

TOWN OF SENECA
SPECIAL MEETING AGENDA
DECEMBER 30TH, 2021

5:00 PM Public Hearing

1. Pledge of Allegiance
2. Roll Call
3. Approval of Agenda
4. Privilege of the Floor
5. Warrants:
 - a. **Resolution #97-21:** 2021 Warrants
6. New Business
 - a. Supervisor Wickham to certify that he officially dispenses with the Local Law Aging Requirement of 7-10 business days due to the hard deadline of December 31, 2021
 - b. **Resolution #98-21:** Adopt Local Law #2-2021
7. Privilege of the Floor
8. Adjournment

TOWN OF SENECA
SPECIAL MEETING RESOLUTIONS
DECEMBER 30TH, 2021

Resolution #97-21
Authorization to Pay the 2021 Audited Vouchers

Claim Category	Voucher Numbers	Claim Amount
GENERAL		
HIGHWAY		
WATER		
SEWER		
HALL LIGHTING		
STANLEY LIGHTING		
SENECA CASTLE LIGHTING		
TRUST & AGENCY		
WATER CAPITAL SYSTEM		

TOWN OF SENECA
SPECIAL MEETING RESOLUTIONS
DECEMBER 30TH, 2021

RESOLUTION #98-21
Adoption of Local Law #2-2021

WHEREAS, In March of 2021, New York State adopted the Marijuana Regulation and Taxation Act (MRTA) that created the cannabis law; and

WHEREAS, pursuant to Cannabis Law C76 [5], an applicant for an adult-use retail dispensary license, registered organization adult-use cultivator-processor-distributor-retail-dispensary license, or an on-site consumption license must notify a municipality of its intention to file an application between 270 days and 30 days before it plans on filing (Cannabis Law §76 [1]. Notification will go to the Town Clerk) or village clerk if in a village) and be made by certified mail, overnight delivery, or personal service (Cannabis Law §76 [5]); and

WHEREAS, in addition to the notification requirements for retail and on-site consumption licenses, towns, cities, and villages also have the ability to adopt local laws opting out of allowing retail dispensaries and on-site consumption sites (Cannabis Law §131)

WHEREAS, the opt-out local law is subject to a permissive referendum (or referendum on petition) following the procedure outline in Municipal Home Rule Law §24 (id.); and

THEREFORE, BE IT RESOLVED, that Local Law #2-2021 entitled "A Local Law To Opt-Out Out Of Allowing Cannabis Retail Dispensaries And On-Site Consumption Sites As Authorized Under Cannabis Law Article 4." Is hereby as follows:

TOWN OF SENECA
SPECIAL MEETING RESOLUTIONS
DECEMBER 30TH, 2021

LOCAL LAW TO OPT-OUT OF ALLOWING CANNABIS RETAIL DISPENSARIES AND ON-SITE CONSUMPTION SITES AS AUTHORIZED UNDER CANNABIS LAW ARTICLE 4

Be it enacted by the Town of Seneca; County of Ontario as follows:

Section I: 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 Seneca that would otherwise be allowed under Cannabis Law Article 4.

Section II: 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 within the jurisdiction of the town and is subject to permissive referendum, the procedure of which is governed by Municipal Home Rule Law §24.

Section III: Local Opt-Out

The Town Board of the Town of Seneca 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 IV: 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 judgement or order shall be rendered.

Section V: Permissive Referendum

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 V: Effective Date

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

TOWN OF SENECA
SPECIAL MEETING RESOLUTIONS
DECEMBER 30TH, 2021

I hereby certify that the Local Law annexed hereto, designated as Local Law No. 2 of 2021 of the Town of Seneca was duly passed by the Seneca Town Board on December 30th, 2021 in accordance with the applicable provisions of law.

Date: _____

HALEY S. EAGLEY
Seneca Town Clerk

Date: _____

MICHAEL J. ROULAN
Town Attorney, Town of Seneca