

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

**JULY 20, 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	
Mark Schachner	Town Counsel	

Also: HS Darian Granger, Bob Ward, Gary Frenz, Pat Farrell, Tom Johansen, Tom Hutchins (Hutchins Engineering), Mike Raymond, George Hill, Dan Freebern, Brett Winchip and Zack Monroe (Winchip Engineering), Harold Berger, P.E., Robert Tomkins, Teri Schuerlein, and others.

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.

Supervisor Simpson opened the Public Hearing for two proposed septic variances.

**Public Hearing #1 - Septic variance for 211 East Shore Drive in Adirondack:**

Harold Berger, PE addressed the Board regarding the proposed septic system and the variance needed. Councilperson Olson questioned whether the proposed Presby system will mitigate the distance to the lake; Mr. Berger said he believes it will. Councilperson Olson asked how many bedrooms the house will have and Mr. Berger said it will have three bedrooms, the homeowner said he thought it had four. There was discussion back and forth between Mr. Berger and the Board as to the number of bedrooms in relation to the size of the tank. The Board said the plans must be revised so the proposed system matches the number of bedrooms before they can proceed. The Board agreed to adjourn the public hearing until the next regularly scheduled meeting on Thursday, August 20, 2017 at 7:00pm at which time they will re-convene the public hearing for a septic variance at 211 East Shore Drive.

**Public Hearing #2 - Septic variance for 6 N. Sand Beach Way in Brant Lake:**

Zack Monroe, Winchip Engineering, noted the proposed septic plan had been referred to Cedarwood Engineering for review and addressed each of Cedarwood's concerns. Regarding Cedarwood's recommendation that an advanced treatment system be used, Mr. Monroe stated again that he does not feel an advanced system is necessary, nor would it give any relief to setback requirements.

Mike Raymond spoke in favor of the installation of an advanced treatment system. He also urged the Board to include a requirement in the variance, if granted, that the system be maintained on a regular basis.

There being no further comments from the Public Hearing, motion was made by Councilperson Smith, seconded by Councilperson Olson, to close public hearing #2 at 7:20 pm.

Councilperson Olson said he will not vote for the variance unless an advanced treatment system is used, and Councilperson Hill agreed. The Board will refer the proposed septic plan back to Winchip Engineering to revise the plan to include an advanced treatment system. The revised proposal will then be forwarded to Cedarwood for review.

**Septic Request for 1088 Palisades Rd / Collins:**

Tom Hutchins, Hutchins Engineering, explained the proposed replacement system is an enhanced treatment system. The primary issue on the property is a drainage channel, and there are no issues with the lake, the owner's well, or neighboring wells.

**RESOLUTION #95-2017**

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

**JULY 20, 2017**  
**7:00 PM**

Councilperson Olson and Councilperson Higgins introduced Res. No. 95 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 1088 Palisades Rd in Brant Lake complete, and does hereby set a Public Hearing for Thursday, August 17, 2017 at 7:00 PM at the Horicon Community Center.

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

A Motion was made by Councilperson Higgins, seconded by Councilperson Hill, to go back into regular session. The Board moved back into **regular session** at 7:36 PM.

---

**Regular Meeting...**

**Approval of Minutes:** Minutes of June 15, 2017 were approved by Motion of Councilperson Higgins and Councilperson Hill.

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

**Approval of Vouchers and Abstracts:**

**RESOLUTION #96-2017**

Councilperson Olson and Councilperson Smith introduced Res. No. 96 and moved its adoption:

**RESOLUTION TO AUTHORIZE PAYMENT OF JULY 2017 ABSTRACTS**

RESOLVED, that the Town Board does hereby authorize the payment of the July 21, 2017 Vouchers and Abstracts as follows:

General Abstract	7	\$ 80,190.12
Highway Abstract	7	\$ 41,680.52

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

(Prior to voting, Councilperson Olson noted one of the vouchers in the General Abstract is for his son, Scott, for Zoning Board meeting fees. Councilperson Olson asked if the Board wanted to vote on that one separately, but the Board did not feel it was necessary.)

