

A Regular Meeting of the Board of Trustees of the Village of Oxford was held on September 28, 2021, at the Village Hall - 20 LaFayette Park, Oxford, NY 13830. Audit Committee met at 7:00 P.M. and Regular Board meeting started at 7:30 P.M.

**Present were:** Mayor Terry Stark, Trustee Dale Leach, Trustee Dustin Hendricks, Trustee Richard Marks, Trustee Richard Rice, EMS Chief Mark Forrest, Clerk-Treasurer Shelly Marks.

**Absent:** OIC Adam Francis, DPW Superintendent Rick Paden, WWTP Operator Kirk Noetzel, Zoning Officer/Dog Warden Roger Barrows, Fire Chief Ron Martin.

The Village Trustees (Audit Committee) reviewed each of the invoices in the abstract for September 2021.

Mayor Terry Stark called the Regular meeting to order at 7:30 p.m.

The Pledge of Allegiance to the American Flag was given.

**PUBLIC CONCERNS:**

Colette Kappauf was in with her parents, Clayton and Megan. Colette wished to make a presentation to the Board about owning chickens in the Village. She lives at 14 Columbia Street in Oxford and is 13 years old. Some of the highlights are as follows: only allowing female chickens to prevent crowing; keep chickens in an enclosed area so they are not free roaming. They will eat Japanese beetles, slugs, spiders. Chicken droppings are the best fertilizer out there. We could limit how many chickens can be allowed depending on the amount of room they have. Chicken eggs are richer and have darker shells. The eggs that we buy at a store could be 6-8 months old. Eggs would be fresh if we allow chickens in the village. Colette said that the City of Norwich and Village of Greene allow chickens in their village/city limits. Update-I checked with Greene and Norwich and they do NOT allow chickens within their village/city limits at this time.

**ABSTRACT:**

Trustee Marks seconded by Trustee Hendricks made a motion to approve Abstract #004 as presented. All voted aye and motion was carried.

General Fund	\$ 55,169.38
Water Fund	\$ 4,803.54
Sewer Fund	\$ 5,948.47
Water Project	<u>\$ 9,131.41</u>
	\$ 75,052.80

**APPROVAL OF MINUTES:**

Trustee Rice moved and Trustee Leach seconded a motion to approve the August 31, 2021, Meeting Minutes. All voted aye and motion was carried.

**TREASURER'S REPORT:**

Trustee Hendricks moved and Trustee Marks seconded the motion to approve the June and July Treasurer's Report. All voted aye and motion was carried.

**JUSTICE REPORT:**

Trustee Leach moved and Trustee Rice seconded the motion to approve the August Justice Report from Judge Matott. All voted aye and motion was carried.

Monthly Justice Court Fund reports need to be filled out by the Acting Village Justice for the months of April, May, and June.

**OFD REPORT:**

The special election on the Capital Project takes place today from 12:00 p.m. – 9:00 p.m. at the fire station for the OFD capital project regarding the fire station and the riverbank. If the vote

does not pass, we need to wait three or four months for a revote or hold the vote along with the June 2022 village election, whichever is the later.

**EMS REPORT:**

EMS Chief Mark Forrest addressed the board. He suggests that the Village of Oxford should not support the Greene EMS request letter. They are not looking to take over territory but will exclude Oxford. This would give the Town of Oxford another option.

Chief Forrest asked that we consider a heart monitor replacement for the EMS.

**CODE ENFORCEMENT:**

Code for 28 Mechanic-the owner of the house died and her kids lived in the house but moved out in the middle of the night. They have gone to North Carolina. The windows are still open in the house but the village cannot go in as it is a code issue.

The house at 9 Mechanic Street always leaves their garbage cans in front of the house-the house has been listed for sale. There are two houses on Merchant Street that have garbage cans out front 24 hours a day. We will have Zoning Officer Roger Barrows go to these houses to be sure they are aware of the codes in the village.

**WWTP:**

No monthly report from WWTP Operator Noetzel.

The fire station has a sewer backup issue. There is also a house on Alice Street that has been having issues with sewer backups.

**POLICE DEPARTMENT:**

OIC Francis sent his monthly report.

The Board talked about whether we should have the department heads back at the meetings.

Oxtoberfest will be October 2<sup>nd</sup>. Police will be present and streets will be shut down.

