

Supervisor Glaser – Matthew Owen

Upon the voting from the roll call vote let it be understood that Matthew Owen has been selected to fill the vacancy on the Town Board.

MOTION

TOWN BOARD VACANCY

On motion by Supervisor Glaser, seconded by Councilman Flagg, the following motion was

ADOPTED Ayes 4 Glaser, Parker-Lane, Hall, Flagg

Nays 0

Motion to appoint Matthew Owen to the fill the Town Board vacancy with the term to expire on December 31, 2020.

Gary Rhodes filed a FOIL Appeal which has been reviewed and the requested information will be supplied to him as soon as the documents are created and become available.

At a meeting with Emergency Manger Joe Plumber it was discussed the only current assistance for highwater levels at this time are sandbags. Towns may phone in orders and pick up when notified. Nothing further is available because currently it is not an emergency. A webinar was giving showing less snowpack so less run off and the IJC hopes to keep up with levels.

RESOLUTION 2020-03-11-042

REQUESTING THE WITHDRAWAL OF THE ENERGY SITING AMENDMENT TO THE STATE BUDGET

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

ADOPTED Ayes 4 Glaser, Parker-Lane, Hall, Flagg

Nays 0

WHEREAS: On February 21, 2020 Governor Cuomo announced a 30-day budget amendment “to dramatically speed up the permitting and construction of renewable energy projects.”

WHEREAS: This amendment could be passed with the budget by April 1st, replacing Article 10 with a new method of energy project siting, effectively removing any input from municipalities or citizens or local environmental groups.

WHEREAS: The new process would include almost no opportunity to bring in locally sourced data or regional experts to present evidence regarding specific siting issues.

WHEREAS: The State will allow no public comment or input prior to a project application

WHEREAS: The State will allow no role for environmental or citizen groups outside of commenting on the draft project proposal.

WHEREAS: Once an application is submitted, the new Office of Renewable Energy Siting (ORES) has 60 days to review and determine if it is “complete”. If the decision is not made in that time, the application is determined automatically deemed complete. Once the application is determined to be complete the ORES Office will approve the project within 12 months or it is automatically considered approved. There is no process for extending this time limit.

WHEREAS: There is no mandated hearing as part of this new siting process so there is no method for submitting expert testimony.

BE IT RESOLVED: The Town of Henderson requests this budget amendment be withdrawn before the budget is voted on.

RESOLUTION 2020-03-11-043

ORDER OF THE TOWN BOARD OF THE TOWN OF HENDERSON

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

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

WHEREAS, this Board has determined that it would be in the best interest of residents of the Town of Henderson, and who own property in the Bayshore Drive area, the Eastman Tract along the Shore of Henderson Bay, and several additional properties adjacent to the current boundaries of the Town of Henderson Sewer District No. 1 (consisting of 321 potential hook-ups to a public sewer system), to amend/extend the Town of Henderson Sewer District No. 1 (additional potential 53 hook-ups to a public sewer system) to serve such persons and property (374 total potential hook-ups to a public sewer system), and

WHEREAS, private septic systems in the Bayshore Drive area, the Eastman Tract along the shores of Henderson Bay and several parcels adjacent to the current boundaries of

the Town of Henderson Sewer District No.1 have failed and/or will potentially fail and this scenario has intensified due to seasonal flooding along Lake Ontario; and

WHEREAS, the possibility and/or probability of seasonal flooding along Lake Ontario cannot be predicted with absolute certainty, but the risk appears to be higher due to many factors; and

WHEREAS, the ongoing risk(s) will likely cause continued problems/failures of private septic stems and increase danger(s) to the health, safety and welfare of the public, and

WHEREAS, the Town Board intends to protect its citizens, the public and the environment, and

WHEREAS, due to the small size of parcels and poor drainage of soils on those parcels, and the risks summarized above, the Town engineer has prepared a certain Map, Plan and Report for the purposes of amendment/extension of the Sewer District within the Town of Henderson, reciting the boundaries of the proposed District amendment/extension and the nature and type of infrastructure needed for the Project; and

WHEREAS, a detailed explanation of how the estimated cost of hook-up fees, if any, and the cost of the district as amended/extended to a typical property was computed may be found in the Map Plan and Report filed with the Town Clerk, and

WHEREAS, the Map, Plan and Report are filed with the Town Clerk of the Town of Henderson.

