

**Town of Henderson
12105 Town Barn Rd.
Henderson, NY 13650
Town Board Meeting
July 11, 2018 – 7:00 PM Scheduled**

A regular meeting and public hearing for proposed sewer district of the Town Board of the Town of Henderson, County of Jefferson and the State of New York was held at the Henderson Community Hall, 8939 NYS Rt 178, Henderson, NY on the 11th day of July 2018.

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|----------|-------------------|------|-------------------|
| PRESENT: | John Culkin | ---- | Supervisor |
| | Edwin Glaser | ---- | Deputy Supervisor |
| | Jeffrey Youngs | ---- | Councilman |
| | Carol Hall | ---- | Councilwoman |
| | Torre Parker-Lane | ---- | Councilwoman |
| | Wendy Flagg | ---- | Town Clerk |
| | Julie Brooks | ---- | Bookkeeper |

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

Supervisor Culkin declared that the Town should be the lead agency in the SEQR. Part II of SEQR was reviewed by the Town Board and Town Attorney David Renzi.

RESOLUTION 2018-07-11-069

NEGATIVE DECLARATION ON SEQR PART II

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

| | | |
|---------|--------|-----------------------------------|
| ADOPTED | Ayes 4 | Culkin, Hall, Parker-Lane, Glaser |
| | Nays 1 | Youngs |

Resolved that the Town of Henderson Sewer District No 1 Wastewater Collection & Treatment Facilities will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

Public Hearing for proposed sewer district was opened at 7:18 PM with a brief presentation of project by Pat Scordo discussing basic system, funding, importance of grants and basic cost to customer. Remarks and questions were made by many community members in support of the project. Most people understand that some sort of sewer system will have to be done in order to preserve the quality of the lake and be in environmental compliance. Concerns of cost, time frame of project and the effects on the local tourism during the summer season were of concern by business owners as well as seasonal residents. Most of the community members present were in favor of the project

and look forward to more information as it develops. Public Hearing was closed at 8:00 PM by Supervisor Culkin.

MOTION

CLOSE PUBLIC HEARING

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

ADOPTED Ayes 5 Culkin, Hall, Glaser, Youngs, Parker-Lane
 Nays 0

Motioned that the Public Hearing be closed at 8:00 PM.

RESOLUTION 2018-07-11-070

SUPERCEEDING SEQRA RESOLUTION

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

ADOPTED Ayes 4 Culkin, Hall, Glaser, Parker-Lane
 Nays 1 Youngs

BE it resolved by the Town Board of the Town of Henderson, Jefferson County, as follows:

Section 1. It is hereby determined that the Board adopting this resolution has declared itself to be lead agency under the State Environmental Quality Review Act ("SEQRA) and the regulations promulgated thereunder for purposed of determining the environmental impact of the project described in Section 3 hereof, and completed all requisite requirements in connection therewith.

Section 2. It is hereby determined that the project in Section 3 hereof is a Type I Action which, it has been determined will not have any significant adverse effects upon the environment based upon the attached SEQRA compliance documentation, which are incorporated herewith by reference.

Section 3. The project which is the subject of this resolution is described as follows:

Construction of a wastewater treatment plant to be located at NYS Route 3 in Henderson, New York and a STEP sanitary sewer collection system, including land or rights-in-land, original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith at a maximum estimated cost of \$11,725,000.00.

Section 4. This resolution shall take effect immediately.

RESOLUTION 2018-07-11-071

ESTABLISHMENT OF HENDERSON SEWER DISTRICT

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

| | | |
|---------|--------|-----------------------------------|
| ADOPTED | Ayes 4 | Culkin, Hall, Glaser, Parker-Lane |
| | Nays 1 | Youngs |

Resolved as follows: RESOLUTION DATED JULY 11, 2018.

A RESOLUTION MAKING CERTAIN DETERMINATIONS IN RELATION TO AND APPROVING THE ESTABLISHMENT OF THE HENDERSON SEWER DISTRICT, IN AND FOR THE TOWN OF HENDERSON, JEFFERSON COUNTY, NEW YORK, PURSUANT TO ARTICLE 12-A OF THE TOWN LAW.

WHEREAS, a map, plan and report have been prepared in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Henderson, Jefferson County, New York, relating to the establishment of Henderson Sewer District of said Town (the "District");

WHEREAS, said map, plan and report were prepared by a competent engineer, duly licensed by the State of New York, and have been filed in the office of the Town Clerk of said Town, where the same are available during regular office hours for examination by any persons interested in the subject matter thereof;

WHEREAS, said Henderson Sewer District shall be bounded and described as hereinafter set forth;

WHEREAS, the improvements proposed for said Henderson Sewer District consists of the construction of a wastewater treatment plant to be located at NYS Route 3 in Henderson, New York and a STEP sanitary sewer collection system, including land or rights-in-land, original furnishings, equipment, machinery, apparatus, appurtenances, and

incidental improvements and expenses in connection therewith, as more fully described in the aforesaid map, plan and report;

WHEREAS, the maximum amount proposed to be expended for said improvement is \$11,725,000;

WHEREAS, said capital project has been determined to be a “Type I Action” pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act (“SEQRA”), the implementation of which as proposed, the Town has determined, will not result in any significant adverse environmental impact and SEQRA compliance materials are on file in the office of the Town Clerk where they may be inspected during normal office hours, and the establishment of said District is likewise a “Type I Action”; and

WHEREAS, the proposed method of financing the cost of said improvements consists of the issuance of not to exceed \$11,725,000 serial bonds of said Town maturing in annual installments over a period not exceeding forty years, which will be payable in the first instance from an annual assessment upon the several lots or parcels of land in said District which the Town Board shall determine and specify to be specially benefited thereby in proportion to the benefit derived therefrom, in an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due and payable; and

