

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

**MARCH 21, 2019
7:00 PM**

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

Also present: Town Counselor Mark Schachner, HS Darian Granger, John Donovan, Bob Smith, Matt Wood, Bill McGhie, Pete Palmer, Assessor Christine Hayes, Pat Farrell, Patricia Tunney, Joan Johnson, and Barb French.

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

Local Board of Health...

A Motion was made by Councilperson Olson, seconded by Councilperson Higgins, to go into session as the Local Board of Health. The Board moved into session as Local Board of Health at 7:00 PM.

1 - Re-convene Public Hearing - Septic Variance for State Rt. 8 / tax map #55.8-1-1 / Singer:

Supervisor Simpson re-convened the Public Hearing for the Singer septic variance on State Rt 8 in Brant Lake. There are no updates at this time.

The Board will leave the public hearing open and re-convene the public hearing at the April 18, 2019 meeting.

2 - Update on Septic Variance request for 18 Sand Beach Way, Brant Lake / Tax Map #55.10-1-12 / Henshaw:

The application for a septic variance request at 18 Sand Beach way (Henshaw) has been withdrawn as they are able to install a holding tank without a variance.

A Motion was made by Councilperson Higgins, seconded by Councilperson Olson, to go back into regular session. The Board moved back into regular session at 7:01 PM.

Regular Meeting...

Reports... Supervisor, Town Clerk, Zoning, Justice, Assessor, Tax Collector, Historian

Approval of Minutes: Minutes of February 21 and March 7, 2019 were approved by Motion of Councilperson Smith and Councilperson Higgins.

Ayes: 4 (Smith, Higgins, Olson, Simpson) Nays: 0 Absent: 1 (Hill)

Approval of March 21, 2019 Vouchers and Abstracts:

RESOLUTION #50-2019

Councilperson Olson and Councilperson Smith introduced Res. No. 50 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT OF MARCH ABSTRACTS

RESOLVED, that the Town Board does hereby authorize the payment of the March 21, 2019 Vouchers and Abstracts as follows:

General Abstract	3	\$ 109,619.49
Highway Abstract	3	\$ 51,833.83

Ayes: 4 (Olson, Smith, Higgins, Simpson) Nays: 0 Absent: 1 (Hill)

Correspondence to the Board...

- Joan Johnson RE: Notification of Library Trustee Paulette Contois resignation and recommendation to appoint Ann Murphy to take her place.

Resolutions...

RESOLUTION #51-2019

Councilperson Higgins and Councilperson Olson introduced Res. No. 51 and moved its adoption:

RESOLUTION TO AUTHORIZE TRANSFER OF FUNDS FROM HT CAPITAL ACCOUNT

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Bookkeeper to transfer the balance in the HT capital account to the Highway fund to pay against the principal balance on the highway truck:

HT-Highway Truck.....	Debit	HT9901 Transfer to Other Fund	\$26.96
	Credit	HT200 Cash	\$26.96
Highway.....	Debit	DA200 Cash	\$26.96
	Credit	DA9730.6 BAN	\$26.96

Ayes: 4 (Higgins, Olson, Smith, Simpson) Nays: 0 Absent: 1 (Hill)

RESOLUTION #52-2019

Councilperson Higgins and Councilperson Smith introduced Res. No. 52 and moved its adoption:

RESOLUTION TO AUTHORIZE BUDGET AMENDMENT FOR PROGRAMS

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 cover additional programs for the Friends of the Library (\$1,000.00), Horicon Fire Co Ladies Auxiliary (\$660.00), Horicon Free Public Library (\$1,425.00), and Horicon Historical Society (\$2,000.00):

Debit	A599 Unappropriated Fund Balance	\$ 5,085.00
Credit	A7310.4 Youth Program	\$ 1,000.00
Credit	A6410.4 Publicity	\$ 660.00
Credit	A7410.4 Library	\$ 1,425.00
Credit	A7450.4 Museum	\$ 2,000.00

Ayes: 4 (Higgins, Smith, Olson, Simpson) Nays: 0 Absent: 1 (Hill)

