

**Town of Henderson
12105 Town Barn Rd.
Henderson, NY 13650
Public Hearing/Town Board Meeting
July 9, 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 11th day of June 2024.

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

Public Hearing for Proposed Solar Law Revisions was opened at 7:01PM by Supervisor Glaser.

Public Comments: Judi McKee Sanders, Ginger Cook

MOTION

CLOSE PUBLIC HEARING

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

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

Motion to close the Public Hearing for Proposed Solar Law Revisions at 7:05PM

Public Hearing for Proposed Local Law #27 & 73 opened at 7:05PM

Public Comments: None

MOTION

CLOSE PUBLIC HEARING

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

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

Motion to close the Public Hearing for Proposed Local Law # 27 & 73 at 7:08PM

Old Business Public Comments: Ginger Cook, Tom Derbini, Judi McKee Sanders

Monthly report presented by Assessor Mary Cornell

MOTION

MINUTES

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

ADOPTED	Ayes 4	Owen, Poulin, Witmer, Parker Lane
	Nays 0	
	Absent	Glaser

Motion to approve minutes from June 11, 2024 Town Board Meeting.

MOTION

MINUTES

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

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

Motion to approve minutes from June 12, 2024 Special Town Board Meeting

MOTION

MINUTES

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

ADOPTED	Ayes 4	Owen, Glaser, Witmer, Parker Lane
	Nays 0	
	Absent	Poulin

Motion to approve minutes from June 19, 2024 Special Town Board Meeting.

RESOLUTION # 2024-07-09-36B

BUDGET TRANSFERS

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

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

Resolution to approve as follows:

Budget Transfers

CR: A1010.4 Legislative Board Contractual

DB: A1910.4 Unallocated Insurance – Contractual

Amount \$800.00

To balance over expenditure in appropriations with additional for remaining year possible expenditures. Line item was over expended from unanticipated legislative training.

CR: A1410.12 Deputy Clerk salary/payroll

Amount \$12,000.00

DB: A1355.42 Assessor Reval Contractual

Amount \$7,000.00

DB: A1410.2 Town Clerk Equipment

Amount \$3,000.00

DB: A1410.41 Dog Fees via Town Clerk

Amount \$2,000.00

To balance over expenditure in appropriations with additional for remaining year possible expenditures. Total amount now budgeted for Deputy Town Clerk will be \$14,500.00 in payroll expenses for 2024. How determined: 13 pa periods remaining with 30hr assumption of hours at \$17.50. $13 \times 30 \text{hrs} = 390 \text{ hrs.} \times \$17.50 \text{hrly} = \$6,825.00$. Currently over expenditure amount of \$4,729.01.

CR: A1420.40 Law/Attorney – Contractual

DB: A1990.4 Contingency

Amount \$75,000.00

To balance over expenditure in appropriations with additional for remaining year possible expenditures. The current over expenditure amount of \$28,845.75 plus budget transfer leaves the remain in expenditure line balance of \$46,155.00 for remaining 2024 year. Total expenditures for the first six months of 2024 were \$68,845.75

CR: A1420.41 Law/Attorney- Hovey Island Lawsuit

Amount \$38,000.00

DB: A6990.4 Economic Development Contractual

Amount \$35,000.00

DB: A6991.4 Grant Coordinator Contractual

Amount \$3,000.00

To balance over expenditure in appropriations for remaining year possible expenditures. The current over expenditure amount of \$23,026.80 plus the above budget transfer leaves the remaining expenditure line balance of \$14,973.20 for remaining 2024 year. Total expenditures for the first six months of 2024 were \$23,026.80.

CR: A5010.2 Highway Equipment

DB: A1910.4 Unallocated Insurance

Amount \$200.00

To balance over expenditure in the line item. Hwy payroll software annual support/maintenance increase of cost not anticipated

CR: DA5110.4 Maintenance of Roads, Contractual

DB: DA5148.1 Personal Services; Payroll

Amount \$15,000.00

To balance over expenditure inline item. The current over expenditure amount of \$3,155.01 plus the above budget transfer leaves the remaining expenditure line balance of \$11,844.99 for the remaining 2024 year. Total expenditures for the first six months of 2024 were \$15,155.01

RESOLUTION # 2024-07-09-37

WATER RESERVE FUNDS TRANSFERS

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

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

Resolution to approve as follows:

CR: F882-0 Wtr1 Repair/Maintenance reserve Liability

DB: F909-0 Wtr 1 Fund balance

Amount \$20,000.00

Transfer fund balance to repair/maintenance reserve account per Board approval

CR: FH882-0 Repair/Maintenance Reserve Liability

DB: FH909-0 Fund Balance Unreserved

Amount \$15,000.00

Transfer fund balance to repair / maintenance reserve account per Board approval

CR A899-0 Other Restricted Fund Balance/ Nexamp

DB:A909-0 Fund Balance Unreserved

Transfer Nexamp Host Agreement funds to a restricted fund balance until it is known what the funds will be used for.