WHEREAS, the estimated costs of hook-up fees to the typical property in Henderson Sewer District, being a residential single family home is \$0; and

WHEREAS, the estimated cost of the establishment of the Henderson Sewer District to the typical property therein is \$670.00 in the first year in which operation, maintenance, debt service and other charges and expenses are to be paid; and

WHEREAS, a detailed explanation of the manner by which such first-year costs to the typical property were computed, has been filed in the office of the Town Clerk where the same are available during regular office hours for examination by any person interested in the subject manner thereof; and

WHEREAS, the boundaries of said District shall be as described in Schedule A attached hereto and hereby incorporated herein; and

WHEREAS, an Order was duly adopted by said Town Board on June 5, 2018, reciting a description of the boundaries of said proposed Henderson Sewer District, the improvements proposed, the maximum amount proposed to be expended for said improvements, the fact that said map, plan and report were on file in the Town Clerk's Office for public inspection and specifying the 11th day of July, 2018, at 7: o'clock P.M., Prevailing Time, at the Town Hall, in Henderson, New York, in said Town, as the time when and the place where said Town Board would meet for the purpose of holding a public hearing to consider the establishment of said Henderson Sewer District with the boundary as described herein and said map, plan and report filed in relation thereto and to hear all persons interested in the subject thereof concerning the same;

WHEREAS, notice of the aforesaid public hearing was duly published and posted in the manner and within the time prescribed by Section 209-d of the Town Law, and proof of publication and posting has been duly presented to said Town Board;

WHEREAS, said public hearing was duly held at the time and place in said order, as aforesaid, at which all persons desiring to be heard were duly heard; and

WHEREAS, said Town Board has duly considered said map, plan and report and the evidence given at said public hearing; NOW, THEREFORE, BE IT

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined as follows:

- a) The notice of hearing was published and posted as required by law and is otherwise sufficient;
- b) All the property and property owners within said proposed Henderson Sewer District are benefited thereby;
- c) All the property and property owners benefited are included within the limits of said proposed Henderson Sewer District; and
- d) The establishment of said proposed Henderson Sewer District is in the public interest.

Section 2. The establishment of Henderson Sewer District of the Town of Henderson, Jefferson County, New York, to be bounded and described as hereafter set forth, and the improvement therefor consisting of the construction of a wastewater treatment plant to be located at NYS Route 3 in Henderson, New York and a STEP sanitary sewer collection system, including land or rights-in-land, original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and

expenses in connection therewith, at a maximum estimated cost to the Henderson Sewer District of \$11,725,000, are hereby approved.

Section 3. Said Henderson Sewer District with boundary as described herein shall be bounded and described as set forth in Appendix A attached hereto and hereby made a part hereof.

Section 4. This resolution is adopted subject to permissive referendum.

New York State Office of Parks, Recreation and Historic Preservation request historical survey of properties in the sewer district area that will require archaeological digs to be done. Timothy Abel, PhD. has been recommended to us to perform the study for the cost of \$7,200.00, considering he is the only source in the area.

RESOLUTION 2018-07-11-072

ARCHAEOLOGICAL STUDY

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

ADOPTED Ayes 4 Culkin, Hall, Glaser, Parker-Lane
Nays 1 Youngs

Resolved to allow Supervisor Culkin to enter into contract with Timothy J. Abel, Ph. D a consulting archaeologist to perform the required digs on the sites that the NYS Office of Parks, Recreation and Historic Preservation requires the Town of Henderson to move forward on the proposed sewer system.

RESOLUTION 2018-07-11-073

FINANCIAL RESOLUTION

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

ADOPTED Ayes 5 Culkin, Hall, Glaser, Youngs, Parker-Lane
Nays 0

Resolved to decrease account number A1620.21 Operations of Plant/Building Imp. by \$12,450.00 and increase account number A1310.2 Finance Equipment by \$600.00, acct # A1650.4 Central Communications-Contractual \$1,000.00, Acct # A4010.41 by \$6,500.00, acct # A6410.40 Bed tax Promotion by \$2,350.00 , acct. # A7180.4 Boat Launch contractual \$1,000.00 and account number A9189.8 by \$500.00 to adjust accounts for expenditures in excess of Budget amounts with funds from accounts under Budget in preparation of Abstract #7.

RESOLUTION 2018-07-11-074

AUDIT OF CLAIMS

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

ADOPTED Ayes 5 Culkin, Parker-Lane, Hall, Glaser, Youngs
 Nays 0

Resolved to authorize payment of abstract #07 include vouchers # 173644-173726 for a total of \$102,322.06. Board members request that voucher # 173600 in the amount of \$3,380.00 be removed for further information as to service provided.

MOTION

APPROVAL OF MINUTES

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

ADOPTED Ayes 5 Culkin, Glaser, Hall, Youngs, Parker-Lane
 Nays 0

Motioned that the written revised minutes of June 14, 2018 Town Board meeting be approved.

PUBLIC COMMENTS: None

No further business to discuss a motion by Councilwoman Parker-Lane second by Councilwoman Hall the meeting was adjourned. Carried unanimously

All Town meetings at 7:00 PM and Court on Monday night at 4:00PM at 12105 Town Barn Road unless otherwise stated

July 18 (Wednesday) Zoning Board of Appeals Meeting
July 19 (Thursday) Recreation Commission Meeting
Aug 07 (Tuesday) Planning Board Meeting
Aug 08 (Wednesday) Town Board Meeting
Aug 15 (Thursday) Zoning Board of Appeals Meeting
Aug 16 (Thursday) Recreation Commission Meeting
Aug 24 (Friday) Q&A Meeting on Proposed Sewer District 6:00PM at Community Hall

Respectfully submitted,

Wendy Flagg / Town Clerk/Collector