

The Village of Schuylerville
Public Hearing
December 22, 2021

On the Adoption Of Either A Proposed Local Law To Opt Out of Cannabis
Dispensaries And On-Site Consumption Within The Village Limits or to Opt Out
of Only On Site Cannabis Consumption Within the Village Limits

Mayor Carpenter opened the public hearing with the pledge of allegiance.

Present:

Mayor Carpenter
Trustee Drew
Trustee Colvin
Trustee LeBaron
Attorney Klingebiel

Absent;

Trustee Baker

Mayor Carpenter read a letter that was submitted by Bruce Ricketson, residing at 226 North Broad Street, as Mr. Ricketson was unable to attend. The letter voiced his opinion that the village should opt out of the dispensaries and on-site consumption. This opinion was due to the experiences that he and his wife had in Amsterdam (Holland) and San Francisco with dispensaries and on-site consumption.

Patricia Smola of 5 Schuyler Island Drive spoke. She stated that she had had to deal with medical marijuana dispensaries when her husband was sick. She stated that there were very strict rules. She was not even allowed to go in with him. She does not feel that there would be a problem if there were to be a dispensary in the village. She also stated that she felt that it was unlikely that the village would even get one. She felt that opting out would only result in the village losing out on the potential revenue. She stated that she had dealt with NYS extensively and most of the locations are not in a village setting, as they require designated parking. Mayor Carpenter asked if she witnessed any negative issues when she visited the dispensary. She said that she did not. She felt that the rules were very strict. They (dispensary staff) came out to the car to get her husband, brought him in and brought him back out. There were guards at the door. Mayor Carpenter stated that at the dispensaries he had visited, he had to show his ID at the door and then again when he got inside the building.

Wendy Lukas 77 Green Street spoke again. She asked for clarification on whether the board would be opting out of both the on site and the dispensaries, as she had thought that the board was only considering opting out of on-site consumption. Attorney Klingebiel clarified that the board was being presented with both a local law to opt out of just on-site consumption, or a local

law to opt out of both retail dispensaries and on-site consumption. He clarified that the Town of Saratoga only opted out of on-site consumption. She stated that the number of dispensaries will be strictly regulated. They will not let every municipality have one. She did not see any reason why the village should not be allowed to receive this revenue. She also mentioned that dispensaries are extremely expensive to open.

Leona Colvin of 64 Pearl Street spoke. She stated that first she would like to clarify that there is a distinct difference between a medical marijuana dispensary and marijuana dispensaries in general. Her concern was that the state of New York has not given guidance regulations or information on how this is going to proceed. Municipalities only have until December 31st to decide if they want to opt out. She stated that she feels that the board has a responsibility to opt out now while they can, and they could opt back in at a later date. She said she had no problems with use but that she feels it is a quality of life issue. She worried about what the state might mandate. "For you to make a decision with information you don't have is irresponsible as the protectors of the village and its residents," she told the board.

Devon Nazarenko, 45 Pearl Street spoke. He stated that if we were to look at states that have already opened up to recreation sales and we look at whether or not there have been negative repercussions, that he feels that you would find that there has been overwhelming positive response to the dispensaries in those communities.

William Baker, 52 Green Street spoke. He stated that he used Marijuana as a young person but stopped when he had children as he did not want to be doing anything illegal. About ten years ago, he had back surgery and used it medically, so that he could sleep at night without pain. About five years ago, he used it again for about 9 days in order to get off the opiates that he had been prescribed. He has been going to Massachusetts to get the recreational grade, as he feels it works better. He also stated that he felt that if people wanted to demonize a drug, alcohol was much worse than marijuana. Whether he gets the marijuana here or in Saratoga, he says, "what is the difference, he will still use it at his house, so we might as well have the money coming in to the village." He also pointed out that growing marijuana will be legal, and that he feels people will be growing in their back yards anyway.

Travis Schoonmaker, Pearl Street. He is neither for or against the dispensaries. He feels that if the village opts out now, it might be too late when we do decide to opt back in, and we will miss out on the revenue.

Phillip Giroux 11 Washington Street stated that he felt that there are already loopholes for those who want to sell marijuana. For example, in the city they are selling stickers, and if you get a sticker you get a prize, which is a bag of marijuana, and that the village might as well benefit from the revenue.

Wendy Lukas 77 Green Street asked if the board will be making a decision at this meeting. Mayor Carpenter stated that the board would be deciding one way or another.

Devon Nazarenko of 45 Pearl Street spoke again. He asked Mayor Carpenter if one of the laws were going to be passed tonight or if there is a chance that neither law will be passed. Mayor

Carpenter clarified that there were three different scenarios. One is that the board could opt out of just on-site consumption, the second could be that the board could opt out of both on site and retail dispensaries, or the board could do nothing and would automatically be in for both. If the board were to decide to opt out, the public could get together a petition within 30 days from the passage of the local law with signatures of at least 20% of the eligible voters in the village (Village Clerk Patterson stated that number is 175 voters) to have a permissive referendum, whereby the residents would be able to bring the matter to a special election. If those 175 signatures were met and submitted to the village clerk, then there will be a special election.

Philip Gireaux 11 Washington Street spoke again. He expressed his view that if the board opted out of dispensaries, that this would just result in the benefit of local drug dealers and a loss of tax revenue for the village and the county.

Travis Schoonmaker asked if the board had any ideas what they would do with the additional revenue. Mayor Carpenter stated that the funds would be used to improve the quality of life for residents in the village, whether it be sidewalks, infrastructure or even a reduction on village taxes.

Mayor Carpenter asked if there was anyone else who would like to speak. No one responded.

Trustee Drew made the motion to close the public hearing, Mayor Carpenter seconded the motion, all in favor, hearing closed.

Trustee Colvin made the motion to pass the local law to opt out of both the dispensary and the on-site consumption. He feels that there is not enough information from the state on how this will be regulated. He does not agree with the recreational use of marijuana. He has a CDL license and cannot use marijuana or he will lose his job. As far as personal use he does not like it. There was no second, motion failed.

There was a discussion in which Attorney Klingebiel clarified that there is no law that would permit the village to limit consumption of marijuana anywhere other than on village property. Wendy Lukas stated there are many other ways that marijuana can be consumed other than smoking.

Trustee Colvin made the motion to pass the local law to opt out of on-site consumption, there was no second, motion failed.

Trustee Drew made a motion to adjourn the meeting, Trustee LeBaron seconded the motion, all in favor, meeting adjourned.

Recording Secretary

Cory Heyman