

**Town of Henderson
12105 Town Barn Rd.
Henderson, NY 13650
Public Hearing/ Town Board Meeting
April 9, 2024 7:00PM**

1. Pledge
2. Public Hearing Solar Moratorium Extension
3. Public Comments “Old Business”
4. Minutes
5. Pay The Bills
6. Supervisor Report
7. Sewer Update – Pat Scordo
8. Henderson Business Community Council – Gail Smith
9. Solar Review / Moratorium
10. Comprehensive Plan Update
11. Newyorkclass.org
12. Proposed Town Hall Dates
13. Recycling Center Hours of Operation
14. Planning Board Meeting Time / Vacancy
15. Ballfield Soil Purchase
16. Development Agreement process
19. Video Conferencing Update
20. Monthly Reports

15. Town Boat Launch Sign

14. Dollar General Status

17. Nex Amp Military Rd Solar

21. Garbage removal for local Businesses – Gary Rhodes Request

22. Board & Public Comments

And any other business that might come before the Town Board!!

NOTICE OF PUBLIC HEARING

Town of Henderson, New York

RE: Extending Moratorium on all Solar Energy Facilities and Battery Energy Storage Systems

PLEASE TAKE NOTICE that a Local Law has been introduced by the Town Board of the Town of Henderson to extend its **Town Wide Moratorium on all Solar Energy Facilities and/or Battery Energy Storage Systems for an additional three (3) months.**

The Local Law prohibits any Enforcement Officer, the Zoning Board of Appeals, or the Planning Board, from processing, reviewing, rendering any determination, granting any variance, or approval with respect to any Solar Energy Facilities and/or Battery Energy Storage Systems within the Town of Henderson during the duration of the Moratorium extension due to expire on/ about June 5, 2024.

The Local Law declares that a violation shall be punishable by a fine not exceeding \$250 and/or injunctive relief to prohibit such activities.

PLEASE TAKE NOTICE that a public hearing upon the Local Law will be held at the Town Offices, 12105 Town Barn Rd., Henderson, New York on **April 9, 2024 at 7:00PM** and that an opportunity to be heard in regard thereto will then and there be given to all persons.

Town of Henderson

12105 Town Barn Rd.
Henderson, New York 13650
(315) 938-5542
www.townofhendersonny.org

RESOLUTION # 32 OF 2024

ADOPTING LOCAL LAW 4 of 2024 Extending a Townwide Month Moratorium for Solar Energy Facilities and/or Battery Energy Storage Systems

WHEREAS, the Moratorium regarding Solar Energy Facilities and/or Battery Energy Storage Systems was recently adopted by the Town Board and which is due to expire on/about May 5, 2024; and

WHEREAS, the Town Board for the Town of Henderson, New York is considering a number of steps to update, revise and amend its Zoning with regard to Solar Energy Facilities and/or Battery Energy Storage Systems, but anticipates that completion of that process will not be accomplished by May 5, 2024; and

WHEREAS, in light of the above, the Town Board has determined that extending the moratorium for up to an additional _____ () months is reasonably necessary and appropriate to ensure that adequate time exists within which the Town Board might adopt reasonable amendments to Town Zoning in respect to Solar Energy Facilities and/or Battery Energy Storage Systems.

NOW BE IT RESOLVED, that a public hearing Amending Local Law 1 of 2023 to extend the moratorium for an additional _____ () months (subject to earlier cancellation by Resolution) was conducted on _____, 2024; and

BE IT FURTHER RESOLVED, that extending the moratorium to provide adequate time to amend Zoning in regard to Solar Energy Facilities and/or Battery Energy Storage Systems is appropriate and the local law is approved; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

The foregoing Resolution was offered by Board Member, _____, and seconded by Board Member, _____, and upon roll call vote of the Board was duly adopted as follows:

Ed Glaser, Supervisor	Yes ____	No ____
Torre Parker-Lane	Yes ____	No ____
Matthew Owen	Yes ____	No ____
David Poulin	Yes ____	No ____
Lindsay Witmer	Yes ____	No ____

