

REGULAR MEETING

August 2, 2021

A regular meeting of the Sherrill City Commission was held at 7:00 p.m. on August 2, 2021. Present were Mayor W. Vineall, Commissioners T. Dixon, D. Hyle, P. Hubbard, City Manager B. Lovett, and City Clerk M. Holmes.

MINUTES

Motion was made by D. Hyle and seconded by T. Dixon that the minutes of the previous meeting be approved as written.

AYES: Dixon, Hubbard, Hyle, Vineall

BILLS

Motion was made by P. Hubbard and seconded by T. Dixon that the following bills be approved for payment and P. Hubbard be authorized to sign the warrant.

<b>Fund</b>	<b>Warrant No.</b>	<b>Date</b>	<b>Dollars</b>
City Claims on	14	8/2/2021	\$49,999.52
Sewer Claims on	14	8/2/2021	\$434,686.49
P&L Claims on	14	8/2/2021	\$25,699.29
Trust & Agency Claims on	14	8/2/2021	\$1,250.00

AYES: Dixon, Hubbard, Hyle, Vineall

ED WADES FOUNDATION GRANT

Barry VanDreason, Sherrill Recreation Director alerted the commission that the City was selected for a \$17,000 grant from the Ed Wades Foundation for bicycles and a storage shed for the City. Previously a \$10,000 grant was awarded for skis and snowshoes for the recreation department. This recreation equipment will be available throughout the year free for children and at a nominal rental charge for VVS community adults.

2021 – 22 COURT SECURITY CONTRACT

M. Holmes reported that he has received the 2021-22 Court Security Contract authorizing up to \$1,150 for reimbursement. A motion was made by T. Dixon and seconded by P. Hubbard to authorize the City Manager to execute the 2021-22 Court Security Contract.

AYES: Dixon, Hubbard, Hyle, Vineall

ELMWOOD PLACE BRIDGE

Mayor Vineall and B. Lovett reported that the City has been working with the Town of Vernon on the over the past several months, for the Town to procure an ingress/egress easement for the Elmwood Place bridge should a catastrophe occur, and the bridge become unpassable. That bridge is currently the only way in and out of that section of the City. The Town has finally come to the realization that they must procure an easement and will pursue that with the property owners in the Town of Vernon.

RESOLUTION TO HOLD PUBLIC HEARING REGARDING THE ADOPTION OF  
PROPOSED LOCAL LAW NO. 1 OF 2021

The City commission has been considering opting out of allowing the legalized marijuana dispensaries and consumption establishments for the past few months. The commission was distributed a copy of the proposed Local Law. The following resolution was offered by T. Dixon and seconded by P. Hubbard that:

**WHEREAS**, Commissioner T. Dixon has duly introduced proposed Local Law No. 1 of 2021 entitled “A local law adopted pursuant to Cannabis § 131 opting out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the City of Sherrill.”

**WHEREAS**, a copy of said proposed local Law was delivered to each Commissioner August 2, 2021 at this meeting.

**NOW, THEREFORE**, be it

**RESOLVED**, that a public hearing be held on the proposed Local Law on August 23, 2021, at 7:15 pm at Sherrill City Hall, Sherrill, New York; and be it further

**RESOLVED**, that the City Clerk duly publish a notice of this hearing in the official newspaper of the City at least three (3) days prior to the scheduled hearing.

A roll call was taken on the motion which resulted as follows:

Mayor William Vineall	AYE
Commissioner Dixon	AYE
Commissioner Hubbard	AYE
Commissioner Hyle	AYE
Commissioner Shay	ABSENT

The resolution thereupon declared adopted.

**Local Law No. 1 of the year 2021  
City of Sherrill, County of Oneida**

**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 City of Sherrill.**

**Section 1. Legislative Intent**

It is the intent of this local law to opt the City of Sherrill 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 authorized cities 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 City Commission of Sherrill, County of Oneida, 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 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 judgement 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.

UNSAFE BUILDING HEARING  
152 ELMWOOD PLACE

All parties except for Keith Drugulski (former owner) were verified via U.S. postal return receipt to have received the notice of unsafe building no later than July 26, 2021. Mayor Vineall opened the hearing at 7:20 pm for the unsafe building for 152 Elmwood Place. Notice from the City of Sherrill was served on the following parties of interest: John DiCaro, Jeffrey Wolf, Ellis Oster, Nationstar DBA Mr. Cooper, & Keith Dragulski on July 19, 2021. The following resolution was offered by T. Dixon and seconded by P. Hubbard that:

**WHEREAS**, a Notice of Unsafe Building in accordance with Sherrill City Ordinance number 28, dated July 19, 2021 was served on the owner and all parties having an interest in real property located at 152 Elmwood Place, tax map ID #322.015-1-25, pursuant to the Sherrill City Commission's actions at its meeting on Monday, July 12, 2021; and

**WHEREAS**, said Notice of Unsafe Building called for a hearing to be held at the Sherrill City Commission meeting on Monday, August 2, 2021, at 7:15 pm in the courtroom of the Sherrill City Court, 373 Sherrill Road, Sherrill, New York; and

**WHEREAS**, said hearing was held, none of the interested parties were present nor have they formally responded to the City; and

**WHEREAS**, the interested parties were served an order to commence work on the property within 30 days and to be completed within 60 days and the Sherrill City Commission having considered and agreed to same;

**NOW, THEREFORE, BE IT RESOLVED**, the parties of interest to the property at 152 Elmwood Place, having not shown up at the hearing nor responded will have the remainder of the 30 days to August 18, 2021, to commence work; and it is further

**RESOLVED**, that the Sherrill City Codes Inspector shall also inspect said real property prior to the August 23, 2021, Sherrill City Commission meeting and make a report to the Commission as to the status of the clean-up of the property; and it is further

**RESOLVED**, if work is not commenced the City will commence with its legal right to clean up or demolish the property and recoup through legal means their charges or charge back the costs to the property owners of record in the form of a property tax lien on the property.

AYES: Dixon, Hubbard, Hyle, Vineall

Motion was made by D. Hyle and seconded by T. Dixon to adjourn.

AYES: Dixon, Hubbard, Hyle, Vineall

Michael Holmes  
City Clerk