

July 22nd, 2021: Public Hearing for LL-1-2021

There was a meeting of the Board of Trustees of the Village of Tully on Thursday, July 22, 2021 at 6:00pm in the Municipal Building.

Present: Melissa Flint-Morgan, Mayor
Erin Goodfellow, Deputy Mayor
Roxanne Oliver, Trustee
Kathryn Vernay, Trustee
Ruth Van Buskirk, Clerk/Treasurer

Absent: Dan Poellot, Trustee
Courtney Hills, Counsel
Thomas Chartrand, Accountant
Harold Kiehl, DPW
Ralph Lamson, Codes

Visitors: None

Pledge of Allegiance/Call to Order

Mayor Flint-Morgan led the Pledge of Allegiance and called the meeting to order at 6:00pm.

Mayor Flint-Morgan opened the public hearing for LL-1-2021 at 6:01pm. The Mayor read the law out loud.

Upon motion by Mayor Flint-Morgan, 2nd by Trustee Oliver it was unanimous to close the public hearing at 6:16pm.

Upon motion by Mayor Flint-Morgan, 2nd by Trustee Goodfellow it was unanimous to subject LL-1-2021 to permissive referendum.

Roll Call vote:

Mayor Flint-Morgan	YES
Trustee Goodfellow	YES
Trustee Vernay	YES
Trustee Oliver	YES
Trustee Poellot	ABSENT

Local Law Filing

41 STATE STREET,
ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Village of Tully

Local Law No. One (1) of the year 2021.

A local law adopted pursuant to Cannabis Law § 131 opting out of licensing and establishing retail cannabis dispensaries within the Village of Tully.

Section One (1). Legislative Intent

It is the intent of this local law to opt the Village of Tully out of hosting retail cannabis dispensaries within its boundaries.

Section Two (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 Three (3). Local Cannabis Retail Dispensary Opt-Out

The Board of Trustees of the Village of Tully, County of Onondaga, hereby opts-out of licensing and establishing cannabis retail dispensaries within its boundaries.

Section Four (4). SEVERABILITY.

If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstances is adjudged invalid, illegal or unconstitutional by any court of competent jurisdiction, such order or judgment shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstances. Further, in adjudging such invalid provision, the court shall attempt to modify same to a provision which is not invalid, illegal or unconstitutional and which best achieves the intent of the invalid provision.

Section Five (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.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as Local Law No. 1 of 2021 of the ~~(County)(City)(Town)(Village)~~ of Tully was duly passed by the Village Board of Trustees of the Village of Tully on _____, 2021 in accordance with the applicable provisions of law.

~~2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____, 19__, and was (approved)(not approved)(repassed~~

~~_____ (Name of legislative Body) disapproval) by the _____ and was deemed duly adopted on _____, 199_ (Elective Chief Executive Officer*)~~

~~in accordance with the applicable provisions of law.~~

3. (Final adoption by referendum.)

~~I hereby certify that the local law annexed hereto, designated as local law No _____ of 199_ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____, 19__, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19__. Such local law was~~

~~to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 19__, in accordance with the applicable provisions of law.~~

4. _____ (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No _____ of 19__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____

_____ on _____ 19___, and was (approved)(not approved)(repassed after
(Name of Legislative Body)

disapproval) by the _____ on _____ 19___ Such local law was subject to
(Elective Chief Executive Officer*)

permissive referendum and no valid petition requesting such referendum was filed as of _____ 19___, in accordance with the applicable provisions of law.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No _____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19___, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No _____ of 19___ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 19___, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph one (1) above.

Ruth VanBuskirk, Village Clerk

(Seal)

Date: _____, 2021

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF ONONDAGA

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature
Courtney M. Hills

Attorney for the Village
Title

~~County~~
~~City~~ of Tully
~~Town~~ Village

Date: _____, 2021

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a countywide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

Public Comment

Upon motion by Trustee Vernay, 2nd by Trustee Goodfellow it was unanimous to adjourn at 6:17 pm.

Respectfully Submitted

Ruth C. Van Buskirk
Clerk/Treasurer