

**Town of Henderson  
12105 Town Barn Rd.  
Henderson, NY 13650  
Town Board Meeting  
October 10, 2023**

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 10<sup>th</sup> day of October 2023.

PRESENT:	Edwin Glaser	----	Supervisor
	Bryan Flagg	----	Councilperson
	Matthew Owen	----	Councilperson
	Carol Hall	----	Councilperson
	Torre Parker Lane	----	Councilperson
	Wendy Flagg	----	Town Clerk

Public Hearing for Sun Communities Development of Hovey Island continued open at 7:03 PM by Supervisor Glaser

Eliane Walter – Sent letter of concern at public hearing looking for questions to be answered.

Jessica (Fox Law Firm) – Objects to the density of project feels it should be done under a Special Use Permit, has questions of traffic study and sewer concerns.

Pat Hogan – Looking for time lien for meetings/deadlines on the website.

Town Board has reached out to Jefferson County for 239-m review comments even though it is not necessary, still waiting on comments.

Still waiting to hear back from all State Agencies on Lead agent concerning SEQR. Discussion as to if this Public Hearing would be considered satisfactory for Public Hearing to approve Local Law for PDD (Planned Development District)

Julie West – Is it normal for Town to take Lead Agency on a project this large.  
Attorney James Burrows – Yes

Ronald Pope – Will critical study be put on website for public to see?

Ginger Cook – Can Sun Communities apply for a PILOT agreement?  
Attorney James Burrows – No it's not a tax-exempt project they can't apply for a PILOT.

MOTION

**EXTEND PUBLIC HEARING FOR SUN COMMUNITIES DEVELOPMENT OF HOVEY ISLAND**

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

ADOPTED    Ayes 4            Glaser, Flagg, Parker Lane, Hall  
                 Nays 1                Owen

Motion to extend Public Hearing on Sun Communities Development of Hovey Island until October 30, 2023.

Open Public Hearing of 2024 Budget at 7:30 PM by Supervisor Glaser

Letters from Gary Rhodes were sent to all Board members for review.

At Budget workshop Michelle Lawrence represented the Recreation program and asked for additional funding to extend program to 5 weeks, increase trips and increase payroll for experienced workers.

Board approved additional funding but asks them to be conservative and request more funding from Town of Ellisburg and provide Board with ratio of Henderson vs. Ellisburg kids involved in program.

Ginger Cook – discussed concerns of approvals of resolutions at a workshop. Should not have been able to happen.

Why is Water District # 3 formed on Budget?

Supervisor Glaser – we are currently working on Water District #3

Concerns a PILOT done on Military Road Solar project. (Send her a copy of agreement.)

Attorney James Burrows - PILOT is totally different from Community Host agreement.

Sewer District #2 is totally separate from PDD of Hovey Island, yes it will help, but totally separate issue.

Set agenda is not required by New York State Law. Agendas change as discussions come up.

Discussed all new PILOT agreement rules.

Robert Whiteman – Thank you for increasing the recreation program funding.

Motion

**CLOSE PUBLIC HEARING ON 2024 BUDGET**

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

ADOPTED    Ayes 5            Glaser, Flagg, Parker Lane, Hall, Owen  
                 Nays 0

Motion to close Public Hearing on 2024 Budget.

Open Public Hearing for Amendment/Extension of Town of Henderson Sewer District #1 pursuant to NY Town Law 209-e at 7:48PM.

Patrick Scordo and Mark Thompkins from GYMO Engineering discussed adding 39 new hook ups to Sewer District No.1.

Recapped how the cost of the project had doubled but still where able to secure 82% of grant funding. Looking to go to bid in December and start project in the spring.

Easements are still needed to keep moving forward on project.

Robert Whiteman – What percentage of easements are needed to move forward?

Pat Scordo – answered questions by important to have 98% signed so the cost of the project does not shift onto those that have signed. All need to sign to make project successful!

Pat Scordo ran through worst case scenario if project doesn't go through without easement the State of New York will come I and do the project at their terms. We opened ourselves up by doing the dye testing, but it paid off in the Grants received.

Discussion on how to obtain the easements: make a target list of concerns/objections and possibly discuss easement reductions.

MOTION

**CLOSE PUBLIC HEARING ON AMENDMENT/EXTENSION OF TOWN OF HENDERSON SEWER DIST. No 1**

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

ADOPTED    Ayes 4                    Glaser, Flagg, Parker Lane, Hall, Owen  
                  Nays 0

Motion to close Public Hearing on amendment/extension of Town of Henderson Sewer Dist. No. 1.

**Public Comments regarding old business:** Ginger Cook was Water Tower inspection done? Yes

MOTION

**MINUTES**

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

ADOPTED    Ayes 5                    Glaser, Flagg, Owen, Parker Lane, Hall  
                  Nays 0

Motion to approve minutes from September 12, 2023 Town Board meeting.

