Special Publicity	\$ 11,720.00

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

RESOLUTION #72-2021

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

RESOLUTION TO AUTHORIZE FACILITY USE FEE

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize a facility use fee of \$100 to be charged to the food truck vendors for Food Truck Fridays for the 2021 season.

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

RESOLUTION #73-2021

Councilperson Hill and Councilperson Olson introduced Res. No. 73 and moved its adoption:

RESOLUTION TO RECOGNIZE AND NAME PRIVATE ROAD

RESOLVED, that the Town Board of the Town of Horicon does hereby recognize a private road in the Town of Horicon. The road, which intersects with Harris Road, crosses parcel #89.-1-84 to provide access to parcel #90.-1-14 and has been named Layla Way.

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

RESOLUTION #74-2021

Councilperson Olson and Councilperson Hill introduced Res. No. 74 and moved its adoption:

RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH CEDARWOOD ENGINEERING

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Supervisor Smith to sign the contract with Cedarwood Engineering for engineering services for the 2021 calendar year.

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

RESOLUTION #75-2021

Councilperson Palmer and Councilperson Hill introduced Res. No. 75 and moved its adoption:

RESOLUTION TO SET A PUBLIC HEARING ON PROPOSED LOCAL LAW TO ELIMINATE RESIDENCY REQUIREMENT FOR ZONING ADMINISTRATOR

RESOLVED, that the Town Board of the Town of Horicon will hold a public hearing on May 20, 2021, at 7:00 p.m. concerning proposed Local Law No. 1 of 2021. The proposed Local Law would eliminate the residency requirement for the appointed office of Zoning Administrator for the Town of Horicon. It would specifically supersede the residency

HORICON TOWN BOARD
REGULAR MEETING & PUBLIC HEARING

April 15, 2021
7:00 PM

requirements of Public Officers Law Section 3 and Town Law Section 23 in their application to the office of Zoning Administrator for the Town of Horicon.

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

Committee Reports...

- *Mike Geraci, NWEMS Representative, reported on the following:*

- There were thirty-one calls for service last month some of which were mutual aid calls.
- Operations are running smoothly.
- They have submitted a grant application through FEMA for \$250,000 for a new ambulance.
- They have received a PPP loan in the amount of \$84,000.
- He will be meeting with the billing company on May 13th to figure out how to better handle the billing.

- *Councilperson Frank Hill reported on the following:*

- The new shed has been installed at the Brant Lake Boat Launch, and they are still working on getting one for the Schroon Lake Boat Launch. Supervisor Smith noted that she received a call from DEC who is working on this. She also mentioned they are working on a plan to take care of the launches and the specifics are being worked out.

- *Supervisor Smith reported on the following:*

- She and Councilperson Hill have been meeting with the Youth Commission to try and consolidate things and work together. They have formed a committee that includes themselves, Brandon Himoff, Kaitlyn Hill, Chester Supervisor Craig Leggett, Chester TB Member Chris Aiken, and Youth Commission Director Mindy Conway. They hope to get this figured out and back in shape.
- The Assessor's office will be finished next week with the exception of the door which is on backorder. It should be here in about two to three weeks and the staff can work around this for the time being.

Old Business...

Tent-Food Truck Fridays: Supervisor Smith said they have discussed purchasing a tent that could be used for a variety of things including Food Truck Fridays, the Library, the Museum, etc. However, if the Town purchases a new tent the lead time to get it, at the earliest, would be the end of July. She has a quote for a used 30' x 60' tent that includes setup and tear down for this year of approximately \$6,900; there would be an additional fee if the company cleans it. There was much discussion on the tent. Councilperson Olson said he feels it would be a good investment. Councilpersons Palmer and Hill said they would prefer to buy a new one and asked if this tent could be rented until the new one becomes available. Supervisor Smith said it could but then you are spending the money to rent it for a month plus the purchase price of a new one. Councilperson Palmer asked how old the used tent is and if the company would stand behind it. Councilperson Olson said he feels it would be a good investment. Supervisor Smith will have the Clerk contact the company tomorrow and find out the age of the tent.

RESOLUTION #76-2021

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

RESOLUTION TO PURCHASE USED TENT IF IT IS FIVE YEARS OLD OR LESS

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the purchase of a used 30' x 60' pole tent as per the quote from Big Top Tent Rentals at a price of \$7,468.40 if the tent is five years old or less.

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

New Business - none

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

Respectfully Submitted:

Town Clerk

