

## Minutes

8 West Main Street, Gowanda, NY 14070

July 8, 2021

Workshop 6:00pm to discuss the CARES Act.

Public Hearing on Local Law 2021-2

Notice of Public Hearing was posted in the Observer on June 22<sup>nd</sup> and 29<sup>th</sup> , with same posted on the Persia Website and Community Bullitin Board.

All stand for the Pledge of Allegiance

### Roll Call:

Supervisor: John T. Walgus: present  
Councilperson: Theresa A. Girome: present  
Councilperson: Gloria J. Tomaszewski: present  
Councilperson: Robert O. Dingman: present  
Councilperson: Seth H. Howard: present

### Others present:

Highway Superintendent: Daniel H. Ackley  
Town Clerk: Denise M. Trumpore

**Supervisor John T. Walgus:** \* I would like to open the meeting for comment on Local Law 2021-2 which is to opt out of Adult Use Cannabis Retail Dispensaries and On-Site Consumption Sites. \* I ask for a resolution to accept the financial statement from Bahgat & Laurito Bahgat. \* I need a resolution for a budget modification; it is to increase the Highway fund Outside Village 2021 expenditure budget by \$54,754 which represents additional CHIPS monies available. This will increase accounts DB3501 – CHIPS Safer Road Program and DB5112.2 – Improvements – Capital Outlay. \* I forgot to mention last month that along with Gloria having a birthday in June, Dan also had his birthday on June 5<sup>th</sup>, so happy belated birthday Dan!

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**Highway Superintendent Daniel H. Ackley:** \* Read highway bills. \* I took my CDL physical. \* Allen has been helping the Village with there repaving jobs. \* Mike finished up the roadside mowing. \* My highway cell phone is cracked, and I will be looking into getting a new one. \* I submitted the CHIPs paperwork for reimbursement.

**Councilperson Theresa A. Girome:** \* No report.

**Councilperson Robert O. Dingman:** \* On July 6<sup>th</sup> I attended a Dayton Road Water District meeting at the Village Hall. After talking with Village officials, I feel we should pursue signing a water agreement, the Village Attorney will make a simple contract for our lawyer to review. \* I would like to have a workshop on August 12<sup>th</sup> at 6:30 to discuss the CARES Act.

**Councilperson Seth H. Howard:** \*read general bills.

**Councilperson Gloria J. Tomaszewski:** \* No report.

**Assessor Kate Harrington:** (by email) \*the 2021 tax roll year has been finalized as of July 1<sup>st</sup>. these are the assessments that will be used for all 2021 taxes. Changes can no longer be made to the roll, and any complaints will need to go through the Cattaraugus County Dept. of Real Property Tax Services. A Copy of the 2021 Final Roll is available here:  
<https://www.cattco.org/real-property-and-gls/assessments-rolls> \* Grievance Day was June 1<sup>st</sup>; no properties were reviewed by the Board of Assessment Review. \* Corresponded with several property owners about their assessments, tax bills, and exemptions. \* Added six property transfers for the month of April and five for the month of May.

**Town Clerk Denise M. Trumpore:** \*

Total transactions for June - 96

Total Collected: \$ 1,765.00

Towns Portion: \$ **630.48**

\*I ask for a resolution to accept the minutes from June 17<sup>th</sup>. \* I ask for a resolution to accept the standard workday for elected and appointed officials. \* The Town received a photograph of the town hall from Michele Sprague Photography; it's a beautiful, framed picture from a very talented photographer.

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**RESOLUTION # 51 Audit of Claims**

On a motion of Councilperson Howard  
Seconded by Councilperson Tomaszewski  
The following was  
ADOPTED AYES – 5 Howard, Tomaszewski, Girome, Dingman, Walgus  
NAYS – 4

**RESOLVED that the bills contained on Abstract #7 for General and Highway have been reviewed by the Town Board and are authorized for payment in the following amounts:**

**Abstract 7- General Vouchers # 97 to #110 Total: \$ 3,008.44**

**Abstract 7- Highway Vouchers # 41 to # 43 Total: \$ 1,399.33**

**RESOLUTION #52 Approval of Minutes**

On a motion of Councilperson Dingman  
Seconded by Councilperson Girome  
ADOPTED AYES – 5 Dingman, Girome, Tomaszewski, Howard, Walgus  
NAYS - 0

**RESOLVED to approve the minutes from June 17, 2021.**

**RESOLUTION # 53 Financial Report**

On a motion of Councilperson Howard  
Seconded by Councilperson Dingman  
ADOPTED AYES – 5 Howard, Dingman, Girome, Tomaszewski, Walgus  
NAYS - 0

**RESOLVED to accept the financial report for June 2021.**

**RESOLUTION # 54 Local Law 2021-2**

On a motion of Councilperson Howard  
Seconded by Councilperson Dingman  
ADOPTED AYES – 5 Howard, Dingman, Girome, Tomaszewski, Walgus  
NAYS – 0

**RESOLVED to opt out of adult use cannabis retail dispensaries and on-site consumption sites as authorized under cannabis law article 4.**

**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 Persia that would otherwise be allowed under Cannabis Law Article 4.**

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**SECTION 2. Authority.** This Local Law is adopted pursuant to Cannabis Law 131 which expressly authorizes the Town Board to adopt a Local Law requesting the Cannabis Control Board to prohibit the establishment of cannabis retail dispensary licenses and/or on-site consumption licenses with the jurisdiction of the Town and 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 Persia hereby opts out of allowing cannabis retail dispensaries and on-site 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 judgement 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 judgement 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 131 and 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.

**RESOLUTION # 55 Standard Workday for elected and appointed officials**

On a motion of Councilperson Girome

Seconded by Councilperson Tomaszewski

ADOPTED AYES – 5 Girome, Tomaszewski, Howard, Dingman, Walgus

NAYS – 0

**RESOLVED to establish 6 hours as a standard workday for elected and appointed officials.**

**RESOLUTION # 56 Budget Modification**

On a motion of Councilperson Dingman

Seconded by Councilperson Howard

ADOPTED AYES – 5 Dingman, Howard, Girome, Tomaszewski, Walgus

NAYS – 0

**RESOLVED to increase the Highway Fund Outside Village 2021 expenditure budget by \$54,753 which represents additional CHIPS monies available. This will increase**

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**accounts DB3501 – CHIPS Safer Road Program and DB5112.2 – Improvements – Capital Outlay.**

**RESOLUTION # 57 Workshop**

On a motion of Councilperson Dingman

Seconded by Councilperson Howard

ADOPTED               AYES – 5 Dingman, Howard, Girome, Tomaszewski, Walgus

NAYS – 0

**RESOLVED to have a workshop to discuss the CARES Act on August 12th at 6:30pm.**

Hearing no objection, Supervisor Walgus closed the public hearing and meeting in remembrance of Mary Ann Sumpter, Mary Raiport, Cliff Snyder, Josephine Jemiolo, Corliss Harvey, Christopher Meyers, James Tessmer, Clarence Evans, and William Hojnacki at 7:43 pm.

Respectfully submitted,  
Denise M. Trumpore

Town Clerk