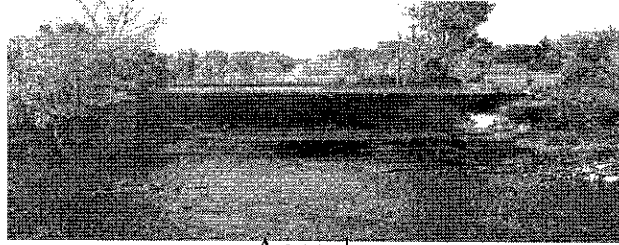


Board of Trustees
Village of Black River, New York



Agenda
Regular Meeting
September 13, 2021

- Call to order.
- Pledge of Allegiance.
- Approval of minutes of the 8/2/21 regular meeting.
- Public Comment.
- Code Enforcement Report & review of related correspondence.
- Superintendent's Report.
- Clerk-Treasurer's Report.
- Police Department Report.

Correspondence Received:

- | | |
|------------------------------------|-----------------------------|
| A) Rt. 3 Sewer Board | Re: August 10, 2021 Minutes |
| B) Rt. 3 Sewer Board | Re: Proposed sewer budget |
| C) Town of Rutland | Re: Penalties |
| D) Office of the State Comptroller | Re: Additional ARPA payment |

Correspondence Sent:

- | | |
|----------------|---------------------------------|
| A) Eldon Glick | Re: Affidavit of Non-Permission |
|----------------|---------------------------------|

New Business:

- A) Public hearing Cannabis opt out
- B) Set public hearing for Rt. 3 sewer budget
- C) Discuss expenditure from water vehicle reserve fund

Unfinished Business:

- Reports from Standing Committees.
- Reports from Special Meetings.
- Authorize payment of bills; adjournment.

Village of Black River
Board of Trustees
Regular Meeting
August 2, 2021

DRAFT

Mayor Dishaw called the regular meeting to order at 6:00 p.m.

Present:

Mayor Francis Dishaw
Trustee Gary McCullough
Trustee Bonnie Proven
Trustee Randy Lake
Superintendent Les Williams
Code Enforcement Officer James Holland
Clerk-Treasurer Kristin Williams
Police Chief Steve Wood

Excused:

Trustee Mark Wonderly

A motion was made by Trustee Proven, seconded by Trustee Lake to approve the minutes of the July 7, 2021 regular meeting. The motion was carried.

Public Comment: Sonja Conlin was present to discuss a movie scene that she would like to shoot in front of her house on Maple St. She stated that Black River Ambulance would be present in the street but the rest of the scene will be in her front yard. Police Chief Wood stated that the road cannot be obstructed to emergency traffic.

A motion was made by Trustee Lake, seconded by Trustee McCullough to allow the film shooting to occur on Maple St. as long as there is insurance provided. The motion was carried.

Representatives from the Watertown-Jefferson County Transportation Council (WJCTC) were present to discuss a proposed extension to the trail system which would eventually connect the trail on Rt. 3 to Fort Drum. They presented several different options but stated that the two main options are the old rail road bed on Rt. 3 and Maple St. in the village. There will be a public information meeting in September.

Code Enforcement Report: CEO Holland stated that the permit for the Hadley Dr. house and that the 119 N. Main St. project is awaiting sewer approval from the Development Authority of the North Country. He stated that after August 15th, he will be teaching at the NY State Fire Academy and will be at the office only on Fridays.

Police Department Report: The board reviewed the written report.

Superintendent's Report: Superintendent Les Williams stated that the water line on N. Main St. will be worked on tomorrow. He stated that a contractor broke the water shut off at 106-110 Maple St. The board agreed that Superintendent Williams should figure a total cost so that the property owner can be billed. He stated that the Department of Health did some water testing at the pump stations. He stated that the water lines on Ames Dr. and Hadley Dr. have been completed. Superintendent Williams stated that last year the village had been pumping 265-285 thousand gallons of water per day and this year it is down to 188 thousand gallons. He stated that some leaks have been discovered and repaired which accounts for the decrease in numbers. He stated that he has received a complaint regarding a storm drain at a house on S. Main St. and that he would be meeting with the homeowner and a representative from Brookfield Power. He stated that the hole hog needs to be repaired and that he would like to purchase a pipe pulling kit for \$1,500. The board agreed.

