

WEST BLOOMFIELD TOWN BOARD
Workshop Meeting
October 27, 2021

Present: Supervisor Campbell, Councilmembers Carey, DeSanctis, Harman, Travis
Also Present: Town Clerk Mary Grundman, Highway Superintendent Jeff Ball, Mike Borgeest, Ruth Cahn, Leslie Geiring, Marilyn Travis, Trish Turner, Ruth Smith, representatives from The Partnership (Andrew and Tracey)

RESOLUTION #102

2022 Budget

Supervisor Campbell opened the Public Hearing on the 2022 Budget and asked the Clerk to read the notice. He asked three times if there were any questions or comments on the proposed budget. Hearing none, the Public Hearing was closed at 7:02pm. Councilman Travis made the resolution to adopt the 2022 Budget, seconded by Councilman DeSanctis.

Adopted: Ayes – Campbell, Carey, DeSanctis, Harman, Travis Nays – None

Resolves that the 2022 Budget is adopted.

The Public Hearing for Fire Department Contracts was set for November 10th.

Public Hearing Local Law #2-2021 “A Local Law Pursuant to NY Cannabis Law Section 131”

Supervisor Campbell opened the Public Hearing and asked the Clerk to read the notice. He asked three times if there were any questions or comments. Hearing none, the Public Hearing was closed at 7:04 pm.

Representatives from the Partnership gave the Board a presentation on the Marijuana Regulation & Taxation Act. The Board discussed the State Law and the Town's options and responsibilities.

RESOLUTION #103

Councilman Carey offered the resolution to adopt Local Law #2-2021, seconded by Councilman Travis:

Adopted: Ayes – Campbell, Carey, DeSanctis, Harman, Travis Nays – None

A LOCAL LAW PURSUANT TO N.Y. CANNABIS LAW § 131 TO OPT OUT OF LICENSING AND ESTABLISHING RETAIL CANNABIS DISPENSARIES AND/OR ON-SITE CANNABIS CONSUMPTION ESTABLISHMENTS WITHIN THE TOWN OF WEST BLOOMFIELD.

WHEREAS, a resolution was duly adopted by the Town Board of the Town of West Bloomfield on the 13th day of October, 2021 calling for a Public Hearing to be held by the West Bloomfield Town Board on the 27th day of October, 2021, at the West Bloomfield Town Hall, 9097 Daylight Drive, West Bloomfield, New York, at 7:00 PM, to hear all interested parties on a proposed local law to opt out of licensing and establishing retail cannabis dispensaries and/or on-

site cannabis consumption establishments within the Town of West Bloomfield, subject to permissive referendum; and

WHEREAS, notice of said Public Hearing was duly advertised in accordance with law; and

WHEREAS, said Public Hearing was duly held at the West Bloomfield Town Hall on the 27th day of October, 2021, at 7:00 PM, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any parts thereof; and

WHEREAS, the Town Board of the Town of West Bloomfield, after due deliberation, finds it in the best interest of the Town to adopt said local law; now, therefore, be it

RESOLVED, by the Town Board of the Town of West Bloomfield that the Town Board hereby adopts said Local Law No. 2-2021, as set forth in the attached Local Law, which is incorporated herein and made a part hereof, to opt out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Town of West Bloomfield, subject to permissive referendum; and be it further

RESOLVED, that in accordance with the provisions of Town Law Article 7 and Municipal Home Rule Law Section 24, this Resolution shall not become operative or effective unless and until forty-five days have elapsed after its adoption and no petition signed and authenticated as required by law has been filed with the Town Clerk, or if such petition is so filed, a proposition for approval of this Resolution has been submitted at the next general election or a special election for that purpose pursuant to said section and received the affirmative vote of a majority of the voters voting thereon; and be it further

RESOLVED, that upon the expiration of the period allowed for permissive referendum, or if a permissive referendum petition be filed and this Resolution be approved by an affirmative vote of a majority of the voters voting thereon, the Town Clerk is hereby authorized to file give due notice of the adoption of said Local Law to the Secretary of State of the State of New York; and be it further

RESOLVED, that the Town Clerk of the Town of West Bloomfield be and hereby is directed to enter said Local Law into the minutes of this meeting and within ten days shall post and publish a notice which shall set forth the date of the adoption of this resolution and contain an abstract of such act or resolution concisely stating the purpose and effect thereof, and specifying that this resolution was adopted subject to a permissive referendum.

LOCAL LAW NO. 2 - 2021 A LOCAL LAW PURSUANT TO N.Y. CANNABIS LAW § 131 TO OPT OUT OF LICENSING AND ESTABLISHING RETAIL CANNABIS DISPENSARIES AND/OR ON-SITE CANNABIS CONSUMPTION ESTABLISHMENTS WITHIN THE TOWN OF WEST BLOOMFIELD.

BE IT ENACTED, by the Town Board of the Town of West Bloomfield, Ontario County, State of New York, as follows:

Section 1. Legislative Intent

It is the intent of this local law to opt the Town of West Bloomfield out of hosting retail cannabis dispensaries and/or on-site cannabis consumption establishments within its boundaries.

Section 2. Authority

This local law is adopted pursuant to Cannabis Law § 131, which expressly authorizes towns 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/or On-Site Consumption Opt-Out

The Town Board of the Town of West Bloomfield County of Ontario, 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 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.

Code Enforcement

Supervisor Campbell asked Code Enforcement Officer Melissa Luft to talk to the Board about the unsafe structure list developed by the previous Code Enforcement Officer and anything more that might be important. Melissa introduced herself to the Board and explained that she has just started to look at the list and many of the items may have been completed. She said she would continue to work on the list and asked the Board to let her know if they saw anything they would like her to look at.

RESOLUTION # 104

Close Meeting

At 8:06 pm., Councilman Travis made the resolution to close the meeting, seconded by Councilman Carey.

Adopted: Ayes – Campbell, Carey, DeSanctis, Harman, Travis Nays – None

Resolves that the meeting is closed.

Respectfully Submitted,