

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

**SEPTEMBER 17, 2021
7:00 PM**

Present at meeting:	Sylvia Smith	Supervisor
	Michael Geraci	Councilperson
	Frank Hill	Councilperson
	Peter Palmer	Councilperson
	Robert Olson	Councilperson
Krista Wood	Town Clerk	

Also: Rob Hill, Christine Jay, Bob Smith, Assessor Christine Hayes, Kenneth and Carolyn Gallo, Roy Halvorsen, ZA Matthew Magee, Barb French, Donald and Ferne Robilotta, and Quinn Rusch of Studio A, and others.

Supervisor Smith opened the meeting at 7:00pm.

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.

Public Hearing #1 - Supervisor Smith re-convened the public hearing for the septic variance request at 18 N. Sand Beach Way in Brant Lake. Supervisor Smith stated that Mr. Letts has withdrawn his application for a waste incinerator.

There being no further comments Supervisor Smith closed public hearing #1 at 7:01 pm.

Public Hearing #2 – Supervisor Smith opened the public hearing for the septic variance request at 41 Lakeview Drive in Adirondack at 7:01pm.

-Quinn Rusch, Studio A, explained she is representing the Gallo’s who are seeking a variance to install a replacement septic system. She noted they have updated the plan to accommodate the changes requested by the Town Board, along with the recommendations made by Cedarwood Engineering, and the revised plan was forwarded to Cedarwood Engineering for review. Ms. Rusch then reviewed the changes in detail. Ms. Rusch explained the field was moved to accommodate further separation to the stream. She said only the areas on the side exceed the 15% slope. She also explained the specifics of how the Presby system works, noting it is a passive treatment system which is completely contained.

-Councilperson Palmer asked if Cedarwood had received a copy of the new plan. Ms. Rusch said they have.

-Don Robilotta, neighboring property owner, said he and his wife are concerned about the stream and the lake. He said they have noticed the smell of septic from the direction of Gallo’s property and asked if that was because the Gallo’s septic has failed. Ms. Rusch said it could potentially be because of the existing system, however, she could not say for sure. She did note that the new Presby system is an enhanced treatment unit and is completely contained so there would be no smell. She added that the system meets the highest quality standard for septic systems. Mr. Robilotta asked what the issue is with the slope. Ms. Rusch said by moving the system farther away from the stream part of the system moved into a slope greater than 15%. Ms. Rusch said the discharge is treated within the pipe area so everything that comes out of the pipe is settled and the sand bed acts like an extra layer of filtering. She said anything going over the system has already settled within the septic tank and the pump station. Mr. Robilotta asked if this type of system has been installed in the Town. Ms. Rusch said yes, and in fact, they use them all over Lake George.

-Councilperson Olson asked if he was correct in understanding that all of the components between the house and the leeching field are sealed units; Ms. Rusch said that is correct. Councilperson Olson asked what is being done to protect the system from frost heaves. Ms. Rusch said that because there is so much bacterial activity

the system would not be affected by frost. In addition, she noted the pump is approximately four feet deep in the ground so frost is not an issue.

-Ferne Robilotta asked if the current system is a faulty system.

-Kenneth Gallo said to his knowledge the system has not failed, they are simply trying to be proactive by installing this system because of a planned addition.

- ZA Magee noted the septic smell the Robilotta's were noticing may have been from a failed septic at the bottom of their road.

-Mrs. Robilotta asked how far below the stream the system would be. Ms. Rusch said it is generally 5' deep.

-Councilperson Palmer asked what they are planning to do with the old system. Ms. Rusch noted again that the proposed Presby system will be a replacement system so the old system will be removed.

-Councilperson Olson said he feels the proposal is an improvement over the existing system and it comes at quite a cost to the homeowner to do it right. He feels it is substantially better than what is there.

There being no further comments Supervisor Smith closed public hearing #2 at 7:15 pm.

RESOLUTION #122-2021

Councilperson Olson and Councilperson Hill introduced Res. No. 122 and moved its adoption:

**RESOLUTION TO GRANT VARIANCE FOR A REPLACEMENT WASTEWATER DISPOSAL SYSTEM
AT 41 LAKEVIEW DRIVE**

RESOLVED, that the Horicon Town Board acting as Local Board of Health, based on the receipt of a set of stamped plans from Studio A (project – Gallo) and the \$100.00 variance fee, does hereby grant a variance for a replacement septic system at 41 Lakeview Drive, Adirondack (Tax Map #36.12-1-60) 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, Hill, Geraci, Palmer, Smith) Nays: 0

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

Regular Meeting...

Reports: Supervisor, Town Clerk, Zoning, Justice, Assessor

Approval of Minutes: Minutes of August 17, 2021 were approved by Motion of Councilperson Hill and Councilperson Olson.

