



# Village of Endicott

Linda Jackson, Mayor

Nicholas Burlingame, Deputy Mayor  
R. Ted Warner, Trustee  
Patrick Dorner, Trustee  
Timothy P. Wright, Trustee

A Quality Community

Anthony Bates, Village Manager

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## **Board Meeting December 5, 2022 6:00pm**

### **Order of Business**

#### **1. Pledge of Allegiance – Moment of Silence**

#### **2. Fire and ADA Compliance Announcement**

#### **3. Mayor Announcements**

The parade was spectacular. Thank you to all who worked on the parade and those who participated. A special thank you to Trustee Wright for all his help assembling the floats. Frank Petrilli made a fantastic Parade Marshal.

Congratulations to our Union Endicott football team for making it to playoffs in Syracuse. My secretary and I did go door to door to many businesses on the Avenue on Thursday morning before the parade to gain more involvement in the parade. We did not emphasize the times the Avenue would close since it was done this same way last year. Most were not concerned about the vehicle traffic as long as people could park in the back lots and still access the Avenue. But to avoid confusion next year, we will make this known on the flyers we send out.

The firemen's 'fill the boot' campaign was a huge success.

I spoke at the Sertoma breakfast. Everyone is very interested in the progress in our Village.

I attended Imperium's work fair. Imperium has a Town Hall planned for tomorrow, December 6<sup>th</sup> from 4:00 to 6:00 pm at the McKinley. This is open to the public.

I attended an event at the Binghamton Club for the Wyoming conference and the community center.

Our light department is looking into more lights in the Mersereau park area, especially near the pump station as was requested at the last meeting.

A few months ago, Lori Wahila, put together a list of services offered to people in need along with the United Way. This is public information that is available upon request.

The Phoenix overpass project is half done. They now need to have a crane take down the steel structure after being cut into sections.

#### **4. Trustees**

**Burlingame**-Reminder to all that the Village Parking Rules are now in effect through Mar 31, 2023. He attended all the Village Festivities this past weekend. He fielded calls after the parade from Washington Ave business owners stating that they felt the Avenue was shut down to traffic too early. He feels we need a better communication system to inform all of events/closures etc. He made a motion to add the GFJ Certification letter to tonight's agenda under New Business. Seconded by Trustee Wright

**Dorner**- Comments re: the Parade and the Parade Committee, felt it was a very nice event. He spoke of the issue at the floodwall with homeless people and stated when he went to check it out, they were all gone.

**Warner**-Commended the organizers of the parade. Comments re: the grease dumpsters, clarifying if the businesses are still open and who they belong to. Grease dumpsters had been placed without the Village's approval.

**Wright**- Comments re: the parade and suggested needing more volunteers next year. He rode the Polar Express in Utica. Comments re: a Village dumpster law. Stated concerns re: businesses on the Avenue.

#### **5. Village Manager**

Attended a Washington Ave committee meeting, they are waiting on a few more revisions to the design. He suggested holding off on item #16 on tonight's agenda. He spoke of the grant for the Sertoma field lights which allows us to switch to LED lighting. He spoke of the RestoreNY grant and stated that he has submitted the intent for round 7 and will keep everyone updated with any news. Round 6 was for the former KMart building rehab as well as a demolition project for huron and an intent was submitted for round 7 for both the Northside entry way and a project for downtown housing.

#### **6. Attorney for the Village**

Stated that there is a provision in our Village code (211-17e) that states no dumpsters may be placed on Village property without written permission from the parking authority or the Village Police dept. Dumpsters may be permitted in Village parking lots with permission and payment for permit. Trustee Warner suggested we amend this Village code

#### **7. Special Presentations- None**

#### **8. Public Hearings**

Public Comment re:

- a. LL#15 -2022- Amending the Noise Control Law re: Cannabis Onsite Consumption Establishments  
As no one wished to speak, Mayor Jackson closed the public hearing
- b. LL#16 -2022- Amending the Property and Building Nuisances Law re: Cannabis  
As no one wished to speak, Mayor Jackson closed the public hearing







**16. Unfinished Business**

a. R# -2022- to approve design plans for the Washington Ave Revitalization Project- **No action taken**

**17. New Business**

GFJ Library Grant- renovation of the Casey room

A motion to certify the GFJ lease arrangement certification for the NYS public library construction grant was made by Trustee Burlingame and seconded by Trustee Wright  
Roll Call

Mayor Jackson- Abstain                      Burlingame-Yes                      Warner-Yes  
   Dorner- Yes                      Wright-Yes

