

**Spencer Village Public Hearing  
December 6, 2021**

The Public Hearing was called to order at 6:31PM.

**PRESENT:** Gilbert Knapp, Sean Rice, Nicole O’Connell-Avery, Tyler Koski, Erika Brown, Village Atty.

**Absent:** Tim Goodrich

**GUESTS:** Sally Marx, Roxanne Sullivan, Bill Garrison, J. Myers, Andrea Sutfin, Christine Lester, Nancy Murray, Jeff Luciano, Kermit Bossard, Ken Sutfin, Jen Reynolds, Rowan Wittsell, Lynn Wittsell, Mary Knapp, Regina Bailey, Tom Bailey, Dale Weston, Lisa Percey, Arlene Mackey, Barbara Kazyaka.

Mayor Gil Knapp read Local Law No. 2 of the year 2021

**Local Law No. 2 of the year 2021  
Village of Spencer, County of Tioga**

A local law adopted pursuant to New York State Cannabis Law § 131 opting out of licensing and establishing retail cannabis dispensaries and on-site cannabis consumption establishments within the Village of Spencer.

**Section 1. Legislative Intent**

It is the intent of this local law to opt the Village of Spencer out of hosting retail cannabis dispensaries and on-site cannabis consumption establishments within its boundaries.

**Section 2. Authority**

This local law is adopted pursuant to New York State Cannabis Law § 131, which expressly authorize villages to opt-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries.

**Section 3. Local Cannabis Retail Dispensary and On-Site Consumption Opt-Out**

The Village Board of Trustees of the Village of Spencer, County of Tioga, hereby opts-out of licensing and establishing cannabis retail dispensaries and/or cannabis on-site consumption establishments within its boundaries.

**Section 4. Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application 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. Effective date**

This local law shall take effect immediately upon filing with the Secretary of State. Pursuant to New York State Cannabis Law § 131, this local law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition or a referendum has been conducted approving this local law.

**Public comments-**

Tom Bailey- Opt out now until NYS law becomes clearer.

Jen Reynolds- Opt in

Lynn Wittsell- Opt in

Christine Lester- Opt out as NYS law is unclear. What are the additional burdens on taxpayers?

Mary Knapp- 128 pages of NYS law pg. /64 village can lose control over businesses.

Jeff Luciano- Opt in/ stop fearmongering, state doesn't micro manage, alcohol sales helps businesses, no negative regulations from NYS. Micro license allows grow, process and sell.

Sally Marx- CASA Trinity said that the amount of revenue would be minimal.

Barbara Kazyaka- Town vs village laws vs County

Lisa Percey- Clarification of opt out now and opt in later

Nancy Murray- village board has control over business entities. Opt in.

Motion to adjourn public hearing made by Sean, seconded by Tyler all in favor at 7:05PM

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**Regular Meeting called to order with pledge of allegiance at 7:06PM.**

PRESENT: Gilbert Knapp, Sean Rice, Nicole O'Connell-Avery, Tyler Koski, Erika Brown, Village Atty.

Absent: Tim Goodrich

GUESTS: Sally Marx, Roxanne Sullivan, Bill Garrison, J. Myers, Andrea Sutfin, Christine Lester, Kermit Bossard, Ken Sutfin, Mary Knapp, Dale Weston, Lisa Percey, Arlene Mackey.

**Gil Knapp read resolution**

**ADULT USE CANNABIS MUNICIPAL OPT-OUT  
RESOLUTION**

WHEREAS during the week of November 15, 2021, Notice of Public Hearing was duly published in 6 different locations and in public media regarding a proposed local law to opt out of allowing on-site consumption establishments and retail cannabis dispensaries to locate and operate within the boundaries of the Village of Spencer; and

WHEREAS, on December 6, 2021, a public hearing was held at 6:30p.m. by the Village of Spencer Trustees to receive public comment on the proposed local law;

NOW THEREFORE, BE IT

RESOLVED that the Village of Spencer Board of Trustees hereby adopts Local Law Number \_\_\_ to opt out of allowing on-site consumption establishments and retail cannabis dispensaries to locate and operate within the boundaries of the Village of Spencer; and it is further

RESOLVED that the local law shall be filed with the New York State Office of Cannabis Management (OCM) and Secretary of State subject to permissive referendum.

