

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

**DECEMBER 20, 2018
7:00 PM**

Present at meeting:	Matthew Simpson	Supervisor
	Frank Hill	Councilperson
	Robert Olson	Councilperson
	Sylvia Smith	Councilperson
	Kenneth Higgins	Councilperson
Krista Wood	Town Clerk	

Also: Al Martin, Robert French, Bob Smith, Sarah Dallas, Joan Johnson, Mert Paton, Joyce Greenidge, Bill McGhie, Tom Johansen, Zack Monroe, and Teri Schuerlein.

Supervisor Simpson called the meeting to order at 7:00 PM and opened the Public Hearing for the 2019 Contracts. No comments were made. There being no comments, Motion was made by Councilperson Smith, seconded by Councilperson Higgins, to close the Public Hearing. Public Hearing was closed at 7:01 PM.

A Motion was made by Councilperson Smith, 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 7:01 PM.

LOCAL BOARD OF HEALTH...

1) Public Hearing - Septic Variance at 7279 State Rt. 8 Brant Lake / tax map #72.6-1-7 / Douglas

Supervisor Simpson opened the Public Hearing regarding the septic variance request at 7279 State Rt. 8 in Brant Lake.

Zack Monroe, Winchip Engineering, gave a brief overview of the proposed plan to replace the existing septic at 7279 State Route 8 with an NSF40 enhanced treatment unit, noting the proposal increases all of the non-conformities greatly. Councilperson Olson asked him what type of treatment unit is being proposed; Mr. Monroe said it is a Norweco.

Al Martin, a neighbor of Mr. Douglas, said he put the same system in on his property last year. He strongly supports this proposal.

There being no further comments the Public Hearing was closed at 7:05PM.

Councilperson Olson asked Mr. Monroe if there would be a maintenance contract in place; Mr. Monroe said the initial purchase of the system includes a three-year maintenance plan.

RESOLUTION #156-2018

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

RESOLUTION TO GRANT VARIANCE FOR A REPLACEMENT SEPTIC SYSTEM AT 7279 STATE ROUTE 8

RESOLVED, that the Horicon Town Board acting as Local Board of Health, based on the receipt of a set of stamped plans from Winchip Engineering (project #18-037), and the \$100.00 variance fee, does hereby grant a variance for an alternative septic system at 7279 State Route 8, Brant Lake (Tax Map #72.6-1-7) 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, Higgins, Smith, Hill, Simpson) Nays: 0

2) Septic Variance request for State Route 8, Brant Lake / Tax Map #55.8-1-1 / Singer:

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Zack Monroe, Winchip Engineering, explained the proposal is to construct a new residence on this pre-existing, non-conforming vacant lot. He said the only location where the septic will fit will requires a setback variance of 33.9' to an intermittent stream, noting the proposed system will meet all other necessary setbacks.

RESOLUTION #157-2018

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

RESOLUTION TO SET PUBLIC HEARING

RESOLVED, that the Town Board of the Town of Horicon, acting in its capacity as the Local Board of Health, considers the application made by Winchip Engineering for a septic variance at State Route 8 (Tax Map #55.8-1-1/Singer) in Brant Lake complete, and does hereby set a Public Hearing for Thursday, January 17, 2019 at 7:00 PM at the Horicon Community Center.

Ayes: 5 (Olson, Higgins, Hill, Smith, Simpson) Nays: 0

A Motion was made by Councilperson Olson, seconded by Councilperson Smith, to move back into regular session. The Board moved back into regular session at 7:10 PM.

REGULAR MEETING...

Sarah Dallas, SALS: Sarah Dallas, of the Southern Adirondack Library System (SALS), addressed the Town Board regarding the relationship and responsibilities of SALS, the Horicon Free Public Library, and the Town of Horicon. She explained that SALS supports the library with four main services, which are joint automation services (supports wireless, purchase and support of computers and network), book delivery, consulting and continuing education services for staff and Trustees, and financial support (money SALS receives from the state and the county that they pass on to the library based on circulation). Ms. Dallas said the Town Board is responsible for selecting and appointing the Library Trustees, the Trustees are responsible for running the library and hiring and evaluating the Library Director, and the Director is responsible for hiring and oversight of the library staff. She explained there are a minimum set of standards the library must follow, and a number of new standards coming into effect in 2020. Ms. Dallas said one of the new standards the Library Trustees will need to work on is a Community based plan of service, which SALS will help them with. She noted the library is its own separate entity and is subject to the Open Meetings Law, therefore all Trustee meeting minutes, By-Laws, policies, etc. must be available to the public and listed on their website. Ms. Dallas said it would be best for the Library to have its own website with all of this information as well information regarding library services. Lastly, Ms. Dallas said SALS can help the Trustees get funding for the library in many different ways rather than the Town providing the majority of the funding.