MOTION

AUDIT OF CLAIM

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 #7 include vouchers 24-00413– 24-00469 for a total amount of \$173,552.41.

Summary by Payable Account

<u>Payable Acct</u>	<u>Total Amount</u>
General	\$40,084.93
Highway	\$123,996.00
Water Dist. 1	\$2,457.06
Water Dist. 2	\$2,457.03
Special Lighting Dist.	\$540.37
Trust & Agency	\$1,049.52
Sewer Capital Fund	\$2,967.50

MOTION

SUPERVISOR REPORT

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

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

Motion to accept June Supervisor’s report as presented by Supervisor Glaser

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

Board reviewed SEQR Part II and determined a negative declaration for SERQ to revise article XI of Zoning Laws

RESOLUTION #2024-07-09-038

NEGATIVE DECLARATION FOR SEQR TO REVISE ARTICLE XI OF ZONING LAW

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

Resolved as follows:

WHEREAS, the Town Board of the Town of Henderson, New York has considered the adoption of Legislation in the Town of Henderson in connection with Revising Article XI (Solar Energy Systems Regulations)in its Zoning Laws (Chapter 150); and

WHEREAS, the Town Board of the Town of Henderson has reviewed an Environmental Assessment Form for the purpose of assisting the Town Board in making a determination of significance in respect to the Legislation; of whether the enactment of the Legislation would have significant adverse impact on the environment; and

WHEREAS, the Town Board has reviewed the criteria for determining significance of an action that is set forth at 6NYCRRsection 617.7©; and

WHEREAS, having considered the action, consisting of the adoption of Legislation only and the potential environmental impacts associated with such action, the Town Board has determined to proceed.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Henderson finds the proposed action of adopting the legislation is subject to SEQR; and BE IT FURTHER RESOLVED, that the action constitutes a Type 1 action under SEQR 617.4(b)(2); and

BE IT FURTHER RESOLVED, that the Town Board is the agency with jurisdiction by law to fund, approve or directly undertake this action

BE IT FURTHER RESOLVED, by the Town Board of the Town of Henderson, New York:

1. Based upon the examination and consideration of the Long Environmental Assessment Form and comparison of the proposed action and criteria set forth at 617.7, no significant impact on the environment is known by the adoption of the proposed legislation.
2. The Supervisor for the Town of Henderson is authorized to execute the Long Environmental Assessment Form to the effect that the Town is issuing a “negative declaration” under SEQR.
3. A complete copy of the EAF including its negative declaration shall be maintained in the Town clerk’s office in a file that will be readily accessible to the Public. All Subsequent notices regarding the undertaking of the action as set forth in this Resolution shall state that a negative declaration has been issued.
4. This Resolution shall take effect immediately.

The foregoing Resolution was offered by Board Member Owen, and seconded by Board Member Parker Lane, and upon roll call vote of the Board was dully adopted as follows:

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

RESOLUTION #2024-07-09-039

REPEAL, AND REPLACE ANY LOCAL LAW, ORDINANCE, RULE OR REGULATION THAT IS INCONSISTENT WITH THE NEW ZONING SOLAR LAWS AND REPLACE THE SAME WITH THE NEW ZONING SOLAR LAWS

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

Resolved as follows:

RESOLUTION #39 OF 2024

ENACT LOCAL LAW 4 of 2024

REPEAL and REPLACE ANY LOCAL LAW, ORDINANCE, RULE OR REGULATION THAT IS INCONSISTENT WITH THE NEW ZONING SOLAR LAWS AND REPLACE THE SAME WITH THE NEW ZONING SOLAR LAWS

WHEREAS, the Town Board for the Town of Henderson, New York is interested in enacting a Local Law to repeal and replace any local law, ordinance, rule or regulation that is inconsistent with the new zoning solar laws and replace the same with the new zoning solar laws that are contained in the Town of Henderson's Zoning Law – Chapter 150; and

WHEREAS, the Town Board has reviewed the proposed legislation related to Solar Laws that will repeal and replace portions the Town's current Zoning Laws that address the same; and

WHEREAS, pursuant to the New York Environmental Quality Review Act, this Board, as the only involved agency, has reviewed Part 1, 2, and 3 of a Long Form Environmental Assessment Form, has made a determination that the adoption of the local law will result in no significant adverse impacts upon the environment, and has adopted a Negative Declaration in connection therewith.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Henderson, New York as follows:

1. The forgoing recitations are incorporated herein and made a part hereof as if set forth hereafter.
2. The Town Board hereby enacts the Local Law repealing and replacing any local law, ordinance, rule or regulation that is inconsistent with the new zoning solar laws and replace the same with the new zoning solar laws that are contained in the Town of Henderson's Zoning Law – Chapter 150 as being in the best interests of the Town of Henderson.
3. The Supervisor for the Town of Henderson and the Town Clerk for the Town of Henderson, their respective agents and employees are authorized to sign all documents and take all steps necessary to enact this legislation.

