

**HORICON TOWN BOARD  
REGULAR MEETING**

**NOVEMBER 18, 2021  
7:00 PM**

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

Also: Diane Smith, Bob Smith, Mark Younes, Drew D'Angelico, HS Darian Granger, Doug Smith, Jim and Sarah Hayes, and Ed Simm.

Supervisor Smith opened the meeting at 7:00pm and congratulated the newly elected officials Mike Geraci and Rob Hill, and also congratulated those that were re-elected.

***Executive Session...***

Councilperson Palmer made a motion, seconded by Councilperson Olson, to move to Executive Session for discussion regarding collective bargaining unit negotiations, all in favor. The Board moved to Executive Session at 7:00 PM.

The Board returned from Executive Session at 7:30 PM and Councilperson Olson made a motion, seconded by Councilperson Geraci, to return to Regular Session, all in favor. Supervisor Smith said collective bargaining unit negotiations were discussed and no action was taken.

**Reports...** Supervisor, Town Clerk, Zoning, Justice, Assessor, Buildings/Food Pantry, Historical Society, Library, Dog Control, and Historian.

**Approval of Minutes...** Minutes of October 21, November 3, and November 4, 2021 were approved by Motion of Councilpersons Palmer and Olson.

Ayes: 4 (Palmer, Olson, Geraci, Smith) Absent: 1 (Hill) Nays: 0

**Approval of Vouchers and Abstracts...**

**RESOLUTION #151-2021**

Councilperson Palmer and Councilperson Geraci introduced Res. No. 151 and moved its adoption:

**RESOLUTION TO AUTHORIZE PAYMENT OF NOVEMBER 2021 ABSTRACTS**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the payment of the November 18, 2021 Vouchers and Abstracts as follows:

General Abstract	11	\$ 20,667.70
Highway Abstract	11	\$ 17,956.44

Ayes: 4 (Palmer, Geraci, Olson, Smith) Absent: 1 (Hill) Nays: 0

**Correspondence to the Board...**

-AOT	RE: Information on 2022 Annual Meeting and Training School
-Chuck Kabrehl	RE: Request for signage on Padanarum Rd prohibiting ATV's

**Resolutions...**

**RESOLUTION #152-2021**

Councilperson Olson and Councilperson Palmer introduced Res. No. 152 and moved its adoption:

**RESOLUTION TO SET PUBLIC HEARING FOR 2022 CONTRACTS**

WHEREAS, monies have been appropriated in the 2022 Budget for contracts in the following amounts:

Emergency Service Provider	\$ 128,996.25
Horicon Historical Society	\$ 1,000.00

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Senior Mini-Bus	\$ 5,120.00
North Warren Chamber of Commerce	\$ 12,000.00
Horicon Free Library	\$ 2,000.00
Chester-Horicon Health Center	\$ 6,000.00
Snowmobile Club	\$ 3,500.00
Horicon Volunteer Fire Company	\$ 239,039.00
Brant Lake Association (BL milfoil)	\$ 27,480.00
Warren County (SL milfoil)	\$ 12,838.17

NOW, THEREFORE BE IT RESOLVED, that a Notice of Public Hearing will be published stating that a hearing on the above-named contracts will be held on Thursday, December 16, 2021 at 7:00 PM at the Horicon Community Center.

Ayes: 4 (Olson, Palmer, Geraci, Smith) Absent: 1 (Hill) Nays: 0

**RESOLUTION #153-2021**

Councilperson Geraci and Councilperson Olson introduced Res. No. 153 and moved its adoption:

**RESOLUTION TO SET YEAR-END MEETING**

RESOLVED, that the Town Board of the Town of Horicon does hereby set the year-end meeting for Thursday, December 30, 2021 at 3:00 pm.

Ayes: 4 (Geraci, Olson, Palmer, Smith) Absent: 1 (Hill) Nays: 0

**RESOLUTION #154-2021**

Councilperson Palmer and Councilperson Olson introduced Res. No. 154 and moved its adoption:

**RESOLUTION TO SET ORGANIZATIONAL MEETING**

RESOLVED, that the Town Board of the Town of Horicon does hereby set the Organizational Meeting of the Town of Horicon for Tuesday, January 4, 2022 at 3:00 pm.

Ayes: 4 (Palmer, Olson, Geraci, Smith) Absent: 1 (Hill) Nays: 0

**RESOLUTION #155-2021**

Councilperson Geraci and Councilperson Olson introduced Res. No. 155 and moved its adoption:

**RESOLUTION TO AUTHORIZE PARTICIPATION IN THE NEWLY ELECTED OFFICIALS 2022 TRAINING SCHOOL**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Town of Horicon elected officials to participate in the AOT Newly Elected Officials 2022 Virtual Training School on January 6-7, 2022. The cost is \$75.00 per person.