Clerk-Treasurer's Report: Clerk-Treasurer Williams stated that the village received \$87,695.81 in 2nd quarter sales tax which was \$20,000 more than the average received for the quarter. She stated that the village received \$63,382.06 from the Coronavirus Local Fiscal Recovery Fund (CLFRF). She stated that the second half will be received next summer. She stated that she will

have a clear idea of what the funds can be used for at budget time. She explained that a water bill adjustment due to meter replacement for Donald Canfield was overlooked last month.

A motion was made by Trustee Lake seconded by Mayor Dishaw to approve a water/sewer bill adjustment in the amount of \$46.65. The motion was carried.

CEO Holland discussed a letter that was received from a resident on S. Main St. stating that his neighbors hedge is too high and that it scratches his car when he drives by. CEO Holland stated that he will write a letter telling the property owner that his hedge is considered a fence and must be trimmed to no more than three feet high.

A motion was made by Trustee McCullough, seconded by Mayor Dishaw to adopt the following resolution:

Resolved, that the board set a public hearing for the Cannabis opt out law for 6:00 p.m. on Monday, September 13, 2021. The motion was put to a vote as follows:

Mayor Dishaw	Yes
Trustee McCullough	Yes
Trustee Lake	Yes
Trustee Proven	Yes
Trustee Wonderly	Absent

The motion was carried and the resolution duly adopted.

A motion was made by Trustee McCullough, seconded by Trustee Proven to adopt the following resolution:

Resolved, that the following abstracts of audited vouchers be approved: interim abstract dated 7/21/21 in the amount of \$168,075.10 (General Fund: \$16,851.38 Water Fund: \$41.80 Sewer Fund: \$151,181.92) and regular monthly abstract dated 8/2/21 in the amount of \$115,977.78 (General Fund: \$110,635.95 Water Fund: \$5,341.83). The motion was put to a vote as follows:

Mayor Dishaw	Yes
Trustee McCullough	Yes
Trustee Lake	Yes
Trustee Proven	Yes
Trustee Wonderly	Absent

The motion was carried and the resolution duly adopted.

A motion was made by Trustee Lake, seconded by Mayor Dishaw to enter into executive session to discuss the employment history of a particular person at 8:25 p.m. The motion was carried.

The board exited executive session at 8:43 p.m.

A motion was made by Trustee Proven, seconded by Trustee McCullough to adjourn the meeting at 8:46 p.m. The motion was carried.

Respectfully submitted,

Kristin Williams
Clerk-Treasurer

**BLACK RIVER/EVANS MILLS POLICE DEPARTMENT
MONTHLY REPORT
August-21**

	B/R	E/M	TOTAL	Jul-21	Jun-21
ARRESTS -	2	0	2	0	1
COMPLAINTS -	20	8	28	20	22
VEHICLE STOPS -	2	28	30	30	33
TICKETS ISSUED -	1	8	9	2	8
ACCIDENT REPORTS -	0	0	0	0	0
PARKING VIOLATIONS -	0	0	0	0	0
MOTORIST ASSISTS -	0	0	0	0	1
ASSIST OTHER AGENCY -	2	2	4	5	5
ESCORTS -	1	0	1	2	1
VEHICLES TOWED -	0	0	0	0	0
PROPERTY CHECKS -	1	5	6	5	9
INCIDENT REPORTS -	6	5	11	13	9
DOMESTIC REPORTS -	0	0	0	0	0
OFFENSE REPORTS -	5	0	5	2	3
FOLLOW UP REPORTS -	6	1	7	1	4
CRIMES REPORTED -	2	0	2	2	2

DAYS WORKED PER MONTH - 13/31 DAYS

GAS USED - 43.3 GALLONS

HOURS WORKED - 111 HOURS

MILES DRIVEN - 647 MILES

EXTRA DETAILS - DWI on 08/27/21, CAN AM First Responder Night

POLICE CHIEF, STEVEN C WOOD #2701
POLICE DEPARTMENT
VILLAGE OF BLACK RIVER/EVANS MILLS NY

SC WOOD #2701

BLACK RIVER POLICE DEPT

Incidents Reported From 08/01/2021 00:01 hrs. to 08/31/2021 23:59 hrs.

