



# Minutes

Town of Cairo

December 15<sup>th</sup>, 2021

Three Public Hearings @ 7:00am

Local Law 2021 Prior Defects Notice Amendment  
Full Parcel Mapping Subdivision Amendment  
Opting Out of Cannabis Sale in the Town of Cairo

Location: Town Hall Meeting Room

The Town Board of the Town of Cairo met for Three Town Board Meeting for a Public Hearing for at the Town Hall, Main Street, Cairo, New York.

Supervisor Coyne called the meeting to order at 7:00 PM and asked the attendees to Pledge Allegiance to the Flag.

Attendance: Supervisor Coyne, Council Member Cords, Council Member Kralovich, Council Member Powers, Council Member Watts

## **Enter 1<sup>st</sup> Public Hearing @ 7:00PM**

Offered by Council Member Kralovich and seconded by Council Member Watts.

*Supervisor Coyne – Aye, Council Member Cords – Aye, Council Member Kralovich – Aye, Council Member Powers – Aye, Council Member Watts – Aye.*

- Supervisor Coyne states to the public that the Town has three (3) public hearings tonight; Prior Defects Notice Amendment, Full Parcel Mapping Subdivision, and Opting out of Cannabis Sale in the Town of Cairo.
- Coyne reads the proposed Local Law for Prior Defects Notice Amendment:

AMENDING THE TOWN PRIOR NOTICE OF DEFECTS LAW

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF CAIRO AS FOLLOWS:

Section 1. LEGISLATIVE INTENT: It is the intent of this local law to amend the Town Prior Notice of Defects Law in order to correct a typographical error.

Section 2. AMENDMENT: The first sentence of Local Law #1 of 1995, Section 3 shall be and hereby is amended to read as follows: No civil action shall be maintained against the Town of Superintendent of Highways for damages or injuries to persons or property sustained by reason of any highway, bridge or culvert, unless prior written notice was actually served upon the Town Clerk or Superintendent of Highways in accordance with Section 5 hereof and there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defect, danger or obstruction complained of.

Section 3. SEVERABILITY

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

Section 4. MISCELLANEOUS

- (a) This Local Law is expressly adopted pursuant to the relevant sections of the New York State Town Law and the New York State Municipal Home Rule Law.
- (b) This local law shall be effective immediately upon filing with the Secretary of State.

- Coyne then asks the public if there are any questions and/or comments.
  - *The public has no questions or comments.*
  - *Council Member Mary Jo Cords mentions to insert in Section 2 after 'bridge or culvert' **unless prior written notice.** All board members agree.*

**Resolution No. 2021-238A**

**Exit Public Hearing @ 7:04PM**

Council Member Watts and seconded by Council member Powers.

*Supervisor Coyne-Aye, Council Member Cords-Aye, Council Member Kralovich-Aye Member Powers –Aye and Council Member Watts-Aye.*

**Enter 2<sup>nd</sup> Public Hearing @ 7:05PM**

- Coyne reads the proposed Full Parcel Mapping Subdivision Amendment:

AMENDING THE TOWN SUBDIVISION LAW REQUIRING FULL MAPPING  
BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF CAIRO AS FOLLOWS:

Section 1. LEGISLATIVE INTENT: It is the intent of this local law to amend the Town Subdivision Law in order to require a map of the entire parcel to be subdivided under most circumstances.

Section 2. AMENDMENT:

- A. The following shall be added to Article III. Section 2. A. (3): The plat shall include a survey of the entire parcel to be subdivided except when the proposal is a boundary line adjustment.

- B. The following shall be added to Article III. Section 3. A. (1): The plat shall include a survey of the entire parcel to be subdivided except when the proposal is a boundary line adjustment.

Section 3. SEVERABILITY

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

Section 4. MISCELLANEOUS

- (c) This Local Law is expressly adopted pursuant to the relevant sections of the New York State Town Law and the New York State Municipal Home Rule Law.
- (d) This local law shall be effective immediately upon filing with the Secretary of State.

