

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

**JULY 21, 2022
7:00 PM**

Present at meeting	Michael Geraci	Supervisor
	Frank Hill	Councilman
	Rob Hill	Councilman
	Robert Olson	Councilman
	Peter Palmer	Councilman
Krista Wood	Town Clerk	

Also: Barb French, Bob & Sylvia Smith, ZA Matthew Magee, Maryann Hill, Mike & Kathy Hill, Sally Joiner, Tammy Laguerre, Barb Blum, Ben Driscoll, Mike Swan, Bret Winchip, John Dunn, Everett McNeil, Rich Nawrot, John Caruso, Cindy Mead, Kayla Carlozzi, Katelyn Hill, Ed Sim, Scott Campbell, and others.

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

Local Board of Health...

A Motion was made by Councilperson Palmer, seconded by Councilperson Olson, 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 - Septic Variance Request at 121 Grassville Rd / tax map #72.-1-9 / Willsey:

-Bret Winchip, Winchip Engineering, reviewed their proposal to install a replacement wastewater disposal system. He said they will be eliminating the existing seepage pit which is only 122.5' from the owner's shallow well when 225' is required. They are requesting a variance of 0.75' for the proposed cut and fill trench system existing useable soil below system bottom where 3' is required and 2.25' is being proposed.

-Councilman Olson asked what system is currently in place. Mr. Winchip said he believes there is a drywell. Councilman Olson said he feels the proposed system is better than the existing.

There being no further comments, Motion made by Councilman Olson, seconded by Councilman Palmer, to close the public hearing. Public hearing closed at 7:05 pm.

RESOLUTION #130-2022

Councilman Olson and Councilman Palmer introduced Res. No. 130 and moved its adoption:

**RESOLUTION TO GRANT VARIANCE FOR AN ALTERNATIVE SEPTIC SYSTEM AT 121 GRASSVILLE RD
IN BRANT LAKE**

RESOLVED, that the Town Board of the Town of Horicon acting in its capacity as the Local Board of Health, based on the receipt of a set of stamped plans from Winchip Engineering (project 22-005), and the \$100.00 variance fee, does hereby grant a variance for a replacement wastewater system at 121 Grassville Rd, Brant Lake (Tax Map #72.-1-9) 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, Palmer, R. Hill, F. Hill, Geraci) Nays: 0

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 7:06 PM.

Regular Meeting...

Approval of Minutes: Minutes of June 16 Town Board meeting, June 29 De-Icer meeting, and July 6 Ambulance Tax District meeting were approved by Motion of Councilman Olson and Councilman Palmer.

Ayes: 5 (Olson, Palmer, R. Hill, F. Hill, Geraci) Nays: 0

Presentations:

1 - Michael Swan, Warren County Treasurer, Occ Tax requirements:

Mr. Swan gave the background on the Warren County Occupancy Tax. He explained that Occ Tax is the 4% tax on lodging rental which, as of September 2020, also includes short-term rentals. A short-term rental is a single-family dwelling that is rented for less than thirty days to the same person. Mr. Swan said Horicon now has 35 registered short-term rentals with another 14 the County is aware of and following up on. He said there are approximately 500 short-term rentals registered county-wide with another 300-400 they are following up on to get registered. He said in 2021 approximately \$78,400.00 was collected from the Town of Horicon in Occ Tax with \$36,000.00 of that coming just from short-term rentals. He said so far this year (through June 1st) approximately \$12,000.00 has been generated in total with approximately \$3,000.00 of that coming from short-term rentals. Mr. Swan said they are trying to get as many towns as they can to help the County identify these short-term rentals. He is asking the towns to do one of two things, either through the Town's permitting process they require the short-term rental owner to register with the County, or the Town work with the County to share information back and forth. He said the Occ Tax collected does not go to Warren County, instead it pays for tourism, promotions, advertising, etc. to promote events that will generate Occ Tax. He, again, reiterated this money does not go to the County itself. Mr. Swan said if anyone is aware of a short-term rental property in town they are asked to call his office, noting these tips are completely anonymous. Supervisor Geraci said there are several important aspects of this. The first is being good neighbors, the second is protecting the environment, and the third is safety. He noted some towns have Local Laws regulating these rentals, Horicon does not currently have a Local Law on this, but, there is a county law in place and he encouraged people to abide by that law.

