

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

**NOVBER 14, 2017
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: ZA Jim Steen, HS Darian Granger, Assessor Christine Hayes, Harold Berger, Joyce Greenidge, Mary Paton, Tom Johansen, Bill McGhie, John Donovan, Gary Frenz, Bob Smith, Jim Hayes, Sarah Hayes, and Poul Carstensen.

Supervisor Simpson called the regular 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.

Public Hearing - Septic Variance at 211 E. Shore Dr, Adirondack / tax map #36.3-3-12.1 / Centofante:

-ZA Jim Steen said he has not received any comments from the public. He said Cedarwood Engineering would like to see the test pit findings and their location on the plans. Councilperson Olson asked Mr. Berger to show the Board the test pit locations, which he did. Mr. Berger said the results of the percolation tests, which were done at 24", were under one minute. He explained that, due to this fact, the soil under the footprint of the sewage system must be modified to a distance within two feet beyond the boundaries of the footprint of the sewage system to have a percolation rate somewhere between one and five minutes. Councilperson Olson asked if this could be achieved, and Mr. Berger said yes as he has done it many times. Councilperson Olson asked if this is a Presby system. ZA Steen said it is a Presby which provides some aerobic treatment at the leach field itself.

There being no further comments the Public Hearing was closed at 7:05PM by Motion of Councilperson Olson, seconded by Councilperson Smith.

RESOLUTION #144-2017

Councilperson Olson and Councilperson Higgins introduced Res. No. 144 and moved its adoption:

RESOLUTION TO GRANT VARIANCE FOR AN ALTERNATIVE SEPTIC SYSTEM AT 211 EAST SHORE DRIVE

RESOLVED, that the Horicon Town Board acting as Local Board of Health, pending the receipt of a corrected set of stamped plans from Harold Berger, PE (Tomlins/Centofante project) which show the location of the test pits, and the \$100.00 variance fee, does hereby grant a variance for an alternative septic system at 211 East Shore Drive, Adirondack, NY (Tax Map #36.3-3-12.1) 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, Hill, Smith, Simpson) Nays: 0

Motion was made by Councilperson Higgins, seconded by Councilperson Hill, to move back into regular session. The Board moved back into regular session at 7:07PM.

Regular Meeting...

Approval of Minutes... Minutes of October 19 and October 26, 2017 were approved by Motion of Councilperson Smiths and Councilperson Olson.

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

Approval of Vouchers and Abstracts...

RESOLUTION #145-2017

Councilperson Olson and Councilperson Hill introduced Res. No. 145 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT OF NOVEMBER 2017 ABSTRACTS

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the payment of the November 14, 2017 Vouchers and Abstracts as follows:

General Abstract	11	\$ 49,728.42
Highway Abstract	11	\$ 56,834.08
East Shore Cap Project	11	\$ 189.00

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

Correspondence to the Board...

-NW Chamber RE: 2018 Budget Request

-DASNY RE: Notification of payment processing

Resolutions...

RESOLUTION #146-2017

Councilperson Hill and Councilperson Smith introduced Res. No. 146 and moved its adoption:

RESOLUTION TO SET PUBLIC HEARING FOR 2018 CONTRACTS

WHEREAS, monies have been appropriated in the 2018 Budget for contracts in the following amounts:

Emergency Service Provider	\$ 91,707.00
Horicon Historical Society	\$ 500.00
Senior Mini-Bus	\$ 5,120.00
North Warren Chamber of Commerce	\$ 8,000.00
Horicon Free Library	\$ 1,000.00
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	\$ 12,750.00

NOW, THEREFORE BE IT RESOLVED, that a Notice of Public Hearing will be published stating that a hearing on the above named contracts will be held on Thursday, December 21, 2017 at 7:00 PM at the Horicon Community Center.

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

RESOLUTION #147-2017

Councilperson Smith and Councilperson Olson introduced Res. No. 147 and moved its adoption:

RESOLUTION TO SET END OF YEAR MEETING

RESOLVED, that the Town Board does hereby set Thursday, December 28, 2017 at 3:00 PM for the end of the year meeting.

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

RESOLUTION #148-2017

Councilperson Smith and Councilperson Hill introduced Res. No. 148 and moved its adoption:

RESOLUTION TO SET ORGANIZATIONAL MEETING

RESOLVED, that the Town Board of the Town of Horicon does hereby set the Organizational Meeting of the Town of Horicon for Wednesday, January 3, 2018 at 3:00 pm.

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

RESOLUTION #149-2017

Councilperson Higgins and Councilperson Smith introduced Res. No. 149 and moved its adoption:

RESOLUTION TO AUTHORIZE PURCHASE OF THREE COMPUTERS

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the purchase of new computers for the Supervisor, Supervisor's Secretary, and Bookkeeper at a total cost of \$2,744.13.