Reports... Supervisor, Town Clerk, Zoning, Justice, and Assessor.

Approval of Minutes: Minutes of November 15, 2018 were approved by Motion of Councilperson Hill and Councilperson Higgins.

Ayes: 5 (Hill, Higgins, Smith, Olson, Simpson) Nays: 0

Approval of December 2018 Vouchers and Abstracts:

RESOLUTION #158-2018

Councilperson Hill and Councilperson Higgins introduced Res. No. 158 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT OF DECEMBER 2018 ABSTRACTS

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the payment of the December 20, 2018 Vouchers and Abstracts as follows:

General Abstracts	12	\$ 74,632.89
Highway Abstracts	12	\$ 37,111.76

Ayes: 5 (Hill, Higgins, Olson, Smith, Simpson) Nays: 0

Correspondence to the Board:

- NYSDEC RE: Starbuckville Dam inspection and findings
- Scott Campbell RE: Specifics for cemetery field overflow parking request
- Pat Farrell RE: Letter of resignation from ZBA

Resolutions:

RESOLUTION #159-2018

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

RESOLUTION TO APPROVE 2019 CONTRACTS AND AUTHORIZE SUPERVISOR TO SIGN

WHEREAS, the Horicon Town Board held a public hearing on December 20TH at 7:00 PM regarding the proposed 2019 Contracts, AND

WHEREAS, the public had the opportunity to speak for or against said contracts at this hearing, NOW THEREFORE BE IT

RESOLVED, that the Town Board does hereby approve the following 2019 Contracts and authorizes the Supervisor to sign in the following amounts:

Emergency Service Provider	\$118,788.00
Horicon Historical Society	\$ 500.00
Senior Mini-Bus	\$ 5,120.00
North Warren Chamber of Commerce	\$ 12,000.00
Horicon Free Library	\$ 2,000.00
Horicon Senior Citizens	\$ 1,000.00
Chester-Horicon Health Center	\$ 5,000.00
Snowmobile Club	\$ 3,500.00
Horicon Volunteer Fire Company	\$189,000.00
Warren County Soil & Water	\$ 27,480.00
Warren County Soil & Water	\$ 12,838.17

Ayes: 5 (Olson, Hill, Smith, Higgins, Simpson) Nays: 0

RESOLUTION #160-2018

Councilperson Higgins and Councilperson Smith introduced Res. No. 160 and moved its adoption:

RESOLUTION TO AUTHORIZE PETTY CASH FUND FOR TAX COLLECTION

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Office of Tax Collector to set up a petty cash fund in the amount of \$200.00 for the 2019 tax collection period.

Ayes: 5 (Higgins, Smith, Hill, Olson, Simpson) Nays: 0

RESOLUTION #161-2018

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

RESOLUTION TO ESTABLISH SECOND NOTICE FEE FOR THE 2019 TAX COLLECTION PERIOD

WHEREAS the Town is required by Sec. 987 of the Real Property Tax Law to mail a Notice of Delinquency to land owners who are delinquent in making real property tax payments and charge the landowner a second notice fee of \$1.00, AND

WHEREAS, the mailing of said notices costs the Town postage along with the cost of preparing and handling said notices, NOW, THEREFORE BE IT

RESOLVED, that the Second Notice fee be established at \$2.00 for each delinquent notice that is sent, and BE IT FURTHER

RESOLVED, that the Horicon Town Board does hereby authorize the Tax Collector of the Town of Horicon to impose the \$2.00 second notice fee on each delinquent notice sent for 2019 to cover the cost of preparing and mailing the delinquent notice.

Ayes: 5 (Olson, Higgins, Hill, Smith, Simpson) Nays: 0

RESOLUTION #162-2018

Councilperson Olson and Councilperson Hill introduced Res. No. 162 and moved its adoption:

RESOLUTION AUTHORIZING TOWN OFFICIALS TO ATTEND ASSOCIATION OF TOWNS TRAINING SCHOOL AND APPOINT DELEGATE

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Supervisor Simpson to attend the Association of Towns Training School from February 17-20, 2019, and authorizes reimbursement for travel, and be it further

RESOLVED, that the Town Board appoints Supervisor Simpson to cast the vote for the Town of Horicon at the Annual Business Session of the Association of Towns Meeting in New York City on February 20, 2019; there will be no alternate.

Ayes: 5 (Olson, Hill, Smith, Higgins, Simpson) Nays: 0

RESOLUTION #163-2018

Councilperson Hill and Councilperson Olson introduced Res. No. 163 and moved its adoption:

RESOLUTION TO RE-APPOINT ROSIE LEWIS TO WC YOUTH BOARD

RESOLVED, that the Town Board of the Town of Horicon does hereby re-appoint Rosie Lewis to the Warren County Youth Board for a term of one year expiring December 31, 2019.