Dated: _____ 2024

Wendy Flagg, Town Clerk

TOWN OF HENDERSON

LOCAL LAW # 4 of 2024

Amending Local Law 1 of 2023 Extending the Townwide Moratorium for all Solar Energy Facilities and/or Battery Energy Storage Systems

ARTICLE I INTENT

The Town Board, in order to consider, formulate, and potentially amend the Town's Zoning pertaining to Renewable Energy Facilities and Battery Energy Storage Systems and to safeguard the public health, safety and general welfare of its population, determines it to be reasonably necessary to extend the six (6) month moratorium by ____ () additional months (from May 5 - _____, 2024) to complete the Zoning amendment process.

ARTICLE II DEFINITIONS

BATTERY ENERGY STORAGE SYSTEMS - One or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone twelve-volt car battery or an electric motor vehicle. A battery energy storage system is classified as a small, medium, or large battery energy storage system as follows:

- (1) Small battery energy storage systems have an aggregate energy capacity less than or equal to 200 kWh and, if in a room or enclosed area, consist of only a single energy storage system technology.
- (2) Medium battery energy storage systems have an aggregate energy capacity greater than 201 kWh to 600 kWh or are comprised of more than one storage battery technology in a room or enclosed area.
- (3) Large battery energy storage systems have an aggregate energy capacity greater than 600 kWh or are comprised of more than one storage battery technology in a room or enclosed area.

PERMIT/APPROVAL - No battery energy storage systems shall be constructed, reconstructed, modified or operated in the Town of Henderson, except in compliance with the Zoning Law.

RENEWABLE ENERGY FACILITIES and/or SOLAR ENERGY FACILITIES – An electrical energy

facility composed of a combination of both solar panels and solar energy equipment.

This provision applies equally to Wind Energy Conversion Systems and Solar Energy Conversion Systems, however those renewable energy systems may be defined.

ARTICLE III APPLICATION

This Local Law shall apply to all areas within the Town of Henderson.

ARTICLE IV DURATION

This law shall be in effect for a period of up to _____ (__) months from May 5 – _____, 2024 unless sooner cancelled by the Town Board by Resolution.

ARTICLE V PROHIBITIONS

Neither the Town of Henderson Zoning Officer, nor the Zoning Board of Appeals, nor the Town of Henderson Planning Board nor the Town Board shall process, review, render any determination, nor grant any variance, or any approval, in respect to any Renewable Energy Facilities and/or Battery Energy Storage Systems within the Town during the duration of this Moratorium. No person shall construct/erect a new Renewable Energy Facilities and/or Battery Energy Storage Systems within the Town Limits during the duration of this Moratorium unless municipal approval was granted in advance of the effective date of this local law.

ARTICLE VI ENFORCEMENT

This Local Law shall be enforced by the Town Zoning Officer.

ARTICLE VII VIOLATIONS

Any person violating any provision of this Local Law shall be guilty of an offense, and upon conviction thereof be punishable by a fine not to exceed Two Hundred Fifty Dollars (\$250) or imprisonment for a period not to exceed fifteen (15) days or both. Each week's continued violation after notice shall constitute a separate and additional violation.

ARTICLE VIII SEVERABILITY

Should any portion of this Local Law be declared invalid, such decision shall not affect the validity of the remaining portions of this Local Law.

ARTICLE IX EFFECTIVE DATE

This Local Law shall become effective on May 5, 2024 or after having been sooner filed in the Office of the NYS Secretary of State.

NEWYORKCLASS.ORG

New York Cooperative Liquid Assets Securities System (NYCLASS) is a short-term, highly liquid investment fund designed specifically for the public sector. It provides the opportunity to invest funds on a cooperative basis in short-term investments that are carefully selected to maximize safety and liquidity while generating a competitive yield.

