

**Town of Henderson
12105 Town Barn Rd.
Henderson, NY 13650
Town Board Meeting
Aug 11, 2020 – 7:00 PM Scheduled**

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 11th day of August 2020.

PRESENT:	Edwin Glaser	----	Supervisor
	Matthew Owen	----	Councilman
	Torre Parker Lane	----	Councilwoman
	Bryan Flagg	----	Councilman
	Donna Martel	----	Bookkeeper
	Wendy Flagg	----	Town Clerk
ABSENT:	Carol Hall	----	Councilwoman

Supervisor Glaser called the meeting to order at 7:00 PM with the pledge to the flag.

MOTION

MINUTES

On a motion of Councilman Owen, second by Councilwoman Parker- Lane the following motion was

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

Motion to approve minutes from the July 14, 2020 Town Board meeting as written.

MOTION

AUDIT OF CLAIMS

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

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

Resolved to authorize payment of abstract #8 include vouchers 177372-177435 for a total amount of \$55,943.37:

Summary by Payable Account

<u>Payable Acct</u>	<u>Total Amount</u>
General	\$14,425.23
Highway	\$35,552.38
Water Dist. 1	\$2,365.70
Water Dist. 2	\$2,356.70

MOTION

SUPERVISOR REPORT

On a motion by Councilwoman Parker-Lane, second by Councilman Owen the following motion was

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

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

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

Pat Scordo from GYMO updated the Board on the preliminary information from the income survey sent out early in the year for the sewer district. The numbers came in below the threshold hopefully giving the Town the opportunity to qualify for a 0% interest loan.

Town Clerk Wendy Flagg read the certificate of the Town Clerk of the Town of Henderson that no petition for a permissive referendum has been filed regarding the amendment or extension of the Town of Henderson Sewer District No.1:

CERTIFICATE OF THE TOWN CLERK OF THE TOWN OF HENDERSON THAT NO PETITION FOR A PERMISSIVE REFERENDUM HAS BEEN FILED REGARDING THE AMENDMENT OR EXTENSION OF THE TOWN OF HENDERSON SEWER DISTRICT NO. 1

The undersigned, Wendy Flagg, Town Clerk of the Town of Henderson hereby certifies as follows:
1. On June 24, 2020, the Town Board of the Town of Henderson duly adopted a Resolution and Order amending/extending the boundaries of Henderson Sewer District No. 1 to include forty-two (42) additional parcels and to increase the maximum amount that could be expended pursuant to the provisions of Article 12-A of the Town Law. 2. Said Resolution was adopted subject to a Permissive Referendum. 3. Within ten (10) days after the adoption of the aforesaid Resolution the undersigned did, in the same manner as provided for a notice of special election, post and publish on July 1, 2020 a notice setting forth the date of the adoption of the aforesaid Resolution and Order together with the full text of the Resolution and Order and that said Resolution and Order was adopted subject to a permissive referendum. 4. At least thirty (30) days have elapsed since the adoption of the said Resolution and Order and no legally sufficient petition protesting against said Resolution and Order and requesting that it be submitted to the owners of taxable real property situate in the proposed District, as extended, for their approval or disapproval has been filed with the undersigned as Town Clerk. 5. This Certificate shall be filed in the Office of the County Clerk and the Office of the Town Clerk of the Town of Henderson. Dated: August 11, 2020

RESOLUTION

FINAL ORDER AMENDING/EXTENDING HENDERSON SEWER DISTRICT NO.1

On a motion by Councilwoman Parker-Lane, second by Councilman Owen the following motion was

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

**FINAL ORDER OF THE TOWN BOARD
OF THE TOWN OF HENDERSON
AMENDING/EXTENDING HENDERSON SEWER DISTRICT NO.
1**

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 August 11, 2020 at 7:00 p.m., there were:

PRESENT:

Supervisor Ed Glaser
Torre Parker-Lane
Bryan Flagg
Matthew Owen

ABSENT:

Carol Hall

WHEREAS, at a meeting of this Board held at the Town offices on March 11, 2020, an Order of this Board was duly adopted and entered in the minutes of the proceedings reciting in general terms the filing with the Town Clerk of the Town of Henderson of a Map, Plan and Report for the amendment/extension of Town of Henderson Sewer District No. 1 within the Town of Henderson to include forty-two (42) additional parcels (additional 53 hook-ups) and to increase the maximum amount to be expended; and specifying that a public hearing shall be held to hear all persons interested in the extension and maximum amount proposed to be expended for amendment/extension of Henderson Sewer District No. 1 at 7:00 p.m. on March 25, 2020; and

