

BOARD OF TRUSTEES MEETING
VILLAGE OF CHATHAM, NEW YORK
TRACY MEMORIAL BUILDING
77 MAIN STREET, CHATHAM, NY 12037

August 8, 2022

Public Hearing 6:45pm

Regular Meeting 7:00pm

MINUTES

Present: Mayor J. Howe, Trustees J. Boehme and P. Minahan; Village Attorney K. Dow; Village Clerk D. Kelleher; Village Deputy Clerk S. Davis; Acting Police Chief J. Alessi, Fire Chief P. Rideout; Treasurer P. DeLong; Town of Chatham Liaison V. Pitkin; Resident J. Gerster. Not present: Trustees K. Schassler and M. Spock; Building Inspector Codes Enforcement Officer E. Reis; DPW Foreman P. Genovese.

Public Hearing for proposed Local Law 7 of 2022, "A Local Law to Amend the Zoning Code in Relation to the Retail Sale of Cannabis" was opened at 6:45pm by Mayor John Howe. Mayor Howe read aloud the Letter of opinion submitted by the Village Planning Board to Board of Trustees, and the Columbia County Planning Board referral #22-038 letter. Resident J. Gerster asked about any provisions for the location of the retail sale of cannabis. Mayor Howe gave a brief overview of the discussion timeline, and the steps taken by the board to ultimately determine that the location would be restricted to C3 zone.

Close Public Hearing: Motion to close the Public Hearing at 7:00pm by P. Minahan, seconded by J. Boehme. Approved by all.

Regular meeting called to order 7:00pm by Mayor Howe, and began with the Pledge of Allegiance.

First Public Comment (limited to 15 minutes): none.

Departments and Committees Reports:

>Building Department: Report as submitted by Building Inspector, Erin Reis.

>Police Department: Police Commissioner Pete Minahan. Report given by Acting Chief J. Alessi.

>Fire Department: Fire Commissioner Melony Spock. Report given by Chief P. Rideout.

>DPW: Wastewater/Water Commissioner Karyn Schassler, Streets & Snow Removal Commissioner Jaimee Boehme. Report submitted by DPW Foreman P. Genovese and read by J. Boehme.

Approve Minutes of July 11, 2022. So moved by P. Minahan, seconded by J. Boehme. Approved by all.

Approve Minutes of July 19, 2022 Special Meeting. So moved by J. Boehme, seconded by P. Minahan. Approved by all.

Approve the July 2022 Budget to Actuals. So moved by P. Minahan, seconded by J. Boehme. Approved by all.

New Business:

Resolution 90 of 2022 – To enact proposed Local Law 7 of 2022, "A Local Law to Amend the Zoning Code in Relation to the Retail Sale of Cannabis" as follows:

Section 1. Purpose and legislative intent.

The State of New York recently enacted the New York Cannabis Law, which, among other things, allows the retail sale of cannabis and cannabis products and provides for the licensing of cannabis dispensaries. The Cannabis Law also provides that “towns, cities and villages may pass local laws and regulations governing the time, place and manner of the operation of licensed adult-use cannabis retail dispensaries * * * provided such law or regulation does not make the operation of such licensed retail dispensaries * * * unreasonably impracticable.” Pursuant to this authority, and in accordance with subdivision C of section 110-3 of the Village of Chatham Zoning Code, which enumerates as a purpose of the Village of Chatham Zoning Code: “To provide adequate and suitably located commercial facilities,” this local law is enacted to allow the establishment of cannabis retail dispensaries in locations and manners consistent with the zoning and land use goals of the Village of Chatham.

§ 2. Enacting authority.

This local law is enacted pursuant to the New York Municipal Home Rule Law, section 131 of the New York Cannabis Law, and chapter 110 of the Code of the Village of Chatham, as authorized by the New York State Constitution, the New York Municipal Home Rule Law, and Articles 4 and 7 and other relevant provisions of the Village Law of the State of New York.

§ 3. The following definition is added to section 110-5 of the Code of the Village of Chatham:

CANNABIS DISPENSARY: A commercial retail establishment operating under license of the New York State Cannabis Control Board, authorized to engage in the retail sale of cannabis products for off-site consumption, but in no case permitted or authorized to allow the on-site consumption of cannabis or cannabis products.