RESOLUTION #53-2019

Councilperson Smith and Councilperson Higgins introduced Res. No. 53 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 \$27,755.00 in Occupancy Tax funds, code A6412.4 - Special Publicity, be given to the following as listed:

<u>Group/Individual:</u>	<u>Purpose/Event:</u>	<u>Amount:</u>
Joel Friedman	Adirondack Marathon – TOH portion	\$ 3,500.00
Brant Lk Bike Park	Ride On!	\$ 1,000.00
EZ Marine & Storage	Weekend at Bernie's	\$ 2,500.00
Horicon Business/Vol Group	Food Truck Fridays on the Pond	\$ 6,755.00
Horicon Volunteer Fire Co.	Horicon Day	\$ 4,000.00
Town of Horicon	Fireworks for Horicon day	\$ 5,000.00
Tin TeePee Campground	Snowmobile Trail improvements	\$ 2,000.00
Tri-Lakes Business Alliance	Woodstock Revisited	\$ 3,000.00

Ayes: 4 (Smith, Higgins, Olson, Simpson) Nays: 0 Absent: 1 (Hill)

RESOLUTION #54-2019

Councilperson Olson and Councilperson Higgins introduced Res. No. 54 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT TO JERRY HENSLER

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize payment to Jerry Hensler in the amount of \$495.00 for electrical work.

Ayes: 4 (Olson, Higgins, Smith, Simpson) Nays: 0 Absent: 1 (Hill)

RESOLUTION #55-2019

Councilperson Higgins and Councilperson Smith introduced Res. No. 55 and moved its adoption:

RESOLUTION TO AUTHORIZE TRANSFER OF FUNDS

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Bookkeeper to make the following transfer in the Highway fund:

From:	To:	Amount:
D5148.4 – Svcs Other Gov’t	D5142.4 – Snow Rem-Contr	\$ 23,000.00

Ayes: 4 (Higgins, Smith, Olson, Simpson) Nays: 0 Absent: 1 (Hill)

RESOLUTION #56-2019

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

RESOLUTION TO SET STANDARD WORKDAY

BE IT RESOLVED, that the Town Board of the Town of Horicon hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the record of activities maintained and submitted by the official to the clerk of this body:

Standard Name & Title	Work Day	Term Begin/Ends	Employer’s Time Keeping System	Participates in Days/Mo.
Darian Granger (Highway Supt.)	8	1/1/19-12/31/19	No	38.71

Ayes: 4 (Higgins, Olson, Smith, Simpson) Nays: 0 Absent: 1 (Hill)

RESOLUTION #57-2019

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

RESOLUTION AUTHORIZING SETTLEMENT OF PROPERTY ASSESSMENT CASES FILED BY ALRONE, LLC

WHEREAS, Alrone, LLC (“Petitioner”), filed Article 7 Real Property Assessment Review cases against the Town challenging the 2014, 2015, 2016, 2017 and 2018 assessments on real property located on Palisades Road (Tax Map # 39.-1-14); and

WHEREAS, it appears to be in the best interest of the Town to avoid the significant costs that would result if the litigation continues and goes to Trial; and

WHEREAS, the Town Assessor now recommends proposed settlement terms which have been negotiated with Petitioner and the School District; and NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby approves the proposed settlement of the tax assessment cases filed by Petitioner for assessment years 2014, 2015, 2016, 2017 and 2018 as follows:

- 1) The assessments shall be reduced as follows:

	Assessed Value	Reduced Assessed Value	Reduction
2014	\$896,000	\$896,000	\$0
2015	\$896,000	\$896,000	\$0
2016	\$790,000	\$650,000	\$140,000
2017	\$790,000	\$650,000	\$140,000
2018	\$790,000	\$650,000	\$140,000

- 2) The 2014 and 2015 assessment challenges will be discontinued without reduction or refunds;
- 3) Refunds shall be paid based on the assessment reductions; and

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- 4) Section 727 of the Real Property Tax Law will apply, fixing the assessments for the 2019, 2020 and 2021 Assessment Rolls unless the property is further improved, or the assessment is subject to some other exception under Real Property Tax Law Section 727; and

BE IT FURTHER, RESOLVED, that unless otherwise ordered by the Court, refunds based upon the assessment reductions shall be paid without interest provided they are paid within ninety (90) days after Petitioner serves a copy of the filed Court Order approving the settlement, with Notice of Entry, on the Town together with a Demand for Payment; and

BE IT FURTHER, RESOLVED, that the Town Board further authorizes and directs the Town Assessor and/or Town Counsel to execute settlement documents and take any additional steps necessary to effectuate the settlement in accordance with the terms of this Resolution.