A motion by Trustee Dorner was made to present the key to the Village of Endicott to the UEHS Football team and Coach on 12/19/22 at 5:30pm and was seconded by Trustee Burlingame  
Roll Call

Mayor Jackson- Abstain                      Burlingame-Yes                      Warner-Yes  
   Dorner- Yes                      Wright-Yes

A motion to call for a Special Meeting for the key ceremony was made by Trustee Burlingame and seconded by Trustee Wright  
Roll Call

Mayor Jackson- Abstain                      Burlingame-Yes                      Warner-Yes  
   Dorner- Yes                      Wright-Yes

**18. 2nd Hearing of Visitors**

Chief Garey- spoke of potential candidates for the open SRO position and also an opening within the department

As no one wished to speak, Mayor Jackson closed the 2nd hearing of visitors

**19. Board Comments**

**Warner-** wanted to make sure the Cannibus Local Laws were sent overnight- yes they were.

**Dorner-** Kmart Plaza, suggested to have a Delta come here and speak on legalities

**Mayor Jackson-** comments re: the Town of Union board being all republican. Mayor Jackson has worked with the Town for years and feels a great relationship with them, despite which party that they are and will continue to do so.

**20. Executive Session**

**21. Adjournment**

A motion to adjourn at 8:31pm was made by Trustee Burlingame and seconded by Trustee Wright  
Roll Call

Mayor Jackson- Abstain                      Burlingame-Yes                      Warner-Yes  
   Dorner- Yes                      Wright-Yes

## VILLAGE OF ENDICOTT

### LOCAL LAW NO. 15 FOR THE YEAR 2022

#### A LOCAL LAW AMENDING THE NOISE CONTROL LAW REGARDING CANNABIS ONSITE CONSUMPTION ESTABLISHMENTS

Be it enacted by the Village Board of the Village of Endicott as follows:

Section 1. Legislative Intent and Authority

The purpose of this Local Law is to regulate the potential noise impacts of Cannabis Onsite Consumption Establishments within the Village of Endicott. This Local Law is adopted pursuant to the Village's authority in Article 4 of the NYS Village Law and Article 2 of the Municipal Home Rule Law.

Section 2. Amendment to Section 174-5.E

Section 174-5.E of the Endicott Noise Control Law shall hereby be amended by adding the phrase "cannabis onsite consumption establishment" between the words "restaurant" and "bar".

Section 3. Remainder

Except as hereinabove amended, the remainder of the Code of the Village of Endicott shall remain in full force and effect.

Section 4. Severability

The provisions of this Local Law are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 5. Effective Date

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

#### CERTIFICATION

I, Anthony J. Bates, do hereby certify that I am the Village Manager of the Village of Endicott and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Village Board at a meeting thereof held via Zoom Video Conference on the 5th day of December, 2022. Said resolution was adopted by the following roll call vote:

A motion to approve LL#15-2022 was made by Trustee Burlingame and seconded by Trustee Wright

Said resolution was adopted by the following roll call vote:

Trustee Warner- Yes

Trustee Dorner- Yes

Trustee Burlingame-Yes

Trustee Wright- Yes

This notice is given pursuant to a resolution of the Board Duly Adopted at a regular meeting thereof held on the 5<sup>th</sup> day of December, 2022

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Anthony J. Bates, Village Manager  
Village of Endicott



## VILLAGE OF ENDICOTT

### A RESOLUTION #41-2022 APPROVING LOCAL LAW #15-2022

At a meeting of the Board of Trustees of the Village of Endicott, held at the Municipal Building, 1009 E Main Street, Endicott, NY on the 5th day of December, 2022, the following resolution was offered and seconded:

**WHEREAS**, notice was given that the Village Board scheduled a public hearing for December 5, 2022 at 6:00 p.m. for Local Law No. #15 of the Year 2022 entitled "A LOCAL LAW AMENDING THE NOISE CONTROL LAW REGARDING CANNABIS ONSITE CONSUMPTION ESTABLISHMENTS"; and

**WHEREAS**, a notice of said public hearing was duly advertised in the official newspaper of the Village and posted on the Village Clerk's signboard; and

**WHEREAS**, said public hearing was duly held on the 5th day of December, 2022 at 6:00 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

**WHEREAS**, pursuant to the State Environmental Quality Review Act, it has been determined by the Village Board that adoption of the proposed Local Law constitutes a Type II Action as defined under 6 NYCRR 617.5(c)(26) and (33).

