

**Town of Henderson
12105 Town Barn Rd.
Henderson, NY 13650
Public Hearing / Town Board Meeting
February 13, 2024**

A regular meeting of the Town Board of the Town of Henderson, County of Jefferson and the State of New York was held at 12105 Town Barn Rd. at 7:00PM, on the 13th day of February 2024.

PRESENT:	Edwin Glaser	----	Supervisor
	Matthew Owen	----	Councilperson
	Torre Parker Lane	---	Councilperson
	David Poulin	---	Councilperson
	Lindsay Witmer	---	Councilperson
	Wendy Flagg	----	Town Clerk

Supervisor Glaser opened the Public Hearing for Proposed Zoning laws at 7:01PM. Supervisor Glaser gave a brief explanation of the County review that was done concerning large scale ground mounted Solar systems, recreation areas, and lighting

Ginger Cook – Would like to see solar array stay at 8’ height no higher

Karen Richmond – Do we need to hold a Public Hearing in March on this again?
No, we can hold over meeting and make decision at March Meeting

Ron Pope – Is there any legal issues with approving Zoning Laws now then doing solar law changes later?
No, there are no applications on file with the Town

MOTION

CONTINUATION OF PUBLIC HEARING

On a motion of Councilperson Parker Lane, second by Councilperson Witmer following motion was.

ADOPTED Ayes 5 Glaser, Poulin, Owen, Witmer, Parker Lane
 Nays 0

Motion to keep open the public Hearing for proposed Zoning Laws until the March 12th Board meeting.

Old Business Public Comments: David Poulin thanked Supervisor Glaser for shortening the meeting last month due to the storm approaching. Also thanked the highway department for doing a great job cleaning up after the storm.

MOTION
MINUTES

On a motion of Councilperson Parker Lane, second by Councilperson Owen following motion was.

ADOPTED Ayes 5 Glaser, Owen, Parker Lane, Poulin, Witmer
Nays 0

Motion to approve minutes from January 9, 2024, Town Board meeting.

MOTION
AUDIT OF CLAIMS

On a motion by Councilperson Owen, seconded by Councilperson Parker Lane, the following motion was

ADOPTED Ayes 5 Glaser, Witmer, Poulin, Owen, Parker- Lane
Nays 0

Motion to authorize payment of abstract #1P include vouchers 24-00040– 24-00042 for a total amount of \$701.40.

Summary by Payable Account

<u>Payable Acct</u>	<u>Total Amount</u>
General	\$553.44
Highway	\$0
Water Dist. 1	\$73.98
Water Dist. 2	\$73.98

MOTION
AUDIT OF CLAIMS

On a motion by Councilperson Parker Lane, seconded by Councilperson Owen, the following motion was

ADOPTED Ayes 5 Glaser, Witmer, Poulin, Owen, Parker- Lane
Nays 0

Motion to authorize payment of abstract #2 include vouchers 24-00043– 24-00134 for a total amount of \$728,311.66.

Summary by Payable Account

<u>Payable Acct</u>	<u>Total Amount</u>
General	\$73,879.86
Highway	\$60,219.23
Water Dist. 1	\$3,133.50
Water Dist. 2	\$3,133.47

Henderson Library	\$50,000.00
Henderson Fire District	\$358,332.00
Special Lighting Dist.	\$618.94
Smithville Fire District	\$83,076.14
Trust & Agency	\$1049.52
Sewer Capital Fund	\$94,869.00

Discussion was had over payment of GYMO bill for NEXAMP solar project review should have had a developer's agreement in place

MOTION

SUPERVISOR REPORT

On a motion by Councilperson Owen, second by Councilperson Parker Lane the following motion was

ADOPTED Ayes 5 Glaser, Poulin, Owen, Parker-Lane, Witmer
 Nays 0

Motion to accept January Supervisor's report as presented by Supervisor Glaser.

Town Board members were provided with a copy of the monthly revenues and appropriations report.

Eclipse update by Gail Smith and Joan Treadwell by phone updated the Board and reviewed report they submitted on the solar eclipse festival going on throughout the area. On the Henderson Business Council website there is a link to take people who are interested in following the activities going on throughout the area. Several experts on the eclipse will be guest speakers prior to the event. A safety meeting with Local, County and State officials has been set up for March. The committee's request is for about a half dozen port a john to be placed at the Town Boat Launch and trash receptacles from the Town.

