

**Town of Henderson
12105 Town Barn Rd.
Henderson, NY 13650
Town Board Meeting
September 12, 2018 – 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 was held at the Henderson Town Offices, 12105 Town Barn Rd, Henderson, NY on the 12th day of September 2018.

PRESENT: John Culkin ---- Supervisor
 Carol Hall ---- Councilwoman
 Torre Parker-Lane ---- Councilwoman

 Jeffrey Youngs ---- Councilman
 Wendy Flagg ---- Town Clerk
 Julie Brooks ---- Bookkeeper

ABSENT: Edwin Glaser ---- Deputy Supervisor

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

Barbara Bowman requested financial help with the American Bass Anglers Derby to be held on June 29, 2019. Use of the boat launch, possible meeting room and \$1,000.00 funding if the Town could possibly help with any of the cost as they prepare the budget for 2019. It was also recommended that the Henderson Harbor Business Council may be able to help as well. Board will review this request as they move forward with budget process.

Mark Ditch presented the Board with a petition for a Public Referendum of the Sewer District for reasons submitted within the petition. The required percentage was gathered and the Board will have the Town Attorney review the petition and advise the Board what the next steps should be.

RESOLUTION 2018-09-12-078

AUDIT OF CLAIMS

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

ADOPTED Ayes 4 Culkin, Hall, Youngs, Parker-Lane
 Nays 0

Page 2 Sept. 12, 2018

Resolved to authorize payment of abstract #09 include vouchers # 173818-173905 less vouchers #'s 173660, 173814, 173815, 173901 and 173902 for a total of \$139,661.82

Minutes will be approved next meeting as not enough votes are available to approve them.

RESOLUTION 2018-09-12-079

FINAL ORDER FOR SEWER DISTRICT

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

ADOPTED Ayes 3 Culkin, Hall, Parker-Lane
 Nays 1 Youngs

Resolved as follows:

In the Matter
of
The establishment of an improvement district
in the Town of Henderson, Jefferson County,
New York, to be known as Henderson Sewer
District.

FINAL ORDER

WHEREAS, a map, plan and report, including an estimate of cost, have been filed in the office of the Town Clerk of the Town of Henderson, Jefferson County, New York, in relation to the establishment of Henderson Sewer District in said Town (the "District"); and

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; and

WHEREAS, the maximum estimated cost of said improvements is \$11,725,000; and

WHEREAS, the estimated cost of said District to the typical property therein, being a residential single family home, is \$670 in the first year in which operation, maintenance,

and other charges and expenses are to be paid by said properties as set forth in the map, plan and report; and

WHEREAS, the costs of the provision of services in said District shall be through the imposition of a schedule of sewer rents pursuant to Article 14-F of the General Municipal Law to the extent that such sewer rents provide a source of revenue for such expenditures and shall otherwise be payable as provided in Article 12-A of the Town Law by the annual apportionment and assessment upon the several lots and parcels of land within said District which the Town Board shall determine and specify to be especially benefitted by the improvements; and

WHEREAS, the property owners shall be required to and responsible to connect to the sewer main at the property line, with such costs arranged by and payable by the property owner and the estimated cost of such connection to the typical property in said District, being a residential single family home, is \$0 such costs being expenses to be paid by the property owner to connect to the District improvements, which expenses are not to be paid by the District; 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 proposed method of financing to be employed, 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 7:00 o'clock P.M., local 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 and said map, plan and report filed in relation thereto and to hear all persons interested in the subject thereof concerning the same; and

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 have been duly presented to said Town Board; and

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, following said public hearing and based upon the evidence given thereat, said Town Board duly adopted a resolution determining in the affirmative all of the questions set forth in subdivision 1 of Section 209-e of the Town Law and approving the establishment of said Henderson Sewer District subject to permissive referendum; and

WHEREAS, no petition was filed in relation thereto; and

WHEREAS, an application to the Office of the State Comptroller for approval to establish Henderson Sewer District in the Town of Henderson is not required based on the proposed \$670.00 first year annual cost to the typical property in said District; NOW, THEREFORE, IT IS HEREBY

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

Section 1. The Henderson Sewer District, is hereby established, to be bounded and described as set forth in Appendix A attached hereto and made a part hereof.

Section 2. The establishment of the Henderson Sewer District to be bounded and described as hereafter set forth in said Appendix A, and the improvements proposed for

said Henderson Sewer District 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, as more fully set forth in the map, plan and report are hereby authorized and approved. The maximum estimated cost to said Henderson Sewer District pursuant to these proceedings for said improvements shall not exceed \$11,725,000. Said cost of said improvements for said District shall be financed by the issuance of not exceeding \$11,725,000 serial bonds of said Town, to be reduced by any grants-in-aid monies to be received by the Town, said serial bonds maturing in annual installments over a period not exceeding forty years, payable in the first instance from sewer rents imposed pursuant to Article 14-F of the General Municipal Law, but otherwise payable from assessments upon the several lots and parcels of land within said District deemed especially benefitted thereby, 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.

Section 3. This Order shall take effect immediately, and upon adoption, a copy hereof shall be recorded in the office of the County Clerk and filed in duplicate with the State Comptroller in Albany, New York within ten days pursuant to Section 209(g) of the Town Law.

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

John Culkin VOTING yes

Torre Parker-Lane VOTING yes

Carol Hall VOTING yes

Jeffrey Youngs VOTING no

Ed Glaser VOTING absent

The Order was thereupon declared duly adopted.

The Town received \$26,000.00 in intervenor funding as part of the Article 10 approval process for the Galloo Island wind farm. The funds are to hire an avain risk and property value expert to provide testimony on behalf of the Town as the approval process moves forward.

Budget process will get under way with workshops and sheets being sent out to all parties involved.

Henderson Harbor Business Council will hold a fund raiser against the Galloo Island Wind project.

NYMIR building inspections will be held on September 27th to insure all items are covered under plan.

PUBLIC COMMENTS: Martin Clark when will submitted petition hear from the Board with an answer to it. It will be reviewed by the Town and Town Attorney.

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

Sept 19 (Wednesday) Zoning Board of Appeals Hearings
Sept 20 (Thursday) Recreation Commission Meeting
Oct 02 (Tuesday) Planning Board
Oct 08 (Monday) Offices Closed for Columbus Day
Oct 10 (Wednesday) Town Board Meeting
Oct 17 (Wednesday) Zoning Board of Appeals
Oct 18 (Thursday) Recreation Commission

Respectfully submitted,

Wendy Flagg / Town Clerk/Collector