

**HORICON TOWN BOARD
REGULAR MEETING**

**MARCH 21, 2024
6:00 PM**

Present at meeting:

Michael Geraci	Supervisor
Kayla Carlozzi	Councilmember
John Francisco	Councilmember
Robert Olson	Councilmember
Peter Palmer	Councilmember
Krista Wood	Town Clerk

Also: Tom Hutchins, Frank and Valerie Venezia, Barb French, ZA Craig Leggett, Becky Ross, HS Darian Granger, Matt Wood, Janet Early, Jim Ventura, Joan Johnson, and Joyce Greenidge.

Supervisor Geraci opened the regular meeting at 6:00 pm.

Approval of Minutes: Minutes of the February 15, 2024 meeting were approved by Motion of Councilmember Carlozzi and Councilmember Palmer.

Ayes: 5 (Carlozzi, Palmer, Olson, Francisco, Geraci) Nays: 0

Financial Report – March 2024 Vouchers and Abstract:

RESOLUTION #48-2024

Councilmember Olson and Councilmember Palmer introduced Res. No. 48 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT OF MARCH 2024 ABSTRACTS

RESOLVED, that the Horicon Town Board does hereby authorize the payment of the March 21, 2024 Vouchers and Abstracts as follows:

General Vouchers	#3	\$ 42,731.37
Highway Vouchers	#3	\$ 55,825.91
SP	#3	\$ 6,322.46

Ayes: 5 (Olson, Palmer, Carlozzi, Francisco, Geraci) Nays: 0

Correspondence to the Board:

- NYS DEC RE: Transfer Station inspection report

Reports: Town Clerk, Justice, Assessor, Zoning, Tax Collector, NWEMS, Landfill, Historian

Supervisor's Report – see copy attached

Supervisor Geraci thanked Janet Early and Jim Ventura for the time they have spent going through artifacts from the Town and organizing and categorizing them. He said the new Zoning Administrator is re-organizing the office and has provided the Board with a very detailed report. Supervisor Geraci commented on the Library report which stated the Library Trustees had to withdraw two grant applications due to a lack of commitment from the Town. Supervisor Geraci said he does not remember the Town not providing a commitment. Joan Johnson, President of the Library Board of Trustees, said one was last year for the handicap door and the other was about three years ago for the broadband. He told her in the future to please come to the Town in advance with information so a decision can be made. Supervisor Geraci thanked HS Granger and the Highway crew for their hard work during that last snowstorm. Regarding that storm, Supervisor Geraci said he also met with National Grid concerning their process of notifying people of road closures. He gave one example where in Adirondack the road was closed due to a downed power pole, but there was no indication the road was closed until you got to the downed pole. He said if there is a situation like this to please let the Town know. Lastly, Supervisor Geraci said there was a meeting with the engineer from Cedarwood who has provided two options for a new building behind the Town Hall. He said the proposed design includes a work area, storage, and bathrooms. He asked the Town Board to review these two options over the next few weeks and be ready to have a discussion at the April 18th meeting.

Town Board Committee Reports – see copies attached

Additional Comments:

Councilmember Olson said he attended the Library Board of Trustees meeting, and found them to be well-functioning, and noted they efficiently manage the Library business. He said the outreach for children’s programs is comparable to Crandall Library. He asked Joan to explain what the Library is doing for the eclipse. Joan Johnson said the Horicon Library and the Chestertown Library will be having an eclipse watch party out behind the Chestertown Town Hall. Lastly, Councilmember Olson noted how amazing the St. Patrick’s Day parade has become.

Councilmember Palmer said one of the new furnaces has been installed in the Highway Garage, and the second one will be going in next week; it is not done because they are waiting for parts. He and Barb French will interview for the part-time Landfill Helper position. He said the roof on the Landfill building needs some attention because the screws are coming out. Lastly, Councilmember Palmer said the roofs on the dugouts in Adirondack need to be replaced.

Councilmember Carlozzi said she met with Lynn Keil who will be doing the flowers for the Town again this year. She said the Beautification crew waters the flowers during the week, but she is hoping to find volunteers to help water the flowers on weekends. She said the goal is to have enough volunteers so that each volunteer will only have to do a weekend or two.

Councilmember Francisco said he met with Vicki Monthony about the food pantry. He said she needs more refrigerators and freezers or a walk-in cooler; it needs to be dealt with. He met with ZA Leggett about the need to regulate bubblers, noting docks need permits so there should also be a permit requirement for bubblers. Councilmember Francisco said, regarding the Watering Tub, he learned that the Town of Horicon does not own the property; they never have, and they never will. He said for the Town to re-open and use the watering tub it would take legislative action. He said it is high risk and would cost a lot of money to do this; in his opinion the watering tub is done. He noted the Town does own the rock, so something can be done with that, but otherwise it is not possible to re-open the Watering Tub.