Page 1 of 1

Print Date: 09/07/2021

Print Time: 15:16:59

Selection Criteria

ORI: BLACK RIVER POLICE DEPT

Date From: 08/01/2021 00:01

Date To: 08/31/2021 23:59

Sorted By: Incident Number

Incident Number	Incident Type	Status	Div/Pct	Reported	Wkday	Case #	Occurred On	Occurred To	Location Type	Reporting Officer
125	Animal Complaint-Other Ani	ARREST - ADULT	BR	08/02/2021	Mon	21BR00333	08/02/2021 11:00	08/02/2021 11:05	YARD	CHIEF WOOD, STEVEN #2701
126	Assist Citizen	CLOSED BY INVES1	BR	08/09/2021	Mon	21BR00351	08/09/2021 15:15	08/09/2021 15:35	SINGLE FAMILY HOME	CHIEF WOOD, STEVEN #2701
127	Fraud	CLOSED BY INVES1	BR	08/17/2021	Tue	21BR00363	05/01/2021 16:18	08/17/2021 13:00	SINGLE FAMILY HOME	CHIEF WOOD, STEVEN #2701
128	Mental Health Incidents	ARREST - ADULT	BR	08/20/2021	Fri	21BR00367	08/20/2021 14:00	08/20/2021 14:20	SINGLE FAMILY HOME	CHIEF WOOD, STEVEN #2701
129	Animal Noise	PENDING INVESTIC	BR	08/30/2021	Mon	21BR00381	06/16/2020 14:59	08/30/2021 10:51	SINGLE FAMILY HOME	CHIEF WOOD, STEVEN #2701
130	Shoplifting	CLOSED BY INVES1	BR	08/30/2021	Mon	21BR00382	08/30/2021 12:05	08/30/2021 12:10	GAS STATION	CHIEF WOOD, STEVEN #2701

UTT Report by Date

From 8/1/2021 to 8/31/2021

Date	Officer Name	Badge	Case Number	Section And Offense	Status	Location	Local Code
08/27/2021	WOOD S	01	0321DJ654X	306B UNINSPECTED MOTOR VEHICLE	7	FACTORY ST EM	21BR00380
08/27/2021	WOOD S	01	0321DJ5H1D	37535C UNSAFE TIRE	7	LERAY ST @ HENRY ST EM	21BR00376
08/27/2021	WOOD S	01	0321DJ5FGQ	37540B INADEQUATE OR NO STOP LAMPS	7	LERAY ST EM	21BR00375
08/14/2021	WOOD S	01	0321DGSJFN	37540B INADEQUATE OR NO STOP LAMPS	7	S MAIN ST EM	21BR00359
08/05/2021	WOOD S	01	0321DFSSBK	37540B INADEQUATE OR NO STOP LAMPS	7	S MAIN ST @ SR 3 BR	21BR00343
08/05/2021	WOOD S	01	0321DFS3MD	37531 INADEQUATE/NO MUFFLER	7	WILLOW ST EM	21BR00339
08/05/2021	WOOD S	01	0321DFS0L4	1110A DISOBEYED TRAFFIC CONTROL DEVICE	7	WILLOW ST EM	21BR00338
08/05/2021	WOOD S	01	0321DFRWQL	37540B INADEQUATE OR NO STOP LAMPS	7	CEMETERY RD EM	21BR00337
08/01/2021	WOOD S	01	0321DFDJRD	37535C UNSAFE TIRE	7	BEMETERY ST E/M	21BR00330

Summary

Query returned 9 records.

TO: NYS ROUTE 3 CORRIDOR SEWER BOARD

FROM: Christina Vargulick, Secretary

DATE: August 10, 2021

RE: Minutes of August 9, 2021 meeting

Present: S. Allen, F. Dishaw, B. Ferguson and R. Taylor

Others: M. Altieri, W. Jesmore, B. Nutting, N. Roth, C. Vargulick and T. Yarina

The NYS Route 3 Corridor Sewer/Development Board met on Monday, August 9, 2021 at the V/Black River Municipal Building. S. Allen called the meeting to order at 4:30pm.

The Board reviewed the minutes for April 12, 2021. Motion by R. Taylor, seconded by B. Ferguson to approve the minutes as presented. Ayes-4, Nays-0. Motion carried.