There are issues at Boname Park again. The switch to the security lights needs to always be on so they come on automatically when it gets dark. There have been broken light bulbs and issues with making a fire pit under the pavilion. The DPW has been asked to mark the electric box to leave the switch on that controls the security lights.

**DEPARTMENT OF PUBLIC WORKS:**

No report from DPW.

Two applications have been received from the help wanted ad we placed in The Evening Sun for a laborer. An application was received prior to the ad being placed also.

Water System Improvements Project bids were received. The low bid was from Burrell's Excavating. Jodie Serowski, P.E. Project Manager from Lamont Engineers is recommending we go with that bid.

Trustee Marks moved and Trustee Hendricks seconded the motion to accept the low bid from Burrell's Excavating, Inc. for \$634,000.00 for the Valve Vault Reconstruction Project. All voted aye and motion was carried.

A RESOLUTION AWARDING  
VILLAGE OF OXFORD  
WATER SYSTEM IMPROVEMENTS PROJECT  
CONTRACT NO. 1 – VALVE VAULT RECONSTRUCTION

At a meeting of the Board of the Village of Oxford, Chenango County, New York, held at the Village Hall on Tuesday, September 28, 2021, the following resolution was offered by Trustee Marks, who moved for its adoption, seconded by Trustee Hendricks.

WHEREAS, The Board of Trustees of the Village of Oxford (“Village”) has issued solicitations for sealed bids for the construction of the Water System Improvements Project – Contract 1 – Valve Vault Reconstruction (“Project”) as set forth in the bid documents prepared by Lamont Engineers P.C.; and

WHEREAS Lamont Engineers P.C. has reviewed the submitted bids for Contract No. 1 and has identified Burrell’s Excavating, Inc., of Norwich, New York as the lowest responsive and responsible bidder and has recommended that the Village award Contract No. 1 in the amount of six hundred thirty-four thousand and 00/100 Dollars (\$634,000); and

WHEREAS, the Village may issue the Notice of Award for Contract No. 1, attached hereto as Exhibit A, upon review and approval of the low bid and Engineer’s recommendation.

NOW, THEREFORE BE IT RESOLVED, that the Village does hereby award Contract No. 1 – Valve Vault Reconstruction to Burrell’s Excavating, Inc., in the amount of six hundred thirty-four thousand and 00/100 Dollars (\$634,000), and be it further

RESOLVED, that the Village Board authorizes and directs the mayor to execute the related contract documents necessary to implement the intent of the foregoing resolutions in a form acceptable to Lamont Engineers P.C. and the Counsel for the Village as appropriate.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

Terry M. Stark	Aye
Dale B. Leach	Aye
Richard Rice	Aye
Dustin F. Hendricks	Aye
Richard A. Marks	Aye

The resolution was thereupon declared adopted.

**OLD BUSINESS:**

The Board has been looking for the best retiree health insurance plan they can find. If a retiree can find a plan at a better price, they are welcome to get it.

Trustee Hendricks moved and Trustee Marks seconded the motion to approve the retiree health plan for those between the ages of 62 – 65 for \$2,277 with 20% payable by the retiree and 80% payable by the village. All voted aye and motion was carried.

Daniel Kain is our contact for the NYS deferred compensation plan. I will contact him about coming to the office to discuss this plan with us.

**NEW BUSINESS:**

The Marijuana Regulation and Taxation Act (MRTA) - the Board will need to decide if the Village will opt in or if there will be a local law to opt out. Trustee Leach moved and Trustee Marks seconded the motion for the Village to opt out of the Marijuana Regulation. All voted aye, motion was carried.

## Cannabis Local Law Opting Out of Retail Sales

[Pursuant to Cannabis Law § 131, a local law opting out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments from locating within a municipality is subject to a permissive referendum. Consequently, any local law adopted pursuant to Cannabis Law § 131 may not be filed with the Secretary of State until either the applicable time period for filing a petition to trigger a referendum has elapsed or a referendum has been conducted approving the local law. Local governments may opt out of allowing BOTH retail cannabis dispensaries and on-site cannabis consumption establishments OR opt out of allowing EITHER retail cannabis dispensaries OR on-site cannabis consumption establishments.

