

November 11, 2021
Town of Afton
County of Chenango

Present at the regular board meeting were Supervisor John Lawrence, Councilmen Jamie Baciуска, Calvin Tallmadge, Robert Tallmadge excused Chris Warren, Highway Superintendent Kirk Hoyt, Assessor Caitlyn Brown, Code Enforcement Officer Bailey DeBetta, Honorable Donald Ouimet, DCO Amy Cross

Visitors: Bert Stewart, David DeClue, Sandy Reiling

Bills and claims were audited and ordered paid as follows:

General Fund Claims #144-164 totaling \$45232.01 as shown on General Fund Abstract # 11 dated November 11, 2021 and

Highway Fund Claims # 146-167 totaling \$24209.85 as shown on Highway Fund Abstract # 11 dated November 11, 2021 Highway claims #135-145 deleted due to system error on BAS System.

Regular meeting was called to order at 7 pm with the salute to the flag.

Motion to accept the corrected board meeting minutes if October 14, 2021 made by Jamie Baciуска seconded by Calvin Tallmadge Approved

Motion to pay bills and claims made by Jamie Baciуска seconded by Calvin tallmadge Approved

Motion to open Public Hearing on proposed Law #2 Opting Out of Adult Use Cannabis Retail Dispensaries and on Site Cannabis Consumption Sites at 7:04 pm by Calvin Tallmadge, seconded by Robert Tallmadge Approved

Motion to close the public hearing at 7:06 pm by Robert Tallmadge seconded by Jamie Baciуска Approved

Motion to approve Local Law # 2 Opting Out of Adult Use Cannabis Retail Dispensaries and On Site Cannabis Consumption as follows:

Local Law # 2 of 2021

TOWN BOARD TOWN OF AFTON

LOCAL LAW OPTING OUT OF ADULT USE CANNABIS RETAIL DISPENSARIES AND ON SITE CANNABIS CONSUMPTION SITES.

A LOCAL LAW to opt our of allowing adult use cannabis retail dispensaries and adult use on site cannabis consumption sites to locate within the Town of Afton authorized under Article 4 of the Marijuana Regulation and Taxation Act.

Section 1. Legislative Intent

It is the intent of the Town of Afton to opt out of allowing cannabis retail dispensaries and on site cannabis consumption sites in the Town of Afton that would otherwise be allowed under the New York

State Marijuana Regulation and Taxation Act.

Section 2. authority

This Local Law is adopted pursuant to New York State Marijuana Regulation and Taxation Act S 131 which expressly authorizes the Town Board to Adopt a local law requesting the Cannabis Control Board to prohibit the establishment of adult-use retail dispensary Licenses and/or on-site consumption licenses within the jurisdiction of the Town. This Local Law is subject to a permissive referendum/referendum on petition pursuant to Municipal Home Rule Law S 24.

Section 3. Local Opt-Out

The Town Board of the Town of Afton hereby opts out of allowing cannabis retail dispensaries and on site cannabis consumption sites from being established and operated within the Town's jurisdiction. In Accordance with the New York State Marijuana Regulation and Taxation Act S 131 (1), the Town requests the Cannabis Control Board to prohibit the establishment of retail dispensary licenses and on-site consumption licenses contained in Article Four of the New York State Marijuana Regulation and Taxation Act within the jurisdiction of the Town of Afton.

Section 4 Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional such order or judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the person, individual, firm or corporation or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Permissive Referendum/Referendum on Petition

This Local Law is subject to a referendum on petition in accordance with New York State Marijuana Regulation and Taxation Act S 131 and the procedure outlined in Municipal Home Rule Law S 24.

Section 6. Effective date.

This Local Law shall take effect immediately upon filing with the Secretary of State.

Motion to approve made by John Lawrence seconded by Calvin Tallmadge Roll Call is as follows

Supervisor John Lawrence	Aye
Robert Tallmadge	Aye
Calvin Tallmadge	Aye
Jamie Baciуска	Aye

Absent Chris Warren Motion Passes

Motion to open the Public Hearing on the 2022 Town of Afton Budget made by Robert Tallmadge Seconded by Calvin Tallmadge at 7:08 pm approved

Motion to close the public hearing on budget at 7:08 pm by Calvin Tallmadge seconded by Jamie Baciуска .

Motion to Approve the 2022 Town of Afton Budget made by Calvin Tallmadge Seconded by Jamie Baciуска Roll call as follows

Supervisor John Lawrence Aye
Robert Tallmadge Aye
Calvin Tallmadge Aye
Jamie Baciуска Aye

Absent Chris Warren Motion passed

Communications

- 1) BPOE letter invitation to a dinner and a speaker presented for sign ups
- 2) Housing stability Program discussed
- 3) Village looking for a person to take part in a committee for the Village of Afton Sidewalk Sales Days.

Committee Reports

- 1) Assessors Oral Report with change of hours to come soon.
- 2) Financial Reports distributed.
- 3) Justice Report oral report
- 4) Sanitation Report oral report
- 5) Highway Report oral report skid steer and trailer has arrived.
- 6) DCO Report distributed
- 7) Building Report oral report
- 8) Historian Report distributed

Old Business

- 1) Review information SPCA Agreement from DCO
- 2) Motion to appoint April M Ray as the new bookkeeper for the Town of Afton made by Calvin Tallmadge seconded by Jamie Baciуска Approved

New Business

- 1) Scott Amendola cannot continue doing maintenance on Melondy Hill Cemetery.
- 2) A resolution for the Town of Afton to be the Lead agency for a SEQR for a Town Law #3 of 2021 requiring some solar energy providers to obtain a permit from the Town of Afton Part 1 of this SEQR is provided Motion by Calvin Tallmadge Seconded by Robert Tallmadge Jamie Baciуска Abstained Motion Approved
- 3) Motion to make the following 7 adjustments on the 2021 Budget made by Robert Tallmadge seconded by Jamie Baciуска Approved motion passes
 - a) Resolved that a transfer of funds in the amount of \$3000.00 from appropriation account A1110.3 court constable to appropriation account A1110.2 Court Clerk
 - b) resolved that a transfer of funds in the amount of \$1000.00 from appropriation account A1620.41 Town Hall repair to appropriation account A1355.4 Assessor Contractual
 - c) Resolved that a transfer of funds in the amount of \$241.41 from appropriation account A7510.4 Historical Contractual to appropriation account A7520.4 Historical Property Contractual

- d) Resolved that a transfer of funds in the amount of \$100.00 be made from A1990.4 Contingency to appropriation account A8510.4 Community Beautification
- e) Resolved that a transfer of funds in the amount of \$1512.85 be made from appropriation account DS5130.4 Machinery Contractual account to DA 5142.4 Snow Contractual.
- f) Resolved that a transfer of funds in the amount of \$64.07 be made from appropriation account DB5110.4 Repairs Contractual to appropriation account DB9055.8 Disability
- G) Resolved that a Budget Adjustment of \$126596.64 to DB5112.4 Highway Capital Outlay through the use of appropriated Fund Balance.

Recognition of Visitors

Motion to adjourn at 8 PM by Robert Tallmadge seconded Calvin Tallmadge Approved

Respectfully submitted by

Rosemarie A Klatz
Clerk of the Board