Ayes: 5 (Hill, Olson, Smith, Higgins, Simpson) Nays: 0

RESOLUTION #164-2018

Councilperson Hill and Councilperson Olson introduced Res. No. 164 and moved its adoption:

RESOLUTION TO AUTHORIZE AMENDED CONTRACT WITH WARREN COUNTY FOR ROADWAY MAINTENANCE

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Supervisor Simpson to sign the amended contract with Warren County for roadway maintenance for 2019 according to the revised 2019 Schedule A Highway Payment Rate. The amended compensation to the Town of Horicon from Warren County for 2019 will be in the amount of \$242,000.01, of which \$10,000.00 will be used for equipment upgrades.

Ayes: 5 (Hill, Olson, Smith, Higgins, Simpson) Nays: 0

RESOLUTION #165-2018

Councilperson Higgins and Councilperson Smith introduced Res. No. 165 and moved its adoption:

RESOLUTION TO AUTHORIZE BUDGET AMENDMENT FOR OCCUPANCY TAX FUNDS

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	\$ 4,561.03
Increase A6412.4	Special Publicity	\$ 4,561.03

Ayes: 5 (Higgins, Smith, Olson, Hill, Simpson) Nays: 0

RESOLUTION #166-2018

Councilperson Higgins and Councilperson Hill introduced Res. No. 166 and moved its adoption:

RESOLUTION TO AUTHORIZE TRANSFER OF FUNDS

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

General:

<u>From:</u>	<u>To:</u>	<u>Amount:</u>
A1990.4 (Conting.)	A5132.4 (Garage-Contr)	\$ 2,053.02
A9060.8 (Health Insur.)	A5132.4 (Garage-Contr)	\$ 3,628.21
A9060.8 (Health Insur.)	A1620.1 (Bldgs-PersSvc)	\$ 3,468.20
A9060.8 (Health Insur.)	A1620.4 (Bldgs-Contr)	\$ 5,148.01
A9060.8 (Health Insur.)	A1010.1 (TownBd-PerSvc)	\$ 1.68
A9060.8 (Health Insur.)	A3510.1 (DogCtrl-PerSvc)	\$.12

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A9060.8 (Health Insur.)	A1110.4 (Justice-Contr)	\$ 115.32
A9060.8 (Health Insur.)	A8010.4 (Zoning-Contr)	\$ 947.37
A9060.8 (Health Insur.)	A8160.4 (Refuse-Contr)	\$ 6,846.61
Highway:		
<u>From:</u>	<u>To:</u>	<u>Amount:</u>
D5148.1 (SvcsOthGov't-PerSvc)	D5142.1 (SnowRem-PersSvc)	\$ 49,000.00
D5110.1 (GenRpr-PersSvc)	D5142.11 (SnowRem-O/T)	\$ 8,977.35
D5110.1 (GenRpr-PersSvc)	D5130.1 (Mach-PersSvc)	\$ 256.85
D9060.8 (HealthInsur.)	D5110.4 (GenRpr-Contr)	\$ 25,741.35
D9060.8 (HealthInsur.)	D5142.4 (SnowRem-Contr)	\$14,298.77
D9060.8 (HealthInsur.)	D5130.4 (Mach-Contr)	\$ 13,929.31

Ayes: 5 (Higgins, Hill, Olson, Smith, Simpson) Nays: 0

Committee Reports:

-Robert French, NWEMS rep, told the Board the NWEMS made 36 runs last month, and they are finalizing the contracts for the Operations Manager and Assistant Operations Manager.

-Councilwoman Sylvia Smith reported on the following:

- All of the Occ Tax Final Reports are in; the complete report packets are in the file if the Board would like to review them. The 2019 Occ Tax applications are due February 15th. One has already been received for the Brant Lake Winter Carnival which needs to be reviewed in January due to the date of the event. There are new guidelines for 2019, and Councilwoman Smith recommended the entire Board be involved in the award process in 2019. The Board agreed to schedule a workshop meeting in March to review the applications.

- Work on the 1881 Union Church is on schedule and the new roof is finished.

- Jason Hill has said the Community Center will need to be closed during the plumbing repair project because the water will be turned off. He will schedule this with Dawn.

- About 30 people attended the holiday party on December 14th, and Councilwoman Smith thanked Vicki Monthony, Christine Hayes, and Mary Ann Hill for all their help with the party.

-The Town Board is looking for an Advisory Committee for the First Wilderness Corridor project and Fred Holman and Teri Schuerlein have agreed to be on the Committee, and Scott Remington, Mike Hill, Tom Magee, and Margaret Holmes are considering it. Councilman Higgins was asked to be a part of the Committee.

- The YMCA Adirondack Center will be open in January and will hold a Grand Re-Opening in March.

-Councilman Bob Olson reported on the following:

- Troy Scripture will be applying for the Planning Board alternate seat, so Councilman Olson and Councilwoman Smith will schedule an interview with him.

