

**HORICON TOWN BOARD  
REGULAR MEETING**

**AUGUST 15, 2019  
7:00 PM**

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

Also: Pat Farrell, Richard Kruse, John Donovan, Tom Johansen, Tom Hutchins, Karen McCauley, John Friedhof, Robert French, Pete Palmer, Bob Smith, Skip Ostrander, and Assessor Christine Hayes.

Supervisor Simpson opened the meeting at 7:00pm.

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.

***Local Board of Health***

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***Septic variance request for 6692 State Rt 8/ Remington (Wesleyan Church property) / tax map #88.7-1-30:***

-Tom Hutchins, Hutchins Engineering, said the contract buyers, Kris and Christine Remington, plan to convert the existing building into a three-bedroom residence. He explained the proposed replacement wastewater disposal system does not meet several setbacks and requires the following variances: 1) Proposed absorption field to north side property line – 10’ required, 0.6’ proposed, variance of 9.4 requested; 2) Proposed absorption field to rear property line – 10’ required, 3.7’ proposed, variance of 6.3’ requested; 3) Proposed absorption field to building – 20’ required, 6.4’ proposed, variance of 13.6’ requested; 4) Proposed septic tank to building – 10’ required, 8’ proposed, variance of 2’ requested; 5) Proposed septic tank to north side property line – 10’ required, 0.6’ proposed, variance of 9.4’ requested.

-Councilperson Olson asked if the APA had approved the previous proposal for this property. ZA Steen said the APA notified them that the previous proposed project was out of their jurisdiction as the property is in the hamlet.

-Supervisor Simpson said there is concern when homes are designed for one thing and then used for another, and asked Mr. Hutchins what the capacity of the proposed system is; Mr. Hutchins said the proposed system is designed for 330 gallons per day and that is based on the number of bedrooms.

-ZA Steen said the Zoning Ordinance requires a zoning compliance certificate to be issued whenever any type of building is converted to a residential structure. He said he will not issue any permits until he is able to review the actual plans and see that it conforms to the three-bedroom layout.

-Mr. Hutchins said the applicant is working on the plans for the interior and he has explained to them the importance of that.

-Councilperson Hill asked if the septic could be put in back of the building to eliminate the need for variances. Mr. Hutchins said it cannot because of the location of the well.

-Councilperson Smith asked if this will be a summer residence or a year-round residence. Mr. Hutchins said this is being designed as a year-round residence, although he does not believe the owners are planning on living their year-round. He will check with them on that.

**RESOLUTION #98-2019**

Councilperson Olson and Councilperson Higgins introduced Res. No. 98 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 Hutchins Engineering for a septic variance at 6692 State Rt 8 in Brant Lake complete, and does hereby set a Public Hearing for Thursday, September 19, 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 Hill, to go back into regular session. The Board moved back into **regular session** at 7:10 PM.

**Regular Meeting**

**Reports:** Supervisor, Town Clerk, Zoning, Justice, Assessor

**Approval of Minutes:** Minutes of July 15, 2019 were approved by Motion of Councilperson Hill and Councilperson Smith.

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

**Approval of Vouchers and Abstracts:**

**RESOLUTION #99-2019**

Councilperson Smith and Councilperson Higgins introduced Res. No. 99 and moved its adoption:

**RESOLUTION TO AUTHORIZE PAYMENT OF AUGUST 2019 ABSTRACTS**

RESOLVED, that the Town Board does hereby authorize the payment of the August 15, 2019 Vouchers and Abstracts as follows:

General Abstract	8	\$ 75,711.59
Highway Abstract	8	\$ 42,588.47

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

Supervisor Simpson noted one check for Occ Tax grant monies will be held until the final report is received.

**Correspondence to the Board...**

- Mary Stewart RE: Concern with condition and safety of house on Mill Pond
- Ken Gallo RE: Commend HS Granger and crew for culvert repair
- NYS Dept of Pub Svc RE: Service issues with Frontier Communications
- Bioconservation RE: Cost estimate for BTI program
- Monolith Solar RE: Opportunity to purchase solar power systems

**Resolutions...**

**RESOLUTION #100-2019**

Councilperson Smith and Councilperson Olson introduced Res. No. 100 and moved its adoption:

**RESOLUTION TO AUTHORIZE BUDGET AMENDMENT**

RESOLVED, that the Town Board authorizes the Bookkeeper to make the following Budget Amendment in the General Fund to reduce the unexpended fund balance to cover the cost of the work done by Rucinski Hall Architecture on the Heintzelman Library:

Debit	A599.....Appropriated Fund Balance.....	\$ 5,000.00
Credit	A7510.4.....Historian.....	\$ 5,000.00

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

**RESOLUTION #101-2019**

Councilperson Hill and Councilperson Olson introduced Res. No. 101 and moved its adoption:

**RESOLUTION TO DECLARE MOWER AS SURPLUS**

RESOLVED, that the Town Board of the Town of Horicon does hereby declare the Woods mower as surplus equipment and authorize that it may be advertised and sold "as is". There is no reserve.

