

**TOWN OF SALINA
201 SCHOOL ROAD
LIVERPOOL, NEW YORK 13088**

**REGULAR TOWN BOARD MEETING
Monday, January 10, 2022 6:30 PM**

AGENDA

- 1. Call to order and Pledge to our flag.**
- 2. Residents wishing to speak and Town Board comments.**
- 3. Consider items submitted by the Town Comptroller.**
- 4. Consider the approval of the minutes of the December 28, 2021 Regular Town Board Meeting.**
- 5. Town Attorney's Report**
- 6. Town Engineer's Report**
- 7. Accept a Community Development Grant and enter into an agreement with Onondaga County for \$50,000 for the Burnham Park Improvement Project and \$50,000 for the Schaffer Park Improvement Project.**
- 8. Resolutions recognizing V. James Magnarelli, Jeannie Ventre and Colleen Gunnip.**

SUPPLEMENTAL AGENDA
SALINA TOWN BOARD MEETING
Monday January 10, 2022

9. Consider appointing Linda Castle as a part time Account Clerk 1 through January 31, 2022.
10. Consider appointing two substitute crossing guards Steven Salamida and Amy Salamida for the year 2022
11. Consider deeming surplus items per list.

**MINUTES of the REGULAR MEETING
SALINA TOWN BOARD
Tuesday, December 28, 2021**

A moment of silence was held for Jim Wemesfelder and Jerry Vislosky both former employees that passed this year.

The Town Board of the Town of Salina held a regular meeting on Tuesday, December 28, 2021 at 6:30 p.m. at the Town Hall, 201 School Road, Liverpool, New York with the following members present:

Colleen Gunnip	Supervisor
Nicholas Paro	Councilor
V. James Magnarelli	Councilor
Daniel Ciciarelli	Councilor
David Carnie	Councilor

Timothy Frateschi	Town Attorney
Doug Wickman	Town Engineer

**CONTINUE PUBLIC HEARING-LOCAL LAW 2021- OPT- OUT OF ONSITE
CONSUMPTION OF CANNABIS**

Kim Hoover of Mattydale spoke against allowing on-site consumption of cannabis. She said she does not feel the State of New York has provided enough information to this point on the regulation of the process.

Jim Charone of Mattydale said the war on cannabis has ended. He said opting out of on-site consumption would be against the people's choice. He said he has not heard of any limitations on bars selling alcohol that attribute to 4500 deaths in New York. This is acceptable by fact, but if you consume cannabis you must do it privately. He said the Town would have a once in lifetime opportunity to be on the ground floor of the largest cannabis market in the United States.

David Kashmere of Maple Lane said cannabis has been with us for a long long time and added he has been a user for fifty years. He is in favor of on-site consumption and dispensaries.

Daniel Ciciarelli said at this time New York has only two inspectors for the Liquor Authority. He stated that he is leaning on the side of opting out because he would like to see where the next board will take this issue. He stated he is favor of on-site consumption if it is done the right way, but would like to see the state have more guidelines in place.

Jim Magnarelli said he would like to see what other towns decide before a decision be made to opt-in. At this point he would be against opting in for on-site consumption.

Nick Paro said he was disappointed that New York state with leaving these decisions to the town's and counties.

He said he believes that the City of Syracuse and the Town of Clay have decided to take no action. He said he is leaning to vote against opting out of consumption lounges.

CLOSE PUBLIC HEARING

A motion was made by Colleen Gunnip to close the Public Hearing. The motion was seconded by Nicolas Paro and was put to a roll call vote which resulted as follows: Nicholas Paro: Yes, V. James Magnarelli: Yes, Daniel Ciciarelli: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

APPROVE LOCAL LAW 2021-14 OPT- OUT OF ON-SITE CONSUMPTION OF CANNABIS

A motion was made by Colleen Gunnip to approve Local Law 2021-14 Opt-Out of on-site consumption of cannabis. The motion was seconded by V. James Magnarelli and was put to a roll call vote which resulted as follows: Nicholas Paro: No, V. James Magnarelli: Yes, Daniel Ciciarelli: No, David Carnie: Yes, Colleen Gunnip: Yes.

