

**Town of Henderson  
12105 Town Barn Rd.  
Henderson, NY 13650  
Public Hearing & Town Board Meeting  
February 9, 2021 – 7:00 PM Scheduled**

A Public Hearing and 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 6:30PM, on the 9<sup>th</sup> day of February 2021.

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

Supervisor Glaser called the Public Hearing to order at 6:30PM with the pledge to the flag.

Public Hearing open by Supervisor Glaser at 6:32 PM to discuss a possible moratorium on large scale solar projects in the overlay corridor district. Floor open for public comment:

Michael Contino- The overlay district has several areas that a large-scale solar project would fit, for example the Butterville project that has been approved. It may not be necessary to restrict all projects in the overlay district. When the overlay district was designed that was not the intent.

Joan Treadwell Woods – Exam and review the definition of the overlay corridor district

Written comments by John Treadwell and Gary Rhodes were reviewed by the Board members.

Motion to close the Public Hearing by Supervisor Glaser and Councilwoman Parker Lane all board member vote yes.

Hearing closed at 6:42 Town Board meeting opened at 7:00PM

MOTION

**MINUTES**

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

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

Motion to approve minutes from the January 12, 2020 Town Board meeting as written.

MOTION

**AUDIT OF CLAIMS**

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

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

Resolved to authorize payment of abstract # 2 include vouchers 177768-177836 for a total amount of \$545,753.64

Summary by Payable Account

<u>Payable Acct</u>	<u>Total Amount</u>
General	\$74,788.09
Highway	\$56,865.37
Water Dist. 1	\$1,645.50
Water Dist. 2	\$1,645.49
Henderson Fire Dist.	\$332,829.00
Smithville Fire Dist.	\$76,649.56

MOTION

**SUPERVISOR REPORT**

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

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

Motion to accept January 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 project updated by Patrick Scordo of GYMO, currently working on a couple of grants through Municipal Solutions everything seems to be on target. A grant for existing water districts to replace meters in District # 1 & 2 is also in process. Water District #3 talks with Rural Development will begin soon. Income information form survey just for that area will be used. Also looking into areas to save at plant expansion.

Dwight Davidson representing the Henderson Business & Community Council updated the Board on survey and its success. They were very happy with the response and will post results on both town and Community Council websites.

RESOLUTION 2021-02-09-031

**LOCAL LAW #1 SIX (6) MONTH MORATORIUM ON SOLAR ENERGY SYSTEMS**

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

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

Resolved to approve the following:

## **TOWN OF HENDERSON**

### **LOCAL LAW #1 of 2021 Establishing a Six (6) Month Moratorium on Solar Energy Systems**

**ARTICLE I    INTENT**

Due to clean energy desires and technological changes there is an increased possibility of development of Solar Energy Systems within the Town of Henderson. The potential for such development, especially within the Town's Corridor Overlay District was not fully contemplated when the Town adopted its Solar Energy Systems Regulations. The Town Board, in order to consider, formulate, and potentially amend both the Town of Henderson Zoning Law, its Solar Energy Systems Regulations and/or uses authorized within the Town's Corridor Overlay District and to safeguard the public health, safety and general welfare of its population, determines it to be reasonably necessary to provide a Moratorium for six (6) months to perform a review of the same.

ARTICLE II DEFINITIONS

SOLAR ENERGY SYSTEM – An electrical energy system composed of a combination of both solar panels and solar energy equipment.

PERMIT/APPROVAL - No solar energy system shall be constructed, reconstructed, modified or operated in the Town of Henderson, except in compliance with the Zoning Law.

ARTICLE III APPLICATION

This Local Law shall apply to all areas within the Town of Henderson Corridor Overlay District.

ARTICLE IV DURATION

This law shall be in effect for a period of six (6) months from the effective date of this Local Law.

ARTICLE V PROHIBITIONS

Neither the Town of Henderson Zoning Enforcement Officer, nor the Zoning Board of Appeals, nor the Town of Henderson Planning Board shall process, review, render any determination, nor grant any variance, or any approval, in respect to any solar energy system within the Town's Corridor Overlay District during the duration of this Moratorium. No person shall construct a new solar energy system or establish a solar energy system activity anywhere within the Town's Corridor Overlay District during the duration of this Moratorium unless municipal approval was granted in advance of the effective date of this local law.

ARTICLE VI ENFORCEMENT

This Local Law shall be enforced by the Town of Henderson Zoning Enforcement Officer.

ARTICLE VII VIOLATIONS

Any person violating any provision of this Local Law shall be guilty of an offense, and upon conviction thereof be punishable by a fine not to exceed Two Hundred Fifty Dollars (\$250) or imprisonment for a period not to exceed fifteen (15) days or both. Each week's continued violation after notice shall constitute a separate and additional violation.

ARTICLE VIII SEVERABILITY

Should any portion of this Local Law be declared invalid, such decision shall not affect the validity of the remaining portions of this Local Law.

ARTICLE IX EFFECTIVE DATE

This Local Law shall become effective after filing in the Office of the NYS Secretary of State.

Community Host Agreement with Nexamp still trying to figure out how to do road maintenance on a private road. Board still concerned with JCIDA's comments regarding community agreement. Board would like to set up workshop with JCIDA members to discuss. A workshop will be set up.

Strategic Development Specialists will be contracted to help Town apply for Lakeshore Revitalization Funds and the Town will develop a Lakeshore Development Plan to continue to enhance our best asset.

**Board Comments:** None

**PUBLIC COMMENTS:** Questions for what the lake shore development plan would involve and why the Town needs to speak with JCIDA over solar project.

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

March 2	(Tuesday)	Planning Board Meeting	5:00PM
March 9	(Tuesday)	Town Board Meeting	7:00PM
March 17	(Wednesday)	Zoning Board of Appeals Meeting	5:00PM
March 18	(Thursday)	Recreation Commission	7:00PM
April 06	(Tuesday)	Planning Board Meeting	5:00PM
April 13	(Tuesday)	Town Board Meeting	7:00PM
April 21	(Wednesday)	Zoning Board of Appeals Meeting	5:00PM
April 22	(Thursday)	Recreation Commission	7:00PM