Nexamp Military Road solar project not being hooked into the electrical grid and has been of concern. Eric Sheldon, Enforcement Officer, has tried several times to contact someone at Nexamp but with no success. He did get ahold of the sales office and was told there was a 6 to 9 month waiting period to sign up as a customer.

Judy Sanders McKee asked if solar system companies could be asked to produce a commitment letter from the electric company as to how long after system is completed it would be for them to be put online.

Ginger Cook No lessons have been learned/not hooked up not operational/ have done nothing they said they would. Why let them do another project?

Judy Sanders McKee there is a trench or French drain by Nexamp that is washing out the private road, Cedarvale

Enforcement Officer Eric Sheldon will look into the situation
Councilperson Owen would like to get a Solar Law review committee together to being meetings on March 20, 2024, at 7:00PM. He has spoken with a couple from the Zoning Board of Appeals and Planning Board and would like a couple community residents involved. If interested submit a letter to the Town Clerk.

Councilperson Poulin presented a communication plan to the Board including newsletters, social media page, and other areas to post meeting notices.

MOTION

COMMUNICATION PLAN

On a motion by Councilperson Poulin, second by Councilperson Owen the following motion was

ADOPTED Ayes 5 Glaser, Poulin, Owen, Parker-Lane, Witmer
 Nays 0

Motion to adopt communication plan as follows:

TOWN OF HENDERSON COMMUNICATION PLAN RESOLUTION

WHEREAS communication is a key component that is essential in providing accurate and timely information to the residents and businesses of our town. Transparency promotes accountability and provides information for residents and businesses about the Town of Henderson activities and happenings. The Town of Henderson strives to ensure the public's trust and establish a system of transparency, public participation and collaboration. Timely, reliable and accurate communication is an integral part of achieving transparency. The Town of Henderson's Communication Plan is in place to provide means by which we can increase awareness of our decisions made and actions taken by the Town Board, and to generate heightened engagement of our community members. This strategy is meant to be fluid; to grow and change along with technology and social media.

Listening and Learning: The Town recognizes that communication flows two-ways, both providing information and receiving feedback. Listening to residents build better trust and credibility so the policies and programs created by the Town also reflect the needs and wishes of the community.

A mix of electronic (website, bulk emails, social media etc.) and non-electronic (residential mailings, sign boards, flyers posted in public locations etc.) methods will be necessary to ensure the full demographic spectrum of residents are reached.

THEREFORE, BE IT RESOLVED that the following "Town of Henderson Communication Plan" be adopted:

Establish 1 page/2-sided hardcopy newsletter. Published semi-annually. To be sent out using existing Tax (town & school) receipt mailings so that it is published at least twice per year.

Establish town social media page to communicate town notices, meetings, and other timely information. Intent is to not have a comment section in order to minimize potential unprofessional discussions. Electronic feedback to town officials will be encouraged via Town Board email addresses.

In addition to legal notification requirements, post meeting notifications on WWNY, and Spectrum Community Calendars and physical copies at both Post Offices and Fargo's.

Utilize the Fire Department electronic billboard to communicate town meetings, if possible, post by the preceding Friday.

Consider using physical billboard devices for items of particular townwide importance

Establish voluntary bulk email mailing list.

- solicit residents' voluntary email during newsletter mailing in order to establish a group email ability
- establish link on website for residents to add email
- originate from a Town of Henderson official's email address only
- Use of BCC for resident's email addresses to enhance privacy
- Bulk email sent out as No Reply, email will refer to town officials email addresses for feedback/replies

Resident inquiries should be acknowledged and responded to. Responses should always be polite and respectful, even if the original Comment is not.

Councilperson Poulin presented a comprehensive plan to the Board including the importance of the comprehensive plan and the document being the foundation of enhancing the value of land and buildings within the Town.