§ 4. Attachment 1 of Chapter 110 of the Code of the Village of Chatham (“Table of Use Regulations”) is amended as follows:

The use entitled “Cannabis Dispensary” is added to Attachment 1 of Chapter 110 of the Code of the Village of Chatham (“Table of Use Regulations”) as a Business Use permitted in the C-3 Commercial zoning district, contingent upon securing a special use permit, and prohibited in all other zoning districts.

§ 5. Effective Date.

This law shall become effective immediately upon filing with the Secretary of State.

END.

*Village Attorney K. Dow reviewed Parts 2 and 3 of SEQRA. Type 1 Action. Negative declaration.
So moved by P. Minahan, seconded by J. Boehme.*

Trustee J. Boehme - AYE

Trustee P. Minahan - AYE

Mayor J. Howe - AYE

Trustee K. Schassler (Not present)

Trustee M. Spock (Not present)

Motion passed with a roll call vote in favor.

Resolution 91 of 2022 – To approve and accept Wm. J. Keller & Sons Construction Corp. BID# REF-VOC-DPW001, dated 5/16/22, in the amount of **\$111,625.00** for **12” DR-11 HDPE Boring for the Ghent Water Line Project**. So moved by P. Minahan, seconded by J. Boehme. *Mayor Howe explained that The American Rescue Plan Act of 2021 (“ARPA”) made funds available to state and local governments for very specific uses, including*

investments in water and sewer infrastructure. The Village benefits from this particular Village Water infrastructure improvement because if this water line needed repair it would be Village responsibility to repair it. Vote was all in favor. Motion passes.

Resolution 92 of 2022 – To authorize the Mayor to sign a **lease agreement with the Town of Chatham** for use of the **Courtroom and Office space** at the Tracy Memorial Village Hall for a one year period **August 1, 2022 through July 31, 2023**, in the amount of **\$1650 per month**. *So moved by J. Boehme, seconded by P. Minahan. All approved.*

Resolution 93 of 2022 - To approve the request and authorize CABA to hold the annual **Octoberfeast** celebration on **Saturday, October 8, 2022**. *So moved by P. Minahan, seconded by J. Boehme. Approved by all.*

Resolution 94 of 2022 – To approve the CABA request to **close Main Street and Park Row to parking and thru-traffic** from 8am-6:30pm, for **Octoberfeast** activities on Saturday, **October 8, 2022**. *So moved by J. Boehme, seconded by P. Minahan. All approved.*

Resolution 95 of 2022 – To approve the **use of the Municipal Lot** for CABA **Octoberfeast** on Saturday, **October 8, 2022 8am-10pm**. *So moved by J. Boehme, seconded by P. Minahan. All approved.*

Resolution 96 of 2022 - To approve temporary suspension of the **local open container law** in the **Municipal Lot (11:30am-10pm)**, and on **Park Row** and **Main Street** from the traffic circle to the clock tower (**11:30am-5:30pm**), on Saturday, **October 8, 2021** for **Octoberfeast**. *So moved by P. Minahan, seconded by J. Boehme. Approved by all.*

Resolution 97 of 2022 – To approve **no parking on Church Street** from **August 30th through September 6th** in order to provide a clean line of sight while walking and pulling out of Woodbridge Avenue. *So moved by P. Minahan, seconded by J. Boehme. Approved by all.*

Items for Discussion: *Mayor Howe noted that the Chatham Silent Food Pantry expressed interest in doing some renovating in the Tracy Memorial basement space they currently utilize. Considering a committee for investigation of their ideas versus structure and feasibility.*

Second Public Comment Period (limited to 15 minutes):

Executive Session: For discussion of potential, proposed, pending or current litigation. *Executive session was not held at this time and will be scheduled when all of the Board members can be present.*

Adjournment: *So moved by J. Boehme, seconded by P. Minahan. Approved by all at 7:38pm.*

Next meeting: *September 12, 2022 7:00pm*

Respectfully submitted,
Desiree Kelleher
Village Clerk
(rev.08/9/22)