Operating Report

The period summary for June 2021 was distributed to the Board. The sewer flow was 6.2MG. Fifty-nine percent (59%) of the total budgeted revenues were received. Expenses year-to-date were forty-two percent (42%) of the total budgeted. Net cash of \$315,878.08 remained at the end of the period. The reserve account balance was \$204,562.12.

The period summary for July, 2021 was distributed to the Board. The sewer flow was 7.2MG. Seventy-five percent (75%) of the total budgeted revenues were received. Expenses year-to-date were fifty-seven percent (57%) of the total budgeted. Net cash of \$287,576.53 remained at the end of the period. The reserve account balance was \$204,612.40.

Motion by B. Ferguson, seconded by F. Dishaw to approve the reports as presented. Ayes-4, Nays-0. Motion carried.

Agreed Upon Procedure

Nicole Roth, Drescher & Malecki, LLP, reviewed the report on applying agreed upon procedures. Ms. Roth noted exceptions under Compliance-Rates, noting that there was no response to inquiries as to the approval date of the rates for fiscal 2020 from either the T/Rutland and T/Pamelia.

Motion by B. Ferguson, seconded by F. Dishaw to accept the report as presented. Ayes-4, Nays-0. Motion carried.

GB Pump Station Replacement

B. Nutting recommended the following budget modifications to pay for the construction of the four Great Bend Pump Station enclosures:

Operational Reservices - \$70,000 (reduced to \$0)
Collection & Treatment – reduced by \$30,000
Transfer to Reserves - \$76,346 (reduced to \$0)
CD for \$51,533 matures 8/7/2021 (will not be renewed)

Total would be \$227,879 allocated to enclosure replacement project.

B. Ferguson and S. Allen requested that the modifications be reflected on the 2021 budget Motion by R. Taylor, seconded by F. Dishaw to approve the recommended modifications to the 2021 budget. Ayes-4, Nays-0. Motion carried.

B. Jesmore advised that the contractor has begun work on the Stewart Drive enclosure and has recommended three changes to the structures.

1. Eliminate the cupolas – project will receive a \$2,000 credit
2. Replace foundation form inserts with perlite
3. Utilize aluminum flashing for block wall

M. Altieri stated that the project architect supports the recommended changes. Motion by R. Taylor, seconded by B. Ferguson to adopt the changes as recommended. Ayes-4, Nays-0. Motion carried.

Flow Allocation

The Board reviewed Sewer Service Agreement Amendment No. 1 that agrees to provide the Board of Commissioners with an average daily capacity of 225,000 gallons per days for the Route 3 Sewer System.

RESOLUTION offered by Bruce Ferguson (T/Champion),
Seconded by Francis Dishaw (V/Black River);

RESOLVED, that the NYS Route 3 Corridor Sewer/Development Board hereby approves the Sewer Service Agreement Amendment No. 1 between the Board of Commissioners for the Route 3 Sewer System and the Development Authority of the North Country and authorizes the Chairman to execute the agreement, as presented.

Bruce R. Ferguson; for T/Champion	Aye
Ronald Taylor; for T/LeRay	Aye
Scott Allen; for T/Pamelia	Aye

Gary Eddy; for T/Rutland
Frank Dishaw; for V/Black River

Absent
Aye

Resolution adopted.

2022 Budget

B. Nutting presented three budget alternatives including 0%, 2% and 5% increases to the fixed EDU charges. S. Allen and B. Ferguson supported an increase to assure that funds are available for maintenance and replacement issues identified in the asset management plan. Motion by B. Ferguson, seconded by R. Taylor to raise the fixed EDU by 2% in the preliminary 2022 budget. Ayes-4, Nays-0. Motion carried.

Motion by F. Dishaw, seconded by B. Ferguson to schedule a public hearing on the preliminary budget on September 13, 2021 at 4:30pm at the V/Black River Municipal Building. Ayes-4, Nays-0. Motion carried.

Motion by B. Ferguson, seconded by S. Allen to adjourn. The meeting adjourned at 5:15pm.

The next scheduled meeting of the NYS Route 3 Sewer/Development Board will be held on Monday, September 13, 2021 at 4:30pm at the V/Black River Municipal Building.