Ayes: 5 (Hill, Olson, Geraci, Palmer, Smith) Nays: 0

Approval of Vouchers and Abstracts:

RESOLUTION #123-2021

Councilperson Hill and Councilperson Olson introduced Res. No. 123 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT OF SEPTEMBER 2021 ABSTRACTS

RESOLVED, that the Town Board does hereby authorize the payment of the September 16, 2021 Vouchers and Abstracts as follows:

General Abstract	9	\$ 44,870.31
Highway Abstract	9	\$ 37,708.04

Ayes: 5 (Hill, Olson, Geraci, Palmer, Smith) Nays: 0

Correspondence to the Board...

- Stephanie Norcross RE: Letter of resignation from the position of Court Clerk
- Kevin Kilcullen RE: Letter of resignation from Beautification and the Board of Ethics

Resolutions...

RESOLUTION #124-2021

Councilperson Olson and Councilperson Palmer introduced Res. No. 124 and moved its adoption:

RESOLUTION TO CHANGE POSITION OF ZONING ADMINISTRATOR TO FULL-TIME

WHEREAS, Matthew Magee was hired as part-time Zoning Administrator effective June 18, 2021, and, at the August 17, 2021 Town Board meeting the Board discussed and agreed to change the position of Zoning Administrator to a full-time position, now, therefore be it

RESOLVED, that the position of Horicon Zoning Administrator will now be a full-time position effective September 1, 2021.

Ayes: 5 (Olson, Palmer, Hill, Geraci, Smith) Nays: 0

RESOLUTION #125-2021

Councilperson Hill and Councilperson Geraci introduced Res. No. 125 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	\$ 2,307.75
Increase	DA5110.4 – General Repairs	\$ 2,307.75

Ayes: 5 (Hill, Geraci, Olson, Palmer, Smith) Nays: 0

RESOLUTION #126-2021

Councilperson Olson and Councilperson Palmer introduced Res. No. 126 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 amendments in the General fund to account for monies received:

Increase	A2705.4 - Donations	\$ 105.00
Increase	A6412.4 – Spec Publicity	\$ 105.00
Increase	A8010.4 – Zoning Pers Svcs	\$ 13,202.09
Increase	A2390 - Shared Svcs	\$ 13,202.09

Ayes: 5 (Olson, Palmer, Hill, Geraci, Smith) Nays: 0

RESOLUTION #127-2021

Councilperson Hill and Councilperson Olson introduced Res. No. 127 and moved its adoption:

RESOLUTION TO SET BUDGET WORKSHOP MEETING

RESOLVED, that the Town Board of the Town of Horicon does hereby set a Budget Workshop Meeting for Thursday, October 14, 2021 at 9:00 AM to discuss the 2022 Preliminary Budget.

Ayes: 5 (Hill, Olson, Geraci, Palmer, Smith) Nays: 0

RESOLUTION #128-2021

Councilperson Hill and Councilperson Olson introduced Res. No. 128 and moved its adoption:

RESOLUTION TO RE-APPOINT RALPH BENTLEY TO THE BOARD OF ASSESSMENT REVIEW

RESOLVED, that the Town Board of the Town of Horicon does hereby re-appoint Ralph Bentley to a new term on the Horicon Board of Assessment Review. The new term is to run from October 1, 2021 through September 30, 2026.

Ayes: 5 (Hill, Olson, Geraci, Palmer, Smith) Nays: 0

RESOLUTION #129-2021

Councilperson Geraci and Councilperson Hill introduced Res. No. 129 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 NYSAA Fall Conference in Niagara, Oct 3- Oct 7, 2021, at a cost not to exceed \$1,500.00. The total cost of the classes, lodging, and reimbursement for food and mileage, will be split equally with the Town of Bolton.

Ayes: 5 (Geraci, Hill, Olson, Palmer, Smith) Nays: 0

RESOLUTION #130-2021

Councilperson Olson and Councilperson Hill introduced Res. No. 130 and moved its adoption:

RESOLUTION TO AUTHORIZE TRANSFER OF FUNDS

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Bookkeeper to make the following fund transfers in the General Fund:

<u>From:</u>	<u>To:</u>	<u>Amount:</u>
A6772.4 (Prog Aging - Contr)	A7310.1 (Youth Prog – Per Svc)	\$ 2,122.43
A6772.4 (Prog Aging - Contr)	A7310.4 (Youth Prog – Contr)	\$ 342.22
A6772.4 (Prog Aging - Contr)	A8510.2 (Beaut. – Equip)	\$ 1,287.18
A6772.4 (Prog Aging - Contr)	A8810.4 (Cemetery – Contr)	\$ 831.47

Ayes: 5 (Olson, Hill, Geraci, Palmer, Smith) Nays: 0

RESOLUTION #131-2021

Councilperson Olson and Councilperson Hill introduced Res. No. 131 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT TO ERIN'S WAY TENTS

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize payment to Erin's Way Tents in the amount of \$12,225.00 for the purchase of three tents.

