

**HORICON TOWN BOARD
REGULAR MEETING**

**FEBRUARY 17, 2022
7:00 PM**

Present at meeting:	Michael N. Geraci	Supervisor
	Rob Hill	Councilperson
	Robert Olson	Councilperson
Absent:	Peter Palmer	Councilperson
	Frank Hill	Councilperson
Krista Wood	Town Clerk	
Brian Reichenbach	Town Counsel	

Also: Jason Letts, Jake Gordon, Assessor Christine Hayes, John Hall, Hyde Clark, ZA Matthew Magee, Teri Schuerlein, HS Darian Granger, Cindy Mead, Ed Sim, Tom Suozzo, and Lucas Doby.

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

A Motion was made by Councilperson Olson, seconded by Councilperson R. 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.

Local Board of Health

1) Public Hearing for septic variance request for 18 N Sand Beach Way / Letts / tax map #55.10-1-5:

-Hyde Clark, attorney representing Mr. Letts, explained to the Board that Mr. Letts has been to the ZBA and obtained the variances needed for the setbacks for the proposed home, the lot is in an approved subdivision, Mr. Letts has gone beyond with this new proposed modern system, and NYS Department of Health has given a letter of approval for the proposed system. He said they have reviewed the recommendations made by Cedarwood Engineering and they agree to include the recommended changes in order to protect the health and safety of the public. In regard to the recommendation for the installation and testing of a monitoring well, Mr. Clark asked that a cap or time limit be set for that testing.

-Councilperson Olson said one of the recommendations made by Cedarwood is that when the fill for the system is checked it be done in their presence. He asked Mr. Clark if they are willing to do this; Mr. Clark said they are.

-Mr. Clark reviewed the list of changes recommended by Cedarwood and said they agree to all of them. He said Cedarwood recommended testing the monitoring well two times a year, once in the spring and once in the fall, with no limit on the number of years. He noted that this step goes above and beyond to ensure the system is working correctly. He asked the Board to take this into consideration and hoped that at some point this would no longer be a requirement of the property owner. He suggested considering a plan, for example, that at year five the Town would review the tests up to that date and determine if the testing needed to continue.

-Councilperson Olson noted this may be true and he would take that suggestion under advisement and bring to his fellow Board members.

-Councilperson R. Hill asked Mr. Clark if they would make the recommended changes to the application itself; Mr. Hyde said they would.

-John Hall, neighbor to Mr. Letts, said he came tonight to ask the Board to have Cedarwood Engineering review the proposal. He gave credit to Mr. Letts for doing his best to protect his neighbors by agreeing to follow the recommendations made by Cedarwood. Mr. Hall asked the Board to follow the recommendations made by Cedarwood, but to consider a time limit, possibly five years, in regard to the testing of the monitoring well.

-Mr. Letts reiterated his willingness to accommodate all of the recommendations made by Cedarwood. He said this process has taken too long and the recommendations should have come ten months ago. He suggested a plan to

make another submission to review the testing results after a certain number of years. He said if he can receive the approval tonight then he can have the work done by summer so as not to be disruptive to the neighbors.

-Counselor Reichenbach said the Local Sanitary Code provides a set of criteria that have to be met for a variance. He said he did not see the application part of the process that was submitted and asked Mr. Hyde if the application addresses these particular factors. Mr. Reichenbach said the decision, if the Board decides to grant the variance, needs to be sent to the APA who has the chance to deny it. He said the concern is that the Board has the specific findings and facts it needs to make the decision defensible to the APA if they want to deny it. Mr. Reichenbach said as he understands it there are three sets of criteria that need to be met, the first is the setback issue to the property boundaries, the second is the separation issue to the wells, and the third is the set of criteria that apply when there is an approval from the Department of Health. He asked Mr. Hyde if this is his understanding as well; Mr. Hyde said he agrees with that statement.

-Supervisor Geraci said Mr. Letts has been very patient and courteous. He asked him to be patient for just a bit longer and the Board will have a decision for him by next month. He noted there are very specific issues to be determined and it is incumbent upon the Board to do this as perfectly as possible. He further asked Mr. Letts to provide a statement in writing agreeing to the specific recommendations.

-Tom Suozzo, Cedarwood Engineering, said he feels a five-year plan for testing would be reasonable. He feels they would have a determination by that time of whether or not everything is working.

-Mr. Hyde asked the Board to consider closing the public hearing. Councilperson Olson said he would rather leave it open so any further information can be shared with neighbors.