WHEREAS, due to the COVID-19 pandemic, the public hearing was rescheduled to June 24, 2020 at 6:30 p.m. and was duly noticed; and

WHEREAS, a copy of the aforementioned Order of this Board was duly and regularly published in the official newspaper for the Town of Henderson and certified copies thereof were posted on the official sign board of the Town of Henderson as required by Article 12-A of the Town Law; and

WHEREAS, a public hearing was duly held pursuant to the aforesaid Order at the Town Hall, 12105 Town Barn Road, Henderson, New York on June 24, 2020, at 6:30 p.m., and at the public hearing, this Board heard all evidence presented in connection with the proposed amendment/extension of Town of Henderson Sewer District No. 1 per Schedule A, attached; and

WHEREAS, following the public hearing on June 24, 2020, and due deliberation having been given by this Board to the hearing, the testimony, and the allegations presented, this Board adopted a Resolution and Order making the findings required under Article 12-A of the Town Law and amendment/extension of Town of Henderson Sewer District No. 1, which Resolution and Order was subject to a Permissive Referendum; and

WHEREAS, within ten (10) days following the adoption of the aforesaid Resolution and Order, the full text of the Resolution and Order together with a notice setting forth the date of the adoption thereof and the fact that the Resolution and Order was adopted subject to a Permissive Referendum was published in the official newspaper of the Town of Henderson on July 1, 2020 and posted as required by law; and

WHEREAS, at least thirty (30) days have elapsed since the adoption of the Resolution and Order, and no petition protesting against the Resolution and Order has been properly submitted to the Town Clerk of the Town of Henderson, and the Town Clerk has caused to be filed pursuant to Section 209-e(4)(a) of the Town Law a Certificate certifying that no petition was filed with the Town Clerk and/or County Clerk requesting a referendum; and

WHEREAS, the permission of the State Comptroller is not required pursuant to Section 209-f of the Town Law.

NOW, THEREFORE, upon a motion duly made, and seconded, this Board hereby makes the following Order:

1. **ORDERED** that the aforesaid recitations, and documents identified above are incorporated herein as if fully set forth hereafter, and it is further
2. **ORDERED** that both the formation and amendment/extension of Town of Henderson Sewer District No. 1 as described in the Map, Plan and

Report and providing of the service as described therein is hereby authorized, and it is further

3. **ORDERED** that the Town Clerk of the Town of Henderson shall cause a certified copy of this final Order of the Town Board to be duly recorded in the Office of the Clerk of the County of Jefferson and the Town Clerk, within ten (10) days after its adoption.

A motion to adopt the foregoing Order was made by Board member Torre Parker-Lane and seconded by Board member Matthew Owen and upon a roll call vote of the Board was duly adopted as follows:

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

Dated: August 11, 2020

RESOLUTION

BOND RESOLUTION

On a motion by Councilwoman Parker-Lane, second by Councilman Owen the following motion was

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

BOND RESOLUTION

At a regular meeting of the Town Board of Henderson, Jefferson County, New York held at its Offices, in said Town of Henderson on the **11th day of August, 2020 at 7:00 p.m.**, prevailing time.

The meeting was called to order by Supervisor Glaser and upon roll being called, the following were:

	PRESENT	ABSENT
Supervisor Ed Glaser	<u> X </u>	<u> </u>
Carol Hall	<u> </u>	<u> X </u>
Torre Parker-Lane	<u> X </u>	<u> </u>
Bryan Flagg	<u> X </u>	<u> </u>
Matthew Owen	<u> X </u>	<u> </u>

The following resolution was offered by Parker-Lane who moved its adoption, seconded by Owen to wit:

BOND RESOLUTION DATED August 11, 2020

A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AMOUNT NOT TO EXCEED \$13,915,000, THE PROCEEDS OF WHICH ARE TO BE USED TO FINANCE THE CONSTRUCTION OF A SANITARY SEWER SYSTEM PLANT WITH RELATED INFRASTRUCTURE FOR SEWER DISTRICT NO. 1 IN THE TOWN.

BE IT RESOLVED, by the Town Board of Henderson, Jefferson County, New York, as follows:

Section 1. The Town Board of Henderson in the interest of the citizens of the Town of Henderson within the Improvement District finds that it is necessary to construct a Public Sanitary Sewer System in Sewer District No. 1. The estimated cost of labor and materials for such purposes is \$13,915,000.

Section 2. It is hereby determined that the period of probable usefulness of the aforesaid project is forty (40) years, pursuant to subdivision

(a)(4) of Section 11.00 of the Local Finance Law. It is further determined that no down payment is required pursuant to Section 107(d)(3)(l) of the Local Finance Law.

