

**VILLAGE OF HEUVELTON**  
**Regular Board Meeting & Public Hearing**  
**September 8, 2021**

At 6:00 pm, Mayor Lashua called the meeting to order. Mayor Lashua opened the meeting with the pledge of allegiance and a moment of silence for Trustee Knowlton. Trustees in attendance were E. Wood, A. Guardino and C. Basford. Also, in attendance were T. Murray, DPW Supervisor and S. McConnell, DANC. J. Lightfoot, SLC Legislator arrived at 6:03.

**Public Forum** At 6:01 Mayor Lashua opened the Public Hearing on proposed Local Law No. 1 of 2021 regulating the use of cannabis on public property in the Village of Heuvelton.  
 Mr. Lightfoot updated the Board on County matters. He left at 6:42.

**Sewer/Water** Mr. McConnell updated the Board on the Water and Sewer operations, he left at 6:11. Mayor Lashua gave an update from Kevin Feuka about the water project. A water tank inspection was reviewed the Clerk will look more into it. The Board discussed the water project and upcoming debt.

**RESOLUTION 21-078****2021 WATER RATES**

Offered by Tr. Wood, seconded by Tr. Guardino. Tr. Basford and Mayor Lashua - Aye

**Resolution to adopt the following water rates as of May 1, 2021:**

**Water rates:**

**Current- Effective 5/21**

	<u><b>Fixed</b></u>	<u><b>Variable</b></u>	<u><b>Total</b></u>	<u><b>Quarterly</b></u>
<b>Unmetered Per EDU</b>				
<b>Inside Village</b>	\$330	\$ 90	\$420	\$105.00
<b>Outside Village</b>	\$330	\$105	\$435	\$108.75
<b>Metered Users</b>				
<b>Inside Village</b>		\$330	\$1.50/1000 gal	
<b>Outside Village</b>		\$330	\$1.75/1000 gal	

**RESOLUTION 21-079****AMENDMENT #6 C2AE AGREEMENT**

Offered by Tr. Guardino, seconded by Tr. Basford. Tr. Wood and Mayor Lashua - Aye

**Resolution to accept amendment #6 to the C2AE engineering agreement for the water system improvement project providing additional engineering, architectural design, bidding and construction services increasing the agreement amount by \$29,500 for a total contract price not to exceed \$630,500.**

**RESOLUTION 21-080****AMENDMENT # 3 DANC AGREEMENT**

Offered by Mayor Lashua, seconded by Tr. Wood. Tr. Guardino and Tr. Basford - Aye

**Resolution accepting amendment #3 to the Development Authority of the North Country technical services agreement for water system improvement project, increasing the contract by \$15,000 bringing the total contract price not to exceed \$70,000.**

**Mayor's Report**

Conversation was held about needing ZBA and Planning Board members.

**RESOLUTION 21-081****RESIGNATION OF ZONING BOARD MEMBER**

Offered by Mayor Lashua, seconded by Tr. Basford. Tr. Guardino and Tr. Wood - Aye

**Resolution to accept the resignation of Ken Cole, Zoning Board Member, effective August 13, 2021.**

Boat Launch ideas were revisited.

**RESOLUTION 21-082****CLOSE PUBLIC HEARING**

Offered by Mayor Lashua, seconded by Tr. Wood. Tr. Guardino and Tr. Basford - Aye

**With no members of the public in attendance, resolution to close the Public Hearing at 7:15 on proposed Local Law No. 1 of 2021 regulating the use of cannabis on public property in the Village of Heuvelton.**

**RESOLUTION 21-083**

**LOCAL LAW #1 OF 2021**

Offered by Tr. Basford, seconded by Tr. Guardino. Tr. Wood and Mayor Lashua - Aye

**Village of Heuvelton**

**St. Lawrence County**

**LOCAL LAW NO. 1 OF 2021**

**A Local Law to Regulate the Use of Cannabis on Public Property in the Village of Heuvelton**

Be it hereby enacted by the Village Board of the Village of Heuvelton, St. Lawrence County, New York, as follows:

**SECTION 1: INTENT & PURPOSE**

New York State legalized recreational cannabis in April of 2021. The legalization legislation included specific authorization for municipalities to reasonably restrict the use of cannabis, and the Village Board of Trustees adopts this Local Law with the intent to reasonably regulate the use of cannabis on public land within the Village of Heuvelton in accordance with the New York State Marijuana Regulation and Taxation Act of 2021.

**SECTION 2: Authority**

This Local Law is enacted pursuant to the authority of the applicable sections of the General Municipal Law, the New York State Village Law and the New York State Marijuana Regulation and Taxation Act of 2021.