There being no further comment, Motion made by Councilperson Olson, seconded by Councilperson R. Hill to leave the public hearing open and re-convene on Thursday, March 17, 2022 at 7:00 pm, all in favor.

2) Public Hearing for septic variance request for 1050 Palisades Rd / Iannacchio / tax map #38.16-1-30:

-Lucas Doby, Hutchins Engineering, explained the applicant is planning to tear down the existing home and build a new home. The existing septic system, which sits 40' from the wetlands and 50' from the owner's existing well, has failed. He said they are proposing to replace the existing system with an NS40 enhanced treatment unit. The proposed absorption bed will be 75' from the wetlands, 100' from the easterly neighbor's well, and 90' from the owner's well; they are seeking a 25' variance to the wetlands and a 10' variance to the owner's well. Mr. Doby said they have received a letter of approval from the APA, and further noted they have used these systems all around Lake George and they work very well.

-Councilperson Olson said it is difficult to make a determination because a site visit is not possible since the ground is covered in snow. He said it sounds fine but he wants to do a site review before making a decision. He said the Board may be able to discuss this further at the March meeting if conditions allow a site visit prior to that meeting.

-Cindy Mead, Gallo Realty, said you actually can see the topography of the property now. She noted it is all flat and level, there are no trees, it is a grassy lawn, and the wetlands are visible.

-Councilperson Olson reminded Ms. Mead that he is a retired builder so he is aware of the desire to get things ready to go this time of year, but he wants to look at the property before considering this.

-ZA Magee noted the applicant has already been to the APA for a jurisdictional determination. He said everything has been favorable and they are happy with the work Hutchins Engineering has done on this proposal. The use of the Norweco shows their effort to use the safest system they can, and it will absolutely be an improvement over the current system.

-Councilperson Olson said he would like to do a site visit first and suggested leaving the public hearing open.

There being no further comment, Motion made by Councilperson Olson, seconded by Councilperson R. Hill to leave the public hearing open and re-convene on Thursday, March 17, 2022 at 7:00 pm, all in favor.

A Motion was made by Councilperson Olson, seconded by Councilperson R. Hill, to go back into regular session. The Board moved back into **regular session** at 7:25 PM.

Regular Meeting

Approval of Minutes: Minutes of January 20, 2022 were approved by Motion of Councilperson Olson and Councilperson R. Hill.

Ayes: 3 (Olson, R. Hill, Geraci) Absent: 2 (Palmer, F. Hill) Nays: 0

Reports... Supervisor, Town Clerk, Justice, Assessor, Tax Collector, Landfill, Historian, Library, Buildings, Historian, and Historical Society.

Approval of February 17, 2022 Vouchers and Abstracts:

RESOLUTION #40-2022

Councilperson Olson and Councilperson R. Hill introduced Res. No. 40 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT OF FEBRUARY ABSTRACTS

RESOLVED, that the Town Board does hereby authorize payment of the February 17, 2022 Vouchers and Abstracts as follows:

General Abstract 2 \$ 112,323.66

Highway Abstract 2 \$ 21,940.57

Ayes: 3 (Olson, R. Hill, Geraci) Absent: 2 (Palmer, F. Hill) Nays: 0

Correspondence to the Board:

- Dave Cavanagh RE: Letter of interest in Court Clerk position
- Library Trustees RE: 2021 Horicon Library Report

Discussion on Correspondence:

RESOLUTION #41-2022

Councilperson Olson and Councilperson R. Hill introduced Res. No. 41 and moved its adoption:

RESOLUTION TO APPOINT COURT CLERK

RESOLVED, that the Town Board of the Town of Horicon does hereby appoint Dave Cavanagh as Court Clerk effective February 28, 2022 at a pay rate of \$17.00 per hour not to exceed twenty hours per pay period.

Ayes: 3 (Olson, R. Hill, Geraci) Absent: 2 (Palmer, F. Hill) Nays: 0

Resolutions:

Councilpersons R. Hill and Olson introduced Resolutions #42 - #55 and moved their adoption:

RESOLUTION #42-2022

RESOLUTION TO AUTHORIZE POSTING OF ROADS

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Highway Superintendent to advertise and post the Town roads for spring conditions when warranted.