IN THE MATTER

Of

**LOCAL LAW 2021-14, A LOCAL LAW TO
OPT OUT OF ALLOWING MARIJUANA ON-
SITE CONSUMPTION BUSINESSES IN THE
TOWN OF SALINA**

**RESOLUTION ENACTING
LOCAL LAW**

The **TOWN BOARD OF THE TOWN OF SALINA**, in the County of Onondaga, State of New York, met in regular session at the Town Hall in the Town of Salina, located at 201 School Road in the Liverpool, County of Onondaga, State of New York, on the 28th day of December 2021, at 6:30 p.m.

The meeting was called to order by Colleen A. Gunnip, Supervisor, and the following were present, namely:

Colleen A. Gunnip	Supervisor
Nicholas Paro	1 st Ward Councilor
V. James Magnarelli	2 nd Ward Councilor

Daniel Ciciarelli

3rd Ward Councilor

David Carnie

4th Ward Councilor

Absent:

The following resolution was moved, seconded and adopted:

WHEREAS, the Town Board has held informational meetings regarding the State's Marijuana Regulation and Taxation Act (the "MRTA"), which was signed into law on March 31, 2021;

WHEREAS, the MRTA provides the Town with the authority to "opt-out" of allowing marijuana dispensaries and/or on-site consumption businesses in the Town;

WHEREAS, the State of New York has not developed any rules or regulations or other guidance related to the MRTA, thus leaving the Town with several questions about how the licensing process would be administered and how it would function in the Town;

WHEREAS, if the Town does not opt out by December 31, 2021, it will not be able to opt out in the future;

WHEREAS, if the Town does opt out by December 31, 2021, it will be able to monitor how the sale and on-site businesses are operating throughout other parts of the State and will be able to opt back in the future to allow the sale and on-site consumption of cannabis;

WHEREAS, at this time, the Town Board believes it is in the best interest of the Town of Salina to opt out of allowing onsite cannabis consumption sites from being established and operated within the Town's jurisdiction for the reasons state herein;

WHEREAS, Local Law 2021-14 has been introduced before the Town Board as set forth below:

LOCAL LAW 2021-14, A LOCAL LAW CREATING CHAPTER 229 OF THE TOWN OF
SALINA CODE ENTITLED "MARIJUANA OPT-OUT":

Be it enacted by the Town Board of the Town of Salina, Onondaga County, New York as follows:

Section 1. That a new Chapter 229 be created as follows:

CHAPTER 229
MARIJUANA OPT-OUT

Section 1. Legislative Intent

It is the intent of this local law to opt out of allowing on-site cannabis consumption sites in the Town of Salina that would otherwise be allowed under the Marijuana Regulation and Taxation Act (the "Cannabis Law").

Section 2. Authority

This local law is adopted pursuant to Cannabis Law § 131 which expressly authorizes the town board to adopt a local law requesting the Cannabis Control Board to prohibit the establishment of cannabis retail dispensary licenses and/or on-site consumption licenses within the jurisdiction of the town and is subject to a permissive referendum, the procedure of which is governed by Municipal Home Rule Law § 24.

Section 3. Local Opt-Out

The Town Board of the Town of Salina hereby opts out of allowing onsite cannabis consumption sites from being established and operated within the Town's jurisdiction.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, 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. Permissive Referendum/Referendum on Petition

This local law is subject to a referendum on petition in accordance with Cannabis Law § 131 and the procedure outlined in Municipal Home Rule Law § 24.

Section 6. Effective date.

This local law shall take effect on December 31, 2021.

WHEREAS, the Town Board held a public hearing to hear those who support or oppose Local Law 2021-14 on December 13 and December 28;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Salina, County of Onondaga, State of New York, hereby adopts Local Law 2021-14; be it further

RESOLVED, that the Town Clerk shall file this local law with the Secretary of State in the manner prescribed by Municipal Home Rule Law Section 24 related to permissive referendum.

I, JEANNIE VENTRE, Town Clerk of the Town of Salina, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Town Board of the Town of Salina at a regular meeting of the Board duly called and held on the 28th day of December 2021; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

I HEREBY CERTIFY that all members of said Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Salina, this 28th day of December, 2021.