Ayes: 4 (Higgins, Olson, Smith, Simpson) Nays: 0 Absent: 1 (Hill)

Committee Reports..

-Councilwoman Sylvia Smith reported on the following:

-March 6th she attended an informational meeting with Ed Bartholomew and a State representative regarding Economic Development geared mostly towards the Northern Warren County area.

-March 7th the Town Board held a workshop meeting to review the 2019 Occupancy Tax applications, that resolution was just passed, and the award letters and follow-up forms will be mailed out tomorrow. Letters will also go out to those who did not receive an Occupancy Tax grant.

-March 12th she attended the grand re-opening of the YMCA Adirondack Center at which Supervisor Simpson and the Fire Company received plaques of appreciation for their support.

-March 16th she attended the St. Patrick's Day parade along with Councilman Olson and Supervisor Simpson. The Horicon Fire Company participated and there were also several floats from Horicon.

-March 18th she and Councilman Olson interviewed Barbara French for the Planning Board alternate opening, noting Barbara served on the ZBA for three years in the past. They recommend her for the open seat.

-March 19th she and Councilman Hill met with Kevin Kilcullen regarding the spring and summer plans for Beautification and the cemeteries. Cemeteries are scheduled to open April 15th, however, the weather conditions may delay the opening this year so that will need to be determined.

-She has received information from the County regarding a work program. She also noted NWCSO requires each student to complete at least five hours of community service each year. She said if the Board approves she could contact the school to see if some of the students would help out with the beautification and cemeteries and, in turn, obtain their required community service hours. The Board felt this would be a good idea.

-March 19th she attended a meeting of the First Wilderness Heritage Corridor Committee. She said Carl Heilman has come off of the committee, and Brandon Himoff has come on the committee. The committee set a workshop for May 23rd to get feedback from the people on what should be done in the community that the First Wilderness Committee can help accomplish. Also, on the 19th, she and Supervisor Simpson met with Rich Nawrot regarding the Boat Launch Stewards; following that meeting they met with representatives from the NWEMS.

-Supervisor Simpson reported on the following:

-He said Warren County has been exploring the idea of a County wide EMS system to ensure that the staff is there to cover the calls when they come in. He said they are also exploring options for keeping the local squads but ensuring the coverage is in place. He expects there will be some public meetings to get community input.

-He attended meetings in Washington, D.C. to discuss cell service and broadband expansion. He said the legislators are aware of the issues, are supportive of addressing the issues, and explained the way to tackle this is through the Federal Infrastructure program.

-He also said he has contacted three stone masons to look at the fountain because a chunk of the fascia fell off recently. He noted the pond will have to be lowered to do the repair work. Councilperson Smith

suggested the inspection of the Heintzelman Library be coordinated with the fountain repair since the mill pond needs to be lowered for that as well.

-Councilman Olson reported on the following:

-He said Tri-Lakes Business Alliance has asked if the Town of Horicon has come up with a plan for lights on the upper dam yet because Tri-Lakes wants to pay for the lights. Supervisor Simpson said there is a plan, but the Town is going to pay for the lights not Tri-Lakes. He explained this to Don Butler (Tri-Lakes), and said he would like to see Tri-Lakes dollars go towards the promotion of events.

Old Business...

Alternates – PB and ZBA:

RESOLUTION #58-2019

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

RESOLUTION TO APPOINT PLANNING BOARD ALTERNATE

RESOLVED, that the Town Board does hereby appoint Barb French to the vacant seat of Planning Board Alternate #1 to complete that term which will expire on December 31, 2020.

