

**Town of Henderson
12105 Town Barn Rd.
Henderson, NY 13650
Town Board Meeting
September 12, 2023**

A regular meeting of the Town Board of the Town of Henderson, County of Jefferson and the State of New York held at 12105 Town Barn Rd.at 7:00PM, on the 12th day of September 2023.

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

Public Comments regarding old business: David Poulin questioned when Comprehensive Plan meetings could get under way. County can't help Town with that project until after January 1, 2024
Supervisor Glaser asked that any questions/comments pertaining to Hovey Island Development be held off until public hearing that is to be scheduled later in this 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 August 8, 2023 Town Board meeting.

MOTION

MINUTES

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

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

Motion to approve minutes from August 23, 2023 Special 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, Flagg, Owen, Hall, Parker Lane
 Nays 0

Resolved to authorize payment of abstract #8P include vouchers 23-00585 for a total amount of \$60.00.

Summary by Payable Account

<u>Payable Acct</u>	<u>Total Amount</u>
General	\$60.00

MOTION

AUDIT OF CLAIMS

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

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

Resolved to authorize payment of abstract #9 include vouchers 00586-00641 for a total amount of \$297,435.55.

Summary by Payable Account

<u>Payable Acct</u>	<u>Total Amount</u>
General	\$31,518.15
Highway	\$223,900.43
Water Dist. 1	\$4,149.42
Water Dist. 2	\$4,149.40
Special Lighting Dist.	\$522.86
Trust & Agency	\$1033.29
Sewer Capital Fund	\$32,162.00

MOTION

SUPERVISOR REPORT

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

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

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

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

Sewer update by Pat Scordo we got the funding needed to complete the Sewer project. The BIL grant we have been waiting for was awarded at the end of the week, the Town of Henderson received \$11 million. That gives the project about 82% grant funding giving us \$23 million in grants out of a \$28 million project. The annual cost will be \$693 for the average single-family house and under the New York State Comptrollers threshold. Over the next three months the Town will be working on bond resolutions, district formations and finalizing easements. We hope to advertise the project for bids in December and open bids in January with construction beginning in March.

Coleman Mc Guane commented that some residents have said “no” to signing their easements. Pat Scordo said you should refer to the flow chart that shows they still have to pay the capital cost, obtain an engineer approved letter showing that their septic system is in compliance or eminent domain.

In Sewer District #2 the Town will be looking to become Lead agent for SEQR, approve the cost to have Tim Able begin archaeological study and looking for volunteer to have septic systems dye tested

MOTION

WAIVE 7 DAY NOTICE OF RESOLUTION

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

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

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

RESOLUTION #2023-09-12-042

SUN ASSOCIATION ISLAND, LLC PUBLIC HEARING

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

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

Resolved to approve the following resolution:

**RESOLUTION #42 OF 2023
TO SET A PUBLIC HEARING FOR APPLICATION
FOR PLANNED DEVELOPMENT DISTRICT (“PDD”) ON HOVEYS
ISLAND**

WHEREAS, the Planning Board for the Town of Henderson received and reviewed an Application for Planned Development District ("PDD") on what is known as Hovey Island located in the Town of Henderson at 15530 Hovey Island and which consists of part of Tax Parcel #: 97.00-1-11 (the "Subject Property"); and

WHEREAS, Sun Community, Inc. has proposed the PDD to include a campground generally defined at Town of Henderson Zoning Law §150-6 as set forth in a formal Application to the Town of Henderson; and

WHEREAS, the Planning Board for the Town of Henderson recommended approval of the PDD with conditions pursuant to a Resolution adopted September 5, 2023 and as submitted to the Town Board of Henderson on September 12, 2023; and

WHEREAS, the Town Board of Henderson is required to hold a Public Hearing on the proposal within 45 days of receiving the Planning Board recommendation and is prepared to proceed.