MOTION

COMPREHENSIVE PLAN

On a motion by Councilperson Poulin, second by Councilperson Owen the following motion was

ADOPTED Ayes 5 Glaser, Poulin, Owen, Parker-Lane, Witmer
 Nays 0

Motion to adopt comprehensive plan as follows:

TOWN OF HENDERSON COMPREHENSIVE PLAN RESOLUTION

WHEREAS The purpose of Zoning Laws is for the promoting of public health, safety and welfare, and the most desirable use for which the land in the town may be adopted; for conserving the value of buildings and for enhancing the value of land throughout the town, pursuant to the authority conferred by Article 16 of the Town Law and Section 10 of the Municipal Home Rule Law and the Comprehensive Land Use Plan of the Town of Henderson.

WHEREAS The comprehensive plan creates a blueprint for the future development and preservation of a community based upon input provided by the citizens of the Town. Often referred to as the "master plan," it is the essential foundation upon which communities are built.

WHEREAS The comprehensive plan is the culmination of a planning process that establishes the official land use policy of a community and presents goals and a vision for the future that guides official decision-making.

WHEREAS Legal risk is minimized when town personnel make decisions that are in alignment with the Comprehensive Land Use Plan of the Town of Henderson.

THEREFORE, BE IT RESOLVED that the following be adopted:

All decision-making personnel and bodies (i.e. Planning Board, Zoning Board of Appeals, Town Board etc.) of the Town of Henderson will use the Comprehensive Land Use Plan as a basis for making decisions. Stated differently, when discretion is allowed within the governing laws, then the information contained within the Comprehensive Land Use Plan will be used as the basis for the decisions made.

Councilperson Witmer presented a Video Conferencing discussion. Three quotes for equipment to provide meetings online were discussed and Big Apple Music could provide the equipment and material the Board is seeking to live stream the meetings of the Town.

Town Attorney has provided a Law to be reviewed by the Board. Discussions of how to prevent hecklers and sabotage at the meetings. Ways for the public to comment either through a chat or comment area which will need to be monitored. Board agrees to hold a public hearing for the March 12, 2024, meeting.

MOTION

PUBLIC HEARING FOR BROADCASTING TOWN MEETINGS

On a motion by Councilperson Witmer, second by Councilperson Parker Lane the following motion was

ADOPTED Ayes 5 Glaser, Poulin, Owen, Parker-Lane, Witmer
 Nays 0

Motion to hold a Public Hearing on broadcasting Town meetings to be held on March 12, 2024, at Town Office located at 12105 Town Barn Rd., Henderson, NY immediately following the Public Hearing continuation of the proposed zoning laws.

Water dispenser discussion Councilperson Owen read the water law and quoted where the Law specially the price for 5 gallons of water to be at \$.25 doesn't believe the resolution done in the fall of 2023 was correct as it did not follow the law on the books. He was told the new machine could be programmed and presented the proposed resolution to the Board. The Board agreed and voted.

RESOLUTION # 2024-02-13-002

FIVE (5) GALLON OF BULK WATER AT \$.25

On a motion by Councilperson Owen, second by Councilperson Witmer the following motion was

ADOPTED Ayes 5 Glaser, Poulin, Owen, Parker-Lane, Witmer
Nays 0

The Board resolved the following:

Whereas the Town of Henderson owns and operates a water dispenser at the Town Office;

Whereas in the summer of 2023 the Town of Henderson has installed a new water dispenser alongside the existing dispenser;

Whereas the new dispenser discharges water at a rate of \$.10 per gallon up to 5 gallons;

Whereas the original dispenser has been physically modified to not allow 5 gallon containers;

Whereas the Town Board of the Town of Henderson unanimously passed Local Law#1 of 2014 on June 25,2014 stating that “the Water Dispenser shall allow Henderson residents to obtain five(5) gallons of water for \$.25”;

Whereas no subsequent laws or amendments to Local Law#1 of 2014 have been discussed, passed or filed with the Department of State;

Now, therefore, it is resolved that the Town Supervisor will ensure that both water dispensers allow for dispensing water at a cost of \$.25(twenty-five cents) per five(5) gallons in accordance with Town Law#1 of 2014.

Public comment to use credit card available for payment. Councilperson Owen will look into it.

Councilperson Poulin discussed meeting Law 37 with the Board and presented some changes he discussed with Board. Would like monthly reports to begin immediately. Liaisons will handle each area.