Resolutions:

Councilmember Palmer and Councilmember Olson introduced Resolutions #49 to #59 and moved their adoption:

Ayes: 5 (Palmer, Olson, Carlozzi, Francisco, Geraci) Nays: 0

RESOLUTION #49-2024

RESOLUTION AUTHORIZING THE PURCHASE OF STAGE LIGHTING SYSTEM

RESOLVED, that the Horicon Town Board does hereby authorize payment to Creative Stage Lighting for the purchase of a stage lighting system at a cost of \$ 4,484.64; funds for this will come from Warren County Occupancy Tax.

RESOLUTION #50-2024

RESOLUTION TO AUTHORIZE WORK IN THE SECRETARY TO THE SUPERVISOR’S OFFICE

RESOLVED, that the Horicon Town Board does hereby authorize the Supervisor to sign the contract with Johnson Construction for the removal and reconstruction of the counter and window in the Secretary to the Supervisor’s office at a cost not to exceed \$3,525.00.

RESOLUTION #51-2024

RESOLUTION AUTHORIZING THE INSTALLATION OF AN AIR CONDITIONER IN THE COURT OFFICE

RESOLVED, that the Horicon Town Board does hereby authorize the purchase and installation of an air conditioner in the Justice Court office by Chuck’s Heating and Cooling at a cost not to exceed \$4,665.00, and be it further

RESOLVED, that the Board authorizes a deposit in the amount of \$2,800.00 be paid to Chuck's Heating and Cooling, with the balance due upon completion of the installation; this project will be funded by a Justice Court Assistance Program grant.

RESOLUTION #52-2024

RESOLUTION AUTHORIZE REPAIR OF THE ENTRANCE DOORS IN THE COMMUNITY CENTER

RESOLVED, that the Horicon Town Board does hereby authorize the Supervisor to sign the agreement with Versatile Glass for the repair of five entrance doors in the Community Center at a cost not to exceed \$2,750.00.

RESOLUTION #53-2024

RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN AGREEMENT WITH WARREN COUNTY

RESOLVED, that the Horicon Town Board does hereby authorize Supervisor Geraci to sign the Reimbursement Agreement with Warren County, acting for and on behalf of Warren-Hamilton Counties' Office for the Aging, for services to be provided for the elderly at a cost of \$2,000.00. This agreement will be in effect from April 1, 2024 to March 31, 2025.

RESOLUTION #54-2024

RESOLUTION TO INCREASE PETTY CASH FOR ZONING OFFICE

RESOLVED, that the Horicon Town Board does hereby authorize an increase in petty cash for the Zoning Office from \$10.00 to \$20.00.

RESOLUTION #55-2024

RESOLUTION TO TEMPORARILY APPOINT DEPUTY CLERK

RESOLVED, that the Horicon Town Board does hereby temporarily appoint Becky Ross as Deputy Town Clerk to serve in the Town Clerk's absence at the April 18, 2024 Town Board meeting.

RESOLUTION #56-2024

RESOLUTION SUPPORTING APPLICATION FOR WAIVER BY THE MEAD'S HOMEOWNER'S ASSOCIATION, INC

WHEREAS, the Mead's Homeowner's Association, Inc. (the "Association") is a not-for-profit corporation formed under the laws of the State of New York, and is the owner of certain real property located in the Town of Horicon (the "Town"), in Warren County, New York; and

WHEREAS, the Association advises that it owns and operates a sanitary septic disposal system for 15 homes near Brant Lake, and has done so for approximately 30+ years pursuant to a New York State Pollution Discharge Elimination System (SPDES) permit issued by the New York Department of Environmental Conservation ("NYS DEC"); and

WHEREAS, the Association advises that it is currently in the process of applying to the NYS DEC for approvals to implement various improvements and upgrades to the Association's septic system; and

WHEREAS, the Association has brought to the Town Board's attention, the requirements of certain regulations pertaining to SPDES permits, and in particular the requirements of 6 NYCRR §750-1.6(f), which generally requires that SPDES permit only be issued to a "governmental agency, municipality, or sewage disposal corporation (SDC)" formed pursuant to Article 10 of the New York Transportation Corporations Law; and