Christina Vargulick

Christina Vargulick, Secretary
NYS Route 3 Sewer Board of Commissioners

Rt. 3 Sewer Corridor Budget - 2% Fixed EDU Increase, 0% Variable EDU Increase

	2022 Budget	2021 Budget	Fixed EDUs	Variable EDUs	Extra Charges
REVENUE					
- Black River (North & South)	\$295,802.88	\$297,865.50	574.50	478.00	\$15,000
- Champion	\$111,447.56	\$113,242.50	214.75	198.50	\$1,600
- LeRay	\$243,102.00	\$240,556.00	492.00	367.00	\$15,000
- Pamela	\$114,887.50	\$108,703.00	206.00	205.00	\$6,000
- Rutland	\$347,778.75	\$348,510.00	621.00	549.00	\$12,000
- Interest & Misc.	\$36.00	\$36.00			
- Transfer from Reserve	\$0.00	\$0.00			
Total Revenues	\$1,112,854.69	\$1,108,913.00	2108.25	1785.50	\$49,600
EXPENSES					
Annual DANC O&M Contract	\$96,457.50	\$94,566.18			
Annual DANC Administrative Contract	\$11,290.56	\$11,069.17			
Municipal Administration					
- Black River	\$3,459.00	\$3,459.00			
- Champion	\$1,341.00	\$1,341.00			
- LeRay	\$2,931.00	\$2,931.00			
- Pamela	\$1,240.50	\$1,240.50			
- Rutland	\$3,708.00	\$3,708.00			
General Administration	\$3,626.00	\$3,626.00			
Repairs & Maintenance	\$80,000.00	\$80,000.00			
Utilities	\$38,000.00	\$38,000.00			
Collection & Treatment	\$320,000.00	\$335,000.00			
Interest (RD Loans & BAN)	\$0.00	\$0.00			
Insurance, Legal, Audit	\$9,500.00	\$9,500.00			
Total O&M Expenses	\$571,553.56	\$584,440.85			
MISC EXPENSES					
Capital Improvements	\$0.00	\$0.00			
Operational Reserves	\$70,000.00	\$70,000.00			
Contributions to Reserves	\$8,000.00	\$76,346.15			
Operating Contingency	\$5,000.00	\$5,000.00			
Total Misc. Expenditures	\$83,000.00	\$151,346.15			
DEBT SERVICE PAYMENTS					
- Black River North	\$53,725.00	\$53,725.00			
- Black River South	\$89,725.00	\$88,424.00			
- Champion/Great Bend	\$35,760.00	\$35,760.00			
- Champion/Pine Ridge	\$8,100.00	\$8,100.00			
- Town of LeRay/Pamela Phase 1	\$61,980.00	\$61,980.00			
- Town of LeRay/Pamela Phase 2	\$33,140.00	\$33,140.00			
- Rutland Phase 1	\$39,000.00	\$39,000.00			
- Rutland Phase 2	\$66,000.00	\$65,000.00			
- Rutland Phase 3	\$73,514.00	\$72,417.00			
- Gardner Tract	\$15,580.00	\$15,580.00			
Total Debt Service Payments	\$476,524.00	\$473,126.00			
Total Expenditures	\$1,131,077.56	\$1,208,913.00			
Cash Balance Forward(estimated from 2020)	\$ 20,000.00	\$ 100,000.00			
Net Cash/Deficit	\$1,777.13	\$0.00			
RESERVE ACCOUNT					
- Reserve Account - Beginning Balance	\$ 161,263.00	\$ 156,090.50			
- Transfer to (from) Reserve Account	\$8,000.00	\$76,346.15			
- Interest Income - Reserves	\$ 479.01	\$ 1,181.00			
YTD RESERVE CASH BALANCE	\$ 169,742.01	\$ 233,617.65			

Proposed Rate to Balance Budget	<u>2022</u>	<u>2021</u>
Fixed \$/EDU:	\$288.75	283
Variable \$/EDU:	\$241.00	241

Gary Eddy
Supervisor

Town of Rutland
28411 NYS Route 126
Black River, NY 13612

William Kalin
Town Clerk

Les Berghorn
Clarence Woodruff
Logan Eddy
Kenneth Gleason
Councilmen

Town Office (315) 788-3440

Fax (315) 788-3446

George Sheehan
Joseph Murtha
Justices

Claude Phelps
Highway Superintendent

September 7, 2021

Village of Black River
107 Jefferson Place
Black River NY 13612


RE: Water Billing Accounts
M001 / M002
Late Penalties / Interest Penalties

To whom it concerns,

The Town of Rutland is requesting that all late penalties and or interest penalties that have accrued on the town's water usage billings for the above listed accounts be removed. As well any future penalties for late payments be disregarded for the town. We feel this is a reasonable request as the billing dates / invoices received are not always in line with the dates of town board meetings for approval of bill payment.