Dated: December 28, 2021
Liverpool, New York

Jeannie Ventre
Town Clerk of the Town of Salina
Onondaga County, New York

PUBLIC HEARING -LOCAL LAW 2021- FORMING A CANNABIS BUSINESS DISTRICT

Mr. Frateschi gave an overview as to where the businesses would be allowed. He said they could be placed in a C-1, C-2, C-3 or I-1. This law sets forth the considerations the Planning Board would have make in regards to special permits for a dispensary. He said he does not anticipate any licenses will be issued in 2022. He said the Supervisor wanted to be prudent and have something in place.

Kim Hoover said she is very concerned with New York State's inability to make things clear. She doesn't want the town codes department to be burdened.

Jim Charon said he plans on applying for a business license and feels it would be discriminatory to restrict placement by zoning. He said there are two cannabis dispensaries already that operate now within the Town which are heavily regulated.

He asked the town to work with the small businesses that would like to locate in Salina.

Mr. Paro said zoning is very important, if we do not create zoning for this we would be abdicating our responsibility.

Ms. Charon said she promotes cannabis and cannabis businesses such as cooking with cannabis and painting with cannabis. She said zoning Industrial would be better for those that are growing. Educating youth is key.

Mr. Frateschi again gave overview as to where the businesses would be allowed. He said they could be placed in a C-1, C-2, C-3 or I-1. He said he would be surprised if anyone thinks they should be placed in a residential area or office. He said the districts chosen would be the most compatible to the business.

Mr. Paro questioned the

Mr. Lafaver said the cannabis dispensary in the office district is for medicinal marijuana.

Daniel Ciciarelli said he would like to spearhead a community outreach to see what the residents and business owners want.

Mr. Magnarelli said he thinks the town welcomes business and is in favor of zoning.

Ms. Gunnip said she felt she could not support approving distribution centers in the town without this zoning ordinance.

CLOSE PUBLIC HEARING

A motion was made by Colleen Gunnip to close the Public Hearing. The motion was seconded by V. James Magnarelli and was put to a roll call vote which resulted as follows Nicholas Paro: Yes, V. James Magnarelli: Yes, Daniel Ciciarelli: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

Mr. Frateschi reviewed SEQR with the board all questions were asked and answered no to small. A motion was made by

LEAD AGENCY

A motion was made by Colleen Gunnip to declare the town Lead Agency. The motion was seconded by V. James Magnarelli and was put to a roll call which resulted as follows: Nicholas Paro: Yes, V. James Magnarelli: Yes, Daniel Ciciarelli: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

SEQR-LOCAL LAW 2021- FORMING A CANNABIS BUSINESS DISTRICT

A motion was made by Colleen Gunnip to adopt a resolution declaring the act of adopting a Local Law forming a Cannabis District to be an unlisted action under Article 8 of the Department Environmental Conservation Law which has no significant environmental impact. The motion was seconded by V. James Magnarelli and was put to a roll call vote which resulted as follows: Nicholas Paro: Yes, V. James Magnarelli: Yes, Daniel Ciciarelli: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

TABLE LOCAL LAW 2021

A motion was made by Nicholas Paro to table the Local Law -Forming a Cannabis District. The motion was seconded by Daniel Ciciarelli and was put to a roll call vote which resulted as follows: Nicholas Paro: Yes, V. James Magnarelli: Yes, Daniel Ciciarelli: Yes, David Carnie: Yes, Colleen Gunnip: No.

She said she has put a lot of work into this Local Law and wanted to see this in place earlier in the year. The matter was put off until the end and said she cannot now support it.

PUBLIC HEARING – LIVERPOOL FIRE PROTECTION DISTRICT CONTRACT

Ms. Gunnip explained there was a 2.3% increase over last year.

No one from the public spoke

CLOSE PUBLIC HEARING

A motion was made by Nicholas Paro to close the Public Hearing. The motion was seconded by Colleen Gunnip and was put to a roll call vote which resulted as follows: Nicholas Paro: Yes, V. James Magnarelli: Yes, Daniel Ciciarelli: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

APPROVE CONTRACT WITH LIVERPOOL FIRE DEPARTMENT FOR LIVERPOOL FIRE PROTECTION DISTRICT

A motion was made by Nicholas Paro to approve a contract in the amount of \$1,661,000.00 with Liverpool Fire Department for fire protection in the Liverpool Fire Protection District. The motion was seconded by Colleen Gunnip and was put to a roll call vote which resulted as follows: Nicholas Paro: Yes, V. James Magnarelli: Yes, Daniel Ciciarelli: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

RESIDENTS WISHING TO SPEAK – TOWN BOARD COMMENTS

Dominick Ciciarelli thanked Colleen Gunnip and V. James Magnarelli for everything. He went on to give his opinions on political positions.