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

RESOLUTION #150-2017

Councilperson Higgins and Councilperson Smith introduced Res. No. 150 and moved its adoption:

RESOLUTION TO AUTHORIZE ATTENDANCE AT AATV MEETING

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Supervisor Simpson and Councilperson Bob Olson to attend the AATV Membership Meeting December 3-4, 2017. The cost is \$52.00 per person plus mileage.

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

RESOLUTION #151-2017

Councilperson Higgins and Councilperson Olson introduced Res. No. 151 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:

	<u>From:</u>	<u>To:</u>	<u>Amount:</u>
Highway...	D5148.1 (Svcs Other Gov't)	D5110.1 (Gen Repair)	\$ 16,577.32
	D5148.4 (Svcs Other Gov't)	D5110.11 (Gen Rpr O/T)	\$ 4,176.71
	D5148.4 (Svcs Other Gov't)	D5120.4 (Bridges-Contr)	\$ 414.76
General...	A1990.4 (Conting)	A7310.1 (Youth-Pers.)	\$ 966.30
	A1990.4 (Conting)	A7310.4 (Youth-Contr)	\$ 3,933.70
	A7310.2 (Youth-Equip)	A7310.4 (Youth-Contr)	\$ 500.00
	A8810.4 (Cemetery-Contr)	A7310.4 (Youth-Contr)	\$ 285.21

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

Committee Reports...

-Gary Frenz, NWEMS, reported the Squad had 24 runs in Chestertown, 16 runs in Horicon, 3 mutual aid calls with Warrensburg, 1 ALS intercept, 1 mutual aid call each with Johnsburg and Schroon Lake, and two crews on standby for the recent fire at Ridin-Hy.

-Councilperson Sylvia Smith said the grant report has been completed on the Heintzelman Library project and submitted to the CFGMR. She said Margaret Holmes has been working diligently on the website which is very close to completion. She added that Margaret is owed a big thank you for all the hours she has donated to this project. Councilperson Smith said fall cleanup should be finished next week. She said the Ethics Committee met and would like to nominate Dave Iasevoli as Board of Ethics Chairperson and Mary Paton as Board of Ethics Alternate. Councilperson Smith recognized, and thanked, John Donovan for the all of the grant work he has done for the Town.

-Councilperson Bob Olson said Steve Smith has found a snow blower for the Landfill for \$599 at Lowe's. Councilperson Hill suggested purchasing one through a local supplier such as Braley and Noxon who can perform any necessary service work. Councilperson Olson will purchase the snow blower through Braley and Noxon. Councilperson Olson said he met with Councilman Higgins, ZA Jim Steen, PB Chair Bill McGhie, and ZBA Chair Cheryl Erickson to work on several zoning issues. He read a proposed attendance policy for the ZBA and PB members that the group drafted. The Town Board was in favor of this policy.

RESOLUTION #152-2017

Councilperson Olson and Councilperson Higgins introduced Res. No. 152 and moved its adoption:

RESOLUTION TO ENACT ZBA AND PB ATTENDANCE POLICY

RESOLVED, that the Town Board of the Town of Horicon does hereby enact an attendance policy for the ZBA and PB as follows:

Town of Horicon Zoning Board of Appeals and Planning Board Attendance Policy

Planning Board and Zoning Board of Appeals members who miss three (3) consecutive regular meetings, or four (4) regular meetings in a calendar year, may be removed from their seat by the Town Board. The Chairperson of the Planning Board or the Zoning Board of Appeals may consider extenuating circumstances and recommend relief from this attendance policy.

This attendance policy will become effective January 1, 2018

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

Councilperson Olson continued his report, noting the group also drafted a proposed policy regarding travel trailers. The Board asked Councilperson Olson for copies of the proposed policy to review; they will table this until the December meeting. Lastly, he said he and Councilperson Smith attended an EMT meeting at Warren County Municipal Center presented by the gentleman that supervises EMT operations at the Albany County Sheriff's Office. He said they feel it is worth reviewing the presentation to see what could be implemented in the NWEMS to make it as efficient as possible.

-Supervisor Simpson said he participated in a panel related to building communities that are focused on senior citizens and ways to keep them involved. He said studies show there is a huge economic benefit to this. Supervisor Simpson said he would like to set up a meeting with all the elders in the community to find out what the Town Board can do to encourage their involvement in the Town.

Old Business...

Joyce Greenidge: Joyce Greenidge read a letter to the Town Board regarding the Board's recent decision not to move forward with a BTI program for 2018. She suggested the Board set up a way to collect input from the community on the program. There was discussion as to what other options might be available for a program and how to get the word out to people.

Board of Ethics:

RESOLUTION #153-2017

Councilperson Hill and Councilperson Olson introduced Res. No. 153 and moved its adoption:

RESOLUTION TO APPOINT BOARD OF ETHICS CHAIRPERSON

RESOLVED, that the Horicon Town Board does hereby appoint David Iasevoli as Chair of the Town of Horicon Board of Ethics through December 31, 2017.

