



# Village of East Syracuse

204 North Center Street, East Syracuse, NY 13057

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## Mayor

Robert T. Tackman

## Deputy Mayor

## Trustees

Mary Albanese

Margaret Raesky

Dominic Celletti

## Justice

Joseph Zavaglia

## Manager/Clerk

Michael Moracco

## Parks & Recreation

Thomas Richardson

## DPW Superintendent

Patty Hughson

## Code Enforcement

Christopher Shields

## Fire Chief

Christopher Shields

## Village Board Special Meeting & Public Hearing

September 21, 2021

6:00pm

## Agenda

**Present:** Mayor Tackman, Trustee Albanese, Trustee Celletti, Trustee Raesky

**Also present:** Codes Director Shields & Village Attorney Robert Germain-Attended Virtually

**About 10 Village Residents attended.**

1. **Special Meeting called to order** by Mayor Tackman at 6:03pm

### **Public Hearing:**

2. **Public Informational Hearing on possible Cannabis local laws called to order** by Mayor Tackman at 6:04pm

3. Mayor Tackman presentation on Cannabis options:

- 2 options:

- Option 1- Retail sale- This is an option to walk in, purchase the product and take it home so it's not being consumed on property.

- Option 2- On-site consumables- Where you walk into a facility, buy the product there and consume it on-site.

**Mayor Tackman:** Those are the 2 options that we can deal with from a Village perspective as a local government. We have till the end of the year to decide if we want to allow it. If the Village Board decides they want to allow it there really isn't any further action that needs to be taken by the Village Board and January 1, 2022 it would effectively become legal to sell in those 2 ways. Now remember, even prior to today it is a legal substance to have and consume in NY State so that's not up for discussion. This is just regarding the 2 sales options. If we decide we do not want to allow the sales options, then we would have to pass a local law to Opt-Out. If we decide to opt out, we will then have to hold another public hearing to identify if we have to pass 2 local laws. One for the consumption on-site and the other for the retail sale. Just like any local law we must hold a public hearing so that's why tonight you hear me reference it as an informational hearing. I recommend the board make a motion to allow the public to know which direction we are going.

With that, the state regulations are still being written and the state is still creating the oversight committee. Essentially, they're taking the Liquor Law and working along those guidelines using the same types of laws/rules. Once it is in place businesses would still have to go through the Zoning Board and meet all of our standard zoning requirements. This includes 500 ft. away from any school as well as 200 ft. away from

any place of worship. At the same time the Village itself has 2 different zones as well (general and commercial).

**Benefits of Opting-In: Revenue-** Currently the revenue source is 3% of the tax that's collected from sales. According to the law, because we sit within the Town of DeWitt, we will have to share 1.5% with the Town if they decide to opt in. If the town decides to opt out, then the Village will gain 3%. If we decide to opt out and hold a public hearing, there are 2 options that could still happen with the Village residents. The first, is we could force a referendum where we tell the public we are going to opt out and pass the local law. We could then put it out to vote just as some villages throughout Onondaga county and NY state are doing. It will most likely be 1-2 years till this all comes together because they still haven't completed writing the regulations. We could also pass it and not do the referendum, but then the residents have 30 days from when the local law passed to petition the board to do a referendum. Tonight, we wanted to hear from the residents and give them the chance to share their opinions.

4. Email Public Comments:

- a. Several email correspondents were received for this informational hearing. Mayor Tackman read each of them out aloud.
- b. These emails are filed with the minutes with the Village Clerk.

5. Public Comments:

**Resident Romona of E. 2<sup>nd</sup> St.:** Has anyone approached you about putting in a dispensary or an action of it being Village ran?

**Mayor Tackman:** No, the Village is not in the business of retail sales. Our attorney might have more to say.

**Robert Germain:** No, it would not be legal. The Village is not allowed to engage in business for commerce.

**Romona:** Will there be a cap on how many dispensaries are allowed in the Village?

**Mayor Tackman:** As of now, just as with a liquor license, we cannot regulate how many will open in the Village. We can however limit where they are allowed.

**Romona:** Will this be for consumption or for sale only?

**Mayor Tackman:** There are 2 separate local laws that will have to be passed to opt out. We could allow one but not the other, both or neither.