**Public Comment:**

- *Ed Forrester thinks that the vote during a Planning Board meeting should stand. There was four against one on this matter.*
- *Allen Veverka is against this proposed new law.*
- *Monica Kenny-Keff talked about the benefit(s) of the new law but also understood what the board and public were expressing about the current one.*
- *Catherine Pacifico feels that the taxpayers have been burdened enough.*
- *Ray Pacifico agrees with the above statement.*
- *Richard Lorenz feels that the 4 to 1 vote should stand that was taken during the Planning Board meeting*
- *Al McDonald of the Santo Associates was present, explaining how it was their job that this law would be effecting. He explained how they surveyed and what they looked for during a survey. Coyne explained that this proposed law was in effect due to the fact that Joe Hasenkopf brought up mapping a particular property that has not been surveyed before. The board agreed that it should be left alone.*
- *Robert Fritze states in a letter that this law could chases people away from purchasing property here in Cairo. The Town should leave the decision to the surveyors whether or not to survey the property.*  
*They voted on the Mapping Council Member Cords Nay, and Seconded by Member Watts Nay, Supervisor Coyne Nay, Council Member Kralovich Nay, and Member Powers Nay.*

**Resolution No. 2021-238C (Roll Called)**

**Exit Public Hearing @ 7:25**

Offered by Council Member Cords and seconded by Supervisor Coyne.

*Supervisor Coyne – Aye, Council Member Cord, Aye, Council Member Kralovich Aye, Council Member Powers-Aye and Council Member Watts Aye.*

**Enter 3<sup>rd</sup> Public Hearing @ 7:27**

- Coyne reads the proposed Local Law on Opting out of Cannabis Sale in the Town of Cairo.

**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 TOWN OF CAIRO BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF CAIRO AS FOLLOWS:**

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 Town of Cairo, County of Greene, State of New York.

**Section 1. Legislative Intent**

It is the intent of this local law to opt the Town of Cairo 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 cities, towns and 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 Town Board of the Town of Cairo, County of Greene, 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 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.

- *Coyne ask if there were any questions, comments or concerns.*
- *Claudia Zucker explain that her husband used to smoke cannabis and had no problems with it, and she had no problems with it, she feels that it would bring money into the town.*
- *BeBe Tobin has a business on Main Street and feels that having a Cannabis Dispensary Store would bring more money to the town. Mentions that others who may want this product may go somewhere else and give other towns and/or states their money and taxes, which would benefit the Town of Cairo tremendously.*
- *Highway Superintendent Art Evans brought up about a Lounge if we could just do the dispensary and not do the Lounge. Tal said we would not have to have the lounge.*
- *Augie Freeman said that it would be a good idea to do it now. Since the town lost out on the Tractor Supply since they did not act right away.*
- *Monica Kenny- Keff told why she is opting out at this time. She said that the State has not done regulations yet and feels that it would be a good idea to wait and know more before the*

*town moves forward. Monica has seen what has happened in Colorado that they lost millions of dollars. She points out that as of Dec. 31<sup>st</sup> they can never opt. out but after that we can always opt. in when we find out more.*

- *Emmy Cross also agrees that it is not a good idea, who has seen firsthand what it has done and can do to people.*
- *Sheila Gallagher told about different states on how well they have done. She said the town council members should go to the other towns and check them out and see how they are doing with it. Sheila also brought letters from people from other states on they're opinion. All the letters where in favor for the dispensaries.*

***Resolution No. 2021-238B (Roll Called)***

**Exit Public Hearing @ 8:10 PM**

Offered by Council Member Cords and seconded by Council Member Watts.

*Supervisor Coyne – Aye, Council Member Cords – Aye, Council Member Kralovich – Aye, Council Member Powers – Aye, Council Member Watts – Aye.*

Respectfully Submitted

Kathleen Rockefeller  
First Deputy Clerk