

**HORICON TOWN BOARD  
REGULAR MEETING**

**SEPTEMBER 17, 2015  
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: Harvey Leidy, Bill McGhie, Tom Johansen, John Donovan, Robert and Maureen Diaz, Deb Buttino, Mark Suozzo (Cedarwood Engineering), Dan Freebern, HS Paul Smith, and ZA Jim Steen.

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

**Local Board of Health...Public Hearing**

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 for 1 Red Wing Road:**

Supervisor Simpson opened the Public Hearing regarding the request for a septic variance at 1 Red Wing Road in Adirondack.

Mark Suozzo, Cedarwood Engineering, explained the details of the proposal to replace the current non-conforming septic. ZA Jim Steen explained the new system requires variances for the following: 1) septic tank to dwelling - 5 feet where 10 feet is required; 2) septic tank to property line – 4.2 feet where 10 feet is required; 3) distribution box to property line – 6.5 feet where 10 feet is required; 4) distribution box to neighboring well – 96.4 feet where 100 feet is required; 5) absorption field to property line – 1.1 feet where 10 feet is required; and 6) absorption field to dwelling – 2.5 feet where 20 feet is required.

Maureen Diaz expressed concern over the adequacy of the proposed system if the business were to expand its operations in the future. Mark Suozzo explained the proposed system has a maximum flow of 430 gallons per day. He pointed out that if the business grows beyond that rate then the system would have to be reviewed and this whole process would start over.

There being no further comments Motion was made by Councilperson Olson, seconded by Councilperson Hill, to close the Public Hearing. Public Hearing was closed at 7:11 PM.

**Request for Septic Variance at 3534 East Schroon River Rd / Tax Map ID# 70.15-1-9**

ZA Jim Steen said a septic variance request has been submitted by Hutchins Engineering for 3534 East Schroon River Rd. He explained the variances needed are absorption field setback to property line, absorption field setback to existing dwelling, septic tank setback to property line, and septic setback to existing dwelling. The Board looked over the application and felt there were several issues that need to be addressed, and therefore, did not deem the application complete. Jim Steen will contact the Engineer and review the issues. The Board will table the request until next meeting.

**Septic Variance for 1 Red Wing Road:**

**RESOLUTION #133-2015**

Councilperson Olson and Councilperson Hill introduced Res. No. 133 and moved its adoption:

**RESOLUTION TO GRANT VARIANCE FOR AN ALTERNATIVE SEPTIC SYSTEM**

RESOLVED, that the Horicon Town Board, based on the receipt of a set of stamped plans from Cedarwood Engineering (project #15-034), and the \$100.00 variance fee, does hereby grant a variance for an alternative septic system, having a maximum flow not to exceed 430 gallons per day, at 1 Red Wing Road in Adirondack, NY (Tax Map #20.10-1-13) 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 variation which would alleviate the specified practical difficulty as found by the Board to affect the applicant.

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

A Motion was made by Councilperson Hill, seconded by Councilperson Higgins, to move back into regular session. The Board moved back into regular session at 7:20PM.

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

**Approval of Minutes:** Minutes of August 20, 2015 were approved by Motion of Councilperson Olson and Councilperson Higgins.

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

**Approval of Vouchers and Abstracts:**

**RESOLUTION #134-2015**

Councilperson Higgins and Councilperson Smith introduced Res. No. 134 and moved its adoption:

**RESOLUTION TO AUTHORIZE PAYMENT OF SEPTEMBER 2015 ABSTRACTS**

RESOLVED, that the Town Board does hereby authorize the payment of the September 17, 2015 Vouchers and Abstracts as follows:

General Vouchers	# 278-309	\$ 32,078.26
Highway Vouchers	#155-175	\$ 14,387.12
General Abstracts	26 & 27	\$ 21,903.99
Highway Abstracts	26 & 27	\$ 16,835.57

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

**Correspondence to the Board:**

- Friends of the Library RE: Thank you to the Board for their support of the Summer Reading Program
- Albert Maday RE: Letter of Interest in serving as Schroon Lake Park District Commissioner
- Robert Klein RE: Note of appreciation for how efficiently the Landfill is run.

