

**Town of Henderson
12105 Town Barn Rd.
Henderson, NY 13650
Town Board Meeting & Public Hearing
December 14, 2021**

A Public Hearing & 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 14th day of December 2021.

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

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

Public Hearing for Opting Out of Retail Sales and On-Site Consumption of Cannabis opened at 7:02 PM

Supervisor Glaser explained the local law and reasons behind the law. The State is still creating and changing the guidelines on such operations and until things become more defined, he feels it would be in the best interest of the Town to opt out. The option to opt out must be completed by December 31, 2021. Even if the choice is to opt out you can opt back in according to the State guidelines. This will allow time to for zoning laws to be reviewed to establish local guidelines on such businesses.

Public comments: Letter from Gary Rhodes was received and reviewed by Board

Lee Cagwin believes this is the only option currently due to the lack of guidance and regulations from State.

Robert Whiteman feels the on-site consumption is not necessary, but the retail sales are no different then purchasing alcohol.

Bryan Flagg curious what Towns have opted in. Are we at risk of getting inodiated by shops and people who are interested in setting up such shops in our Town if we don't opt out for now with out any regulations in place?

Matt Owen wanted it noted that this is open to a permissive referendum.

Torre Parker Lane believes this is the most logical way to handle this currently.

MOTION

CLOSE PUBLIC HEARING

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

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

Motion to close the Public Hearing.

RESOLUTION # 2021-12-14-054

OPTING OUT OF RETAIL SALES AND ON SITE CONSUMPTION OF CANNABIS (LOCAL LAW #5):

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

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

Resolved as Follows:

Enact Local Law regarding opting out of retail sales and on-site consumption of cannabis

WHEREAS, the Town Board for the Town of Henderson, New York is interested in enacting a Local Law that will address Retail Sales and On-Site Consumption of Cannabis within the Town: and

WHEREAS, the Town Board has reviewed the proposed legislation that will repeal and replace any of the Town’s current Local Laws, Ordinances, rules, or regulations (if any) that address the same.

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

1. The forgoing recitation is incorporated herein and made a part hereof as if set forth herein.
2. The Town Board hereby enacts the Local Law for opting out of retail sales and On-site consumption of cannabis as being in the best interest of the Town of Henderson.
3. The Supervisor of the Town of Henderson and the Town Clerk, their respective agents and employees are hereby 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 shall become effective thereafter, if the 30-day Permissive Referendum period passes absent the timely filing of a lawful petition challenging the legislation.
5. This resolution shall take effect immediately.

The foregoing resolution was offered by Board member Parker-Lane and seconded by Board member Flagg and upon roll call vote of the Board was duly adopted as follows:

Supervisor Ed Glaser Yes
Carol Hall Absent
Torre Parker-Lane Yes
Bryan Flagg Yes
Matthew Owen Yes

MOTION

MINUTES

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

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

Motion to approve minutes from the Public Hearing and Town Board meeting on November 9, 2021, as written.

MOTION

MINUTES

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

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

Motion to approve minutes from the Emergency meeting concerning Budget and Library funding on November 18, 2021, as written.

MOTION

VOUCHER # 00606 OVERAGE

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

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

Motion to approve voucher # 00606 for Whitesboro Plow Shop to repair king pins and suspension on Truck #92 for \$10,087.32 per the Town's procurement policy.

MOTION

AUDIT OF CLAIMS

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

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

Resolved to authorize payment of abstract #12 include vouchers 000548-000610 for a total amount of \$153,808.68.

Summary by Payable Account

<u>Payable Acct</u>	<u>Total Amount</u>
General	\$21,637.83
Highway	\$107,755.71
Water Dist. 1	\$1,868.83
Water Dist. 2	\$1,868.79
Special Lighting Dist.	\$515.30
Trust & Agency	\$612.22
Water Capital Fund	\$19,550.00

MOTION

SUPERVISOR REPORT

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

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

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

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

Water and sewer update SPEDES application for sewer treatment plant was completed and turned in. Still continuing with survey so design work can continue. Grants should be announced any time this week as it is when they usually have been in the past. Water district #3, it is in our best interest to pull out as much as we can streamline the project with just items pertaining to that district to keep cost down. Tower and plant upgrades will be funded through districts 1& 2 to apply for grants to help fund project.

David Poulin representing, Henderson Harbor Community Counsel requesting to have the use of Town Boat launch for Triathlon to be held July 9th, 2022. Launch to be closed night before and reopened at 1:00PM on Saturday July 9th. Board agrees

Budget for 2022 had to have the tax rate changed due to the library unable to become a levy line on the 2022 tax bill due to the request missing the deadline set by the Real Property office. Since the budget only and still only has \$40,000.00 budgeted for the library for 2022 the Board discussed raising the amount to \$50,000.00 to meet the wishes of community members as they voted yes for this proposition on November 3rd.