Ayes: 5 (Olson, Hill, Geraci, Palmer, Smith) Nays: 0

RESOLUTION #132-2021

Councilperson Olson and Councilperson Hill introduced Res. No. 132 and moved its adoption:

RESOLUTION TO AUTHORIZE ATTENDANCE AT STORMWATER TRADESHOW

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize interested members of the Zoning and Planning Boards to attend the North Country Stormwater Tradeshow and Conference on October 21, 2021 in Lake George. The cost to attend is \$95 per person plus mileage and meals, and be it further, RESOLVED, that the Town Board authorizes payment for the North Country Stormwater Tradeshow and Conference once attendees are registered.

Ayes: 5 (Olson, Hill, Geraci, Palmer, Smith) Nays: 0

RESOLUTION #133-2021

Councilperson Hill and Councilperson Olson introduced Res. No. 133 and moved its adoption:

RESOLUTION TO AUTHORIZE ZONING ADMINISTRATOR TO ATTEND TRAINING

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Zoning Administrator to attend the Septic Inspection Training, presented by OTNNY, in Auburn, NY on September 22, 2021 at a cost of \$200.00 plus mileage, meals, and lodging. The total cost of the training, lodging, food, and mileage will be split equally with the Town of Hague.

Ayes: 5 (Hill, Olson, Geraci, Palmer, Smith) Nays: 0

RESOLUTION #134-2021

Councilperson Hill and Councilperson Palmer introduced Res. No. 134 and moved its adoption:

RESOLUTION TO AUTHORIZE CLERK TO ADVERTISE FOR BIDS FOR NEW HIGHWAY TRUCK

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Clerk to advertise for bids for a new Ford F250 4WD pickup truck as per the spec sheet. Bids are due by Wednesday, October 13, 2021 at 2:00pm at which time they will be publicly opened.

Ayes: 5 (Hill, Palmer, Geraci, Olson, Smith) Nays: 0

RESOLUTION #135-2021

Councilperson Geraci and Councilperson Palmer introduced Res. No. 135 and moved its adoption:

RESOLUTION TO APPOINT BECKY ROSS AS ALTERNATE BOARD OF ETHICS MEMBER

WHEREAS, Kevin Kilcullen has resigned as Alternate Board of Ethics Member effective September 5, 2021, and now, therefore be it

RESOLVED, that the Town Board of the Town of Horicon does hereby appoint Becky Ross as Alternate Board of Ethics Member to fill the unexpired term which will expire December 31, 2023.

Ayes: 5 (Geraci, Palmer, Hill, Olson, Smith) Nays: 0

Committee Reports...

-Councilperson Geraci reported on the following:

NWEMS: There was a total of 64 calls for service in August with 21 in Horicon, 26 in Chestertown, and 17 Mutual aid calls outside the North Warren District. The annual donation campaign is on-going and approximately \$30,000.00 has been donated so far. The Squad applied for a FEMA grant for a new ambulance and personal protection equipment, but, unfortunately, did not receive a grant. They will continue to seek any available state and federal funding sources. Staffing and recruiting remains an on-going challenge. They will be requesting a meeting with other Town Supervisors and County officials to discuss short and long-range options.

Personnel: Justice Tario has submitted his resignation effective October 1, 2021. The NYS Office of Court Administration has appointed Justice Midgley, from Hague, to serve as interim Justice through December 31, 2021. Justice Midgley serves as her own court clerk and will do the same here. The position of court clerk will continue to be advertised in local publications and through social media. One applicant has been interviewed but it would be better to have a larger pool of candidates to select from. Fortunately, with Justice Midgley's cooperation, this vacancy is not a critical time sensitive situation, however, they will continue to solicit for the position and will keep the Board informed.

-Councilperson Hill reported on the following:

Highway: He thanked the Highway Department for fixing the road into the Brant Lake Cemetery, and said something will need to be done in the future to correct this ongoing issue. The paving is almost complete, and they have been right out straight but have accomplished a lot.

-Councilperson Palmer reported on the following:

Landfill: Two quotes have been received for the concrete slab for the metal pile at the Landfill, and he is waiting for a third quote.

-Councilperson Olson: Nothing to report.

-Supervisor Smith reported on the following:

Canoe Race: She met with Matt Strickland who is the coordinator of the Great Brant Lake Canoe Race. He thanked the Town for helping to support the event with Occupancy Tax monies. He said he would like feedback about the event to continually improve it. He said the event was successful with 95 entries this year, and he hopes to make it bigger and better next year. Supervisor Smith said she was there and gave a presentation at the end. She said they would like to use the Community Center for additional things during the event next year.