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

RESOLUTION #154-2017

Councilperson Hill and Councilperson Olson introduced Res. No. 154 and moved its adoption:

RESOLUTION TO APPOINT BOARD OF ETHICS ALTERNATE

RESOLVED, that the Horicon Town Board does hereby appoint Mary Paton as Town of Horicon Board of Ethics Alternate Member to fill the term expiring on December 31, 2018.

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

Ernest Smith Rd bridge: Supervisor Simpson reminded the Board there is an opportunity to apply for grant funding for a permanent bridge on Ernest Smith Road. He said this would require an investment on the Town's part for an engineer, but the Town would have to spend money on an engineer anyway. HS Granger said the process will be lengthy so if the Board wants to do this he would recommend moving forward now. The Board agreed and advised Supervisor Simpson to pursue the grant opportunity.

Watering Tub: Supervisor Simpson explained the water test for the Watering Tub tested positive for E. Coli. He said there is nothing the Town can do, and he is not willing to take the chance on someone getting sick. Councilperson Olson said there is no way to maintain this. The Board agreed **the Watering Tub is officially permanently closed for the safety of those that use it.**

Adirondack Schoolhouse: Supervisor Simpson said the Horicon Fire Department voted recently to subdivide their property in Adirondack. He said this would allow the Town to take ownership of the Schoolhouse and could then secure funding to rehabilitate the building. He said he feels it is a good project to pursue, and suggested the Board hold a series of public hearings to get feedback from the community. Councilperson Olson expressed concern over the amount of work the building needs, and said he would like to see the Union Church project completed first. Councilperson Olson said it could be added to upcoming Agenda's to discuss the pros and cons of the undertaking.

New Business...

Centralized Arraignments: Supervisor Simpson explained that Warren County is in the process of creating a centralized arraignment program. He said the law now requires a public defender to be present at all arraignments, and the County does not have enough public defenders to meet this requirement. He said the County has devised a plan where all arraignments would happen at the Warren County Municipal Center twice a day. Supervisor Simpson noted State funding will be available to cover expenses the Justices incur for travel.

RESOLUTION #155-2017

Councilperson Hill and Councilperson Olson introduced Res. No. 155 and moved its adoption:

RESOLUTION TO SUPPORT WARREN COUNTY'S PROPOSED PLAN FOR COUNSEL AT INITIAL APPEARANCE FOR ARRAIGNMENTS IN LOCAL COURTS

WHEREAS, Warren County is submitting a plan for counsel at initial appearance coverage for arraignments in local courts, and

WHEREAS, the plan provides for a central arraignment part conducted twice a day at the Warren County Municipal Center rather than at the town or city location of the arrest, and

WHEREAS, this plan requires the cooperation of the various local town and city justices and judges, and

WHEREAS, this plan should assure consistency in representation, as well as in the after hours schedules of the various town and city justices and judges, and

WHEREAS, State funding is available to provide for the expenses of the justices and judges as they travel to Queensbury, and

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WHEREAS, this program will promote efficiencies among the town and city courts and justices and judges, as well as in County operations providing for mutual cooperation of the County's municipalities, now, therefore be it

RESOLVED, that the Town Board of the Town of Horicon hereby indicates its support for Warren County's plan for counsel at initial appearance coverage for arraignments in local courts.

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

Privilege of the Floor...

-Poul Carstensen thanked the Board for all the work that has been done to improve the Mill Pond. He said it looks great and is really starting to come alive. He feels things are going in the right direction.

-Jim Hayes expressed his concern over various safety and community issues he has witnessed in the Horicon Fire Department recently. He said that against General Municipal Law, and the Fire Department's own By-Laws, he was removed from the Fire Department recently. Mr. Hayes said his daughter was injured on a fire scene recently, and because the Fire Chief chose not to report the injury to Warren County self-insurance she is being billed directly for those costs. Mr. Hayes also noted the officers of the Horicon Fire Department have issues with neighboring fire departments because of what happened at the recent Ridin-Hy fire. He said the Horicon Fire Department ran out of water at a recent fire, and due to the issues with neighboring departments they did not call them for water. He said the house wound up being a total loss because of it. Mr. Hayes said experienced, long-standing members of the department are being forced out, or quitting because of what is going on, leaving a relatively inexperienced department. Mr. Hayes said these issues are already affecting the safety of the community, and he felt it should be brought to the Town Board's attention. Councilperson Smith noted how important it is to work together. Councilperson Higgins said there cannot be conflict with other departments, and added that members of the department need to be able to perform the duties necessary on a fire scene. He said this matter needs to be addressed and corrected. Supervisor Simpson suggested the Town Board, along with Town Counsel, schedule an executive session with the Fire Department Board to express their concerns. The Board agreed.

Adjourn... There being no further business to attend to the meeting was adjourned at 8:25 PM by MOTION of Councilperson Smith and Councilperson Higgins, all in favor.

Respectfully Submitted:

Town Clerk