NOW, on motion duly made and seconded, it is

FOUND, ORDERED AND DETERMINED that the above recitations are included herein and incorporated by reference, and it is

FOUND, ORDERED AND DETERMINED that the Map, Plan and Report prepared for the Town for the purpose of the Sewer District and the proposed

amendment/extension of the same have been duly filed with the office of the Town Clerk as required by law, and is available thereat for public inspection, and it is

FOUND, ORDERED AND DETERMINED that the boundaries of the proposed Sewer District amendment/extension shall be as appear in the Map filed with the Town Clerk and as described on the attached Schedule "A", and it is

ORDERED, that the estimated cost to a typical parcel (hook-up) annually is anticipated to be at, or below \$717.00 per E.D.U., the maximum amount to be spent for the district as amended/extended is \$13,915,000.00 and the estimated costs for hookup fees, if any, are \$0.00 per E.D.U.; and it is

ORDERED, that a public hearing be held on the 25th day of March 2020 at 7:00 p.m. at the Town Community Center/Fire Hall located at NYS Route 178ds, Henderson, New York to hear all person(s) interested, and it is further

ORDERED, that the Town Clerk shall cause a copy of this Order to be published at least once in the official newspaper for the Town of Henderson not less than ten (10) nor more than twenty (20) days before the date set for the hearing, and shall cause a copy hereof to be posted on the sign board of the Town of Henderson maintained pursuant to the provision of the Town Law, not less than ten (10) nor more than twenty (20) days before the date designated for the hearing and shall cause a copy to be uploaded on the Town of Henderson website.

Questions as to handle brush as April 1st is approaching and DEC has not gotten back to Sanitation as to a plan that is workable for all. Supervisor Glaser will contact DEC office as how to proceed.

Highway Department has auctioned off two dump trucks and the Green Ford pick-up on the Auction Warehouse website. Soon to add the school bus upon the approval of the purchase of a new pick-up truck for lawn and road maintenance.

RESOLUTION 2020-03-11-044

HIGHWAY NEW PICK UP PURCHASE

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

ADOPTED Ayes 3 Parker-Lane, Glaser, Flagg
 Nays 0
 Abstains 1 Hall

Resolved that a 2020 Chevy ½ Ton pickup truck, 4-wheel drive, crew cab be purchased from FX Caprara CDJR of Watertown for a total of \$39,152.73 for use of lawn and road maintenance.

Town Board request to enter into executive session to discuss ongoing litigation

MOTION

ENTER INTO EXECUTIVE SESSION

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

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

Motion to enter into executive session to discuss ongoing litigation.

MOTION

EXIT OUT OF EXECUTIVE SESSION

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

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

Motion to exit executive session.

MOTION

STIPULATION AND SETTLEMENT ORDER

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

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

Motion to allow Supervisor Glaser to sign off on an ongoing stipulation and settlement order concerning file no 40401.0000.

PUBLIC COMMENTS: David Converse – When will sandbags be available? In about two weeks, Highway Superintendent Hall will be placing an order. Are there any pumps available? Not at tis time hoping to hold at 247 level

Robert Ashodian – Concerned with the energy siting amendment resolution and how it makes local law seem useless. That is why the Board voted to have it withdrawn from the Budget. What is the Town Board’s roll when it comes to negotiations to solar projects? Town Attorney will advise us on this matter.

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

**Court on Monday night at 4:00PM, All Town meetings held at
12105 Town Barn Rd., Henderson, NY 13650**

March 18	(Wednesday)	Zoning Board of Appeals Hearing	5:00 PM
March 19	(Thursday)	Recreation Commission	7:00PM
March 25	(Wednesday)	Town Board Meeting	7:00PM
April 07	(Tuesday)	Planning Board Hearings	5:00PM
April 08	(Wednesday)	Town Board Meeting	7:00PM
April 15	(Wednesday)	Zoning Board of Appeals Hearing	5:00PM
April 22	(Wednesday)	Town Board Meeting	7:00PM

Respectfully submitted,
Wendy Flagg / Town Clerk/Collector