Ayes: 4 (Geraci, Olson, Palmer, Smith) Absent: 1 (Hill) Nays: 0

**RESOLUTION #156-2021**

Councilperson Palmer and Councilperson Olson introduced Res. No. 156 and moved its adoption:

**RESOLUTION TO AUTHORIZE BUDGET AMENDMENT IN THE GENERAL FUND**

RESOLVED, that the Town Board authorizes the Bookkeeper to make the following Budget Amendment in the General Fund to increase revenues to record receipt of additional Occupancy Tax funds:

Increase A1113	Tax on Hotel Occupancy	\$ 12,000.00
Increase A6412.4	Special Publicity	\$ 12,000.00

Ayes: 4 (Palmer, Olson, Geraci, Smith) Absent: 1 (Hill) Nays: 0

**RESOLUTION #157-2021**

Councilperson Palmer and Councilperson Olson introduced Res. No. 157 and moved its adoption:

**RESOLUTION TO AUTHORIZE BUDGET AMENDMENT IN THE HIGHWAY FUND**

RESOLVED, that the Town Board authorizes the Bookkeeper to make the following Budget Amendment in the Highway Fund:

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Debit	DA5148.100 (Pers. Svcs – Svcs Other Govt)	\$ 7,494.40
Credit	DA5130.100 (Pers. Svcs - Machinery)	\$ 7,494.40

Ayes: 4 (Palmer, Olson, Geraci, Smith) Absent: 1 (Hill) Nays: 0

**Committee Reports..**

-Councilperson Geraci reported on the following:

-*NWEMS*: For the month of October there were 47 calls with 14 in Horicon, 21 in Chestertown, 10 mutual aid calls, and 1 call in Essex County. The Squad was on stand-by for the Adirondack Marathon. An increase of 2.5% was approved by the Town Board for the NWEMS for 2022. A joint meeting was held on November 4<sup>th</sup> to discuss the NWEMS. The meeting was well attended and things are moving in a good direction. There was conversation at the meeting about the possibility of researching a special tax district to fund the Squad in the future. Councilperson Olson noted the meeting was worthwhile.

-Councilperson Palmer reported on the following:

-*Landfill*: The Landfill is looking better and is no longer running in the red. He said he feels this is due to changes in help and the increase in prices. He said there was discussion last year that there should be another price increase this coming January if there was still a deficit, but since there is no deficit he feels there is no need for an increase.

-Councilperson Olson reported on the following:

-*Cemeteries*: Rob has the cemeteries almost buttoned up and he needs to do one final clean-up. The landfill employees are ready for the holiday weekend and Rob will be on call if he is needed.

-Supervisor Smith reported on the following:

-*Beautification*: Rob has done a good job closing everything up for the season with Vicki's help. They were working on the wreaths and lights today and will finish on target.

-*Assessor*: Congratulations to Christine Hayes; she received a scholarship that will cover all of her expenses while attending the week-long training at Cornell.

-*Occ Tax*: Joel Friedman thanked the Town Board for their support of the Adirondack Marathon and he has turned in the final report for that event.

-*Youth*: Warren and Washington counties will be merging their youth programs in 2022. This will mean the potential for free classes such as lifeguard training. They will meet with Supervisors in both counties and they will also work with Suny Adk to offer more programs.

-*WC Septic Inspection Proposal*: Attended the public hearing regarding the Warren County Septic Inspection Transfer Law on November 17<sup>th</sup> at the Warren County Municipal Center. She thanked those that attended. She also noted there will be another public hearing on November 19<sup>th</sup> at 10:00 am at the Municipal Center.

-*Covid*: There are 72 new cases as of this morning. There are on average 60 new cases per day and Warren County Health is currently monitoring over 500 cases. There will be a Covid booster clinic on November 23<sup>rd</sup> from 4:30 to 6:30 at the Warren County Public Services building.

**Old Business...**

*Heintzelman Library*: Councilperson Hill was supposed to have looked into this. Supervisor Smith said the lights in the Heintzelman Library definitely need to be fixed by an electrician. She spoke to Councilperson Hill on this and they agreed this project will be turned over to Rob Hill to work on.

*Spectrum Franchise Fees*: Spectrum has turned over the franchise fees to the Town that have been generated over time. These fees are to be used for future broadband buildouts. A "type" reserve account can be created for these monies if the Board would like to do so. The Board agreed this would be a good idea.