RESOLUTION #43-2022

RESOLUTION TO DESIGNATE POLLING PLACES

WHEREAS, Pursuant to Article 4-104 of the New York State Election Law, the Town Board of the Town of Horicon must submit to the Warren County Board of Elections a listing of the polling places in the Town of Horicon in each Election District in which Elections are held, NOW THEREFORE BE IT

RESOLVED, that the following handicapped accessible locations be and are hereby designated as the respective polling places in the Districts as enumerated:

Election District #1	Horicon Community Center
Election District #2	6604 State Rt. 8, Brant Lake, NY 12815

RESOLUTION #44-2022

RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN SELECTIVE INSURANCE STATEMENT OF VALUES

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Supervisor Geraci to sign the Selective Insurance Statement of Values in regard to Town owned buildings.

RESOLUTION #45-2022

RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH CEDARWOOD ENGINEERING

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Supervisor Geraci to sign the contract with Cedarwood Engineering for engineering services for the 2022 calendar year.

RESOLUTION #46-2022

RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN AGREEMENT FOR INVASIVE SPECIES PROGRAM

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Supervisor Geraci to sign the Agreement between Town of Horicon, Brant Lake Association, and Warren County Soil and Water Conservation District for the Brant Lake Aquatic Invasive Species Control Program, and further authorizes payment to the Brant Lake Association in the amount of \$30,345.00 as per said agreement.

RESOLUTION #47-2022

RESOLUTION TO SET INFORMATIONAL MEETING

RESOLVED, that the Town Board of the Town of Horicon does hereby set an Informational Meeting for Wednesday, April 13, 2022 at 6:00 PM to discuss possible uses for the funds received from the American Rescue Plan Act.

RESOLUTION #48-2022

RESOLUTION TO CHANGE DATE OF APRIL 2022 TOWN BOARD MEETING

RESOLVED, that the Horicon Town Board does hereby change the date of the April 2022 Town Board meeting from Thursday, April 21st to **Thursday, April 14, 2022** at 7:00PM.

RESOLUTION #49-2022

RESOLUTION TO AUTHORIZE FACILITY USE FEE

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize a one-time facility use fee to be charged to the Food Truck Fridays vendors for the 2022 season; fee will be \$250 for dinner trucks and \$100 for dessert trucks.

RESOLUTION #50-2022

RESOLUTION TO AUTHORIZE PAYMENT TO SANTORE WORLD FAMOUS FIREWORKS

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Supervisor to sign the contract with, and authorize payment to, Santore's World Famous Fireworks, LLC for the fireworks display on September 2, 2022 at a cost of \$5,000.00. Funding for this will be taken from the Publicity Fund (A6410.4).

RESOLUTION #51-2022

RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN AMENDED INTERMUNICIPAL AGREEMENT FOR BOOKKEEPER

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Supervisor to sign the amended Intermunicipal Agreement with the Town of Warrensburg for shared Bookkeeper services effective January 1, 2022; Horicon will reimburse Warrensburg each year 3/10 (30%) of the total salary and benefits for the Bookkeeper.

RESOLUTION #52-2022

RESOLUTION TO AUTHORIZE REPAIRS AND PAINTING

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize repairs and painting of the meeting room in the Community Center by Andy Frasier at a cost not to exceed \$1,400.00.

RESOLUTION #53-2022

RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN MOU WITH WARREN COUNTY SOIL & WATER

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Supervisor to sign the MOU with Warren County Soil & Water for a Highway Erosion project.

RESOLUTION #54-2022

RESOLUTION TO ACKNOWLEDGE COMPLETION OF AUDIT OF THE JUSTICE COURT RECORDS

RESOLVED, that the Town Board of the Town of Horicon does hereby state that the audit of the 2021 Justice Court records was completed by Supervisor Geraci, according to the General Recordkeeping Requirements for Town and Village Justice Courts, and the audit report was presented at the meeting of the Board on February 17, 2022; said report was reviewed and approved by all members of the Board.

RESOLUTION #55-2022

RESOLUTION TO SET FIXED ASSET MINIMUM

RESOLVED, that the Town Board of the Town of Horicon does hereby set a minimum amount of \$250 for fixed asset tracking purposes.

Ayes: 3 (Olson, R. Hill, Geraci) Absent: 2 (Palmer, F. Hill) Nays: 0

Committee Reports:

Supervisor's Activity Report January 20 - February 17, 2022:

Date

Activity

January 21	Warren County Board of Supervisors Meeting
January 24	Chaired Warren County Public Safety and Criminal Justice Committee meetings
January 26	Meeting with Chester Supervisor Leggett and with Town of Lake George Supervisor Dickinson regarding the Lake George EMS tax district that was implemented on January 1. They are successfully up and running and have hired a director who is also a working crew member and have hired staff members for a 24X7 operation. We now have an idea of the work involved to move the concept forward. Additional details will

	be provided when available.
January 30	Attended the Brant Lake Association meeting. Brant Lake has recently received a negative designation as an impaired waterway due to its diminished oxygen levels. The main reason for this condition is run-off from the road as well items intentionally placed in the lake such as grass clippings, leaves, etc. We are committed to assist where possible. Discussions have taken place with the NYS DOT Engineer in Charge of this area as well as Warren County and local highway officials regarding potential countermeasure activities.
January 31	The Supervisor, Town Clerk and Administrative Assistant met with a government affairs representative from Charter Communications (Spectrum) in reference to Broadband/Internet services throughout the Town. We are concerned with areas that do not have service availabilities and would take to provide access to those areas if desired. We have requested specific potential locations and related construction costs. Town residents are encouraged to relay their feelings and needs to the Supervisor on this specific topic.
January 31	Meeting with a NYS DEC pesticides specialist and a Town resident in reference to a black fly control program. While this issue has been discussed previously, there is a need to resolve it with a determination based on many factors including cost, potential effectiveness and personnel training and required certifications.
February 9	Supervisor and Council Member Palmer met with the entire Highway Dept. for an informal roundtable discussion as a continuing effort of creating a forum for an open dialogue and exchange of information.
February 11	Attended a Tri-Lakes Council meeting, discussed the Chestertown St. Patrick's Day Parade which will take place at 2pm on Saturday, March 12.
February 11	Meeting with representatives from the North Warren Chamber of Commerce to discuss activities of the Chamber and how they can further highlight the Town of Horicon.
February 16	Attended the East Shore Schroon Lake

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	Association Meeting.
February 16	Attended the North Warren Chamber of Commerce Meeting
February 16	Meeting with all Town Hall employees for an informal roundtable discussion in furtherance of an open communications environment.
February 17	Attended Lake George Regional Convention Bureau monthly meeting. Tourism throughout Warren County remains exceptionally strong, the Lake George Winter Carnival and Ice Castles are leading interest and activity. Sales tax and Occ tax are benefiting from attraction attendance.
Items of General Interest	<p>Town Hall improvements are continuing, the entrance and main hallways have repaired and painted. A bid was awarded this evening to clean and disinfect all sixty-eight air vents/returns throughout the building, we also are receiving bids for commercial grade floor and carpet cleaning that will take place in the spring. The boiler was serviced and an annual maintenance agreement with Jack Hall plumbing/heating from Glens Falls has been signed, this contracted service was previously non-existent. During the service and inspection, it was relayed that our current oil boiler is highly inefficient and will be obsolete soon. As such we need to conduct due diligence for the future.</p> <p>The Supervisor continues to take several mandated Warren County training courses, and is scheduled to take additional County, Association of Towns and NYS Association of Counties courses.</p> <p>A reminder is extended to all Town residents to notify the Supervisor's office if home COVID test kits or protective facial masks are needed by any Town resident. COVID updates continue to be published daily on our website.</p>

Councilperson Olson Report January 20 – February 17, 2022:

Date

Activity

January 25	Attended ZBA Meeting
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February 9	Attended Planning Board and ZBA Training
February 11	Attended Tri-Lakes Meeting. Discussion on St. Patrick's Day parade.
February 16	Attended Planning Board meeting. Attended staff meeting.

Councilperson Rob Hill Report January 20 – February 17, 2022:
Date Activity

7 Feb 2022 (Facilities) Highway	Met with the Highway Department (Darian and Mark) to discuss facility maintenance needs and came up with short, and long term, goals as well as a few things that will require some research. Nothing Urgent.
16 Feb 2022 (Facilities) Heintzelman Library	- Wiring fixed. Hanging lights and boards reattached at Heintzelman library. Submitted request for two sets of lights and one ceiling fan. - Possible group to start H.L. restoration fund. - Bill Millington is providing a quote for install.
16 Feb 2022 (Chamber of Commerce)	They are using funds to create a metal 10x large scale community maps to place at boat launches and places of interest.
1 Feb 2022 (Facilities) Town Hall	Door stops installed at town hall in bathrooms, and sweeps installed to fill the gaps on the food pantry doors.
13 Feb 2022 (Facilities) Town Hall	Flag came down in a windstorm. Looking to get better rope to put it back up.
17 Feb 2022 (Facilities) BL Ball field.	Point of Pines and Josh French have offered to come over in the spring with machinery to spruce up the ball field. We will set a date as early as weather permits.

Old Business...

Sand Bids: Supervisor Geraci opened the single bid that was received from Berness Bolton Exc., Co. for \$5.00 per yard.