2 - Ben Driscoll – Catholic Charities of Saratoga, Warren and Washington Counties and Warren County Board of Supervisors representing Glens Falls Ward 5:

Mr. Driscoll explained that his job at Catholic Charities is focusing on federal feeding programs in particular the Supplemental Nutritional Assistance Program. He said, for example, in Warren County there are approximately 3,700 households that receive SNAP, which represents about 7,000 people. His job is to find individuals and families who may not realize they are eligible for these programs. He reviewed some of the situations where families would be eligible. Mr. Driscoll said he also works with people who need help with utility bills. He said all of these programs are important and he goes out to the Town Boards to ask them, respectfully, to share this information with their constituents.

3 - ESSLA – Invasive species in town park in Adirondack:

Everett McNeil, ESSLA, spoke to the Board regarding the Japanese Knotweed in the park in Adirondack. He said this invasive does a lot of damage to the watershed and needs to be addressed. Mr. McNeil explained that there is an organization that will treat the Japanese Knotweed in August at no charge to the Town. Mr. McNeil expressed the need to treat this invasive now before it gets out of control. He asked the Board for their consent to treat and to sign the waiver.

4 - ARPA Fund Awards:

Supervisor Geraci explained the ARPA funding the Town received. He noted this federal money was given to the various municipalities as covid relief funding. The Town Board decided to award some of the funds to local organizations that are in need of this funding due to covid. Supervisor Geraci then presented checks to the representatives of the organizations as follows:

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- Friends of the Horicon Library - \$2,000
- Chester-Horicon Youth Commission - \$2,000
- Horicon Historical Society - \$7,000
- North Country Ministry - \$5,000
- North Warren EMS - \$15,000

Approval of Vouchers and Abstracts:

RESOLUTION #131-2022

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

RESOLUTION TO AUTHORIZE PAYMENT OF JULY 2022 ABSTRACTS

RESOLVED, that the Town Board does hereby authorize the payment of the July 21, 2022 Vouchers and Abstracts as follows:

General Abstract	7	\$ 67,250.71
Highway Abstract	7	\$ 55,540.80

Ayes: 5 (F. Hill, Olson, Palmer, R. Hill, Geraci) Nays: 0

Correspondence to the Board...

- NYS Div. of Budget RE: Notification that the Town will be receiving the remaining 50% of ARPA funds soon
- Clemente's RE: Request to connect Catholic Church building to Town septic
- APA RE: Letter of determination on Brant Lake Camp septic variance
- Matt Strickland RE: Update on 2022 Great Brant Lake Canoe Race

Reports: Town Clerk, Zoning, Assessor, Justice, Transfer Station, Library, Buildings, Historian, Historical Society

Supervisor's Report – *see attached*

Town Board Committee Reports – *see attached*

Town Board Committee Reports – additional comments:

-Councilman Olson said he is working with John Donovan to identify the work that needs to be done at the Heintzelman Library. He added the work will be subject to the summer vacation schedule of the architect that did the original survey.

-Councilman Palmer said he met with Tod Beadnell about bicycle safety on Palisades Rd. He has heard a lot of complaints that the bicycles cannot get off the road to let cars by because of all the dirt on the edges of the road. He said Tod told him Palisades Rd from Pease Hill to Route 8 is due for major reconstruction but in the meantime the County will address the issues. He said Darian did the slab for the Adirondack bathroom, Brian Johnson did the framing, and they will use a lot of the stuff from the old bathrooms. Mr. Palmer said he is waiting on a quote from Jason Hill for the plumbing work. Supervisor Geraci asked if they would be finished by August 13th; Mr. Palmer said he is not sure it depends on when the plumbing can be done.

-Councilman Rob Hill said he is working with the BLA to address issues in Lake George so they will not become issues in Brant Lake. He is working to get quotes for the sidewalk repairs in front of the Town Hall. He has requested quotes from several people and has only received one so far, however, based on their workload this will not get done this year.

-Councilman Frank Hill said he has nothing to report, Pete handled all of his.

Resolutions...

RESOLUTION #132-2022

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

RESOLUTION TO APPROVE 2021 FIREFIGHTER RECORDS LISTING

RESOLVED, that the Town Board of the Town of Horicon has reviewed, and does hereby approve, the 2021 Service Award Program Firefighter Records listing for the Horicon Fire Department.

Ayes: 5 (Olson, Palmer, R. Hill, F. Hill, Geraci) Nays: 0

RESOLUTION #133-2022

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

RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN AGREEMENT WITH CHESTERTOWN FOR ANIMAL SHELTER

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Supervisor to sign the agreement with the Town of Chester for the use of the Chester Animal Shelter at a fee of \$300.00 for 2022.