- What are the investment objectives of NYCLASS?
 1. **Legality**
 - To invest only in investments legally permitted under New York State General Municipal Law (NYS GML)
 2. **Safety**
 - To minimize risk by managing portfolio investments to preserve principal and maintain a stable Net Asset Value (NAV).
 - To maintain the highest rating for NYCLASS from a nationally recognized statistical rating organization as long as such rating is required by New York state law.
 3. **Liquidity**
 - To manage portfolio investments in a way that ensures that cash will be available as required to finance Participants' operations.
 4. **Yield**
 - To maximize current income to the degree consistent with legality, safety, and liquidity.

NYCLASS is not a bank. An investment in NYCLASS is not insured or guaranteed by the Federal Deposit Insurance Corporation or any other government agency.

In order to join, Participants must approve the NYCLASS Municipal Cooperation Agreement by a majority vote of their governing body.

WSB Savings currently ~\$1,895,000 (Investments, Reserves, Capitol Projects)

-NYCLASS annual yield (3/31/24) 5.2325%

RESOLUTION 2024-01-02-009 (CODIFICATION-DEPOSITORIES) Revision 1

to approve and accept the Investment Policy for the Town of Henderson as it appears in the Town of Henderson Codification and designates the Official Depositories to be Community Bank for Judge McCrea, Judge Yonkovig and the Town Clerk/Tax Collector Accounts, and Watertown Savings Bank and New York Cooperative Liquid Assets Securities System (NYCLASS) for the Town Supervisor, Capital Fund for Water District #2, Capital Fund for Water District #1 and Capital Fund for Sewer District #1

Chapter 27 Investment Policy

§ 27-7. Designation of depositaries.

The banks and trust companies authorized for the deposit of moneys up to the following maximum amounts are:

~~Depository Name~~ ——— ~~Maximum Amount~~ — ~~Officer~~

~~Key Bank of New York~~ — ~~No limit~~ ——— ~~Supervisor~~

Approved annually by Resolution at the Organizational Meeting

The Town of Henderson baseball field is in need of improvement to support Little League games:

- baselines are lower than surrounding turf resulting in water not being able to drain
- uneven and rocky-ish surface makes sliding into bases hazardous
- pitcher's mound more resembles a crater

Purchase enough material to add 2" to a regulation little league field. Estimated as 36 tons (1 trailer load)

Purchase "Super Sack" to renovate the Mound.

The ideal dirt for recreational baseball and softball infields is composed of **70% sand and 30% silt and clay** combined. Professional and collegiate level fields typically prefer 60% sand and 40% silt and clay.

It is estimated, with proper care and maintenance, the field should be able to be maintained in good condition for > 5 years

Direct Shipment-Delivery location is closest spot from parking lot, cannot drive onto field due to weight and potential to damage field

Super sack Pick up from Clay NY location for pitcher's mound

TOH Highway department support

Procurement Policy-3 quotations:

1. Northern Nurseries Cicero NY - \$5,988 total for baselines and mound delivered. Sole source for MarcoClay
2. Finger Lakes Mulch & Soil Manchester NY do not provide infield mix in bulk quantity
3. TJ Clement Watertown NY not in stock, would need to gear up for production of correct soil mix, quote response pending

Funding

A0-7110-2 Parks-Equip \$5,000

A0-7110-4 Parks-Contractual \$5,000

The board could use ARPA funds for the project. Remaining unallocated ARPA Funds is \$26,800.19

Competitive Bid process

CHAPTER 50 PROCUREMENT POLICY

The following items are not subject to competitive bidding pursuant to § 103 of the General Municipal Law: purchase contracts under \$10,000 and public works contracts under \$20,000;

\$2,501 to \$19,999 3 written quotations

B. A good-faith effort shall be made to obtain the required number of proposals or quotations. If the

purchasing town official is unable to obtain the required number of proposals or quotations, that

official will document the attempt made at obtaining the proposals. In no event shall the failure to

obtain the proposals be a bar to the procurement

NORTHERN NURSERIES, INC.

WHOLESALE HORTICULTURAL DISTRIBUTION CENTERS

**CONFIDENTIAL PRICE QUOTATION**Date of Quote: **3/19/24**

Job Reference:

Infield MixTO: **Town of Henderson**

ATTN:

Dave

Phone:

Fax:

:

FROM: **DARREN SHUMAN****8633 Us RT 11****Cicero NY 13039**

Phone:

315-225-1770

Fax:

315-752-1392Date Material Required: **1/0/00**

Terms:

Ship to: **To Be Determined**

F.O.B.