RESOLUTION #56-2022

Councilperson Olson and Councilperson R. Hill introduced Res. No. 56 and moved its adoption:

RESOLUTION TO AWARD SAND BID

WHEREAS, the Town Board legally advertised for bids for processed sand for highway use, and one bid was received and publicly opened on February 17th at 7:55 PM, NOW, THEREFORE BE IT
RESOLVED, that the Town Board does hereby award the 2022 sand bid to Berness Bolton Excavating Co, Inc. for a bid of \$5.00 per yard for processed and loaded sand.

Ayes: 3 (Olson, R. Hill, Geraci) Absent: 2 (Palmer, F. Hill) Nays: 0

New Business...

2022 Occupancy Tax applications: Supervisor Geraci read the list of Occupancy Tax applicants.

RESOLUTION #57-2022

Councilperson Olson and Councilperson R. Hill introduced Res. No. 57 and moved its adoption:

RESOLUTION TO AUTHORIZE OCCUPANCY TAX FUNDS

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize a total of \$20,400.00 in Occupancy Tax funds, code A6410.4 - Publicity, to be awarded to the following as listed:

<u>Group/Individual:</u>	<u>Purpose/Event:</u>	<u>Amount:</u>
Tri-Lakes Business Alliance	6 th Annual Adirondack Woofstock	\$ 5,000.00
Food Truck Fridays Committee	Food Truck Fridays on the Pond	\$ 7,900.00
Matt Strickland	Brant Lake Canoe Race	\$ 4,000.00
Joel Friedman	Adirondack Marathon	\$ 3,500.00

Ayes: 3 (Olson, R. Hill, Geraci) Absent: 2 (Palmer, F. Hill) Nays: 0

Air Duct cleaning quotes: Supervisor Geraci said they contacted three companies regarding the cleaning of the air ducts in the Community Center. One company contacted does not do this kind of thing. North Country Janitorial quoted \$2,179.00 and A1 Air Duct Cleaning quoted \$2,315.00. The Board agreed to go with A1 Air Duct Cleaning as they provide a more extensive cleaning than North Country Janitorial.

RESOLUTION #58-2022

Councilperson Olson and Councilperson R. Hill introduced Res. No. 58 and moved its adoption:

RESOLUTION TO AUTHORIZE CLEANING OF AIR DUCTS

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the air duct cleaning in the Community Center by A1 Air Duct Cleaning at the quoted cost of \$2,315.00.

Ayes: 3 (Olson, R. Hill, Geraci) Absent: 2 (Palmer, F. Hill) Nays: 0

Printer/Copier/Scanner quotes: Supervisor Geraci said research is being done regarding the possible purchase, or lease, of a new color printer/copier/scanner. He expects to have the information at the March meeting.

Proposed Local Law #1-2022 regarding Restricting Parking in Snow and Emergency Conditions: Supervisor Geraci said there a few minor updates to the Local Law that need to be made in terms of decision making, notification, and enforcement.

RESOLUTION #59-2022

Councilperson R. Hill and Councilperson Olson introduced Res. No. 59 and moved its adoption:

RESOLUTION TO SET A PUBLIC HEARING FOR PROPOSED LOCAL LAW #1 OF 2022

RESOLVED, that the Town Board of the Town of Horicon does hereby set a Public Hearing for proposed Local Law #1 of 2022 repealing and replacing Local Law #4 of 2004 Restricting Parking in Snow and Emergency Conditions for Thursday, March 17, 2022 at 7:00 PM.

Ayes: 3 (Olson, R. Hill, Geraci) Absent: 2 (Palmer, F. Hill) Nays: 0

Privilege of the Floor...

-Assessor Christine Hayes said tentatively the reval is done and explained the process and the results of the reval. She noted that, as Mike Maxwell had stressed to the Board at last month's meeting, anyone that comes in or calls with questions needs to be referred to her directly because she has the breakdown of the numbers. The dates for the informal hearings will be set very soon.

-Cindy Mead thanked the Board for the Occupancy Tax funds to support Woofstock. She asked if the discussion on dock bubblers was going to be held in April. Supervisor Geraci said it would be scheduled in June because there has been requests from some Brant Lake residents who would like to attend. She asked the Board to please drive around the lake and take a look at all the bubblers while the ice is still in.

Adjourn... There being no further business to attend to the meeting was adjourned at 8:15 by MOTION of Councilperson Olson and Councilperson Hill, all in favor.

Respectfully Submitted:

Town Clerk