**Resolutions:**

**RESOLUTION #135-2015**

Councilperson Hill and Councilperson Higgins introduced Res. No. 135 and moved its adoption:

**RESOLUTION TO AUTHORIZE THE TRANSFER FUNDS**

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

<b>From:</b>	<b>To:</b>	<b>Amount:</b>
<i>Highway:</i>		
5110.11 (Gen Rpr-O/T)	5110.1 (Gen Rpr-Pers.)	\$ 2,885.03
5148.1 (Svcs Other Gov't)	5110.1 (Gen Rpr-Pers.)	\$ 36,000.00

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

**RESOLUTION #136-2015**

Councilperson Smith and Councilperson Olson introduced Res. No. 136 and moved its adoption:

**RESOLUTION TO SET BUDGET WORKSHOP MEETING**

RESOLVED, that the Town Board of the Town of Horicon does hereby set a Budget Workshop Meeting for Monday, September 28, 2015 at 3:00 pm to discuss the 2016 Preliminary Budget.

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

**RESOLUTION #137-2015**

Councilperson Olson and Councilperson Higgins introduced Res. No. 137 and moved its adoption:

**RESOLUTION TO INCREASE FUNDING FOR PREVENTION OF INVASIVE SPECIES**

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 record funding received from Warren County in the amount of \$41,666.67:

Increase	Revenues:	
	A510 - Estimated Revenues	\$ 41,666.67
	A1120 - County Distribution	\$ 41,666.67
Increase	A960 - Appropriations	\$ 41,666.67
Increase	Subsidiary Codes:	
	A8090.4- Insect Dept.-Contr.	\$ 41,666.67

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

**RESOLUTION #138-2015**

Councilperson Olson and Councilperson Smith introduced Res. No. 138 and moved its adoption:

**RESOLUTION TO AUTHORIZE BUDGET AMENDMENT**

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 increase revenues and expenditures in the amount of \$7,000.00 due to an increase in Bed Tax funding from Warren County:

Increase	Revenues:	
	A510 - Estimated Revenues	\$7,000.00
	A1113 - Tax on Hotel Occupancy	\$7,000.00
Increase	A960 - Appropriations	\$7,000.00
Increase...	Subsidiary Code:	
	A6412.4 – Special Publicity	\$7,000.00

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

**Committee Reports:**

-Gary Frenz gave an update on the NWEMS. He said they have three units up and running, they are still looking for volunteers, and they are currently talking with Schroon Lake to see about a share program to cut down on the number of paid people. He said the Squad made 55 runs last month.

-Councilperson Sylvia Smith said the Cemetery Committee met with John Alexander to go over various protocols regarding burials which was very informative. She said it was suggested that the Town consider reducing the number of allowed cremation burials per lot. She asked the Board if they would be agreeable to reducing the number of cremation burials per lot from eight to four. There was no comment. Councilperson Smith gave pricing she found for the material for the perimeter of the playground. Lastly, she noted the Adirondack 102 Dinner and the Horicon Alumni event were both very good and they had good turnouts for both.

-Councilperson Olson gave a final report on Horicon Day noting they came in under budget. He also noted the radio base unit at the Highway garage is down and a new one is needed.

-Supervisor Simpson said the Mill Pond was drained a couple weeks ago so the inspection could be done on both the lower and upper dams. He said the Mill Pond will be drained again for two weeks in October while Warren County DPW paints the wing walls on the lower dam, make repairs to the concrete, and replaces the gate. He added that the removal of the bridge over the upper dam could take place as early as next week, and the super structure will be in place by next spring. In addition, the Town has the plans for the repairs to the upper dam so once the permits are received they can move forward with that.

**Old Business:**

**Community Center Roof Repairs:** Supervisor Simpson received a quote from Cedarwood Engineering for professional services related to the repair and upgrade to the Community Center roof insulation system in the amount of \$3,350.00. Cedarwood would handle the document preparation, design, bidding process, and oversight during construction to assure the project is being done properly.

**RESOLUTION #139-2015**

Councilperson Olson and Councilperson Hill introduced Res. No. 139 and moved its adoption:

**RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH CEDARWOOD ENGINEERING**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Supervisor Simpson to sign the agreement with Cedarwood Engineering for professional services related to the repair and upgrades to the roof insulation system at the Community Center at a cost not to exceed \$3,350.00.

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

**New Business...**

**Zoning and Planning Training:** There are two upcoming conferences for Zoning and Planning Board training. One is the Southern Adirondack Planning and Zoning Forum at Fort William Henry on October 1<sup>st</sup> at a cost of \$25.00 per person, and the other is the North Country Stormwater Tradeshow and Conference at Great Escape Lodge on October 15<sup>th</sup> at a cost of \$80 per person.