**RESOLUTION #158-2021**

Councilperson Geraci and Councilperson Palmer introduced Res. No. 158 and moved its adoption:

**RESOLUTION TO AUTHORIZE BOOKKEEPER TO CREATE A TYPE RESERVE ACCOUNT FOR BROADBAND**

RESOLVED, that pursuant to Section 6-c of the General Municipal Law, as amended, the Town Board of the Town of Horicon does hereby establish a capital reserve fund to be known as the "Broadband Expansion Reserve Fund" (hereinafter "Reserve Fund"). The purpose of this Reserve Fund is to set aside franchise fees received from Spectrum in the amount of \$258,118.11 to finance the cost of future broadband expansion in the Town of Horicon, and be it further

RESOLVED, that the Bookkeeper is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Bookkeeper shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of moneys deposited into the fund, the amount and date of each withdrawal from the fund, a report showing the cash balance at the end of each fiscal year, and render to the Town Board a detailed report of the operation and condition of the Reserve Fund, and be it further

RESOLVED, that, except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure from this Reserve Fund shall be made without approval by the Town Board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law.

Ayes: 4 (Geraci, Palmer, Olson, Smith) Absent: 1 (Hill) Nays: 0

**New Business...**

*-Cannabis Opt-Out Local Law:* The Town Board has the option to opt-out of allowing retail cannabis dispensaries and/or on-site consumption sites in the Town of Horicon. If the Board wants to adopt a Local Law opting out then a public hearing will need to be scheduled for the December 16<sup>th</sup> meeting. Councilperson Palmer said he would like to opt-out.

**Motion made by Councilperson Palmer, seconded by Councilperson Olson, to set a public Hearing for December 16<sup>th</sup> for a Local Law to request that the State Cannabis Control Board not license any such facilities in the Town of Horicon.**

Supervisor Smith asked for any discussion on the Motion. Councilperson Geraci said he feels this should be looked at a little closer as there is a lot to consider. He said the Board should consider the trends, the possible revenue, and the pros and cons of this. He said he feels this needs further research and discussion.

**Councilperson Olson said he feels this is reasonable and withdrew his second to the Motion made by Councilperson Palmer. Motion to set a public hearing unsuccessful.**

*-Overhang for back doors:* Supervisor Smith said the Board should consider putting some type of overhang over the back doors. There are issues with rain and ice; the water runs off and freezes right in front of the door, and the ice and snow sliding off the roof is a safety hazard. This has been mentioned before by Councilperson Olson as an issue. She said they should look into ways to correct this issue. Councilperson Olson noted this is a design flaw that does create a hazard; however, it is no small fix and would likely need to be engineered. He also said there are implements that can be added to keep the snow and ice from sliding off the roof. Councilperson Geraci suggested the Buildings and Grounds committee review the issue with Rob Hill and come up with several ideas to correct the issue. Supervisor Smith will talk with Bill Millington and Rob Hill to see what can be done.

*-Panic buttons for front offices in Community Center:*

**RESOLUTION #159-2021**

Councilperson Olson and Councilperson Geraci introduced Res. No. 159 and moved its adoption:

**RESOLUTION TO AUTHORIZE PURCHASE OF PANIC BUTTONS**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the installation of panic buttons in the two front offices of the Community Center at a cost of \$1,250.00.

Ayes: 4 (Olson, Geraci, Palmer, Smith) Absent: 1 (Hill) Nays: 0

*-Sign prohibiting ATV's on Padanarum Road:* Chuck Kabrehl has requested the Town install a sign on Padanarum Road prohibiting ATV's. Councilperson Palmer asked if the Town can enforce this; HS Granger said the Town cannot enforce this. Councilperson Palmer said he sees no point in putting up a sign if the Town cannot enforce it. Councilperson Geraci asked if ATV's have to be registered and if they are allowed on public roads. HS Granger said ATV's do have to be registered but they are not allowed on public roads. Councilperson Geraci asked why registered ATV's are not allowed on the Town roads. HS Granger said they are not allowed because the Town never adopted a resolution to allow ATV's on the town roads. HS Granger said Ranger Kabrehl can issue a ticket to someone riding an ATV on any town road. He added that if the Board is going to put signage on one road then they should put a sign on every road. Councilperson Geraci said he is not in favor of installing the sign because the Town is not in the business of regulating ATV's. Councilperson Palmer agreed.

**RESOLUTION #160-2021**

Councilperson Geraci and Councilperson Palmer introduced Res. No. 160 and moved its adoption:

**RESOLUTION NOT TO INSTALL SIGN AS REQUESTED**

RESOLVED, that the Town Board of the Town of Horicon will not install a sign on Padanarum Road prohibiting ATV's as requested.

Ayes: 4 (Geraci, Palmer, Olson, Smith) Absent: 1 (Hill) Nays: 0

*-New Street maintenance issues:* Supervisor Smith explained that HS Granger has an issue maintaining New St. There is a gate at the end of New Street so with nowhere to turn around the trucks have to back all the way out which is not safe. In addition, the homeowners have stuff on the edges of the road which make it difficult to properly plow and maintain the road. Town Counsel has suggested a letter be sent to the homeowners requesting they clear back five feet on the edge of their property so the Town can better maintain the road and do so in a safe manner. She spoke with Town Counsel who recommended the Town send a letter to the homeowner at the end of the road requesting an easement for a turnaround. Supervisor Smith said the Town will need to send a letter to the thirteen residents on the road requesting they clear back five feet on the edge of their property.