**Correspondence to the Board...**

- Warren Co S&QBO RE: Request Beaver Pond Rd be repaved for benefit of bicyclists
- Petition RE: Request for bike safety signs and road improvements
- NYS Dept Public Svc RE: Notice of public hearings for proposed increases in electric and gas rates
- WCSWD RE: Milfoil Management report for Brant Lake 6/12-6/15/17
- Diane Bolton Loika RE: Complaint regarding parking at the Brant Lake Boat Launch
- NYS Parks & Rec RE: Heintzelman Library added to National Register of Historic Places

**Discussion on Correspondence:**

-Warren Co S&QBO: Supervisor Simpson, regarding the petition, said he will work with HS Darian Granger to get road signage out for the safety of the bicyclists. Councilperson Olson noted the petition also requested that Beaver Pond Rd be re-paved, but that would be quite costly.

-WCSWD: Supervisor Simpson noted AIM is recommending additional milfoil harvesting in Brant Lake, so the Board will need to decide what they want to do.

**Resolutions...**

**RESOLUTION #97-2017**

Councilperson Olson and Councilperson Higgins introduced Res. No. 97 and moved its adoption:

**RESOLUTION TO AUTHORIZE THE TRANSFER FUNDS**

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

**JULY 20, 2017  
7:00 PM**

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

<u>From:</u>	<u>To:</u>	<u>Amount:</u>
<i>General:</i>		
1990.4 (Conting)	7310.4 (Youth-Contr)	\$ 5,001.00
9060.8 (Health Ins)	8090.4 (Insect-Contr)	\$ 7,000.00
<i>Highway:</i>		
5110.1 (GenRep-Pers)	9050.8 (Unemp)	\$ 1,000.00

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

**RESOLUTION #98-2017**

Councilperson Olson and Councilperson Smith introduced Res. No. 98 and moved its adoption:

**RESOLUTION TO AUTHORIZE JUSTICE COURT TO APPLY FOR GRANT**

RESOLVED, that the Horicon Town Board does hereby authorize the Horicon Justice Court to apply for a 2017-2018 Justice Court Assistance Program (JCAP) Grant with the New York State Office of Court Administration.

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

**RESOLUTION #99-2017**

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

**RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN AGREEMENT WITH YMCA ADIRONDACK CENTER**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Supervisor to sign the agreement with the YMCA Adirondack Center who agrees to provide programs to the Community for the period May 1, 2017 to April 31, 2018. In return, the Town of Horicon will contribute \$5,001.00 to the center in support of their programs.

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

**RESOLUTION #100-2017**

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

**RESOLUTION TO AUTHORIZE ROAD CLOSURE FOR ADIRONDACK SHINDIG**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the closure of Church Street from 4pm to 9pm on Saturday, August 12, 2017 from the intersection of Red Wing Rd and Church Street to the intersection of Church Street and Bell Lane, including the Town Parking lot north of the Post Office. In the event of a rain date the same section will be closed from 1pm to 4pm on Sunday, August 13th.

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

**Committee Reports...**

-Gary Frenz reported that the EMS is now running a full ALS crew on all runs, which has put them over 50% of their budgeted payroll, but they will find a way to work through that. He also noted they are looking for a treasurer and a recording secretary for the Board.

-Councilperson Smith said the Town did get the \$1,000 grant from the CFGMR for the Heintzelman Library so a decision can be made on the furnace for that building. She added the repair work on the Heintzelman entryway is complete. Councilperson Olson noted that local workers did the repairs and the cost came in under what was quoted. Supervisor Simpson said the oil from the old oil tank at the Heintzelman will be used in the furnace at the Landfill. Councilperson Smith continued with her report noting there was a meeting with Tom Williams, Paradox Consulting, on the progress of the new website. She said the Horicon event had been rained out, but the Fire Department was able to move the bands indoors. She said they would like to re-schedule the pork roast and fireworks for a date at the end of August. Councilpersons Smith and Olson will meet and set a date for that. Councilperson Smith received a request from Joan Johnson for two more hours a week for the Library in 2018. She also thanked Teri Schuerlein for all her help with the flowers.

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

**JULY 20, 2017**  
**7:00 PM**

-Councilperson Olson noted Thad Smith is planning on resigning from the ZBA. He has spoken with Cheryl Erickson who agreed to take over as Chairperson, and he has spoken with Jim Dewar who agreed to move up to a full seat on the ZBA. He said this leaves the two alternate seats open, and urged the Board to seek out people who would be interested in serving.

