

**Village Board Meeting and Public Hearing**  
**October 4<sup>th</sup>, 2021, 7:00pm**  
**Village Municipal Center**

Attendance: Village Board: Mayor Paul Labas, Deputy Mayor Gordon Smith Jr., Trustees Dean Hyatt, Dan Brown, and Lisa Ackert

Village Key Staff: Superintendent of Public Works Scott Mackey, Ass't Sup't Joshua Hayes, Local Ordinance Officer Curtis Pedone, Police Chief Ernie Bassett Jr., Sgt. Ryan Pedone, Officers Keith Seebode and Jeff Daigle, Deputy Fire Chief Michael Zinn, Village Attorney Michael Martin, Deputy Clerk-Treasurer Dee Scarlotta, and Clerk-Treasurer Rick Roberts

Press: Austin Crosier, *The Granville Sentinel*

Others: Mrs. Nancy Labate-Bixby, Mr. Erik Pekar, Mr. Matthew Rollwagen, Mr. Matthew Hicks, Town Supervisor, Mr. David and Mrs. Kathy Juckett, Mr. Russel Bronson, and Mrs. Molly Celani

Mayor Labas called the Public Hearing to Order at 7:00pm and led those in attendance in the Pledge of Allegiance.

The Mayor then briefly reviewed proposed Local Law #1 of 2021, which would regulate Open Burning within the Village Limits. He advised that the text of the law had been posted on the Village website and been made available thru the Village Offices at the Municipal Center for the last 30 days. Mayor Labas then reviewed the rules for comment at Public Hearings and requested the sign in sheet from the rear of the room. The Mayor announced that no one had signed in to speak and inquired if anyone present wished to be heard.

There was input received from the public.

There being no public comment, Trustee Hyatt moved that the Public Hearing be closed at 7:02pm. Trustee Brown seconded the motion and it carried unanimously.

Mayor Labas then called the Regular Session to Order at 7:02pm.

Consider Action—Local Law #1 of 2021: Mayor Labas thanked Local Ordinance Officer Curt Pedone and the Village Attorney for their roles in developing the proposed legislation and then inquired as to the Board's pleasure pertaining to the local law. Following a brief period of discussion, Trustee Ackert moved ratification of proposed Local Law #1 of 2021 as written. Deputy Mayor Smith seconded the motion and it carried unanimously via roll call vote.

Ratify Meeting Minutes: Trustee Brown moved ratification of the Minutes of the Meeting of September 13<sup>th</sup>. Deputy Mayor Smith seconded the motion and it carried unanimously.

Monthly Reports: Mayor Labas reviewed the following reports with the Board: Police Dept., Fire Dept., Village Court, Water Dept (3 samples, all satisfactory), and Local Ordinance Officer. Trustee Hyatt moved acceptance of the reports as submitted. Deputy Mayor Smith seconded the motion and it carried unanimously.

Appropriations: The following claims were presented to the Board for review and in consideration of payment:

General Fund: \$53,068.18  
Water Fund: \$ 9,656.44  
Sewer Fund: \$81,334.18  
Senior Shuttle: \$ 1,053.09  
Unaudited  
Vouchers: \$ 214.80

Total Claims: \$145,326.69

The Board audited the claims and Trustee Ackert moved their approval for payment. Trustee Brown seconded the motion and it carried unanimously.

Open Bids, Pember Library & Museum Roof Repair: The Mayor advised that the Village had advertised for bids to repair the Pember roof a second time, but that no bids were received. The Village Attorney advised that the Board could now seek contractors to execute the repair at a future date and hire them to complete the repair. The Village Procurement policy has been satisfied by advertising for bids twice.

Authorize DPW Superintendent to Execute County Road Maintenance Agreement: For many years, the Board has authorized the DPW Superintendent to execute the road maintenance agreement with Washington County. This agreement is the basis by which the Village is reimbursed for snow & ice removal. Deputy Mayor Smith moved that Superintendent Mackey be so authorized for the 2021-22 winter season. Trustee Hyatt seconded the motion and it carried unanimously.

Resolution—Arts Initiative Grant: The Mayor inquired of the Board if they wished to authorize him to apply for a grant for the 2022 Summer Concert Series. After a period of brief discussion, Trustee Hyatt sponsored a Resolution authorizing Mayor Labas to apply for a \$2,500 Arts Initiative Grant through LARAC in support of the Concert Series. Deputy Mayor Smith seconded the motion and it carried unanimously via roll call vote.

