

**Town of Henderson  
12105 Town Barn Rd.  
Henderson, NY 13650  
Special Town Board Meeting  
May 23, 2024**

A special meeting of the Town Board of the Town of Henderson, County of Jefferson and the State of New York was held at 12105 Town Barn Rd. at 7:00PM, on the 23rd day of May 2024.

PRESENT:	Edwin Glaser	----	Supervisor
	Matthew Owen	----	Councilperson
	Torre Parker Lane	----	Councilperson
	David Poulin	----	Councilperson
	Lindsay Witmer	----	Councilperson
	Wendy Flagg	----	Town Clerk

The special meeting was held to discuss Sewer District #1 and for the Board to decide if they should move forward with eminent domain/ condemnation for critical easements.

Town attorney, Jim Burrows, recapped what the Town has accomplished, the process and cost of condemnation per parcel and length of time for process.

A matrix provided by Councilman Poulin was reviewed by Board and Pat Scordo of GYMO Engineering firm. Four options were presented to Board:

Option 1. Do nothing and District incurred cost would be passed on to residents in District

Option 2. Modify scope of district -cost to redesign the district

Option 3. Selective eminent domain – cost to redesign the district and condemnation

Option 4. 100% eminent domain – no re-design cost but condemnation cost

All four options discussed but was found that option 2 & 3 were not allowable according to Attorney Douglas Goodfriend, from Orrick law firm, New York, NY. Attorney Goodfriend explained to Board that it is always possible to expand a district, but once expense has incurred a district cannot be contracted or dissolved. Boundaries cannot be changed after a district has been formed.

Discussion on cost of project Capital vs. O&M cost. Board was wondering if there is any room for margin. Concerns of cost of project for low-income households were discussed. There are programs available for households who experience hardship.

Attorney Burrows explained to Board the importance of the timeline for critical easements that must be signed. Basically, the Board needs to act now and decide if they wish to move forward with condemnation in order to accomplish timeline and meet criteria.

MOTION

**SEWER DISTRICT #1 EMINENT DOMAIN PROCESS**

On a motion of Councilperson Parker Lane, second by Councilperson Owen following motion was.

ADOPTED    Ayes 3            Owen, Glaser, Parker Lane  
                 Nays 2            Poulin, Witmer

Motion to move forward with eminent domain process for unsigned critical easements for sewer district #1.

Discussion about a three step criteria per parcel was had amongst Board to put in place before eminent domain would begin. Motion was passed without any criteria put on property.

PUBLIC COMMENTS:

Ginger Cook – concerns transparency referred to resolution that was passed

Sally Jones – concerned if Town was to be charged with STEP Tank demo to be displayed at contractor meeting, why engineering contract was removed from website.

Bill Saiff – Support for sewer project and eminent domain process

MOTION

**EXECUTIVE SESSION ENTER**

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

ADOPTED    Ayes 5            Glaser, Witmer, Poulin, Owen, Parker- Lane  
                 Nays 0

Motion to enter into executive session under public officers' law section 108.

MOTION

**EXECUTIVE SESSION EXIT**

On a motion by Councilperson Parker Lane, seconded by Councilperson Owen, the following motion was

ADOPTED    Ayes 5            Glaser, Witmer, Poulin, Owen, Parker- Lane  
                 Nays 0

Motion to exit executive session.

Meeting to adjourn by Councilperson Parker Lane second by Councilperson 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

May 15	(Wednesday)	Zoning Board Meeting	6:00PM
May 20	(Monday)	Recreation Commission Meeting	6:00PM
May 23	(Thursday)	Special Town Board Meeting	7:00PM
May 27	(Monday)	Memorial Day Town Offices Closed	
May 28	(Tuesday)	Grievance Day	10:00am-Noon & 6pm-8pm
June 04	(Tuesday)	Planning Board Meeting	5:00PM
June 11	(Tuesday)	Town Board Meeting	7:00PM
June 12	(Wednesday)	Special Town Board Meeting Sewer	7:00PM
June 19	(Wednesday)	Juneteenth Town Offices Closed	
June 24	(Monday)	Recreation Commission Meeting	6:00PM
July 02	(Tuesday)	Planning Board Meeting	5:00PM
July 04	(Thursday)	Fourth of July All Town Offices Closed	
July 09	(Tuesday)	Town Board Meeting	7:00PM
July 10	(Wednesday)	Special Town Board Meeting Sewer	7:00PM
July 17	(Wednesday)	Zoning Board of Appeals Meeting	6:00PM
July 22	(Monday)	Recreation Commission Meeting	6:00PM