**SECTION 3: Cannabis Use on Public Property Regulations**

**Legislative Intent**

It is the intent of the Village of Heuvelton, as an exercise of its police power to the general health, safety & welfare of the residents of the Village by enacting this Local Law. It is the finding of the Board of Trustees, that the use of cannabis by persons on public lands is detrimental to the health, safety, and welfare of the residents of the Village in that such public use contributes to the creation of nuisances and otherwise impedes the welfare of Village residents. It is also the intent of the Board of Trustees of the Village of Heuvelton that this Law conform to the State's authorization for municipalities to reasonably regulate the use of cannabis.

**Definitions**

For the purpose of this Law, the definitions of cannabis, cannabis products, and cannabis infused products, shall be the same as they are defined in the New York State Marijuana Regulation and Taxation Act of 2021.

Public Lands shall be defined as any highway, street, sidewalk, park, playground, municipal owned building, public parking lot or any other municipal owned property.

**Prohibited Acts**

No person shall use, smoke, ingest or consume any cannabis, cannabis products, or cannabis infused products on any public land within the Village.

No person shall sell, transfer, purchase or obtain any cannabis, cannabis products or cannabis infused products on any public lands within the Village.

**Presumption**

It shall be presumed that any person who openly possesses any unpackaged cannabis, cannabis products or cannabis infused products while on public lands, is using said products.

**Penalties for Offense**

Each violation of this law shall be an infraction and shall be punished by a civil penalty of up to two hundred dollars (\$200.00) at the discretion of the court.

**SECTION 4: Validity**

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgement shall be confined in its operation to the part of the provision of 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, and the Village of Heuvelton hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid application been apparent.

**SECTION 5: EFFECTIVE DATE**

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

**RESOLUTION 21-084**

**SET PUBLIC HEARING**

Offered by Mayor Lashua, seconded by Tr. Wood. Tr. Guardino and Tr. Basford - Aye

**Resolution to set public Hearing for October 13, 2021, on the proposed Local Law opting out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Village of Heuvelton.**

**RESOLUTION 21-085**

**ACCEPT SEQR AND NEGATIVE IMPACT DECLARATION**

Offered by Tr. Guardino, seconded by Tr. Basford. Tr. Wood and Mayor Lashua - Aye

**Resolution to accept the short form SEQR and declaring the proposed local law will have no adverse environmental impacts.**

The Board discussed the Solar project and land issues. They looked at a letter the attorney created.

**RESOLUTION 21-086**

**ATTORNEY CORRESPONDANCE**

Offered by Tr. Wood, seconded by Tr. Guardino. Tr. Basford and Mayor Lashua - Aye

**Resolution approving attorneys' correspondence for solar project and authorizing it to be forwarded to intended individuals.**

**Streets** Mr. Murray went over the county's safety audit with the Board and how he was addressing the safety compliance issues that were found. There was discussion about a water hookup at the end of Union Street. The Board considered the need for speed signs along entrances into the Village. The Mayor commented on how well the crew did with Labor Day set up and clean up.

**RESOLUTION 21-087**

**APPROVAL OF MINUTES**

Offered by Tr. Guardino, seconded by Tr. Wood. Tr. Basford and Mayor Lashua- Aye

**Resolution to accept the minutes of the 8/11/2021 meeting.**

**RESOLUTION 21-088**

**VOUCHER APPROVALS**

Offered by Tr. Basford, seconded by Tr. Wood. Tr. Guardino and Mayor Lashua - Aye

Approval of Vouchers 0921-1-0921-42

<b>General</b>	<b>\$26,577.88</b>
<b>Sewer</b>	<b>\$12,372.72</b>
<b>Water</b>	<b>\$9,661.35</b>
<b>Water Proj.</b>	<b>\$39,017.38</b>
<b>Sewer Cons.</b>	<b>\$ 85.00</b>
<b>Total</b>	<b>\$ 87,714.33</b>

Other Disbursements \$ **25,997.31**

**RESOLUTION 21-089**

**BUDGET MODIFICATIONS**

Offered by Tr. Basford, seconded by Tr. Guardino. Tr. Wood and Mayor Lashua - Aye

**Resolution to accept the following budget modifications:**

**Increase**

**14204.1 Attorney CE \$250.20**

**14204.2 Attorney CE \$96.50**

**Increase**

**51104.1 Streets CE \$182.60**

**Decrease**

**19904.1 Contingency \$250.20**

**19904.2 Contingency \$96.50**

**Increase**

**2770.1 Unclassified Revenues \$182.60**

At 7:57 with no further business before the Board, the meeting was adjourned on a motion by Tr. Basford. All agreed.

Respectfully submitted,

Rebecca Donnelly  
Village Clerk