Mayor's Reports: The Mayor briefed the Board in the following matters:

- A. Proposed Amendment to the Village Property Maintenance Law: Following up from last month, the Mayor circulated a draft copy of proposed Local Law #2 of 2021—An Update to the Village Property Maintenance Law. This proposed legislation focuses on language relating to the placement of trash containers prior to and after pick-up, as well as the placement of household furnishings and other items curbside for pick-up. Following a brief period of discussion, Deputy Mayor Smith moved that the Village Clerk be authorized to advertise for a Public Hearing pertaining to Proposed Local Law #2 of 2021 on November 1, 2021 at 7:00pm. Trustee Brown seconded the motion and it carried unanimously.
- B. Update—Proposed Property Acquisition (Church St.): The Mayor advised that the Village Attorney was proceeding with the Purchase and Sales Contract for the vacant land adjoining the Village Well Field (approx. 3.4 acres) as well as the title search. He advised that future updates would be provided as additional information became available.

- C. Update—Bridge Construction—Church Street: Mayor Labas advised that the concrete pour that was scheduled for this past weekend had been postponed due to issues with the concrete specifications. The product was apparently rejected by the NYS inspectors. This work will be rescheduled for the coming week/weekend. It is expected that the footings for the north side of the bridge will be completed this week. The project is running on schedule per the Mayor.

Mayor Labas opened the meeting to public comment at 7:15pm.

Hon. Philip Burke addressed the Board concerning the legislation that had been passed by NYS concerning Marijuana. He stated that it was his understanding that the Village had the option to go along with the legislation regarding retail sales of cannabis, or they could opt out—and that it was rumored the Village Board was undecided as to how they would proceed at this time. Judge Burke cited his nearly 50 years of experience as Village Attorney, District Attorney, and Washington County Justice in dealing with drugs and he feels strongly that the Village should not allow retail sales and opt out of this legislation. He feels that if retail sales are allowed, it could be an additional source of time and labor for local law enforcement. The Judge also equated this legislation at the State level to a NYS Mandate—participation is mandatory unless the Village adopts a Local Law to opt out—he feels that this was done intentionally to transfer the conflict/discussion onto lower levels of government.

Mrs. Molly Celani spoke in favor of the Cannabis legislation, citing the economic benefits (with 3% of sales flowing to the municipality as revenue). She stated that she views marijuana in the same manner as she does the consumption of alcohol. It is one's choice and no one is compelled to partake or participate. She summarized her position by stating that she would be in favor of the location of a retail facility within the Village.

Mr. Erik Pekar thanked the DPW for re-installing the "Drug Free School Zone" signage. He stated that he sees both sides of the argument in terms of the Cannabis legislation. He does not see marijuana the same way as it was perceived in the 1970s—with students were seen as high on pot like "Space Cadets", but rather that some things are different now. Mr. Pekar suggested that if retail sales were allowed, perhaps a dispensary might drive illicit/illegal dealers out of business.

There was no further public input.

At 7:30pm, Trustee Ackert moved that the Board convene an Executive Session for the purposes of considering collective bargaining negotiations pursuant to article fourteen of civil service law (within the Police Dept.). Deputy Mayor Smith seconded the motion and it carried unanimously. *The Village Attorney accompanied the Board into the Executive Session. The Police Chief was asked to enter the Executive Session by the Mayor; he entered at 7:40pm and exited at 8:10pm.*

At 8:25pm, Trustee Hyatt moved the Board return to regular session. Deputy Mayor Smith seconded the motion and it carried unanimously.

Trustee Brown moved the acceptance of the resignation of Police Sgt. Ryan Pedone, effective October 8<sup>th</sup>, with regret. Deputy Mayor Smith seconded the motion and it carried unanimously. Sgt. Pedone provided verbal notice of his resignation to the Police Chief on September 20<sup>th</sup>. He will be joining the City of Glens Falls Police Department.

Trustee Ackert made a motion that the Village Clerk be authorized to advertise for a Public Hearing concerning proposed Local Law #3 of 2021—Relating to Opting Out of Retail Sales of Cannabis within the Village Limits—on November 1, 2021 at 6:30pm. Trustee Brown seconded the motion and it carried unanimously.

There being no other business, Trustee Ackert moved that the meeting be adjourned at 8:30pm. Trustee Brown seconded the motion and it carried without objection.

Respectfully Submitted,

Richard H. Roberts  
Village Clerk-Treasurer