WHEREAS, Article 10 of the New York Transportation Corporations Law provides at §116(1): "***No certificate of incorporation of a sewage-works corporation shall be filed unless there be annexed thereto a certificate or certificates duly executed in behalf of the local governing bodies of the city, town or village, as the case may be, in which any part of a sewer system provided by such corporation is situate and, in the county of Suffolk, an additional certificate duly executed in***

behalf of the county sewer agency, consenting to the formation of the corporation for the area described in such certificate.”; and

WHEREAS, the Association advises that no sewage-works corporation was formed during the establishment of the development that comprises the Association, and that complying with the requirement to form a sewage-works corporation for their Association would constitute a significant burden as the Association is comprised of but 16 parcels, 15 of which are connected to the Association’s septic system; and

WHEREAS, the Town Board also notes that New York Transportation Corporations Law §119(3)(a) provides in relevant part, “...the stock of the [sewage-works] corporation shall be placed in escrow and title thereto shall pass to the local governing body in the event of failure to complete the construction thereof, or in the event of abandonment or discontinuance of the maintenance and operation of the system by the corporation”, which would mean that the Town would be required to establish a sewer maintenance department within the Town, which the Town does not currently have, and which the Town Board is not interested in undertaking; and

WHEREAS, it is also noted that 6 NYCRR §750-1.6(f) allows the commissioner of the NYS DEC to issue a variance from these sewage-works corporation formation requirements “subject to appropriate conditions, including bonding requirements, where such variance is in harmony with the general purposes and intent” of the SPDES related regulations; and

WHEREAS, the Association advises that it has budgeted for, and overseen the operations and maintenance of its septic system in a prudent fashion, and that the requirements to form another corporate entity such as a sewage-works corporation would constitute a significant burden on its relatively small number of members; and

WHEREAS, the Town Board notes that the members of the Association have voiced their support, in writing, for the application of a variance to the NYS DEC, for a variance from the requirements of 6 NYCRR §750-1.6(f) for the formation of a sewage-works corporation; and

WHEREAS, based on the information supplied by the Association, the Town Board wishes to voice its support for the Association’s application for a variance from the requirements of 6 NYCRR §750-1.6(f) for the formation of a sewage-works corporation, on such conditions as the Commissioner of the NYS DEC may deem just and appropriate.

NOW THEREFORE BE IT:

RESOLVED, that the Town Board does not support the formation of a sewage works corporation pursuant to 6 NYCRR §750-1.6(f) in this instance given the Association’s long-time existence and its maintenance of its septic system; and be it further

RESOLVED, that the Horicon Town Board hereby voices its support for the Association in an application for a variance from the requirements of 6 NYCRR §750-1.6(f) for the formation of a sewage-works corporation, on such conditions as the Commissioner of the NYS DEC may deem just and appropriate; and be it further

RESOLVED, that this resolution shall take effect immediately.

RESOLUTION #57-2024

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 General fund to account for the JCAP grant:

Debit	A3021 – Receivables	\$ 4,445.00
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Credit A1110.4 – Justice Contractual \$ 4,445.00

RESOLUTION #58-2024

RESOLUTION TO AUTHORIZE CONTRACT WITH CASH FOR CANS

RESOLVED, that the Horicon Town Board does hereby authorize the Supervisor to sign the contract with Cash for Cans for redemption of bottles and cans from the Landfill; contract will expire December 31, 2024.

RESOLUTION #59-2024

RESOLUTION AUTHORIZING SALE AND CONVEYANCE OF TOWN PROPERTY TO NORTHWOODS HOLDINGS LLC

WHEREAS, the Town of Horicon owns a parcel of land with an address of 19 Town Landfill Road, Brant Lake with Tax Map No. 88.-2-3; and

WHEREAS, Northwoods Holdings LLC (hereinafter “Northwoods”) owns a parcel of land adjacent to the Town parcel with an address of 6438 State Route 8, Brant Lake bearing Tax Map No. 88.14-1-6.12; and

WHEREAS, the Town of Horicon Planning Board, on February 21, 2024 approved a boundary line adjustment between the two parcels which increased Northwoods property by 4 acres and decreased the Town’s property by 4 acres; and

WHEREAS, the land conveyed is vacant and not needed by the Town;

NOW, THEREFORE, BE IT:

RESOLVED, that the Town Board finds the portion of Tax Map No. 88.-2-3 to be conveyed to Northwoods is not needed for Town purposes; and be it further

RESOLVED, that the Town Board authorizes the sale of the 4-acre portion of Tax Map No. 88.-2-3 to Northwoods at a price of \$2,300 per acre, the total price being \$9,200; and be it further

RESOLVED, that the Town Board authorizes any expenses on the part of the Town relating to costs associated with such conveyance including but not limited to payment of recording fees; and be it further

RESOLVED, that this Resolution is adopted subject to permissive referendum pursuant to Section 64(2) and Article 7 of Town Law and shall not take effect until such time as provided therein and the Town Clerk is hereby authorized and directed to post and publish the notice required for Resolutions subject to permissive referendum; and be it further

RESOLVED, that the Town Supervisor, Town Clerk and Town Counsel are hereby authorized and directed to execute and deliver such instruments and documents as may be necessary to effectuate the conveyance of the property.