We appreciate your time and cooperation regarding this request.

Thank you,


Gary Eddy, Town Supervisor
Town of Rutland



Division of the Budget

ANDREW M. CUOMO
Governor

ROBERT F. MUJICA JR.
Director of the Budget

August 23, 2021

Kristin Williams
Clerk Treasurer
Village of Black River
107 Jefferson Place
Black River, NY 13612

Thank you for submitting your request to receive funds from the ARPA Coronavirus Local Fiscal Recovery Fund on behalf of your local government.

The American Rescue Plan Act and United States Department of the Treasury guidelines provide that any "remaining funds" from any "non-responsive" municipalities should be distributed among the responsive municipalities in a "subsequent distribution." In New York State, very few municipalities were non-responsive.

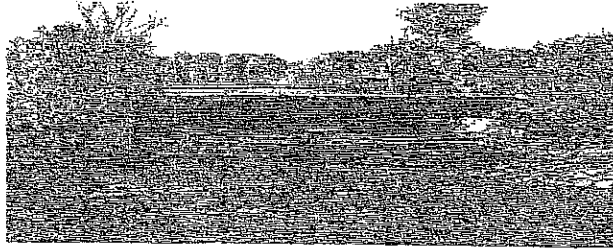
As such, your municipality will receive an additional allocation of **\$517.55**. This brings your total allocation to **\$127,281.67**. By Summer 2022, this allocation will have been made in the following payment amounts, the first of which you may have already received:

- **First 50% of main allocation (Summer 2021): \$63,382.06**
- **First 50% of additional allocation (Summer 2021): \$258.78**
- **Second 50% of main allocation plus second 50% of additional allocation, combined (Summer 2022): \$63,640.83**

As with the initial payment, funds will be disbursed by the Office of the New York State Comptroller (OSC) electronically, using your municipality's existing banking information from the New York State Vendor File. You should have received instructions from OSC about how to confirm and provide any necessary updates/corrections of that information. If your municipality did not receive the initial payment electronically from the State, you should have received instructions from OSC for adding banking information to allow your municipality to receive these payments electronically. If you need further assistance, please contact epayment@osc.ny.gov.

In addition, please be advised of the following:

Board of Trustees
Village of Black River, New York



August 18, 2021

Eldon Glick
P.O. Box 371
Great Bend, NY 13643

Dear Mr. Glick;

As per the Affidavit of Non-Permission dated June 29, 2021 you are prohibited from entering or using the Village property near 107/110 Hadley Dr. in the Village of Black River.

Sincerely,

Francis Dishaw
Mayor

AFFIDAVIT OF NON PERMISSION

STATE OF NEW YORK

COUNTY OF JEFFERSON SS:

DATE: 06/29/21

TOWN OF BLACK RIVER/LERAY

CASE #: 21BR00281

I, FRANCIS J DISHAW, residing at 107 JEFFERSON PL

BLACK RIVER, NY 13612

, say that I am the rightful [OWNER]

[OCCUPANT] [CUSTODIAN] [MANAGER] of VILLAGE PROPERTY

located at 107 HADLEY DR TO 110 HADLEY DR BLACK RIVER

in the County of Jefferson, State of New York.

On or about the 24TH day of JUNE, 2021, there occurred a

TRESPASS at said property and as a result thereof,

VILLAGE PROPERTY NEAR 107/110 HADLEY DR

[] was taken in the amount of:

[] was damaged in the amount of:

[X] was trespassed in or upon: VILLAGE PROPERTY NEAR 107/110 HADLEY DR

This estimated value is based upon:

[] My comparison of replacement items at store, on the date of

[] The attached copy of the receipt of purchase.

[] The attached copy of receipt of purchase of identical or similar replacement.