Gil read a statement from Tim Goodrich

Sean voted to opt out

Tyler voted to opt out

Nicole voted to opt in

Resolution to opt out of retail sale and on- site consumption passed two (2/1)

**MAYOR UPDATES** – New contract from RPM group for refuse and recycling in the village. Cost will be \$9,994.00 for 1 year contract. Stickers still \$3.00 plus tax. Same pick up day. Motion to accept RPM Group contract made by Nicole, seconded by Tyler, all.

**Regular reports of Officers and COMMITTEES:**

- Fire Department: 1071 Nick L., 1072 Rob E., 1073 Sean A., 1074 Bill M., 1075 will become lieutenant. Wiring issue with siren. Pump testing done and passed. PESH consultation.
- Police Department: 4 complaints, 17 V&T, 2 special assignments, 6 assists.
- Police Commission: requesting the village obtain a credit/ debit card for reoccurring transactions. Looking for time to meet with one another.
- Code Enforcement: 1 Permit issued/ 3 classes completed.
- Buildings and Grounds: Tony Barnhart should start tree removal when ground freezes.
- Grants: Dissolution grant being filed
- Roads: Erika asked for billing every 2 months from Town of Spencer for the snow removal of village streets.
- Youth & Senior Citizens: SVE is closing buildings for capital project this summer, need to find alternate location for PAK.
- Village Planning Board: Trainings
- Park- None

**Consent Items:**

**Motion** made by Tyler, seconded by Nicole, unanimously to approve the minutes of November 1, 2021.

**Public Comments:**

Arlene Mackey- needs contact information on snow removal of village streets.

Kermit Bossard- Food Cupboard served 150 families for Thanksgiving. Will give update at January meeting.

Dale Weston- would like electric box at flag pole fixed.

**CLERK UPDATES**

**Financials:** Abstract # 12062021

Starting and ending check #23693- 23717

Total Revenues: \$ 7,949.24 Total Expenditures: 418243.96

Board packet contains Year to Date Revenues/ Expenditures

**Void: 0 Room/Park Rentals: 1 Tax Search: 3 FOIL Requests: 0**

-Petitions for March elections can be picked up beginning December 28<sup>th</sup>

**Items for Board Action-**

Adopt Resolution authorizing submission of application to NYS Dept. for \$25,000.00 grant from dissolution study.

**Motion made authorizing the submission of an application to New York State Department of State 2021 Local Government Citizens Re-organization Empowerment Grant (CREG) Expedited Assistance Program for grant funds to support costs associated with the development and dissemination of information regarding the impact of dissolution of the Village of Spencer,** made by Nicole, seconded by Sean, unanimous.

Motion to transfer \$1,990.00 from A1989.4 to A9015.8 made by Nicole, seconded by Sean, unanimous.

**New Business**

**Calendar-**

Town of Spencer Board Meeting- December 14, 2022 6:00PM

Council of Government- December 16, 2021

Village of Spencer Office closed January 1, 2022

Village of Spencer Planning Board- January 6, 2022 7PM

**Letters & Correspondence:**

**Upcoming Meetings:** Monday, December 6, 2021 6:30 PM Public Hearing on Local Law #2 regular meeting to follow at 7:00 PM in the Village Municipal Hall.

**FINANCIAL TRANSACTIONS** - Motion to accept deposits of revenue, fines and other money having been received since December 1, 2021 AND payment of invoices and other debts as presented by the Clerk-Treasurer, Erika Brown, AND whereas the Village Trustees acknowledgment that Village expenses, receipts of payments and bills to be paid have been reviewed by a minimum of two Trustees prior to said motion to approve payment of the bills and accepting any funds/donations. Tyler motioned to pay bills. Sean seconded. Motion passed unanimously.

Abstract # 12062021 Starting Check #23693 Ending Check #23717

Total Expenditures: \$ 18,243.96 Total Revenues: \$ 7,949.24

Void(s): 0 Building Permits: 1 Room/Park Rentals: 1 Tax Search: 3

**Motion** to adjourn made by Tyler, seconded by Nicole at 7:56 PM unanimously.

*Erika Brown*  
Village Clerk-Treasurer