**RESOLUTION #140-2015**

Councilperson Olson and Councilperson Smith introduced Res. No. 140 and moved its adoption:

**RESOLUTION TO AUTHORIZE ATTENDANCE AT ZONING AND PLANNING CONFERENCES**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize attendance for five people at the Southern Adirondack Planning and Zoning Forum at a cost of \$25.00 per person plus mileage, and authorizes attendance for two people at the North Country Stormwater Tradeshow at a cost of \$80 per person plus mileage.

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

Brant Lake Upper Dam Project: Laberge Group has submitted the plans and the SEQRA form to the Board for review. The Board reviewed the SEQRA and sees no negative impact.

**RESOLUTION #141-2015**

Councilperson Olson and Councilperson Higgins introduced Res. No. 141 and moved its adoption:

**RESOLUTION OF NEGATIVE DECLARATION AND AUTHORIZATION TO APPLY FOR DAM SAFETY PERMIT FOR TOWN OF HORICON BRANT LAKE UPPER DAM PROJECT**

WHEREAS, the Design Engineer, Laberge Group, has provided the Town of Horicon with draft plans, design report, and permit applications for the Brant Lake Upper Dam project; and  
WHEREAS, the project includes replacement of the existing flashboard assembly with a new spillway control gate that will meet NYSDEC Dam Safety Requirements; and  
WHEREAS, the Town Board has examined and reviewed the Environmental Assessment Form (EAF) prepared for this project; and, now therefore be it

RESOLVED, based on an examination of the EAF, the criteria contained in 6 NYCRR §617.7, and based further on the knowledge of the action and its environmental effects as the Town Board has deemed appropriate, the Town Board of the Town of Horicon makes the following determinations pursuant to SEQRA:

- a. The Action to be undertaken is considered an Unlisted Action per Article 8 of the Environmental Conservation Law; and
- b. The Action will not have a significant effect on the environment, and the Town Board hereby issues a negative declaration pursuant to SEQRA EAF, attached as Exhibit A; and
- c. The Town Board authorizes the Supervisor to sign the EAF and provide two (2) original copies of this Resolution and signed EAF to the Laberge Group for grant compliance documentation, and be it further

RESOLVED, that the Board authorizes the Supervisor to sign permit application forms as necessary for this project.

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

BTI Contract: Supervisor Simpson has received the new contracts for BTI. If the Board wants to go with a one year contract the cost will be \$20,500, and if they want to go with a three year contract the cost would be \$19,500 per year. Councilman Higgins said he did not feel the benefit is there. Supervisor Simpson agreed, noting there are other items in the upcoming Budget that he feels are a priority over the BTI program. Councilman Olson spoke in favor of keeping the program. There was brief discussion and the Board decided to take no action at this time.

Brant Lake Taxing District: Supervisor Simpson explained to the Board that he is in favor of a Brant Lake Taxing District for the purpose of water quality issues and dam maintenance and operations. He noted the taxing district would provide sustainable funding. There is a lot of research and work that will have to be done, but he asked if this was a project the Board would like him to pursue. The Board felt it was worth looking into.

Milfoil – additional coverage: Wayne Butler asked if the Board would authorize funding for an additional week of milfoil control based on what they have found.

**RESOLUTION #142-2015**

Councilperson Olson and Councilperson Higgins introduced Res. No. 142 and moved its adoption:

**RESOLUTION TO COVER ADDITIONAL WEEK OF MILFOIL CONTROL**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize funding for an additional week of milfoil control at a cost not to exceed \$7,800.00. The funds will be taken from code A8090.4.

***Privilege of the Floor...***

-John Donovan addressed the Board regarding the Union Church and said they are still waiting for grant funding at this time.

***Executive Session:***

Councilman Hill made a motion, seconded by Councilman Olson, to move to Executive Session to discuss the employment status of a particular employee, all in favor. The Board moved to Executive Session at 8:30 PM.

The Board returned from Executive Session at 8:50 PM and Councilman Higgins made a motion to return to Regular Session, seconded by Councilman Hill, all in favor. Employment status a particular employee was discussed.

***Adjourn...*** There being no further business to attend to the meeting was adjourned at 8:51 PM by MOTION of Councilperson Olson and Councilperson Hill, all in favor.

Respectfully Submitted:

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Town Clerk