MOTION

MEETING LAW 37 PUBLIC HEARING

On a motion by Councilperson Poulin, second by Councilperson Witmer the following motion was

ADOPTED Ayes 5 Glaser, Poulin, Owen, Parker-Lane, Witmer
Nays 0

Motion to hold Public Hearing to discuss changes to Meeting Law 37 at March 12,2024 Town Board meeting at Town Offices located at 12105 Town Barn Rd., Henderson, NY to immediately follow the Public Hearing for video conferencing.

Councilperson Witmer discussed resident participation/ Town Board/Officials professionalism with the Board. A two-strike rule for residents who act out at Town Meetings and rules for Town officials to abide by.

MOTION

**RESIDENTS PARTICIPATION/ TOWN OFFICIALS PROFESSIONALISM
RULES**

On a motion by Councilperson Witmer, second by Councilperson Parker Lane the following motion was

ADOPTED Ayes 5 Glaser, Poulin, Owen, Parker-Lane, Witmer
Nays 0

Motion to adopt the following:

Therefore, be it approved that the following “Henderson Town Board Unruly Meeting Participant Rule” be adopted.

If a meeting audience member acts out in the crowd in a negative way they will receive a warning. If the meeting audience member acts out again they will be removed from the meeting. Any Board member can give a warning or remove a resident from the meeting.

Councilperson Poulin worked with the fishing coalition on guidelines for the Town Boat Launch site for outside users who wish to hold fishing tournaments. A templet will be available on the website to be filled out by each group with a list of guidelines attached. It then must be submitted to the Town Board for approval.

Public Comment – non- residents should be charged for use of launch. Board has discussed this concern before several ideas have been looked into.

Board Comments – Councilperson Poulin reminds everyone of workshops to be held on Wednesday night after the Board meetings from now until June. Held at Town Offices at 7:00PM

Councilperson Owen feels we need to get moving on Comprehensive Plan and a letter from Town Supervisor must be submitted to the County requesting their assistance.

Public Comments: Judy McKee Sanders – Is there anyway the Planning Board Meeting time can be changed to later as 5:00PM is very hard for people to get to the meeting.

Ginger Cook- very dis appointed with the Town Board for paying the GYMO bill for services concerning the Gillman Rd. solar project.

Kim Fillingham – The changes made by the committee for Solar, will they have any effect on the Gillman Rd. project.

There are no applications for solar projects in the Town so yes, every project would fall under any new changes.

MOTION

EXCUTIVE SESSION ENTER

On a motion by Supervisor Glaser, seconded by Councilperson Parker Lane, the following motion was

ADOPTED Ayes 5 Glaser, Witmer, Poulin, Owen, Parker- Lane
Nays 0

Motion to enter into executive session to discuss personnel performance issues per Councilperson Witmer's concerns.

MOTION

EXECUTIVE SESSION EXIT

On a motion by Councilperson Parker Lane, seconded by Councilperson Owen, the following motion was

ADOPTED Ayes 5 Glaser, Witmer, Poulin, Owen, Parker- Lane
 Nays 0

Motion to exit executive session.

No further business to discuss a motion by Councilperson Parker Lane second by Councilperson Owen the meeting was adjourned. Carried unanimously.

Respectfully submitted,
Wendy Flagg / Town Clerk/Collector

All Town meetings held at
12105 Town Barn Rd., Henderson, NY 13650

Feb 14	(Wednesday)	Town Board Workshop	7:00PM
Feb 19	(Monday)	Town Office Closed for Holiday	
Feb 21	(Wednesday)	Zoning Board Meeting	6:00PM
Feb 22	(Thursday)	Recreation Commission Meeting	7:00PM
March 05	(Tuesday)	Planning Board meeting	5:00PM
March 12	(Tuesday)	Town Board Meeting	7:00PM
March 13	(Wednesday)	Town Board Workshop	7:00PM
March 18	(Monday)	Recreation Commission Meeting	6:00PM
March 20	(Wednesday)	Zoning Board Meeting	6:00PM
April 02	(Tuesday)	Planning Board Meeting	5:00PM
April 08	(Monday)	Solar Eclipse Festival	All Day