

The November meeting of the East Otto Town Board was called to order at 6:00 PM by Supervisor Ann Rugg on Thursday Nov. 9, 2021. Ann led the pledge to the Flag. Present were: Supervisor Ann Rugg, Councilman: Dave Forster, William Spors, Sid Barber and Angela Sherman. Highway Superintendent: Tom Benz, Town Clerk, Deanna Bowen, CEO Jeff Holler and Budget Officer Jim Beach. Guest present: Lisa Musall.

A motion was made by Dave Forster and seconded by Sid Barber to authorize the Supervisor to pay all general and highway fund bills audited. Forster, Spors, Barber, Sherman and Rugg were in favor. Motion carried.

	Abstract #	Claim #	Amount
Highway	011	104-110	\$151,347.42
General	011	98-114	\$ 3,124.55

A motion was made by Dave Forster and seconded by Angela Sherman to approve and waive the reading of the October 12, 2021, meeting minutes. Forster, Spors, Barber, Sherman and Rugg were in favor. Motion carried.

A motion was made by Dave Forster and seconded by Angela Sherman to approve and waive the reading of the October 26, 2021, meeting minutes. Forster, Spors, Barber, Sherman and Rugg were in favor. Motion carried.

A motion was made by Dave Forster and seconded by Bill Spors to accept the audit of October 2021 utility bills as presented. Forster, Spors, Barber, Sherman and Rugg were in favor. Motion carried.

Clerk paid to Supervisor \$93.00 for October 2021 fees and commissions collected.

A motion was made by Dave Forster and seconded by Sid Barber to move \$88,443.49 from DA9950.2 Transfer to Cap Pro-Mach account to DA5031 Interfund Transfer account. Forster, Spors, Barber, Sherman and Rugg were in favor. Motion carried.

A motion was made by Dave Forster and seconded by Angela Sherman to move \$88,443.49 from DA5031 Interfund Transfer account to DA5130.2 Equipment account. Forster, Spors, Barber, Sherman and Rugg were in favor. Motion carried.

A motion was made by Angela Sherman and seconded by Dave Forster to open the Public Hearing on Marijuana Dispensaries and On-Site Consumption Sites in the Town of East Otto at 6:30pm. Forster, Spors, Barber, Sherman and Rugg were in favor. Motion carried.

Public comment: Jim Beach asked what this pertains to. Ann explained that it pertains to allowing Marijuana Dispensaries and on-site consumption sites to open in the town of East Otto.

A motion was made by Angela Sherman and seconded by Dave Forster to close the public hearing on Marijuana Dispensaries and on-site consumption sites. Forster, Spors, Barber, Sherman and Rugg were in favor. Motion carried.

A motion was made by Dave Forster and seconded by Sid Barber to adopt the following local law opting out of allowing cannabis retail dispensaries and on-site consumption sites in the town of East Otto. Roll Call Vote as follows:

Dave Forster	Yes	Bill Spors	Yes	Sid Barber	Yes
Angela Sherman	Yes	Ann Rugg	Yes		

Motion carried.

TOWN OF EAST OTTO, NEWYORK
LOCAL LAW 4-2021,

ENTITLED "A LOCAL LAW OPTING OUT OF ALLOWING CANNABIS RETAIL DISPENSARIES AND ON-SITE CONSUMPTION SITES IN THE TOWN OF EAST OTTO"

Pursuant to Cannabis Law Article 4 and
Municipal Home Rule Law Sections 10 and 24

Be it enacted by the Town Board of the Town of East Otto as follows:

SECTION 1. LEGISLATIVE INTENT.

It is the intent of this local Law to opt out of allowing cannabis retail dispensaries and on-site cannabis consumption sites in the Town of East Otto that would otherwise be allowed under Cannabis Law Article 4.

SECTION 2. AUTHORITY

This Local Law is adopted pursuant to Cannabis Law § 131, which expressly authorizes the Town Board to adopt a local law to prohibit the establishment of cannabis retail dispensary licenses and/or on-site consumption licenses within the jurisdiction of the Town and is subject to a permissive referendum, the procedure of which is governed by Municipal Home Rule Law § 24.

SECTION 3. LOCAL OPT OUT.

The Town Board of the Town of East Otto hereby opts out of allowing cannabis retail dispensaries and onsite cannabis consumption sites from being established and operated within the Town's jurisdiction.

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 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. PERMISSIVE REFERENDUM/REFERENDUM ON PETITION

This Local Law is subject to a referendum on petition in accordance with Cannabis Law §181 act the procedure outlined in Municipal Home Rule Law §24

SECTION 6. EFFECTIVE DATE

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

A motion was made by Angela Sherman and seconded by Dave Forster to open the Public Hearing on the 2022 Preliminary Budget at 6:45pm. Forster, Spors, Barber, Sherman and Rugg were in favor. Motion carried.

No public comment.

A motion was made by Dave Forster and seconded by Sid Barber to close the public hearing on the 2021 Preliminary Budget. Forster, Spors, Barber, Sherman and Rugg were in favor. Motion carried.

A motion was made by Angela Sherman and seconded by Sid Barber to adopt the Preliminary Budget as presented as the Town Budget for the Town of East Otto for 2022. Roll Call Vote as follows:

Dave Forster	Yes	Bill Spors	Yes	Sid Barber	yes
Angela Sherman	Yes	Ann Rugg	Yes		

Motion carried.

Highway: The new excavator has arrived. Salt has been ordered.

Supervisor: Reported 3rd quarter Sales Tax is \$78,254.75 and Mortgage Tax is \$10,211.87

CEO Report: Jeff completed 9 inspections; answered 14 phone calls issued 2 permits, sent 1 summons and issued 2 violation notices. Jeff deposited \$660 to the clerk.

A motion was made by Dave Forster and seconded by Angela Sherman to schedule a public hearing on the 2022 Fire Protection Contract on December 7, 2021 at 6:30PM. Forster, Spors, Barber, Sherman and Rugg were in favor. Motion carried.

A motion was made by Sid Barber and seconded by Bill Spors to adjourn at 7:32 PM. Forster, Spors, Barber, Sherman and Rugg were in favor. Motion carried.

The next meeting will be December 14, 2021 at 6:00pm.

Respectfully Submitted

Deanna Bowen
Town Clerk