Old Business:

Proposed property conveyance – EZ Marine: Supervisor Geraci explained that Bernie Hill, of EZ Marine and Storage, had approached the Town about buying a .343-acre parcel of town property that adjoins his current property. He has made an offer of \$4,420.00 to purchase the property. Supervisor Geraci asked HS Granger if he had any issues with this. HS Granger said he is fine with it, but reminded the Board that there is a drilled well on that piece of property that would increase the value. Councilmember Palmer said that means there would be no water at the old Town Shed. HS Granger said they do not use the well at the old garage now and are never going to use the well again. ZA Leggett said Mr. Hill has plans for a building and the Planning Board will look at any concerns. He noted that if the Board approves the sale, then Mr. Hill will need to go to the Planning Board for a boundary line adjustment. Councilmember Palmer said he wants to know what is going to happen to the well, it is a good drilled well, and if they let the property go the old garage will never have water again. HS Granger said

the well is nothing they are ever going to use again; the old Town Shed is only used for cold storage now. Councilmember Palmer said he just wants everyone to know the well is there. Councilmember Francisco said he feels this is a fair price for the property.

RESOLUTION #60-2024

Councilmember Palmer and Councilmember Carlozzi introduced Res. No. 60 and moved its adoption:

RESOLUTION TO ACCEPT PURCHASE OFFER FROM EZ MARINE AND STORAGE FOR A .343 ACRE PARCEL OF TOWN LAND

WHEREAS, Bernie Hill of EZ Marine and Storage has made an offer of \$4,420.00 to purchase an approximate .343-acre parcel of town property adjacent to his property (tax map #88.10-1-63), and now therefore be it RESOLVED, that the Town Board of the Town of Horicon does hereby accept the offer from Bernie Hill of EZ Marine and Storage to purchase a .343-acre parcel of town property at the price of \$4,420.00, and be it further

RESOLVED, that the Town Board authorizes him to move forward with the application to the Planning Board for a boundary line adjustment.

Ayes: 5 (Palmer, Olson, Carlozzi, Francisco, Geraci) Nays: 0

Heintzelman Library window replacement project: Supervisor Geraci explained that last year he met with two different contractors about the window replacement project for the Heintzelman, both said they would submit quotes, and neither one ever did. He met with Brian Johnson, and Brian submitted a very detailed quote for the project. The quote is for the replacement of just nine windows at this time; the replacement of the other two windows requires further research since they are over the water. Supervisor Geraci noted this work is completely reimbursable by the Architectural Heritage Grant the Town was awarded last Fall.

RESOLUTION #61-2024

Councilmember Carlozzi and Councilmember Olson introduced Res. No. 61 and moved its adoption:

RESOLUTION TO AUTHORIZE REPLACEMENT OF WINDOWS AT THE HEINTZELMAN LIBRARY

RESOLVED, that the Horicon Town Board does hereby authorize the Supervisor to sign the contract with Johnson Construction for the removal and replacement of nine windows at the Heintzelman Library not to exceed \$18,000.00; this project will be funded by an Adirondack Architectural Heritage Grant.

Ayes: 5 (Palmer, Olson, Carlozzi, Francisco, Geraci) Nays: 0

New Business:

Agreement to expend highway funds:

RESOLUTION #62-2024

Councilmember Palmer and Councilmember Palmer introduced Res. No. 62 and moved its adoption:

RESOLUTION TO APPROVE AGREEMENT TO EXPEND HIGHWAY MONIES

RESOLVED, that the Town Board of the Town of Horicon does hereby approve the 2024 Agreement to Expend Highway Monies, submitted by the Highway Superintendent, in the amount of \$409,970.00 for reconstruction of a 1.35-mile section of road from the intersection of Alder Brook Road and Hayesburg Road to the intersection of Hayesburg Road and Granger Road.

Ayes: 5 (Palmer, Francisco, Carlozzi, Olson, Geraci) Nays: 0

Insurance policy review: Supervisor Geraci said he met with Mark Carpenter, Carpenter Insuring, to review the 2024 insurance policy. He said one thing for consideration is the replacement cost of the equipment which has risen over the last few years. He said raising the equipment replacement costs would most likely not exceed a \$600.00 increase in premium.