In response to your inquiry, we submit the following Quotation:

QTY	Description	Size	Status	Unit Price	Amount
36	Marco Clay Washington Ball Mix (delivered including FSC)	ton	.	\$154.00	\$5,544.00
	*30-36 ton loads only		&		
1	Marco Clay Mound Clay Super Sack	3000lbs	.	\$440.00	\$440.00

NOTE: Prices quoted firm for 30 DAYS FROM DATE OF QUOTE. Actual supply of material subject to availability as of date of receipt of order.

NOTE: Northern Nurseries is not responsible for estimating and or take off's of any kind. It is the contractors sole responsibility to ensure overall quantities are correct.

This quotation is intended only for the use of the addressee and may contain information that is privileged and confidential. Communication of this information to any other individual without express consent of Northern Nurseries, Inc. is strictly prohibited.

Thank you for the opportunity to quote these items.

Town of Henderson Quote 031924

Mar-Co Clay Products Inc.
RR 3,
Bright, ON N0J 1B0
Tel: 519-684-7591 Fax: 519-684-7457



Mar-Co Clay USA Inc
2415 State Route 18, P.O. Box 493
Wampum, PA 16157
Corp: 519-684-6775 Corp Fax: 519-684-6949

Feb. 6, 2024

To Whom It May Concern:

Please be advised that Northern Nurseries is the only authorized Mar-Co Clay Products dealer located in the Syracuse and eastern NY region. They have facilities in Cicero and Schenectady to offer sales and service in support of all Mar-Co Clay products.

Please visit our website, www.marcoclay.com for more information.

**Dale Horst
President, Marco Clay Products Inc.**



South Jefferson Little League

Matthew Burdick
President

Jay Wiley
Vice-President

Jessica Blair
Treasurer

Gina Reid
Secretary

Michael O'Hagan
Coaching Coordinator

Sara Gleason
Safety Officer

Mark Pacella
Player Agent



April 3, 2024

Dear Town of Henderson,

I hope this letter finds you well. I am writing on behalf of South Jefferson Little League, where I serve as the President, to inquire about the possibility of receiving support in the form of the Town of Henderson considering the purchase of one Automated External Defibrillator (AED) to be put up at the baseball field in Henderson.

South Jefferson Little League is home to approximately 300 youth players at the U6, U8, U10, and U12 levels as well as Softball, along with around 150 dedicated volunteers. As we gear up for the upcoming season, we are facing a new challenge. A new law going into effect on June 1st, 2024, mandates that all of our baseball fields must have an AED on site or within three minutes of a practice or game location.

This new requirement presents a financial challenge for our league, as we must now equip each of our 10 baseball sites with an AED. These sites include Rodman field, Tyner field, Grace Community Church field, Minkler field, Spring Street field, Mannsville field, Lorraine field, Henderson field, Belleville field, and Ellisburg field. Our league fields approximately 35 teams each season, and the fields are in use about six days per week.

In addition to the cost of purchasing the AEDs, we must also ensure that we have trained coaches or personnel present at each practice or game. This training incurs an additional cost to our league.

We are reaching out to each town municipality in the hopes of receiving support to help us meet this new requirement. Any assistance you can provide, through a purchase of an AED to support our league, would be greatly appreciated.

Thank you for considering our request. We look forward to the possibility of working together to ensure the safety of our players, families, and volunteers. Should you require any further information, please do not hesitate to contact me at 315-783-1983 or mattburdick25@yahoo.com.

Sincerely,

Matthew Burdick
SJLL President
Mattburdick25@yahoo.com
315-783-1983

WELCOME

**WE ARE A SMALL TOWN WITH LIMITED
RESOURCES**

**PLEASE HELP US KEEP THIS AREA CLEAN BY
PACKING OUT TRASH**

**THANKS & ENJOY OUR
AREA**