Cannabis Law § 131 subjects local opt-out laws to permissive referendum. For villages, the permissive referendum may be triggered either (a) by a petition being filed with the village clerk signed by qualified village electors in a number equal to at least 20% of the registered electors in the previous general village election, or (b) by the board of trustees adopting a resolution submitting the local law to a referendum of the voters for their approval.

SEQR Resolution prior to passing VILLAGE OF OXFORD CANNABIS OPT-OUT LEGISLATION

SEQR RESOLUTION - TYPE II ACTION

On motion by Trustee Marks, seconded by Trustee Leach the following resolution was ADOPTED 5 AYES 0 NAYS

WHEREAS, the Village of Oxford Village Board, (hereinafter referred to as Village Board) is Proposing local law legislation adopted pursuant to Cannabis Law § 131 opting out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Village of Oxford, New York;

NOW, THEREFORE, BE IT RESOLVED THAT, the Village Board does hereby classify the above referenced Action to be a Type II Action under 6 N.Y.C.R.R. Section 617.5 [c] [26] [33] of the State Environmental Quality Review (SEQR) Regulations;

BE IT FURTHER RESOLVED THAT, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

BE IT FINALLY RESOLVED THAT, the Village Board in making this classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

Following discussion Trustee Leach moved and Trustee Marks seconded the following a motion to enact the following local law, subject to permissive referendum.

**Local Law No. 1-of the year 2021  
Village of Oxford, County of Chenango  
“NYS Cannabis Law Opt-Out Legislation”**

**A local law adopted pursuant to Cannabis Law § 131 opting out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Village of Oxford, New York**

**Be it enacted by the Village of Oxford; County of Chenango as follows:**

### **Section 1. Legislative Intent**

It is the intent of this local law to opt the Village of Oxford 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 cities and 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/or On-Site Consumption Opt-Out**

The Board of Trustees of the Village of Oxford, County of Chenango, 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.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

Dale B. Leach	Aye
Richard Rice	Aye
Dustin F. Hendricks	Aye
Richard A. Marks	Aye
Terry M. Stark	Aye

**NOTICE OF THE LOCAL LAW OR RESOLUTION** Within 10 days after the board of trustees adopts any local law or resolution that is subject to a permissive referendum, the village clerk must post and publish, in the same manner as provided for the notice of a general village election, a notice setting forth the date that the local law or resolution was adopted. The notice must also contain an abstract of the local law or resolution stating its purpose and indicating that the local law or resolution is subject to a permissive referendum.

Village Clerk to send attached Notice to paper to publish no later than October 5<sup>th</sup>, post on village Web site and post notice in usual Village locations.

### **NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN, that the Village Board of the Village of Oxford will conduct a Public Hearing at the Village Hall , 20 Lafayette Park, Oxford, New York 13830 on Tuesday, October 12<sup>th</sup> at 7:30 p.m. on a proposed Local Law adopted at a Regular meeting of the Board of Trustees on September 28, 2021, entitled "NYS Cannabis Law Opt-Out Legislation"; as follows:

## PROPOSED LOCAL LAW # 1 OF THE YEAR 2021

### A LOCAL LAW ADOPTED PURSUANT TO CANNABIS LAW § 131 OPTING OUT OF LICENSING AND ESTABLISHING RETAIL CANNABIS DISPENSARIES AND/OR ON-SITE CANNABIS CONSUMPTION ESTABLISHMENTS WITHIN THE VILLAGE OF OXFORD, NEW YORK

Be it enacted by the Village of Oxford; County of Chenango as follows:

#### Section 1. Legislative Intent

It is the intent of this local law to opt the Village of Oxford 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 cities and 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/or On-Site Consumption Opt-Out

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

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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.

At said Public Hearing, all interested persons shall be heard on the subject thereof. The Village Board will make every effort to assure that the Public Hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or reasonable accommodations should contact the Village clerk.

By Order of the Village Board  
of the Village of Oxford, New York

Shelly W. Marks, Village Clerk/Treasurer

#### **TRUSTEE COMMENTS:**

None

#### **ADJOURNMENT:**

Mayor Stark made a motion to adjourn the meeting at 9:05 p.m.

Next Regular meeting will be October 26<sup>th</sup> at 7:30 p.m.

Respectfully Submitted,

Shelly W. Marks  
Clerk-Treasurer