Food Truck Fridays: She explained that Warren County had given COVID shots during Food Truck Fridays, separate from the activity of the event, and had given 56 shots in total which was very good. Although some did not get shots, the nurses were able to educate quite a few people. The event itself was successful again this year averaging between 1400-1500 attendees each Friday. There were a few nights with absent trucks because those trucks had booked other events due to the late decision on whether or not the Town would be able to have Food Truck Fridays. The vendors have said that next year they would schedule for the entire summer. The fireworks were excellent. Overall the event was a success and came in right on budget.

Historical Society: The water at the Brant Lake Museum needs to be shut off but it cannot happen before Columbus Day as they will still be giving tours. Rob will work with volunteer Mike Wilson to handle shutting off the water when the time comes. They will get volunteers to work with Jason Hill to train them on shutting off the system at the Annex in Adirondack. The Historical Society will be working on digitizing the inventory in the Annex.

Buildings: The emergency lights in the building need to be working by September 30th. Vicki and Rob will work on taking care of this by the September 30th deadline.

Beaches: The beaches officially closed September 6th, and thanks were expressed to Bob Smith for volunteering his time to help Rob with closing the beaches down. They had 30 participants for swimming lessons and it was a five-week program. If the Town can hire another appropriately certified lifeguard next year then the swimming lessons can run for the entire summer with programs for other age groups as well.

Fire Company: She and Councilperson Geraci met with the Fire Company on September 13th to review the LOSAP program with Firefly and also to discuss the Budget. They were also given a tour of the building.

Reports: A letter will be sent to all departments requesting detailed monthly reports going forward. In-house departments already submit reports, but this will be for all other departments. This way the Board can be informed on what is happening, analyze what is happening, and look at what can be done to support and help the departments.

-Don Robilotta asked if the Board has ever considered charging the vendors at Food Truck Fridays. Supervisor Smith said they do charge the vendors which helps support the event.

Old Business... none

New Business...

Repair work on compactor: Barb French said she spoke to Jim Maddison about some maintenance and repair work that needs to be done on the compactor. She said he will do the work on the days the Landfill is closed so it does not interfere with operations.

RESOLUTION #136-2021

Councilperson Palmer and Councilperson Hill introduced Res. No. 136 and moved its adoption:

RESOLUTION TO AUTHORIZE COMPACTOR REPAIRS

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize repairs to the Landfill compactor by Maddison's Contracting & Repair at the estimated cost of \$1,450.00

Ayes: 5 (Palmer, Hill, Geraci, Olson, Smith) Nays: 0

Additional lots in cemetery: Supervisor Smith said there is an opportunity to add nine lots, each with two-graves, in the back of Section four in the Brant Lake Cemetery. The Board was in agreement to move forward.

RESOLUTION #137-2021

Councilperson Olson and Councilperson Hill introduced Res. No. 137 and moved its adoption:

RESOLUTION TO AUTHORIZE ADDITION OF CEMETERY LOTS

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the addition of nine, two grave lots (for a total of 18 graves) to the Brant Lake Cemetery, Section 4, as shown of the map of said cemetery.

Ayes: 5 Olson, Hill, Geraci, Palmer, Smith) Nays: 0

Employee Handbook: Supervisor Smith said the Employee Handbook really needs updating as there are numerous issues, there are things missing, and it lacks clarification. She said a committee needs to be appointed to work on updating the Handbook. She suggested the committee members be Councilperson Geraci, Patty Monahan, Becky Ross, Krista Wood, and Councilperson Olson. The committee would make suggestions, Town Counselor Mark Schachner would review them, and the recommendations would be brought back to the Board by the November meeting to update the Employee Handbook. The Board agreed to move forward. Supervisor Smith appointed Councilperson Geraci to lead the committee.

Privilege of the Floor....

-Barb French told the Board that the Landfill has slowed down considerably since Labor Day, and now that they have more time they are working to finish cleaning things out.

-Roy Halvorsen, who lives in Blue Sky Estates, asked the Board to talk to Highway Superintendent Granger and have him move their road up on the schedule. He said as of now he understands work is not scheduled for their road until 2023 and it needs to be done sooner. Supervisor Smith said they did receive the petition from some of the residents on that road and it was given to Highway Superintendent Granger. She said he will review this and see if anything can be done in the interim.

Executive Session...

Councilperson Hill made a motion, seconded by Councilperson Palmer, to move to Executive Session for discussion regarding pending litigation, all in favor. The Board moved to Executive Session at 7:47 PM.

The Board returned from Executive Session at 8:34 PM and Councilperson Olson made a motion, seconded by Councilperson Palmer, to return to Regular Session, all in favor. Supervisor Smith said there was discussion regarding pending litigation and no action was taken.

Adjourn... There being no further business to attend to the meeting was adjourned at 8:35 PM by MOTION of Councilperson Olson and Councilperson Hill, all in favor.

Respectfully Submitted:

Town Clerk