**NOW, THEREFORE BE IT RESOLVED** that the Village Board of the Village of Endicott hereby adopts said Local Law as Law No# 15 of the Year 2022 entitled "A LOCAL LAW AMENDING THE NOISE CONTROL LAW REGARDING CANNABIS ONSITE CONSUMPTION ESTABLISHMENTS"; and it is further

**RESOLVED** that the Village Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and give due notice of the adoption of said Local Law to the Secretary of State; and it is further

**RESOLVED** that this resolution will take effect immediately upon filing with the Department of State.

### CERTIFICATION

I, Anthony J. Bates, do hereby certify that I am the Village Manager of the Village of Endicott and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Village Board at a meeting thereof held via Zoom Video Conference on the 5th day of December, 2022. Said resolution was adopted by the following roll call vote:

A motion to approve R#41-2022 was made by Trustee Burlingame and seconded by Trustee Wright

Said resolution was adopted by the following roll call vote:

Trustee Warner- Yes

Trustee Dorner- Yes

Trustee Burlingame- Yes

Trustee Wright- Yes

This notice is given pursuant to a resolution of the Board Duly Adopted at a regular meeting thereof held on the 5th day of December, 2022

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Anthony J. Bates, Village Manager

Village of Endicott

## VILLAGE OF ENDICOTT

### LOCAL LAW NO. 16 FOR THE YEAR 2022

#### A LOCAL LAW AMENDING THE PROPERTY AND BUILDING NUISANCES LAW REGARDING CANNABIS

Be it enacted by the Village Board of the Village of Endicott as follows:

##### Section 1. Legislative Intent and Authority

The purpose of this Local Law is to update the Property and Building Nuisances Law in order to reflect changes in State law regarding the regulation of cannabis. This Local Law is adopted pursuant to the Village's authority in Article 4 of the NYS Village Law and Article 2 of the Municipal Home Rule Law.

##### Section 2. Amendment to Section 190-1

Section 190-1 of the Endicott Property and Building Nuisances Law shall hereby be amended by adding the phrase "and other State law" after the word "Penal Law" in the first sentence.

##### Section 3. Amendment to Section 190-3 (Definition of Adverse Impact)

Section 190-3, definition of Adverse Impact, shall hereby be amended by deleting the current definition and replacing it with:

Includes, but is not limited to, the following: any search warrants served on the property where controlled substances and/or weapons were seized; investigative purchases of controlled substances on or near the property by law enforcement agencies or their agents; arrests for violations of controlled substance law and/or possession of weapons; loitering for the purposes of engaging in illegal activity; an increase in the volume of traffic associated with property; complaints made to law enforcement officials of illegal activity associated with the property, finding of illegal weapons, as defined in § 265 of the Penal Law, or controlled substances, as defined in Articles 220 and 222 of the Penal Law, or violations of the Cannabis Law, on or near property by law enforcement officials and their agents.

##### Section 4. Amendments to Section 190-3 (Definition of Public Nuisance)

Section 190-3, definition of Public Nuisance, shall hereby be amended as follows:

by deleting Section C(3) and replacing it with "Article 222 of the Penal Law, Offenses Involving Cannabis"

and adding the following to Section C:

(12) Any violation of the Cannabis Law.

(13) Article 179 of the Penal Law, Criminal Diversion of Medical Cannabis.

(14) Any violation of Article 33, Title V-a of the Public Health Law, Medical Use of Marihuana.

Section 5.      Remainder

Except as hereinabove amended, the remainder of the Code of the Village of Endicott shall remain in full force and effect.

Section 6.      Severability

The provisions of this Local Law are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 7.      Effective Date

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

**CERTIFICATION**

I, Anthony J. Bates, do hereby certify that I am the Village Manager of the Village of Endicott and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Village Board at a meeting thereof held via Zoom Video Conference on the 5th day of December, 2022. Said resolution was adopted by the following roll call vote:

A motion to approve LL#16-2022 was made by Trustee Burlingame and seconded by Trustee Warner

Said resolution was adopted by the following roll call vote:

Trustee Warner- Yes

Trustee Dorner- Yes

Trustee Burlingame-Yes

Trustee Wright- Yes

This notice is given pursuant to a resolution of the Board Duly Adopted at a regular meeting thereof held on the 5<sup>th</sup> day of December, 2022

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Anthony J. Bates, Village Manager  
Village of Endicott

## VILLAGE OF ENDICOTT

### A RESOLUTION APPROVING LOCAL LAW #16-2022

At a meeting of the Board of Trustees of the Village of Endicott, held at the Municipal Building, 1009 E Main Street, Endicott, NY on the 5th day of December, 2022, the following resolution was offered and seconded:

**WHEREAS**, notice was given that the Village Board scheduled a public hearing for December 5, 2022 at 6:00 p.m. for Local Law No. #16 of the Year 2022 entitled “A LOCAL LAW AMENDING THE PROPERTY AND BUILDING NUISANCES LAW REGARDING CANNABIS”; and

**WHEREAS**, a notice of said public hearing was duly advertised in the official newspaper of the Village and posted on the Village Clerk’s signboard; and

**WHEREAS**, said public hearing was duly held on the 5th day of December, 2022 at 6:00 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

**WHEREAS**, pursuant to the State Environmental Quality Review Act, it has been determined by the Village Board that adoption of the proposed Local Law constitutes a Type II Action as defined under 6 NYCRR 617.5(c)(26) and (33).