MOTION

**MINUTES**

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

ADOPTED    Ayes 5            Glaser, Flagg, Owen, Parker Lane, Hall  
                 Nays 0

Motion to approve minutes from September 26, 2023 Budget Workshop/ Public Town Board meeting.

RESOLUTION #2023-09-12-042

**BUDGET TRANSFERS/AMENDMENTS**

On a motion by Supervisor Glaser, second by Councilperson Hall the following motion was.

ADOPTED    Ayes 5            Glaser, Flagg, Hall, Parker Lane, Owen  
                 Nays 0

Resolved to accept the following budget transfers:

BUDGET TRANSFERS

CR: A1410.12 Deputy Town Clerk; payroll

DB: A1990.4 Contractual Amount \$500.00

To balance over expenditure in appropriations with additional for year end.

CR: A1420.40 Law/Attorney; contractual

DB: A1990.4 Contingency Amount \$25,000.00

To balance over expenditure in appropriations with additional for year end

CR: A4010.42 Public Health; Swr Dist #1 Start Up

DB: A1990.4 Contingency Amount \$10,000.00

To balance over expenditure in appropriations with additional for year end.

CR: A7140.1 Recreation Personal Services

DB: A1990.4 Contingency Amount \$1,200.00

To balance over expenditure in appropriations.

CR: A7555.4 Walking Trail; contractual

DB: A1990.4 Contingency Amount \$50.00

To balance over expenditure in appropriations

CR: A8161.40 Landfill Clos-Post Clos; Ellisburg

DB: A1990.4 Contingency Amount \$3,350.00

To balance over expenditure in appropriations.

CR: DA5110.4 Maintenance of Roads; Contractual

DB: DA1990.4 Contingency Amount \$11,500.00

To balance over expenditure in appropriations with additional for year end.

CR: DA5112.2 Permanent Improv; Road Blding Capital  
DB: DA5110.1 Personal Services; Payroll Amount \$12,00.00  
To balance over expenditure in appropriations with additional for year end.

CR: DA5132.4 Garage; contractual  
DB: DA5110.1 Personal Services; Payroll Amount \$2,000.00  
To balance over expenditure in appropriations with additional for year end.

CR: F8310.4 Water Dist 1; contractual  
DB: F8310.2 Equipment Capital Outlay Amount \$13,000.00  
To balance over expenditure in appropriations with additional for year end

CR: FH8310.4 Water Dist 2; Contractual  
DB: FH8310.2 Equipment Capital Outlay Amount \$12,000.00  
To balance over expenditure in appropriations with additional for year end.

MOTION

**AUDIT OF CLAIMS**

On a motion by Councilperson Flagg, seconded by Councilperson Owen, the following motion was.

ADOPTED    Ayes 5                    Glaser, Flagg, Owen, Hall, Parker Lane  
                  Nays 0

Resolved to authorize payment of abstract #9P include vouchers 23-00644-23-00647 for a total amount of \$1,122.31.

**Summary by Payable Account**

<u>Payable Acct</u>	<u>Total Amount</u>
General	\$134.85
Highway	\$877.52
Water Dist. 1	\$54.97
Water Dist. 2	\$54.97

MOTION

**AUDIT OF CLAIMS**

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

ADOPTED    Ayes 5                    Glaser, Flagg, Owen, Hall, Parker Lane  
                  Nays 0

Resolved to authorize payment of abstract #10 include vouchers 00649-00696 for a total amount of \$155,653.97.

Summary by Payable Account

<u>Payable Acct</u>	<u>Total Amount</u>
General	\$32,990.54
Highway	\$65,435.26
Water Dist. 1	\$3,807.23
Water Dist. 2	\$3,807.20
Special Lighting Dist.	\$539.20
Trust & Agency	\$1024.24
Sewer Capital Fund	\$48,050.30

MOTION

**SUPERVISOR REPORT**

On a motion by Councilperson Owen, second by Councilperson Flagg the following motion was.

ADOPTED    Ayes 5            Glaser, Flagg, Owen, Hall, Parker Lane  
                 Nays 0

Motion to accept September Supervisor’s report as presented by Supervisor Glaser.

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

RESOLUTION #2023-10-10-046

**AMENDMENT/EXTENSION OF TOWN OF HENDERSON SEWER DISTRICT NO. 1**

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

ADOPTED    Ayes 5            Glaser, Flagg, Hall, Parker Lane, Owen  
                 Nays 0

Resolved to approve the following resolution:

**RESOLUTION #46 of 2023  
BOARD OF THE TOWN OF HENDERSON  
Amendment/Extension of  
Town of Henderson Sewer District No. 1  
Pursuant to NY Town Law §209-e**

At a regular meeting of the Town Board of the Town of Henderson, held at the Town offices at 12105 Town Barn Road, Henderson, New York, on October 10, 2023 at 7:00 p.m., there were:

PRESENT:

Supervisor Ed Glaser  
Carroll Hall  
Torre Parker-Lane  
Bryan Flagg  
Matthew Owen