4. This Legislation shall be filed with the New York State Department of State, and with the Town Clerk of the Town of Henderson.

5. This Resolution shall take effect immediately.

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

Ed Glaser, Supervisor	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Torre Parker-Lane	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Matthew Owen	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
David Poulin	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Lindsay Witmer	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

MOTION

LIAISON REVISIONS

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

ADOPTED Ayes 4 Poulin, Owen, Parker-Lane, Witmer
 Nays 1 Glaser

Motion to approve the following Liaison revisions:

Highway/Water – Poulin

Recreation & Parks – Witmer

Assessor & BAR - Owen

MOTION

WAIVE 7 DAY NOTICE OF RESOLUTION

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

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

Motion to waive written notification of resolution without 7 -day notice prior to Town Board meeting

RESOLUTION # 2024-07-09-040

HIGHWAY 178 & NYS 3 RESEARCH

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

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

Approved resolution for as follows:

WHEREAS NY-178, from its intersection with NY-3 for approximately 0.3 miles, currently has a speed limit of 55 mph.

WHEREAS the remainder of NY-178 has a 30-mph speed limit through the hamlet of Henderson.

WHEREAS this section of NY-178 frequently contains pedestrians and cyclists, in addition to it being a residential area, with no sidewalk and narrow shoulders, poses a safety risk with the current speed limit of 55 mph.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Town of Henderson will seek to work with county and state entities to develop solutions, including lowering of the speed limit to 30 mph on NY-178, to lower the risk to residents. Further, the intersection of NY-3 and NY-178 should also be included in the discussion.

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

YES NO

Edwin Glaser, Supervisor Yes

Matthew Owen Yes

Torre Parker-Lane Yes

David Poulin Yes

Lindsay Witmer Yes

Board Comments – Councilperson Owen, Councilperson Poulin, Councilperson Witmer

MOTION

WAIVE 7 DAY NOTICE OF RESOLUTION

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

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

Motion to waive written notification of resolution without 7 -day notice prior to Town Board meeting

RESOLUTION # 2024-0709-041

ETHICS LAWS REVISIONS

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

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

Approved resolution for as follows:

WHEREAS The Town of Henderson Code of Ethics does not include language about nepotism.

WHEREAS nepotism can lead to favoritism, employee dissatisfaction, poor leadership, and career path obstacles.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Town of Henderson will add the following language to the Code of Ethics.

H. Nepotism. He or she shall not participate in any decision to hire, promote, discipline, or discharge a relative. He or she shall not directly or indirectly supervise a relative or participate in a vote which would award a contract or invest State funds in a business in which a relative has an interest.

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

YES NO

Edwin Glaser, Supervisor No

Matthew Owen Yes

Torre Parker-Lane Yes

David Poulin Yes

Lindsay Witmer Yes

PUBLIC COMMENTS: Sally Jones, Ginger Cook, Judi McKee Sanders, Mike Contino, Karen Richmond

Meeting to adjourn 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

July 10	(Wednesday)	Special Town Board Meeting Sewer	7:00PM
July 17	(Wednesday)	Zoning Board of Appeals Meeting	6:00PM

July 22	(Monday)	Recreation Commission Meeting	6:00PM
Aug 06	(Tuesday)	Planning Board Meeting	5:00PM
Aug 13	(Tuesday)	Town Board Meeting	7:00PM
Aug 21	(Wednesday)	Zoning Board of Appeals	6:00PM
Aug 21	(Wednesday)	Recreation Commission Meeting	6:00PM
Sept 02	(Monday)	Labor Day Town Offices Closed	
Sept 03	(Tuesday)	Planning Board Meeting	5:00PM
Sept 10	(Tuesday)	Town Board Meeting	7:00PM
Sept 18	(Wednesday)	Zoning Board Meeting	6:00PM
Sept 19	(Thursday)	Recreation Commission Meeting	6:00PM
Sept 23	(Monday)	Budget Workshop Town Board	6:00PM