- Pat Farrell has resigned from the ZBA which leaves a seat open. The Board agreed to advertise for Planning Board and Zoning Board of Appeals members again.

Old Business...

Grant... Supervisor Simpson told the Board that Warren County was awarded a grant for the Schroon Lake Aquatic Invasives program. The grant is for \$289,750 over three years and will be administered by Warren County.

New Business...

Zoning Compliance Fees... Supervisor Simpson said he was recently made aware of an issue with the per square foot charge for a Zoning Compliance certificate. He said Ridin-Hy was charged \$1400 for a Zoning Compliance certificate for the new lodge under the current fee schedule. Supervisor Simpson said he does not believe it was the intent of the Town Board, when they previously amended the Zoning Fee schedule, for the fee to be that high for a project. Supervisor Simpson suggested capping the fee at \$500. The Board agreed.

RESOLUTION #167-2018

Councilperson Olson and Councilperson Higgins introduced Res. No. 167 and moved its adoption:

RESOLUTION TO AUTHORIZE AMENDMENT TO ZONING FEE SCHEDULE

RESOLVED, that the Town Board of the Town of Horicon does hereby amend the Zoning Fee Schedule as follows:

Structure(s): Up to 600 square feet - \$36.00
Over 600 square feet - \$36.00 PLUS \$6.00 per 100 square feet or portion thereof above
600 square feet, **not to exceed \$500.00.**

BE IT FURTHER RESOLVED, that this amendment will be effective immediately.

Ayes: 5 (Olson, Higgins, Hill, Smith, Simpson) Nays: 0

RISE Engineering – parking lot lights... Supervisor Simpson received a proposal from RISE Engineering to replace the parking lot lights with LED bulbs. He said National Grid is offering an incentive for this and it would save the Town money over time.

RESOLUTION #168-2018

Councilperson Olson and Councilperson Hill introduced Res. No. 168 and moved its adoption:

RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH RISE ENGINEERING

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Supervisor to sign the contract with RISE Engineering to replace the parking lot lights with LED lights at a cost of \$3,119.25.

Ayes: 5 (Olson, Hill, Higgins, Smith, Simpson) Nays: 0

Warren County Sales Tax Distribution... Supervisor Simpson explained to the Board about the recent push by certain members of the Warren County Board of Supervisors to re-distribute Warren County sales tax money and the devastating impact this would have. He explained that currently the distribution is based solely on assessed value, but the new proposal would be based on 50% assessed value/50% population. This change means the Town would lose over \$550,000 in sales tax and there is no way to make up that difference. Supervisor Simpson said he is adamantly opposed to this change as it is so unfair. Supervisor Simpson said the problem is decisions by the Board of Supervisors are structured around weighted votes and Horicon has very few votes in relation to the amount of taxes its residents pay. He stressed how important it is to have everyone's support to fight this at the County. Councilman Olson asked if the Board should contact Counselor Schachner about a potential lawsuit. He has also spoken to Counselor Schachner about this as it may be unconstitutional. The Board agreed it is a good idea to research and prepare for this possibility.

Overflow Parking Request... Supervisor Simpson addressed Scott Campbell's request to use the Brant Lake cemetery property for his overflow parking. He explained that the Planning Board granted Mr. Campbell a use permit for the Wesleyan Church property and his parking plan, however, Mr. Campbell does not want to have to excavate the back of the property. Supervisor Simpson noted that Mr. Campbell has what he needs as required under Town of Horicon regulations. He said the Planning Board has acted and it would not be right to make any changes. Supervisor Simpson has advised Mr. Campbell of this. The Board agreed.

Insurance... Councilman Frank Hill said he did not realize Mark Carpenter had not put in an RFP for the Town's insurance. He said that since the Town has had a good relationship with Mr. Carpenter he would like to have Mr. Carpenter be the Broker of Record. Supervisor Simpson noted that because this is considered professional services the Board is not required to do an RFP. The Board agreed with Councilman Hill and wish to have Mark Carpenter as Broker of Record.

RESOLUTION #169-2018

Councilperson Olson and Councilperson Hill introduced Res. No. 169 and moved its adoption:

RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN BROKER OF RECORD

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Supervisor to sign the Broker of Record and solicit a proposal for the Town's insurance from Mark Carpenter.

Ayes: 5 (Olson, Hill, Higgins, Smith, Simpson) Nays: 0

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Boat Launch... Councilman Higgins suggested the Board consider getting some rubber mats for the parking lot at the boat launch to prevent the snowmobiles from damaging the new pavement. Supervisor Simpson will check into this.

Privilege of the Floor... no comments

Adjourn... There being no further business to attend to the meeting was adjourned at 8:20 PM by MOTION of Councilperson Hill and Councilperson Olson, all in favor.

Respectfully Submitted:

Town Clerk