NOW, THEREFORE IT IS resolved that:

1. The above recitations are incorporated herein and made a part hereof as if set forth hereafter.
2. A Public Hearing on the Application by Sun Community, Inc. for a PDD on Hovey Island for a proposed campground shall be held at the Town Offices located at 12105 Town Barn Road, Henderson, NY on September 27, 2023 at 7:00 p.m.
3. A proposed Notice of Public Hearing is attached and may be used by the Town Clerk of Henderson to properly notify the public of the required Public Hearing.
4. This Resolution shall take effect immediately.

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

Ed Glaser, Supervisor

Yes

No

Carol Hall	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Torre Parker-Lane	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Bryan Flagg	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Matthew Owen	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Dated: September 12, 2023

Wendy Flagg, Town Clerk

MOTION

WAIVE 7 DAY NOTICE OF RESOLUTION

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

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

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

RESOLUTION #2023-09-12-043

SUN ASSOCIATION ISLAND RV, LLC REFER TO 239-M

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

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

**RESOLUTION #43 OF 2023
 REFER APPLICATION OF SUN ASSOCIATION ISLAND
 RV, LLC/SUN COMMUNITIES, INC. TO THE JEFFERSON
 COUNTY PLANNING BOARD PURSUANT TO NY
 GENERAL MUNICIPAL LAW §239-m**

WHEREAS, the Sun Association Island RV, LLC is the record owner of Island property located at 15530 Hovey Island in the Town of Henderson at Parcel #: 97.00-1-11 (the "Subject Property") and has proposed to establish a Planned Development District ("PDD") for the Subject Property as authorized by the Town of Henderson Zoning Law §150-7(H); and

WHEREAS, the Developer submitted its application for a PDD for the Subject Property to the Town of Henderson Planning Board in accordance with the Town of Henderson Zoning Law §150-11; and

WHEREAS, the Planning Board has reviewed the Town’s Zoning Laws, the application, familiarized itself with the Subject Property and discussed the pending application with representatives of the developer and members of the public on a formal, and informal, basis and has recommended approval of the PDD with conditions on September 5, 2023; and

WHEREAS, the Planning Board referred the Application to the Town Board for further action on September 12, 2023; and

WHEREAS, the Town Board is prepared to proceed.

NOW, THEREFORE IT IS resolved that:

1. The above recitations are incorporated herein and made a part hereof as if set forth hereafter.
2. A full and complete copy of the Application shall be referred to the Jefferson County Planning Department for review as required by NY General Municipal Law §239-m.
3. The Supervisor of the Town of Henderson, the Town Enforcement Officer, and the Town Clerk, together with their agents, or representatives, are authorized to take all steps necessary to ensure a prompt, timely, submittal of the application is made to the Jefferson County Planning Department.
4. This Resolution shall take effect immediately.

The foregoing Resolution was offered by Town Supervisor, Glaser, and seconded by Board Member, Flagg, 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"/>
Carol Hall	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Torre Parker-Lane	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Bryan Flagg	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Matthew Owen	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Dated: September 12, 2023

Wendy Flagg, Town Clerk

RESOLUTION #2023-09-12-044 **Amended November 14, 2023**

SUN ASSOCIATION ISLAND RV, LLC DECLARE LEAD AGENCY

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

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

Resolved as follows:

RESOLUTION #44 OF 2023
Notice of Intent to Declare Lead Agency
Sun Association Island RV, LLC/ Sun Communities Inc. – Hoveys Island

WHEREAS, the Town Board for the Town of Henderson is vested with the authority to process an application and render a determination for a Planned Development District (“PDD”) submitted to the Town Board and Planning Board by Sun Communities, Inc. for a Project to be located on Hoveys Island; and

WHEREAS, the activities by the Town Board in reviewing and potentially approving a PDD in connection therewith constitute an Action and the Board’s activities, are subject to the State Environmental Quality Review Act and regulations promulgated thereunder at 6 NYCRR, Part 617 (“SEQR”); and

WHEREAS, the proposed action is a SEQR Type 1 Action pursuant to §617.4(b)(2), (3) and (6); and

WHEREAS, all potential involved agencies related to the Project are identified on the Full EAF Part I prepared by the Applicant/Developer and submitted to the Board; and;

WHEREAS, at a regular meeting of this Town Board held on September 12, 2023, the Town Board recommended that a SEQR Type 1 Action – Coordinated Review be conducted with the Town Board of Henderson serving as Lead Agency and to do so it must seek consent from all other Involved Agencies.