RESOLUTION #63-2024

Councilmember Palmer and Councilmember Palmer introduced Res. No. 63 and moved its adoption:

RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN INSURANCE POLICY

**HORICON TOWN BOARD
REGULAR MEETING**

**MARCH 21, 2024
6:00 PM**

RESOLVED, that the Town Board of the Town of Horicon does hereby approve the new insurance policy and authorizes the Supervisor to increase coverage on Town equipment as necessary, and further authorizes him to sign the necessary documentation for the new policy.

Privilege of the Floor...

-Joan Johnson said there has been issues with the door into the Library, and asked if it is included in the entrance door repair project. Supervisor Geraci said he will check on that.

-Matt Wood asked what the status is on the front sidewalk project. Supervisor Geraci said it is his understanding it would be sometime in April or May, and noted the work is being done by Northwoods Concrete.

Adjourn... There being no further business to attend to the meeting was adjourned at 6:45 PM by MOTION of Councilmember Palmer and Councilmember Olson, all in favor.

Respectfully Submitted:

Town Clerk

**Supervisor's Significant Meetings / Activities Report
February 16, 2024 – March 21, 2024**

February 16	Warren County Board of Supervisors Meeting
February 16	Alder Brook Road Culvert and Ernest Smith Bridge meeting with Warren County ref grant application
February 16	Brant Lake Watershed Management Plan with LCLGRPB
February 19	Presidents' Day, Town Hall closed
February 20	Warren County Committee Meetings
February 21	Warren County Committee Meetings
February 22	NYS Emergency Management Tier 3 Training Warren/Washington County
February 26	Annual NYS Association of Counties Meetings / Public Safety Committee meeting
February 27	Annual NYS Association of Counties Meetings
February 28	Monthly Town Hall staff meeting
February 29	Warren County Committee Meetings
February 29	Meeting with Cedarwood Engineering ref Town Hall property development
March 1	CSEA Contract work session
March 1	National Grid briefing ref extended power outage
March 4	Historical Society meeting
March 5	CSEA Contract work session
March 11	Youth Commission ref little league season
March 15	Meeting with Schroon Lake Park Commissioners ref status of Water Tub
March 15	Warren County Board of Supervisors monthly meeting

March 16	Participate in St. Patrick's Day Parade
March 18	CSEA Contract work session
March 18	Meeting with insurance agent for review of Town coverages
March 19	Meeting with County Treasurer discuss County and local financial issues
March 19	Warren County Committee Meetings
March 20	Warren County Committee Meetings
March 20	Adirondack Association of Town and Villages Board Meeting
March 21	Meeting with Horicon retirees ref medical insurance changes
March 21	Town Board Meeting

Town Board Member Kayla Carlozzi
Activity Report Feb 15 – Mar 20, 2024

DATE	ACTIVITY
Tuesday, Feb 20, 2024	Food Truck Friday Committee Meeting
Thursday, Feb 21, 2024	Attended Warren County Republican Committee Meeting
Monday, Feb 26, 2024	Met with Beautification Committee
Thursday, Feb 29, 2024	Personnel Discussion with Becky and Supervisor . Cedarwood Meeting to discuss storage building. Discussed beautification committee questions with Building & Grounds crew.

HORICON TOWN BOARD

John FRANCISCO Activity Report

Feb 26 2024	meet Vicky go over The Food Pantry and other Duties she does
Feb 26 2024	Krista get bills Review and sign
MARCH 1 2024	CRAIG (Zoning) About how to regulate or permit bubblers
MARCH 3 2024	Phoned Schroow LAKE PARK Commissioner to schedule Schedule meeting on watering Tob
MARCH 15 2024	HAD Discussion and it would take Legislative Action
MARCH 20 2024	Krista get bills Review and sign

TOWN BOARD MEMBER ROBERT E. OLSON

ACTIVITY REPORT

02/16/2024 03/21/2024

DATE	ACTIVITY
02/20	Attended Library Board Meeting
02/21	Attended Planning Board Mtg
02/27	Attended ZBA Mtg
03/16	Marched in St. Patricks Day Parade
03/18	Attended Library Board Meeting
03/20	Audit bills
03/21	Health Insurance Workshop
03/21	Attended Town Board meeting

Town Board Member – Peter Palmer

Activity Report 2/15-3/19

DATE	ACTIVITY
2/21	TOWN SHED NEW FURNACE INSTALLATION
3/5	TOWN SHED TRUCK REPAIR /FURNACE OPERATION
3/18	TOWN SHED TRUCK REPAIRED/FURNACE OPERATION