ABSENT:

\_\_\_\_\_  
\_\_\_\_\_

**WHEREAS**, by Order of this Board dated September 26, 2023, a public hearing was scheduled to consider the amendment/extension of the Town of Henderson Sewer District No. 1, pursuant to a certain Map, Plan and Report filed with the Town Clerk all pursuant to NY Town Law Article 12-A; and

**WHEREAS**, the Order scheduling the public hearing was posted, uploaded to the Town's website, and published on September 29, 2023 and an initial public hearing was conducted on October 10, 2023 to consider all persons interested in the formation of Sewer District No. 1; and

**WHEREAS**, the proposed infrastructure would be within the Sewer District (as amended/extended) within a part of the Town outside a Village; and

**WHEREAS**, the Town Board intends to adopt this Resolution to amend/extend Sewer District No. 1 effective October 10, 2023, subject to Permissive Referendum, and

**WHEREAS**, the Town Board of the Town of Henderson has determined to proceed with amending/extending Sewer District No. 1.

**NOW THEREFORE**, on motion duly made and seconded, this Board makes the following determinations, and it is hereby Resolved:

1. The most recent Notice of Public Hearing and Order setting the Public Hearing, were duly published, and posted as required by law and are otherwise sufficient.

2. Sewer District No. 1 consists of 374 potential hook-ups to a public sewer system), (additional potential 39 hook-ups to a public sewer system) to serve such persons and property (413 total potential hook-ups to a public sewer system) identified therein. See the Map, Plan and Report available for inspection in the Office of the Town Clerk for details.

3. All property and property owners to benefit by the amended/extended Sewer District No. 1 are included within the limits of the amendment/extension of Sewer District No. 1.

4. All of the property owners and all of the property located within the amendment/extension of Sewer District No. 1 are benefited thereby.

5. The amendment/extension of the Town of Henderson Sewer District No. 1 pursuant to the Map, Plan and Report is on file in the Office of the Town Clerk, and upon which the public hearing was held on October 10, 2023, is in the public interest.

6. The cost of the District with Amendment/Extension of Sewer District No. 1 is estimated to be \$28,000,000 and the estimated cost to a typical property annually is expected to be \$693.00 per E.D.U. calculated on a benefit basis.

7. The Amendment/Extension of Sewer District No. 1 is proposed to be financed with a combination of grants and the issuance of bonds, the principal of and interest upon which is to be paid by assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefited by the improvement, so much upon and from each as shall be in just proportion to the amount of benefit which the improvements shall confer upon the same.

8. The amendment/extension of the boundaries of Sewer District No. 1 to include the parcels as described in the Map, Plan, Report and providing for the service as described therein is hereby approved.

9. This Resolution is subject to Permissive Referendum.

10. The review and permission of the NYS Comptroller is not required.

The foregoing Resolution was offered by Board Member Parker Lane and seconded by Board Member Hall and upon a roll call vote of the Board was duly adopted as follows:

Supervisor Ed Glaser	Yes <u>  X  </u>	No <u>      </u>
Carol Hall	Yes <u>  X  </u>	No <u>      </u>
Torre Parker-Lane	Yes <u>  X  </u>	No <u>      </u>
Bryan Flagg	Yes <u>  X  </u>	No <u>      </u>



Matthew Owen

Yes  \_\_\_

No  \_\_\_

Dated: October 16, 2023

Wendy Flagg, Town Clerk

Tax exempt for Firemen and first responders was approved by the Jefferson County Board of Legislators. Councilman Flagg is meeting with Legislator Patrick Jareo to make sure he has all the details as to what has been approved so the Town of Henderson can review the exemption and present the same exemption to the Town Board to review.

**BOARD CONCERNS & COMMENTS:**

Councilperson Hall asked if two Board meetings a month may be needed with so much going on in the Town right now.

**PUBLIC COMMENTS:**

NONE.

No further business to discuss a motion by Councilperson Hall second by Councilperson Flagg 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

Oct 18	(Wednesday)	Zoning Board of Appeals	6:00PM
Oct 19	(Thursday)	Recreation Commission Meeting	7:00PM
Nov 07	(Tuesday)	Offices & Court Closed for Election Day (voting 6am-9pm)	
Nov 08	(Wednesday)	Planning Board	5:00PM
Nov 14	(Tuesday)	Town Board Meeting	7:00PM
Nov 15	(Wednesday)	Zoning Board of Appeals	6:00PM
Nov 16	(Thursday)	Recreation Commission Meeting	7:00PM
Nov 23	(Thursday)	Offices & Court Closed for Thanksgiving	
Dec 05	(Tuesday)	Planning Board	5:00PM
Dec 12	(Tuesday)	Town Board Meeting	7:00PM
Dec 20	(Wednesday)	Zoning Board of Appeals	6:00PM
Dec 21	(Thursday)	Recreation Commission Meeting	7:00PM
Dec 25	(Monday)	Offices & Court Closed for Holiday	