NOW, THEREFORE IT IS resolved that:

1. The above recitations are incorporated herein and made a part hereof as if set forth hereafter.
2. The Supervisor for the Town of Henderson is authorized to prepare, and submit, an appropriate notification letter to all Involved Agencies advising involved Agencies of the Application by Sun Communities, Inc. for a PDD on Hoveys Island and seeking consent for the Town Board to serve as Lead Agent for a coordinated review for SEQR purposes.
3. This Resolution shall take effect immediately.

The foregoing Resolution was offered by Board Member, Supervisor Glaser, and seconded by Board Member, Hall, 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"/>
Carol Hall	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Torre Parker-Lane	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Bryan Flagg	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Matthew Owen	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Dated: September 12, 2023

Wendy Flagg, Town Clerk

Councilperson Hall requested that Board review amend the following resolution, 2023-08-08-040, passed last month to also state “to the extent practicable” in there are means beyond our control.

MOTION

AMEND RES # 2023-08-08-040

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

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

Motion to amend the following Resolution as follows.

RESOLUTION #2023-08-08-040

AFFIRMING COMMITMENT TO TRANSPARENT AND OPEN GOVERNMENT

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

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

Resolved by Town Board as Follows:

WHEREAS, the Town has access to various records including abstracts, supervisor’s reports, proposed legislation, applications, maps, site plans, SEQR forms, committee records, correspondence and other documents prior to Town Board, Planning Board and Zoning Board of Appeals meetings.

WHEREAS, the Town Board of the Town of Henderson wishes to support and promote transparent government.

WHEREAS, the Town of Henderson maintains a regularly and routinely updated website that utilizes a high-speed internet connection.

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

 The Town of Henderson shall share, via its website no less than twenty-four hours prior to any meeting of one of the Town’s Municipal Boards, any agency record, proposed resolution, law, rule, regulation, policy, or any amendment thereto, that is scheduled to be the subject of discussion by any municipal board during an open meeting *to the extent practicable*.

The Board discussed possibly send the proposed zoning laws for County review for the October meeting of the County Planning Board.

BOARD CONCERNS & COMMENTS:

Enforcement Officer Eric Sheldon offered a change to the proposed zoning laws asked to write it down and submit to Robert Aliasso to input in draft.
Concerned with a large tree that is dead on Paul Leepy's property.
Suggest a time limit be set for comments at the Public Hearing concern Sun Communities proposed development of Hovey Island

Councilperson Owen asked if any other Board members received a letter of complaint from the Jones family on condition of tennis courts. Yes, and they have been cleaned up. Councilperson Flagg is currently looking into cost for pickle ball courts, waiting on quotes.
Councilperson Flagg pickle ball courts are being quoted at old tennis courts.

PUBLIC COMMENTS:

Ginger Cook asked about unsafe buildings where Town is at. Supervisor Glaser said the Town is looking into, but it is very costly if Town has to do removal.
Asked when NEXAMP solar project will be going on-line and when will proposed Community Agreement be happening.
David Poulin asked if questions will be answered at Public Hearing for Sun Communities project in the development of Hovey Island.
Councilperson Owen said you can email him questions and he will try to answer them.

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

Sept 20	(Wednesday)	Zoning Board of Appeals Hearings	6:00PM
Sept 21	(Thursday)	Recreation Commission Meeting	7:00PM
Sept 26	(Tuesday)	2024 Budget Workshop	7:00PM
Oct 09	(Monday)	Offices & Court Closed for Columbus Day	
Oct 10	(Tuesday)	Planning Board	5:00PM
Oct 10	(Tuesday)	Town Board	7:00PM
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