George Palmisano gave a moving speech honoring Colleen Gunnip's numerous accomplishments over her 40 years as a public servant. He presented her with a gift, which was a framed portion of the original Town Hall gymnasium floor.

Nicholas Paro thanked Colleen it has been a pleasure working with you over the past few years.

Jim Magnarelli said this is his last meeting after 12 years. He said he wanted to thank all of the Department Heads they are who make the Town run. He thanked the former Town Attorney Robert Ventre and present attorney Tim Frateschi and thanked Colleen for her friendship and the confidence she had in me. He said no one has worked harder than Colleen over the past few years; leading us through the pandemic, the renovations of Town Hall and the purchase of the streetlights. He wished the new board luck and said he is sure they will lead the Town of Salina in the direction we would like to see it go in.

Daniel Ciciarelli thanked Colleen and Jim and said we would not be where we are today but for you two and the previous board. What you accomplished was more than impressive improving efficiencies and over all services provided to the resident's year in and year out. He said what you did in such a short time keeping politics aside was absolutely amazing. It has been a privilege to have you two be examples to us new guys on the board and hopes you will be just be a phone call away and remain mentors in the future.

Mr. Ciciarelli thanked the Town Clerk for being a wealth of knowledge and always being there for the residents. He wished her the best in her endeavors.

David Carnie this is a changing of the guard. He thanked Colleen Jeannie, Jim and Doug for being the ship that steered us straight through.

Colleen Gunnip read what the word SUCCESS means to the team.

S- sacrifice

U - unity

C- courage

C-commitment

E-enjoyment

S- sincerity

S-satisfaction a job well done.

She said she will miss you all and wished the future board the best of luck.

COMPTROLLER'S REPORT

A motion was made by Colleen Gunnip to approve the transfers as submitted by the Comptroller. The motion was seconded by V. James Magnarelli and was put to a roll call vote which resulted as follows: Nicholas Paro: Yes, V. James Magnarelli: Yes, Daniel Ciciarelli: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

Authorization is hereby given to the Comptroller to make the following budget adjustments:

BUDGET ADJUSTMENTS

071.8129.0471	PITCHER HILL/MATTYDALE SEWER	\$127,959.00
071.0000.0909	PITCHER HILL/MATTYDALE SEWER FUND BALANCE	\$(127,959.00)
	Appropriate from Fund Balance for Sewer Lining	
001.9060.0800	GENERAL FUND HEALTH INSURANCE	\$(488.25)
001.9010.0800	GENERAL FUND RETIREMENT	\$488.25
	Year-end Transfer	
043.0000.0909	MANN DRIVE HYDRANT FUND BALANCE	\$(0.04)
043.8389.0460	MANN DRIVE HYDRANTS	\$0.04
	Year-end Transfer	
044.0000.0909	METRO WATER DISTRICT FUND BALANCE	\$(2.08)
044.8389.0460	METRO WATER DISTRICT HYDRANTS	\$2.08
	Year-end Transfer	
045.0000.0909	ELECTRONIC PARKWAY ARBORGATE FUND BALANCE	\$(15.20)
045.8389.0460	ELECTRONIC PARKWAY ARBORGATE HYDRANTS	\$15.20
	Year-end Transfer	
072.8129.0471	GALEVILLE SEWER TOWN REPAIR	\$(11.46)

072.9710.0700	GALEVILLE SEWER BOND INTEREST Year-end Transfer	\$ 11.46
001.9060.0800	GENERAL FUND HEALTH INSURANCE	\$(500.00)
001.9010.0800	GENERAL FUND RETIREMENT Year-end Transfer	\$500.00
001.9060.0800	GENERAL FUND HEALTH INSURANCE	\$(5,000.00)
001.1440.0480	GENERAL FUND ENGINEERING Year-end Transfer	\$5,000.00

APPROVE MINUTES

A motion was made by Colleen Gunnip to approve the minutes of the December 13, 2021 regular Town Board. The motion was seconded by V. James Magnarelli and was put to a roll call vote which resulted as follows: Nicholas Paro: Yes, V. James Magnarelli: Yes, Daniel Ciciarelli: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