Ayes: 4 (Smith, Olson, Higgins, Simpson) Nays: 0 Absent: 1 (Hill)

New Highway Truck:

Supervisor Simpson explained that the Town put out a bid for a new F550 truck last year, but the company sent the wrong truck and was unable to fulfill the bid requirements. Therefore, the money that had been budgeted went back into the unassigned fund balance. He said the truck was re-bid this year and is on order, so now the money needs to be transferred back out of the unassigned fund balance. In addition, Supervisor Simpson said one of the F250's needs to be replaced, and they have the opportunity to purchase a truck that Lake George did not take delivery of.

RESOLUTION #59-2019

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

RESOLUTION TO APPROVE PURCHASE OF HIGHWAY TRUCKS AND AUTHORIZE BUDGET AMENDMENT

RESOLVED, that the Town Board of the Town of Horicon does hereby approve the purchase of a new 2019 Ford F250 pickup truck at a cost of \$32,845.00, and the purchase of a new 2019 Ford F550 at a cost of \$68,352.00 for the Highway Department, and be it further

RESOLVED, that the Town Board authorizes the Bookkeeper to make the following Budget amendment in the Highway fund for the purchase of the new trucks:

Debit	D599 Unappropriated Fund Balance	\$ 101,197.00
Credit	D5130.2 Machinery Equipment	\$ 101,197.00

Ayes: 4 (Olson, Smith, Higgins, Simpson) Nays: 0 Absent: 1 (Hill)

Supervisor Simpson also noted the need to keep up with the Highway equipment. He said next month he will be proposing that money be taken out of the unassigned fund balance to pay off the tandem dump truck that was purchased last year. This will leave the Town debt-free.

Library Trustee:

RESOLUTION #60-2019

Councilperson Higgins and Councilperson Smith introduced Res. No. 60 and moved its adoption:

RESOLUTION TO APPOINT LIBRARY TRUSTEE

RESOLVED, that the Town Board does hereby appoint Ann Murphy to the vacant seat of Horicon Free Public Library Trustee to complete that term which will expire on December 31, 2020.

Ayes: 4 (Smith, Olson, Higgins, Simpson) Nays: 0 Absent: 1 (Hill)

1881 Union Church:

Supervisor Simpson reported the Town has received the final reimbursement check from DASNY for the 1881 Union Church project. He said they will be releasing the bid package for the drilled well next.

CFA Grant – Invasive Species:

Supervisor Simson said Warren County has been awarded a CFA grant for invasive species and Horicon is included in the Warren County grant. However, the State will not likely provide a contract until April of 2020. He explained that the Town can expend the funds this year and be reimbursed when the contract is finalized as long as the contract is back dated prior to the commencement of the work. He noted there is a risk; if the contract does not come to fruition for some reason there would be no reimbursement. So, Supervisor Simpson proposed the Town continue the program this year as planned and pay for it, and then submit for reimbursement next year once the State provides a contract. He added that he feels comfortable doing this and that it is important to continue the program. Lastly, he noted this is a 75/25 grant.

New Business...

LED lights for Highway Garage:

Supervisor Simpson said he has a proposal from RISE Engineering to switch the lights at the Highway garage over to LED at a cost of \$6,150.00. The proposal, which covers both the garage and the fuel farm, outlined an estimated \$3,200.00/year savings on the electric bill. He called Green Mountain Electric about the material price and they felt could get the materials and save the Town about \$1,100.00 on the project. Supervisor Simpson will research this further.

Privilege of the floor...

-Joan Johnson asked what price Green Mountain Electric gave for the materials. Supervisor Simpson responded Green Mountain Electric estimated the cost to be about \$4,900.00.

-Jim Kearney discussed his thoughts with the Board and HS Granger on what could be done to address the rough patch on the upper part of Hayesburg Road, as well as the erosion caused by the runoff from Burnt Pond Road into Crystal Lake. Supervisor Simpson and HS Granger will reach out to Soil and Water again, as they have in the past.

Adjourn... There being no further business to attend to the meeting was adjourned at 7:52 PM by MOTION of Councilperson Higgins and Councilperson Olson, all in favor.

Respectfully Submitted:

Town Clerk