RESOLUTION # 2021-12-14-055

INCREASE THE 2022 LIBRARY BUDGET LINE TO \$50,000.00

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

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

Resolves to allow the Town of Henderson town board to amend the library funding from \$40,000.00 per line #7410-4 of the 2022 adopted budget to \$50,000.00 due to the fact the approved proposition authoring a general tax be imposed upon taxable real property within the Town in the amount of \$50,000.00 to support the library was not able to be added to the 2022 Tax bills per the Jefferson County Real Property Office. It was too late in the year to levy that amount upon taxable real property within the Town according to that office.

RESOLUTION # 2021-12-14-056

COUNTY DOG CONTROL: SERVICE AGREEMENT

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

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

Resolving that the Town of Henderson Town Board authorizes Town Supervisor Edwin Glaser to enter into a contract with Jefferson County entitled "Intergovernmental Agreement Relative to Dog Control Services" said agreement between the County of Jefferson of New York and the Town of Henderson adjusts the length of contract from three to five years and renews the agreement from January 1, 2022, and will terminate on December 31, 2026

Due to length of time to get new Highway Department Plow trucks the Board is working off the recommendation to order truck now for delivery by end of 2022.

MOTION

NEW 2022 INTERNATIONAL MODEL HX-620 6x4 CHASSIS W TENCO PLOW

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

ADOPTED Ayes 4 Glaser, Flagg, Owen, Parker Lane

Nays 0

Motion to approve purchasing new 2022 International Model HX-620 6x4 chassis with Tenco plow package through Stadium International Trucks Inc. at State pricing for a total of \$243,596.46, Truck \$133,705.00, plow and equipment \$109,596.46.

Sanitation employee Gregory Ingerson will be joining the Teamsters Union that highway employees are under. He will now be under MEO title and changes will be added to the current Highway contract to reflect the few changes in hours and days worked that the sanitation department s opened. Union is currently making these changes for Town's review. An executive session will be held to discuss wages and time earned during this meeting.

With this move in contracts, it makes sense to end having two separate contracts and all under one with the Town of Henderson.

New MEO Paul Perry is also hired at a rate per the current contract

MOTION

GREGORY INGERSON MOVE TO MEO

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

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

Motion to move Gregory Ingerson from permanent full time Sanitation department and water district employee to MEO as of 01/01/2022.

RESOLUTION # 2021-12-14-057

DISSOLVE SANITATION AND WATER DISTRICT CONTRCAT

On a motion by Councilman Owen, second by Councilman Flagg the following motion was

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

Resolved to dissolve Sanitation and Water District Employee Contract between the Town of Henderson and Sanitation and Water District Employees null and void as of December 31, 2021.

Dates for yearend meeting to pay the bills is set for Monday December 27th at 7:00PM and Organization Meeting is set for Monday January 3rd at 7:00PM

Councilman Matthew Owen still would like to have open public comments at beginning of meeting

Town Clerk Wendy Flagg asked about possibly having the family of Butch Maitland place a bench in his memory at Town Boat Launch. Councilman Owen would like the Town Board to speak with Town Attorney about this first.

PUBLIC COMMENTS: Robert Whiteman is looking additional staff to be hired to help with the internet services, website and an assistant for assessor so a revaluation process can begin.

MOTION

ENTER EXECUTIVE SESSION

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

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

Town Board entered into executive session to discuss personnel issues.

MOTION

EXIT EXECUTIVE SESSION

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

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

Town Board exited executive session to discuss personnel issues.

MOTION

GREGORY ONGERSON PAY RATE AND TIME

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

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

Motion concerning Gregory Ingerson's rate of pay and time incurred as Sanitation and Water District employee A new MEO position as of 01/01/2022. Board agrees to by-passing the one-year time served at prior position to begin at a rate of \$22.45 per hour as of 01/01/2022 then after 18 months Gregory Ingerson will be paid the job rate. Board agrees to by-pass 26-week probationary period for sick leave and personal leave. Vacation time, his time from Sanitation and Water District employee will carry to Union contract. Any accumulated hours from Sanitation and Water District Employee will move forward to MEO position according to Union contract limitations.

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

Dec 15	(Wednesday)	Zoning Board of Appeals	6:00PM
Dec 16	(Thursday)	Recreation Commission	7:00PM
Dec 23	(Thursday)	Town Clerk's Office Closed	
Dec 25	(Saturday)	Recycling Center Closed	MERRY CHRISTMAS
Dec 27	(Monday)	Yearend Town Board Meeting	7:00PM
Jan 01	(Saturday)	Recycling Center Closed	HAPPY NEW YEAR
Jan 03	(Monday)	Organization Meeting	7:00PM
Jan 04	(Tuesday)	Planning Board Meeting	5:00PM
Jan 11	(Tuesday)	Town Board Meeting	7:00PM
Jan 19	(Wednesday)	Zoning Board of Appeals	6:00PM
Jan 20	(Thursday)	Recreation Commission	7:00PM
Feb 01	(Tuesday)	Planning Board Meeting	5:00Pm
Feb 08	(Tuesday)	Town Board Meeting	7:00PM
Feb 16	(Wednesday)	Zoning Board of Appeals	6:00PM
Feb 17	(Thursday)	Recreation Commission	7:00PM