TOWN ATTORNEY'S REPORT

A motion was made by Colleen Gunnip to adopt a resolution approving the acceptance of partial payments for Town and County taxes. The motion was seconded by V. James Magnarelli and was put to a roll call vote which resulted as follows: Nicholas Paro: Yes, V. James Magnarelli: Yes, Daniel Ciciarelli: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

**IN THE MATTER
Of
AUTHORIZING A PARTIAL PAYMENT POLICY FOR
RESIDENTS TO PAY TAXES**

RESOLUTION

The **TOWN BOARD OF THE TOWN OF SALINA**, in the County of Onondaga, State of New York, met in regular session at the Town Hall in the Town of Salina, located at 201 School Road in the Liverpool, County of Onondaga, State of New York, on the 28th day of December 2021, at 6:30 p.m.

The meeting was called to order by Colleen A. Gunnip, Supervisor, and the following were present, namely:

Colleen A. Gunnip	Supervisor
Nicholas Paro	1 st Ward Councilor
V. James Magnarelli	2 nd Ward Councilor
Daniel Ciciarelli	3 rd Ward Councilor
David Carnie	4 th Ward Councilor

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V. James Magnarelli	2 nd Ward Councilor
Daniel Ciciarelli	3 rd Ward Councilor
David Carnie	4 th Ward Councilor

The following resolution was moved, seconded and adopted:

WHEREAS, New York State Real Property Tax Law 928-a authorizes the Town of Salina to accept partial payments of real property taxes;

WHEREAS, it is in the interest of the Town of Salina to afford taxpayers the opportunity to pay taxes in installments and it will benefit the Town of Salina to have the ability to accept partial payments of real property taxes;

NOW THEREFORE, BE IT RESOLVED AND DETERMINED, that the Town of Salina Receiver of Taxes hereby is authorized to accept partial payments of real property taxes, special ad valorem levies and special assessments and to apply such partial payments to the amount owed; and be it further

RESOLVED, that partial payments shall be subject to the following conditions:

1. Each payment shall be any amount of the total unpaid current-year real property taxes, special ad valorem levies and special assessments;
2. No more than four partial payments may be accepted during the ninety-day collection period;
3. The first partial payment shall be made at any time, however if the first payment is made after the initial penalty free period of the collection, penalties will be applied to the payments based on the penalty schedule; and be it

FURTHER RESOLVED, that acceptance of partial payments shall not be deemed to alter or limit any liens and powers of the Town of Salina conferred by general, special, or local law, and the Town of Salina shall continue to have all rights and powers to enforce collection of taxes and liens, together with interests, penalties and other lawful charges.

TOWN ENGINEER'S REPORT

Mr. Wickman explained that the Town Hall project has gone three months past its scheduled close out date due to supply chain issues, as such the construction management group and the architects group have incurred more costs.

APPROVE EXTRA WORK AUTHORIZATION C&S ENGINEERS

A motion was made by Colleen Gunnip to approve an Extra Work Authorization submitted by C& S Engineers for \$35,112.59. The motion was seconded by V. James Magnarelli and was put to a roll call vote which resulted as follows: Nicholas Paro: Yes, V. James Magnarelli: Yes, Daniel Ciciarelli: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

SCHEDULE 2022 ORGANIZATIONAL MEETING

A motion was made by Colleen Gunnip to schedule the 2022 Organizational Meeting on January 1, 2022 at 11:00 am. With the swearing in at 10:30 am. The motion was seconded by Nicholas Paro and was put to a roll call vote which resulted as follows: Nicholas Paro: Yes, V. James Magnarelli: Yes, Daniel Ciciarelli: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

RESOLUTIONS

A motion was made by Colleen Gunnip to table this item until January 10, 2022 meeting. The motion was seconded by Nicholas Paro and was put to a roll call vote which resulted as follows: Nicholas Paro: Yes, V. James Magnarelli: Yes, Daniel Ciciarelli: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

ADJOURNMENT

A motion was made by Colleen Gunnip to adjourn the meeting at 7:44 p.m. and was seconded by Nicholas Paro and was put to a roll call vote which resulted as follows: Nicholas Paro: Yes, V. James Magnarelli: Yes, Daniel Ciciarelli: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

Respectfully submitted

Jeannie P. Ventre, Town Clerk