Ayes: 5 (Palmer, R. Hill, Olson, F. Hill, Geraci) Nays: 0

RESOLUTION #134-2022

Councilperson Olson and Councilperson Palmer introduced Res. No. 134 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 record receipt and expenditure of ARPA funds as follows:

Increase A4089	Federal Aid	\$ 101,000.00
Increase A7310.4	Youth Program – Contr.	\$ 4,000.00
Increase A7450.4	Museum – Contr.	\$ 7,000.00
Increase A7620.4	Adult Rec – Contr.	\$ 5,000.00
Increase A4540.4	Ambulance – Contr.	\$ 15,000.00
Increase A8090.4	Environ/Invasive Species-Contr.	\$ 35,000.00
Increase A3497.4	Fire Protection – Contr.	\$ 35,000.00

Ayes: 5 (Olson, Palmer, R. Hill, F. Hill, Geraci) Nays: 0

Old Business...

Proposed Horicon Ambulance District: Supervisor Geraci said the Board has had several meetings regarding a proposed Ambulance District and the Board is now ready to set a public hearing.

RESOLUTION #135-2022

Councilperson Olson and Councilperson R. Hill introduced Res. No. 135 and moved its adoption:

ORDER SETTING PUBLIC HEARING CONCERNING PROPOSED HORICON AMBULANCE DISTRICT

WHEREAS, the Horicon Town Board (the "Board") is considering forming the Horicon Ambulance District (the "District") covering the entire area of the Town in accordance with Article 12-a of New York Town Law for the purpose of providing emergency medical and ambulance services within the Town; and

WHEREAS, the purpose of establishing the District is to ensure the health and safety of those in Horicon who may find themselves in need of emergency medical care. This is not only a crucial but potentially lifesaving endeavor which will benefit the people of the Town in any event that emergency medical services are required; and

WHEREAS, upon formation of the District, tax dollars acquired through the Horicon Ambulance District shall only be used by that District going forward.

WHEREAS, the Town feels that having a specific budget item to designate funds toward the newly established Ambulance District is paramount in terms of transparency and accessibility of such information to the people of the Town of Horicon; and to provide the funds necessary for such services; and

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WHEREAS, a Map, Plan and Report (the "Map, Plan and Report") has been prepared concerning the proposed District; and

WHEREAS, the Map, Plan and Report has been filed in the Town Clerk's Office and is available for public inspection; and

WHEREAS, the Map, Plan and Report is relevant to the entire area of the Ambulance District which will encompass the Town of Horicon in its entirety; and

WHEREAS, establishment of the proposed District has been determined not to be an Action under the State Environmental Quality Review Act (SEQRA);

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The boundaries of the proposed District will encompass the Town of Horicon in its entirety. The map is attached to the Map, Plan and Report filed in the Town Clerk's Office.

2. Services to be provided include Basic Life Support transport and treatment and arranging for or providing Advanced Life Support Treatment in compliance with the Regulations of the New York State Department of Health, Bureau of Emergency Medical Services. These services will be provided by contract for the Horicon Ambulance District with the North Warren EMS Services, Inc.

3. For the first year of operation of the Horicon Ambulance District, the maximum cost to be expended is estimated to be \$200,000 for the contract for services and other District costs.

4. No capital improvement costs are anticipated for the proposed District, so there will be no debt service costs related to the proposed District.

5. The estimated cost to the typical property in the District, which typical property is a one or two family residence having an assessed value of \$485,000, for the first year of operation of the District is \$117.37, as it relates to twenty (20) parcels of land throughout the Town. This estimated cost is based on a total cost for the first year of \$200,000 divided by a total taxable assessed value of property in the Town of \$826,891,771, resulting in a tax rate of \$0.242 per \$1,000 of taxable assessed value. Therefore, the estimated annual cost to the typical property is \$117.37.

6. A detailed explanation of how the estimated cost of the District was computed is included in the Map, Plan and Report which has been filed with the Town Clerk and is available for public inspection.

7. **The Town Board shall meet and hold a public hearing at the Town Hall, 6604 NY-8, Brant Lake, NY 12815 at 6:00 p.m., on Thursday, August 4th, 2022 to consider the Map, Plan and Report and to hear all persons interested in the proposed District and to take such other and further action as may be required or authorized by law.**

8. The Town Board hereby authorizes and directs the Town Clerk to duly publish and post this Order not less than ten (10) days nor more than twenty (20) days before the Public Hearing date as required by Town Law §209-d, and to complete or arrange for the securing of two (2) Affidavits of Publication and two (2) Affidavits of Posting required hereby and to file a certified copy of this Order with the State Comptroller on or about the date of publication. Posting shall include placing on the Town's website.