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

**RESOLUTION #102-2019**

Councilperson Smith and Councilperson Hill introduced Res. No. 102 and moved its adoption:

**RESOLUTION TO RECOGNIZE AND NAME PRIVATE ROAD**

RESOLVED, that the Town Board of the Town of Horicon does hereby recognize a private road in the Town of Horicon, which presently crosses parcel #20.6-1-9 to provide access to parcel #20.-1-3.1, which has been named Porter Heights Road.

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

**RESOLUTION #103-2019**

Councilperson Smith and Councilperson Olson introduced Res. No. 103 and moved its adoption:

**RESOLUTION TO AUTHORIZE ATTENDANCE AT AOT PLANNING & ZONING SCHOOL**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize interested members of the Zoning and Planning Boards to attend the Association of Towns Planning and Zoning School, which is being held Thursday, September 26, 2019 at Fort William Henry Resort in Lake George. The cost is \$80.00 per person plus reimbursement for travel expenses.

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

**RESOLUTION #104-2019**

Councilperson Smith and Councilperson Olson introduced Res. No. 104 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 fund transfers:

*General Fund...*

<b><u>From:</u></b>	<b><u>To:</u></b>	<b><u>Amount:</u></b>
A1990.4 (Conting.)	A1010.4 (TB-Contr)	\$ 200.00
A1990.4 (Conting.)	A8090.4 (Insect-Contr)	\$2,500.00

*Highway Fund...*

<b><u>From:</u></b>	<b><u>To:</u></b>	<b><u>Amount:</u></b>
D9060.8 (Med)	D5148.4 (SvcOthrGovt)	\$4,950.00

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

**Committee Reports...**

*NWEMS Rep Robert French reported on the following:*

-The Squad had 52 runs, 13 mutual aid calls, and they were able to cover some second runs as well. He said they do pay overtime for the second runs, but they get reimbursed which helps covers the cost.

*Councilperson Sylvia Smith reported on the following:*

-Publicity – Horicon has been gaining a lot of attention thanks to Food Truck Fridays. She said it has been well attended, noting attendance was approximately 1400 and 1700 in the past two weeks respectively. She thanked the organizers, musicians, and food vendors, as well as the public for attending.

-The Museum Annex preview opening in Adirondack was a big success. She said Kathy Hill did a great job organizing the preview opening, and said the official ribbon cutting will be next spring. She thanked John Donovan, who was essentially a pro bono Clerk of the Works, for making this project such a success.

-The Historical Society program that was held on Tuesday night, organized by Barbara Blum and Joyce Houck, drew a lot of out of town visitors and is helping to bring recognition to the town as well.

-Supervisor Simpson was recently featured in The Sun for his award for Distinguished Stewardship. She thanked him for all he does to bring attention to the town.

-There was a First Wilderness Advisory Committee meeting on July 30<sup>th</sup> and she thanked the active members for attending that meeting. There will be another public meeting on August 22<sup>nd</sup> from 7-8:30 pm, and she encouraged the Board and the general public to attend as the committee moves forward with plans for this program.

-There was a meeting on July 22<sup>nd</sup> with the Supervisors and Deputy Supervisors of Horicon and Chester, Brian Bearor (YMCA), Tammie LaGuerre, and Mindy Conway to develop a plan for the fall youth programs. They will meet again on September 3<sup>rd</sup>, and they will meet quarterly after that .

-The CFGMR grants will be awarded on August 20<sup>th</sup> . The Town of Horicon will be receiving a grant for headstone repairs, and the Horicon Historical Society will be receiving a grant for archival storage units.

**Old Business...**

1881 Museum Annex: Supervisor Simpson thanked John Donovan for everything he has done on the 1881 Museum project.

**New Business...**

Monolith Solar: Supervisor Simpson said he received an email from Monolith Solar asking if the Town wanted to purchase the solar power units at approximately \$14,000 for the Community Center unit and \$24,000 for the Highway Garage unit. He said he spoke to an engineer familiar with these types of projects who said it might not be a bad idea, however, the unknowns may be greater than any perceived benefit. Supervisor Simpson explained the reason for this offer is an investor group is buying Monolith's solar projects . He has asked Town Counsel Mark Schachner to review the contracts to make sure the Town is protected. Supervisor Simpson recommended the Town not purchase the units; the Board agreed not to purchase the units.

Solar Farms: Supervisor Simpson said ZA Steen has been receiving questions on regulations regarding solar farms. He said Queensbury put a moratorium on solar farms to allow time to research the matter. Supervisor Simpson said the Board needs to take a hard look at this issue and decide what is important and appropriate.

