

**Village Board Meeting  
Meeting Minutes  
December 21, 2021**

Present: Mayor Lee, Trustees, Farrell, Fowler, Speer, Zabelny  
Village Manager Shari Wilson- Pearce  
Deputy Clerk, Amy Harter

Guests: None

The meeting was held in person at the Hilton Community Center, Board Room.

Mayor Lee called the meeting to order at 5:00 p.m. with the pledge of allegiance followed by a moment of silence.

At the December 7<sup>th</sup> meeting, a request was made by Mr. Wade Bowen to remove a tree located at 19 Fraser Drive, due to the mess the tree makes in the fall. This property is owned by Sue Butera. There are many seed pods that drop. Mr. Bowen and Ms. Butera submitted a signed petition to remove the tree at their expense, it was signed by four neighbors. DPW Superintendent Jeff Pearce provided a quote for the removal and replacement and a check was submitted to the office staff for reimbursement. Shari Pearce will hold the check until the work is completed by the DPW in the future.

**Resolution** to authorize the DPW Superintendent to remove and replace the tree located in front of 19 Fraser Drive at a cost not to exceed \$802.00, the Village will be reimbursed by the property owner. Motion to approve made by Trustee Speer, seconded by Trustee Zabelny. All future requests for tree removal and replacement will be made on a case-by-case basis.

**Resolution** to approve payment for Rachael B. Cupcakes \$450.00, this invoice for the Christmas Tree lighting event. Motion made by Trustee Fowler, seconded by Trustee Farrell. Carried unanimously, 5-0.

**At the December 7, 2021 meeting the Village Board held a public hearing to consider Local Law 5, 2021 and Local Law 6, 2021. Trustee Farrell could not attend the meeting due to a family emergency; the board agreed to wait until all board members were present to vote on both Local Law 5, 2021 and Local Law 6, 2021.**

## **Local Law #5, 2021**

### **Section 1. Legislative Intent**

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

### **Section 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 to locate and operate within their boundaries.

### **Section 3. Local Cannabis Retail Dispensary Opt-Out**

The Board of Trustees of the Village of Hilton, County of Monroe, hereby opts out of allowing retail cannabis dispensaries from locating and operating within the boundaries of the Village of Hilton.

### **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 judgment shall not affect, impair, or invalidate the remainder of this local law, 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 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.

**Resolution** to adopt Local Law #5, 2021 as follows; Motion to opt out of Licensing and Establishing On-Site Cannabis Consumption Establishments within the Village of Hilton made by Trustee Speer, seconded by Trustee Zabelny, Mayor Lee – aye, Trustees Fowler and Farrell – nay. Motion carried, 3-2. This item will be placed on the January 4, 2022

agenda to determine if a mandatory referendum will be conducted and placed on the March 15, 2022 election ballot.

### **Local Law #6, 2021**

#### **Section 1. Legislative Intent**

It is the intent of this local law to opt the Village of Hilton out of hosting on-site cannabis consumption establishments within its boundaries.

#### **Section 2. Authority**

This local law is adopted pursuant to Cannabis Law § 131 which expressly authorizes cities and villages to opt-out of allowing on-site cannabis consumption establishments to locate and operate within their boundaries.

#### **Section 3. Local Cannabis On-Site Consumption Opt-Out**

The Board of Trustees of the Village of Hilton, County of Monroe, hereby opts out of allowing on-site cannabis consumption establishments from locating and operating within the boundaries of the Village of Hilton.

#### **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 judgment shall not affect, impair, or invalidate the remainder of this local law, 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 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.

**Resolution** to adopt Local Law #6, 2021 as follows: The Board of Trustees of the Village of Hilton, County of Monroe, hereby opts out of allowing on-site cannabis consumption establishments from locating and operating within the boundaries of the Village of

Hilton. Motion made by Trustee Speer, seconded by Trustee Zabelny, carried unanimously, 5-0.

Employee: Trustee Fowler would like to have a discussion at the January meeting of the DPW Superintendent salary as his employment anniversary is nearing. This item will be placed on the January agenda.

### **Adjournment**

Motion to adjourn at 4:45 p.m. made by Trustee Fowler, seconded by Trustee Zabelny. Carried unanimously, 5-0.

Respectfully Submitted,

Amy Harter  
Deputy Clerk