**RESOLUTION #161-2021**

Councilperson Palmer and Councilperson Olson introduced Res. No. 161 and moved its adoption:

**RESOLUTION TO AUTHORIZE LETTER TO BE SENT TO HOMEOWNERS ON NEW STREET**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize a letter to be sent to the thirteen homeowners on New Street requesting the homeowners clear back five feet on the edge of their property so the road can be properly maintained by the Town Highway Department.

Ayes: 4 (Palmer, Olson, Geraci, Smith) Absent: 1 (Hill) Nays: 0

*-Highway Type Reserve account:* Supervisor Smith said the Board may want to think about setting up a "type" reserve account to begin saving for highway equipment. Councilperson Geraci said he feels this is definitely needed and certainly justified. The Board agreed to look into this further.

*-Salt use on County roads:* Councilperson Geraci said there is an issue with using pure salt on County roads. He asked HS Granger what roads the salt would be used on. HS Granger said it would only be used on three roads: East Shore Dr, Valentine Pond Rd, and Palisades Rd. HS Granger said he usually uses a mix of sand and salt with just enough salt in it to keep it from freezing and the mix has worked well. He said he is going to try the pure salt because that is what is in the County contract, however, if it is not working then he will go back to the mix. Councilperson Geraci said the issue is fairly basic and there are concerns from ESSLA and Brant Lake Association about the use of pure salt and how this impacts the environment. HS Granger said he spoke to Soil and Water and, in their opinion, the pure salt is much worse and the salt is being plowed right into the lakes. HS Granger

said the other problem is he does not have enough trucks or drivers to cover the County roads if he uses pure salt. He said in the future the town will probably have to start looking into using the brine and clear salt. Councilman Geraci asked if the Town has the equipment to do this. HS Granger said the Town does not but the County does. He said if the town switches to the brine mix then they would need additional equipment to spread it. In addition, live edge plows would have to be used and they just do not work on rough roads. He said just to set the truck up with the plow it would be approximately \$40,000.00. Supervisor Smith said she attended a salt seminar and Hague was there and talked about the use of the brine but there was never any comment on the cost of setting up the trucks. She said they only use this on the smooth roads not the rough roads which means they have two sets of trucks. She said she spoke with Jim Lieberum who said every town has so many different types of roads it is difficult to say which towns should use what. She said Mr. Lieberum noted that Horicon has less accidents than any other town in the County because of the mix HS Granger is using. He also said the sand is less damaging than the salt. Councilperson Palmer said the cost of cleaning up the sand is astronomical; the crew does not have the time or the manpower to clean up the sand because it would take a couple years. He said the options are to either use the salt or quit plowing the County roads. Supervisor Smith said it may be time to have a meeting with the County to discuss how to handle this. Councilperson Geraci gave the Clerk an email from the Brant Lake Association regarding this issue and asked for this to be noted in the minutes.

*-Potential Creation of Joint Horicon/Chestertown EMS Special Improvement Tax District:* Councilperson Geraci said there were several options discussed at the joint meeting on November 4<sup>th</sup> looking for ways to maintain the financial sustainability of the NWEMS. He said various options were discussed and one of the options was the possibility of creating a Special Improvement Tax District specific to NWEMS. He said there is a lot of research and fact finding that needs to be done for this. Councilperson Geraci asked the Board if they were in favor of moving forward with researching this option. Councilpersons Olson and Palmer felt this was a good idea and said they were in support of moving forward. Diane Smith, NWEMS, said there are many positive things happening right now with the squad. She is very happy this option is being considered.

**RESOLUTION #162-2021**

Councilperson Geraci and Councilperson Palmer introduced Res. No. 162 and moved its adoption:

**RESOLUTION TO INITIATE A FACT-FINDING STUDY FOR POSSIBLE CREATION OF AN EMS SPECIAL IMPROVEMENT TAX DISTRICT**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize a fact-finding study regarding the potential creation of a joint Horicon / Chestertown Emergency Medical Services (EMS) Special Improvement Tax District. This will be a multi-month unified effort between both Town Boards to conduct extensive research, develop a statement of need and deliver community-wide public outreach sessions should a decision be made to move this concept forward for voter consideration.

Ayes: 4 (Geraci, Palmer, Olson, Smith) Absent: 1 (Hill) Nays: 0

**Privilege of the Floor... No comments**

**Adjourn...** There being no further business to attend to the meeting was adjourned at 8:25 PM by MOTION of Councilperson Geraci and Councilperson Olson, all in favor.

Respectfully Submitted:

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Town Clerk