[] The attached appraisal, estimate of damage/repair from:

At no time did I give anyone, specifically: ELDON E GLICK 08/04/1962 permission to enter/remain/use said property, nor did I give him/her permission to take or damage any property located in or upon said premises. I am making this statement to

CHIEF STEVEN WOOD of the

I have read this entire statement consisting of one page and it is the truth to the best of my knowledge.

FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE NEW YORK STATE PENAL LAW

Subscribed and sworn to before me this 29TH day of JUNE 20 21

SC WOOD #2701

Commissioner of Deeds

Francis J Dishaw Complainant

Village of Black River
Local Law No. __ of the year 2021
Village of Black River, County of Jefferson

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 Black River.

Section 1. Legislative Intent. It is the intent of this local law to opt the Village of Black River 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 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 Black River, County of Jefferson, 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 judgement shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to 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.

(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. ___ of 2021 of the Village of Black River was duly passed by the Village Board on _____, 2021 in accordance with the applicable Village Board 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 20 of the (County)(City)(Village)(Black River) of _____ was duly passed by the _____ on _____ 20_____, and was (approved)(not approved)

(Name of Legislative Body)

(repassed after disapproval) by the _____ and was deemed duly adopted

(Elective Chief Executive Officer)*

on _____ 20_____, 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 20 of the (County)(City)(Village)(Black River) of _____ was duly passed by the _____ on _____ 20_____, and was (approved)(not approved)

(Name of Legislative Body)

(repassed after disapproval) by the _____ on _____ 20_____

(Elective Chief Executive Officer)*

Such local law was submitted 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 20_____, 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 2021 of the Village of Black River was duly passed by the Board of Trustees on October 4, 2021, and was (approved)(not approved) (repassed after disapproval) by the Mayor on November 3, 2021. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of November 3, 2021, in accordance with the applicable provisions of law.

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

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 20 ____ 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 _____ 20 _____, 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 20 ____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November ____, 20____, 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 Village 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 4 above.

Kristin Williams, Village Clerk, of the
Village of Black River

Date: November 3, 2021

(seal)

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

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

Title Joseph W. Russell, Attorney
Village of Black River

Date: November 3, 2021

Project:	Opt Out Cannabis LL
Date:	09/13/21

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Project: **Opt Out Cannabis LL**

Date: **09/13/21**

**Short Environmental Assessment Form
Part 3 Determination of Significance**

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Village of Deferiet

September 13, 2021

Francis Dishaw
Name of Lead Agency

Mayor
Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT FORM

**RESOLUTION OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF BLACK RIVER**

At a regular meeting of the Board of Trustees of the Village of Black River held at the Village Offices, 107 Jefferson Place, Black River, Jefferson County, New York, at 6:00 P.M. on July 14, 2021, there were

Present:

Francis Dishaw _____, Mayor

Bonnie Proven _____, Trustee

Randy E. Lake _____, Trustee

Gary McCullouch _____, Trustee

Mark Wonderly _____, Trustee

Absent:

WHEREAS, a Local Law opting out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Village of Black River, was introduced by a member of the Board of Trustees at a meeting thereof held on August 2, 2021, and by a majority vote of the Board of Trustees members present at such meeting, a public hearing was duly scheduled to consider the Local Law for September 13, 2021 at 6:00 PM; and

WHEREAS, a notice of the public hearing was duly published and posted as required by law, and on September 13, 2021, at 6:00 PM, a public hearing was duly held to hear all persons interested in the subject matter of the Local Law to opt-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries;

NOW, THEREFORE, be it resolved by the Board of Trustees of the Village of Black River as follows:

1. The foregoing recitations are incorporated herein and made a part hereof as if fully set forth hereafter.
2. The Local Law to opt-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries.
3. This Local Law is a Type II Action under the State Environmental Quality Review Act and the regulations promulgated thereunder.
4. Based upon the foregoing, this Local Law is in the best interests of the Village of Black River, is hereby adopted and the Clerk is instructed to file the same with the New York State Department of State.

A motion to adopt the foregoing resolution was made by Trustee _____ and seconded by Trustee _____ and upon a roll call vote of the Board was duly adopted as follows:

Mayor Francis Dishaw	yes__	no__
Bonnie Proven	yes__	no__
Randy E. Lake	yes__	no__
Gary McCullouch	yes__	no__
Mark Wonderly	yes__	no__

Dated: September 13, 2021

(Seal)

Kristin Williams, Village Clerk