**NOW, THEREFORE BE IT RESOLVED** that the Village Board of the Village of Endicott hereby adopts said Local Law as Law No. #16 of the Year 2022 entitled “A LOCAL LAW AMENDING THE PROPERTY AND BUILDING NUISANCES LAW REGARDING CANNABIS”; and it is further

**RESOLVED** that the Village Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and give due notice of the adoption of said Local Law to the Secretary of State; and it is further

**RESOLVED** that this resolution will take effect immediately upon filing with the Department of State.

### CERTIFICATION

I, Anthony J. Bates, do hereby certify that I am the Village Manager of the Village of Endicott and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Village Board at a meeting thereof held via Zoom Video Conference on the 5th day of December, 2022. Said resolution was adopted by the following roll call vote:

A motion to approve R#42-2022 was made by Trustee Burlingame and seconded by Trustee Warner

Said resolution was adopted by the following roll call vote:

Trustee Warner- Yes

Trustee Dorner- Yes

Trustee Burlingame-Yes

Trustee Wright- Yes

This notice is given pursuant to a resolution of the Board Duly Adopted at a regular meeting thereof held on the 5th day of December, 2022

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Anthony J. Bates, Village Manager

Village of Endicott

## JANICE ORLANDO

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**From:** LINDA JACKSON  
**Sent:** Tuesday, December 6, 2022 12:44 PM  
**To:** JANICE ORLANDO  
**Subject:** LONG VERSION

### MAYOR ANNOUNCEMENTS, DECEMBER 5, 2022

The parade was spectacular. Thank you to all who worked on the parade and those who participated. A special Thank you to Trustee Wright for all his help assembling the floats. Frank Pettreli made a fantastic parade Marshall. Donna Lupardo was ill and could not attend but thank you to Town of Vestal Supervisor John Schafer for riding with me in the parade. JC mayor Meaney had an event in JC to attend. Our Trustees, Town of Union, and other political figures were also supportive. Congratulations to our to our Union Endicott football team for making it to playoffs in Syracuse.

My secretary and I did go door to door to many businesses on the Avenue on Thursday morning before the parade to gain more involvement in the parade. We did not emphasize the times the Avenue would close since it was done this same way last year. But we did tell people the Avenue would be closed. Most were not concerned about the vehicle traffic as, long as people could park in the back lots and still access the Avenue. But to avoid confusion next year, we will make this know on the flyers we sent to the Avenue.

Mayor Meaney from Johnson City called me in regard to their work with these small shops selling stickers and giving away marijuana. Our CPTED committee has wanted to work with Jonson City and Binghamton on this since many of these owners have places in all three Municipalities. Hopefully with working together we can control this problem.

The firemen's 'fil the boot' campaign was a huge success.

Spoke at the Sertoma breakfast. Everyone is very interested in the progress in our Village.

Attended Imperium's work fair. It is hard to find the building entrance between the building and parking lot. We will plan to have another on at the Event Center. Perhaps include a booth to address housing needs for employees and day care options. I was given a very extensive tour of the whole plant and saw all the remodeling plans. Imperium has a Town Hall planned for tomorrow, December 6<sup>th</sup> from 4:00 to 6:00 pm at the McKinley. This is open to the public.

Imperium said they want to be more involved with the Village. Working on projects so they can connect with the community. I have two openings now for positions with the light commission. One Imperium representative does live in our Municipal light district and is interested in a position on this commission.

Attended an event at the Binghamton club for Wyoming conference and the community center.

Had a couple inquiries about doing more for the Union District. It would be best to first organize a Union District business association. After all, this is what people see on their way to Dick's Open! An imperium representative is connected with an owner in the Union district, so I asked him to talk to his neighbors there.

Our light department is looking into more lights in the Meurseau park area, especially near the pump station as was requested at the last meeting.

A few months ago, Lori Whalia, put together a list of services offered to people in need along with the United Way. This is all public information that is available upon request.

The Phoenix overpass project is half done. They now need to have a crane take down the steel structure after being cut into sections.