-Councilperson Higgins thanked HS Darian Granger. He said any time they call Darian for something he is always willing to take care of it, and it is appreciated.

**Old Business...**

**Mower Bids:** The Clerk advertised for bids for three mowers and one tractor that had previously been declared as scrap. Two bids were received and opened July 20<sup>th</sup> at 8:12 pm. The bidders were Harold Parker for tractor #2 at a bid of \$251.00, and Louis Rambone with a bid of \$300.00 for the pair of John Deere tractors. No bids were received for the Sears mower or Cub tractor. The Board noted it was not clear which mowers were being bid upon.

**RESOLUTION #101-2017**

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

**RESOLUTION TO REJECT BIDS RECEIVED FOR THE MOWERS**

WHEREAS, the Town Board of the Town of Horicon legally advertised for bids for the surplus mowers, and two bids were received and opened on July 20<sup>th</sup> at 8:12 pm, and

WHEREAS, the Board could not definitively determine which mowers were being bid on, now, therefore be it RESOLVED, that the Town Board does hereby reject the two bids received on July 20<sup>th</sup> and authorizes the Clerk to re-advertise for bids for the surplus mowers with the requirement that each mower must be bid on separately. Bids are due by August 17<sup>th</sup> at 3pm.

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

**2005 Ford Truck Bids:** The Clerk advertised for bids for the 2005 Ford truck that had previously been declared as scrap. Three bids were received and opened July 20<sup>th</sup> at 8:16 pm. The bidders were Harold Parker at a bid of \$856.00, Wayne Kennedy, Jr. at a bid of \$1,000.00, and Bob Donahue at a bid of \$1,600.00.

**RESOLUTION #102-2017**

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

**RESOLUTION TO AWARD BID FOR 2005 FORD TRUCK**

WHEREAS, the Town Board advertised for bids for a 2005 Ford truck that had been declared as scrap, and WHEREAS, three bids were received and opened on July 20, 2017 at 8:16 PM, now, therefore be it, RESOLVED, that the Town Board does hereby award the bid to Bob Donahue for the bid price of \$1,600.00.

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

**Watering Tub:**

Supervisor Simpson said he was advised by Cedarwood Engineering to call the Department of Health about the watering tub. He spoke to Maria O'Connell at the Department of Health who offered suggestions as to what the Town can do. She said it is considered a roadside spring and should be posted as non-potable because it cannot be a public drinking water source. Supervisor Simpson said she suggested signage should be posted stating "Do not drink spring water", and he feels "water has tested positive for total coliform contamination" should also be added to the sign. There was discussion amongst the Board members, and it was decided it will be posted with a sign stating "Warning - Do not drink spring water". Supervisor Simpson said the Highway Department will clean the spring. The Board agreed it should be cleaned every three months and the water tested once a month. Supervisor Simpson will ask Warren County or the Department of Health about getting the signage.

**BL Dam Lights:**

-Supervisor Simpson said Don Butler has asked about installing lights on the upper dam, and the Board agreed they will look into it.

Boat Launch: Supervisor Simpson said DEC does not anticipate closing the Boat Launch for the reconstruction work, but they will have to close it for paving. Paving has tentatively been scheduled for mid-August.

Museum: Supervisor Simpson said he is waiting for a quote for repairs on the back walls of the Museum

Ernest Smith Rd: Supervisor Simpson said Cedarwood Engineering has determined culvert issue on Ernest Smith Rd has become an emergency situation. HS Darian Granger explained the Highway Department has some preparation work to do to take delivery of the proposed temporary bridge. He noted the situation is getting worse every day, so he said he needs approval to go forward with the purchase and installation of the temporary bridge which will cost \$76,600.00.

**RESOLUTION #103-2017**

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

**RESOLUTION TO DECLARE ERNEST SMITH ROAD EMERGENCY**

RESOLVED, that the Town Board of the Town of Horicon does hereby declare the culvert situation on Ernest Smith Rd an emergency based on the recommendation of Cedarwood Engineering, and authorizes the necessary expenditures to render the situation safe.

