

**Town of Henderson  
12105 Town Barn Rd.  
Henderson, NY 13650  
Special Meeting  
December 5, 2018 – 7:00 PM Scheduled**

A Special meeting was held by the Town Board of the Town of Henderson, County of Jefferson and the State of New York was held at the Town office, 12105 Town Barn Rd, Henderson, NY on the 5<sup>th</sup> day of December 2018.

PRESENT:     John Culkin                 ----     Supervisor  
              Edwin Glaser             ----     Deputy Supervisor  
              Carol Hall                ----     Councilwoman  
              Torre Parker Lane       ----     Councilwoman  
              Wendy Flagg             ----     Town Clerk

ABSENT:     Jeff Youngs                ----     Councilman

Supervisor Culkin called meeting to order at 7:00 PM with the Pledge to the flag.

A request to file an Article 78 against the Town of Hounsfield for failure to follow proper New York State Law procedures regarding Local Law # 2.

RESOLUTION 2018-12-05-087

**ARTICLE 78 HOUNSFIELD**

On a motion of Deputy Supervisor Glaser, seconded by Councilwoman Parker-Lane, the following resolution was

ADOPTED     Ayes 4                 Culkin, Glaser, Hall, Parker-Lane  
              Nays 0  
              Absent            Youngs

Resolving to act in response to an improperly formed and enacted Local Law (Local Law #2) by the Town of Hounsfield amending their Zoning Law to permit commercial wind projects which could adversely impact the Town of Henderson, the Town Board approves the prosecution of an Article 78 proceeding against the Town of Hounsfield to invalidate Hounsfield Local Law #2. This prosecution will be filed jointly by the Town of Henderson and the Maurer Irrevocable Trust and the Montague Family Trust. All costs involved in the proceeding will be split evenly between the Town and the Maurer/Montague Trusts.

This resolution also authorizes the Town Supervisor to execute an engagement for legal services in connection with the Article 78 proceeding between the Town and Attorney Douglas Zamelis of Cooperstown, NY.

No further business to discuss a motion by Deputy Supervisor Glaser second by Councilwoman Hall the meeting was adjourned. Carried unanimously

Respectfully submitted,  
Wendy Flagg / Town Clerk/Collector