Section 3. The plan for the financing of such estimated cost is by the issuance of serial bonds not exceeding \$13,915,000 of said Town hereby authorized to be issued therefore, pursuant to the Local Finance Law.

Section 4. The faith and credit of said Town of Henderson, Jefferson County, New York are hereby irrevocably pledged for the payment of the principal of, and interest on, such bonds as the same respectively become due and payable. An annual appropriation from sewer rents, received shall become due and payable. Sewer rents shall be made in each year by all benefitted parcels sufficient to pay the principal of, and interest, on such bonds becoming due and payable in such year.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewal of such notes, is hereby delegated to the Supervisor of the Town Board, the Chief Fiscal Officer. Such notes shall be of such terms, form and contents and shall be sold in such manner as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 6. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit, or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 7. Upon this resolution taking effect, the same be published in full in the Watertown Daily Times, the official newspaper of said Town for such purpose, together with a notice of the Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 8. This Resolution is subject to permissive referendum, pursuant to Section 35.(b)(1) of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

		VOTING	
		Yes <u>X</u>	No
_____	Supervisor Ed Glaser	Yes <u>X</u>	No
(ABSENT)	Carol Hall	Yes _____	No _____
	Torre Parker-Lane	Yes <u>X</u>	No _____
	Bryan Flagg	Yes <u>X</u>	No _____

Matthew Owen

Yes X

No ____

The Resolution was thereupon declared duly adopted.

The above Resolution is a true, complete and accurate copy of a resolution made and seconded at a regular meeting of the Town Board of the Town of Henderson held August 11, 2020.

Dwight Davidson representing the Henderson Business Community Council explained the work the Council has been doing to promote the business and commerce in the Community. The Council's dedication to continually work with the Town Board continues as they invite the Board to a meeting with a representative from Clayton to share ideas and thoughts to work towards promoting the Town and its businesses. A hope to possibly rebrand the billboards into and out of the Town and a survey that will see what the Community would like to see in their Town are just a few projects they continue to work towards.

Board accepts an application from Kourtney Fulkerson located on Mill Street in Town to hook into the current water district #1. All required installation guidelines will be followed.

Water Tower cleaning and pigging the line is scheduled and will be performed this month. Discussion to possibly remove the fluoride from the water treatment system will be held.

Credit card for Town use was discussed card would be controlled by Town Clerk.

Budget process underway, Budget workshop scheduled for Tuesday September 29th at 6:00PM. All request must be in by August 27th

Annual audits to be preformed for Justice Courts and Tax Collector on Tuesday August 18th at 4:00 PM

MOTION

APPOINTMENT OF WEST TO ZBA BOARD

On a motion by Councilwoman Parker-Lane, second by Councilman Owen the following motion was

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

Motion to approve the appointment of Julie West to Zoning Board of Appeals Board to complete term to December 31, 2022

GYMO engineering will help with two large scale solar projects being presented in the Town. A developer's agreement will be drawn up and presented to the Developer NEXAMP to help answer and guide the Town to a complete understanding of the project as it moves forward.

MOTION

APPOINTMENT OF LENNOX TO F/T HIGHWAY

On a motion by Councilwoman Parker-Lane, second by Councilman Flagg the following motion was

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

Motion to approve Christopher Lennox to be moved from Part time MEO to Full time MEO at the Highway department at a rate of \$19.35per hour.

Councilman Owen asked if there is a traffic device or something different that can be installed at intersection of NYS Route 3 and NYS Route 178 by the Cherry Tree Inn. He will research to see who he should talk with at the State. Still receiving complaints about campers at Sawyers Bay.

PUBLIC COMMENTS: Any way to clean up by the lookout on route 3 so people can see the lake?

Mike Yonkovig suggest that Board gets permission from those who own property that billboards are on before any changes are done.

No further business to discuss a motion by Councilwoman Parker- Lane second by Councilman 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**

Aug 19	(Wednesday)	Zoning Board of Appeals Hearing	5:00PM
Aug 20	(Thursday)	Recreation Commission	7:00PM
Sept 01	(Tuesday)	Planning Board Hearings	5:00 PM
Sept 07	(Monday)	Town Offices Closed Labor Day Holiday	
Sept 08	(Tuesday)	Town Board Meeting	7:00PM
Sept 16	(Wednesday)	Zoning Board of Appeals Hearing	5:00PM
Sept 17	(Thursday)	Recreation Commission	7:00PM