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

There was further discussion amongst the Board as to whether the cost of the temporary bridge should be bonded, or if it should be taken from the Highway unassigned fund balance. Councilperson Olson expressed concern that the unassigned fund balance was to be earmarked for additional road work in the coming year. Supervisor Simpson said there is enough money to do the work, as any shortfall could be covered out of the General fund.

**RESOLUTION #104-2017**

Councilperson Olson and Councilperson Higgins introduced Res. No. 104 and moved its adoption:

**RESOLUTION TO AUTHORIZE PURCHASE OF TEMPORARY BRIDGE**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Highway Superintendent to purchase a 14ft x 60ft temporary bridge to be installed on Ernest Smith Rd to rectify the culvert situation. The bridge will cost \$76,600.00, including freight, which will come from the unassigned fund balance in Highway.

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

Brant Lake Dam: Supervisor Simpson spoke to Laberge Engineering on the level of the lake after hearing complaints about high water. He said Laberge has sent a letter of opinion indicating the high rainfall this year is the cause of the high water in Brant Lake not the new dam.

**New Business...**

Non-Discrimination Policy:

**RESOLUTION #105-2017**

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

**RESOLUTION TO ADOPT NON-DISCRIMINATION POLICY**

RESOLVED, the Town Board of the Town of Horicon does hereby adopt a Non-Discrimination policy for the Town and authorizes the Employee Handbook to be amended to include this Non-Discrimination policy.

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

Black Fly Program: Councilperson Olson said he understands the challenges and the cost of an effective BTI program, but he would like to meet with DEC to see if the Town could get a reasonable program going.

Credit Card – Clerk: The Town Clerk has submitted a proposal to begin accepting debit and credit card payments. There is no cost to the Town; but there would be a convenience fee for the customer.

**RESOLUTION #106-2017**

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

**JULY 20, 2017  
7:00 PM**

Councilperson Olson and Councilperson Higgins introduced Res. No. 106 and moved its adoption:

**RESOLUTION TO AUTHORIZE ACCEPTANCE OF CREDIT CARDS**

RESOLVED, the Town Board of the Town of Horicon does hereby authorize the Town Clerk/Tax Collector to work with BAS to begin accepting debit and credit payments for property tax payments and Clerk fees.

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

*Heintzelman Library furnace replacement:*

**RESOLUTION #107-2017**

Councilperson Higgins and Councilperson Smith introduced Res. No. 107 and moved its adoption:

**RESOLUTION TO AUTHORIZE FURNACE REPLACEMENT**

RESOLVED, the Town Board of the Town of Horicon does hereby authorize the purchase and installation of a Rennai LP Furnace through Hill Plumbing and Heating for the Heintzelman Library at a cost of \$2,750.00.

**Privilege of the Floor...**

-Bob Ward asked what had been decided on the Zoning Fee schedule. Supervisor Simpson said he spoke to ZA Jim Steen. Councilperson Olson said there are a number of things he needs to meet with ZA Steen on and the fee schedule is one of them.

-Dan Freebern pointed out that there should be a system to track when, and if, the Norweco systems are being maintained on a regular basis. Gary Frenz noted that when the systems are serviced it is noted in the zoning office by the person servicing the system.

-Cynthia Perkins addressed the Board regarding the NW EMS. She urged the Town Board to direct Gary Frenz (Horicon EMS representative) to bring her and former members back. She also asked the Town Board to ask Gary Frenz to consider nominating her as EMS Treasurer again.

-Teri Schuerlein, Planning Board Vice-Chair, explained that the topic of travel trailers came up at the Planning Board meeting. She said it became quite contentious because of the different interpretations of the Zoning Ordinance on this topic. She said the Planning Board would like clarification from the Town Board on the difference between a travel trailer and an RV. The Town Board will review this.

**Executive Session...**

Councilperson Hill made a motion, seconded by Councilperson Higgins, to move to Executive Session to discuss the work history and possible performance of an employee. The Board moved to Executive Session at 9:15 PM.

The Board returned from Executive Session at 9:42 PM and Councilperson Olson made a motion to return to Regular Session, seconded by Councilman Hill, all in favor. The Board discussed the performance of an employee, no action was taken.

**Adjourn...** There being no further business to attend to the meeting was adjourned at 9:45 PM by MOTION of Councilperson Olson and Councilperson Smith, all in favor.

Respectfully Submitted:

\_\_\_\_\_  
Town Clerk