Adirondack Schoolhouse Ownership: Supervisor Simpson said he has received a list of things that are important to the Horicon Fire Department in regard to the Town taking ownership of the Adirondack Schoolhouse. He said this has come up again because he really thinks the Board should consider this as it could be an asset to Adirondack, and he noted the Fire Department is not in the business of saving buildings. He asked what the Board's thoughts were on acquiring the building. Councilman Higgins said he is not in favor of the Town taking ownership of the Schoolhouse. He then read the comments from the July 2018 public hearing on this matter where taxpayer's comments indicated they were not in favor of this because the expense was not justified; he noted the Board was also in agreement at that time not to take ownership of the building. He said he does not feel the expense is justified and does not feel the Town needs another building to spend money on. Councilperson Higgins suggested the Fire Department give the building to ESSLA; Supervisor Simpson said it cannot be given to ESSLA. He said there are grants available that would pay for the rehabilitation of the building as it has value as a historic building, but he cannot apply for grants unless the Town owns the building. Councilperson Smith said she voted against it in 2018, but now, after seeing the completion of the 1881 Union Church project and the feelings it has generated in the community, she sees the potential as it is a historic building and feels it could be on the National Registry of Historic Buildings. Councilperson Higgins said a grant is fine, but it will still involve the Town putting money into just like with the 1881 Church. He said there are other things the Town needs to spend money on like the roads, the Community Center garage, the Community Center roof; he said they cannot restore every old building in town. Supervisor Simpson said this came up because the building needs more than just a coat of paint and a window, but the Town cannot spend money on a building it

does not own. He noted a group of volunteers had previously done work on the building and had raised about \$2,300 for repairs, but it needs more than that. Councilperson Olson asked if there is any proposed use for the building. Supervisor Simpson said it could be used for community events, meetings, a farmer's market, and with the location it is the ideal spot. Councilperson Smith said there is a lot of potential for the building, for example, the YMCA could use it for kid's programs, possibly a day care, any number of things. Councilperson Higgins suggested the Fire Department sell it to the YMCA for a dollar instead of the Town. Councilperson Olson asked what the estimated cost of repairs to the building will be. Supervisor Simpson said the structure is sound, it needs maintenance items like plumbing, windows, new roof, exterior; the repairs are mainly cosmetic, but it will be a long process. He said the Fire Department has the cost of maintaining it now, and if nothing is done it will become dilapidated. Councilperson Olson said he understands there may be value to the building but hesitates to endorse this without any idea of the cost. Supervisor Simpson said the alternative is if the Town owns the building and decides not to fix it they have the option to tear it down. Councilperson Hill said he would like to know how much the engineer is going to charge to give an opinion. Supervisor Simpson said he feels they are catching up on projects and it is his job to look for grants. He said a lot of people in Adirondack have told him they would use the building if it were nice. Councilperson Olson asked if people could use the 1881 Church for meetings. Councilperson Smith said no because it is going to be a museum filled with archival material. Councilpersons Hill and Olson agreed the Town should get an estimate on rehabilitating the Schoolhouse before doing anything. Supervisor Simpson will talk with Ethan Hall on getting an estimate.

Horicon Fire Department LOSAP: Supervisor Simpson said he has received a proposal from the Horicon Fire Department to increase the monthly service benefit under the LOSAP from \$15.00 to \$20.00 with a maximum of 40 years. He explained that this increase would be at no additional cost to the Town because there are excess funds. Supervisor Simpson said this change would need a mandatory referendum, and in order to do that there will need to be a special meeting to meet the timing requirements to get it on the November ballot.

**RESOLUTION #105-2019**

Councilperson Olson and Councilperson Higgins introduced Res. No. 105 and moved its adoption:

**RESOLUTION TO SET SPECIAL MEETING**

RESOLVED, that the Town Board of the Town of Horicon does hereby set a special meeting to be held Thursday, September 5, 2019 at 3:00 pm to discuss a mandatory referendum for the November ballot to increase the LOSAP monthly service benefit for the Horicon Fire Department.

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

**Privilege of the Floor...**

-Richard Kruse, owner of St. Theresa's church, questioned the Town Board on their decision to terminate the agreement that allows him to use the Community Center septic. Supervisor Simpson said the Town has the option to terminate the agreement at any time, and the Town has no obligation to provide access to the septic. He further noted there is a dry hydrant on the piece of property that Mr. Kruse has blocked off so that it can no longer be accessed. Supervisor Simpson said the Town Board felt it was in everyone's best interest for Mr. Kruse to have his own septic. Mr. Kruse said he had a letter from Supervisor Bentley stating he could use the septic. Supervisor Simpson pointed out that Mr. Kruse sold the property after that letter was written, and has since re-purchased it, so the transfer of ownership nullifies the letter from Supervisor Bentley. The Town Board agreed Mr. Kruse will need to unhook from the Community Center septic and apply for his own septic; the dry hydrant that is currently on Mr. Kruse's property will be re-located so there are no issues.

**Adjourn...** There being no further business to attend to the meeting was adjourned at 8:10 PM by MOTION of Councilperson Higgins and Councilperson Smith, all in favor.

Respectfully Submitted: \_\_\_\_\_

Town Clerk