Ayes: 5 (Olson, R. Hill, Palmer, F. Hill, Geraci) Nays: 0
Duly adopted this 21st day of July, 2022.

Brush Collection at the Landfill:

Barb French said she talked to other towns about brush. She said a lot of them do take brush; they stockpile it and hire a chipper to come in and clean it up. Barb said the downside is that they cannot burn it. She said there is room at the Landfill to stockpile the brush. Councilman R. Hill asked how the Town would handle commercial contractors trying to bring brush in. Barb said there would have to be a limit on the size of the vehicle and on the size of the brush that they could accept. Supervisor Geraci asked Barb to provide the Board with suggested size limits and fees. This will be re-visited at the August meeting.

New Business...

Gore Foundation Event: Supervisor Geraci noted the Town received two grants from the CFGMR this year; one is for cemetery marker repair and the second is for repairs at the Heintzelman. The Foundation would like to have their reception at the Town Hall under the tents on August 22nd to present the grant awards. Mr. Geraci said the reception will be from 4:30 to 6:00 pm. He said the CFGMR has asked the Town for an exemption from the Town's "no alcohol policy" to allow them to have wine and hors d'oeuvres at the reception. Mr. Geraci said this will be for a short time and will be well controlled and asked the Board for their consideration for the exemption. Councilman F. Hill said there is an ordinance that states there cannot be alcohol on Town property, but he feels in cases like this it should be allowed. Supervisor Geraci said he feels this is reasonable and feels it should be looked at on an individual basis.

RESOLUTION #136-2022

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

RESOLUTION TO ALLOW EXEMPTION FROM NO ALCOHOL POLICY

RESOLVED, that the Town Board of the Town of Horicon does hereby allow an exemption to the CFGMR from the Town Ordinance Prohibiting Alcohol on Town property for their reception on August 22, 2022.

Ayes: 5 (Palmer, Olson, R. Hill, F. Hill, Geraci) Nays: 0

Mill Pond Pedestrian Safety Improvement Study: Supervisor Geraci said he met with three engineers regarding the Mill Pond Pedestrian Safety Improvement Study. He noted the study will be at no cost to the Town.

First Wilderness Tourism Kiosk: Warren County has provided the Town with a First Wilderness Tourism Kiosk.

Town Board meeting at 6 PM rather than 7pm: Supervisor Geraci asked the Board for their opinion on changing the time of the regular Town Board meetings from 7:00 pm to 6:00 pm. Mr. Geraci asked for consideration for this to start in September. He noted other towns are doing this. The Board felt this was fine.

RESOLUTION #137-2022

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

RESOLUTION TO CHANGE TIME OF REGULAR TOWN BOARD MEETINGS.

RESOLVED, that the Town Board of the Town of Horicon does hereby change the time of the regular monthly Town Board meetings from 7:00 pm to **6:00 pm**. This change will be effective beginning with the September 15, 2022 Town Board meeting.

Ayes: 5 (Olson, F. Hill, Palmer, R. Hill, Geraci) Nays: 0

Privilege of the Floor...

-Cindy Mead said she spoke at the recent De-Icer meeting and had a bucket list of suggestions on how to deal with bubblers and de-icers. She asked when the Board will make a decision on how to address this issue. Supervisor Geraci said the Board is still researching this and anticipates the Board will most likely pass recommendations. He said a decision will be made before winter but there would not need to be a public hearing for advisory regulations. Cindy said she thought there would be a public hearing but wants something

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concrete. Supervisor Geraci said the Board will go ahead and set a public hearing for September and have a decision at the October meeting.

-Scott Campbell revisited the possibility of re-opening the Watering Tub and gave the background on his previous request to do this. He feels the Tub should be re-opened, or it should be moved across the road from the Town Hall where a well could be drilled to supply water to the Tub. Councilman Palmer said this was discussed before and the Town cannot re-open it because it is a liability, plus it is not even on Town property so nothing can be done with it.

Announcements:

-Supervisor Geraci said the tobacco free signage is here and showed a few of the signs to the audience. He also reminded people that covid test kits are still available at the Town Hall.

Adjourn... There being no further business to attend to the meeting was adjourned at 8:29 PM by MOTION of Councilperson Olson and Councilperson F. Hill, all in favor.

Respectfully Submitted:

Town Clerk

Supervisor's and Town Board Member's reports attached.