**Resident Jordan of E. Heman St.:** I first would like to thank the Board and the mayor for being so transparent with this meeting and doing the outreach. As well as the accessibility both through e-mail and virtual online options. I wanted to just say that I also agree with the e-mails in support of both pieces of legislation that were passed on the state level. As I walk through the Village on most nights and talk with neighbors, they seem in support of this legislation. I appreciate this opportunity to hear from more community members. Thank you.

**Village Business Owner Ian:** I don't live in the village but I do own a business in the village. When you talk about the income derived from this, income is a two-edged sword. Taxes. You make money but you also cause social wreckage with some of the things that we pass and that has to be weighed. One thing I'd like to mention is that the state has legalized cannabis, but the Federal government has not yet. One problem I've been facing for over a year now. It took me over a year to find a truck driver with a class A license. It's also hard to find bus drivers to bring the kids to school.

**Resident:** If it is allowed will there be certain hours of operation or will it be open 24hrs?

**Robert Germain:** We are allowed to enact time place and manner restrictions. If we want to limit the hours, we are allowed to do that

**Mayor Tackman:** As a local law we can do that, and I imagine the commission that the state creates will probably have some kind of hour restrictions as well.

**Resident:** We do federally funded programs in my company. My drivers were randomly tested. If my drivers tested positive for marijuana, being that we have a federally funded program, they will be dismissed. However, if they were just state and county programs it would be ok if they tested positive.

**Resident:** We have the option to opt out till the end of the year but it's not like January they're going to open shops. It will be at least a year till anything opens.

**Mayor Tackman:** Yes, that's right. If the board decides to opt out and go to a referendum and we want to carry a referendum on let's say next November general elections instead of doing a special election. Even though it's more than a year out it's not a concern because the regulations are not even written yet. I don't see the public being able to buy or walk into one of these facilities for at least another year if not more.

**Village resident asks:** We have a list of places that won't allow it but, is there a list of places that will allow it?

**Mayor Tackman:** Main Street retail or general retail.

**Resident:** I think this would offer a safe regulated place for people to purchase cannabis and know what it contains.

Another resident then asks Mayor Tackman on his thoughts.

**Mayor Tackman:** I don't think we have much of a choice not to allow it and again for many of the reasons that we've already brought up. My concern is that if we don't, we boarder the city. If someone decides to put something right in Eastwood, people will still be driving through the Village and we will still have the same EMS, fire, police and social services response issues that we're going to deal with as far as those who are consuming/smoking it to the extreme. This will allow revenues to help rectify those issues. Weather its buying special medical equipment to help resuscitate or buying extra equipment to assist with accidents.

**Motion by Trustee Albanese, Seconded by Trustee Raesky to close the informational hearing at 6:37pm.**

**Polling the Board: YES**

**Motion carried**

**Discussions:**

6. Village Board Discussion on Cannabis options:

**Motion by Trustee Celletti, Seconded by Trustee Raesky to allow the sale in the Village.**

**Polling the Board: YES**

**Motion carried**

**Motion by Trustee Celletti, Seconded by Trustee Raesky to allow the consumption in the Village.**

**Polling the Board: YES**

**Motion carried**

7. Election signs complaint:

Mayor Tackman discussed: There was recently a complaint about election signs in the right of way. No signs should be placed in the Village rights-of-way or Village properties. During the election session the Village will limit the enforcement and the rules for election signs will be posted online. Generally, they are the responsibility of the property owner. The board members agreed with the mayors suggestion.

8. Knights of Columbus Building idea:

Mayor Tackman discussed: The Knights of Columbus Building is going up for sale. We are thinking of the possibility of using some of our Covid funds to buy the building and create a teen center or maybe just a general center for the public to rent out. This is still in the early stages, and we have to look into this more. We are looking into getting schools involved and the possibility of parks to get programs after school.

Resident:

I think it would be great to have some emotional health services or social emotional learning available to the kids.

Resident:

I just wanted to follow up on the comment about social emotional programs and mental health outreach. Have you considered reaching out and partnering with some churches in the area? I think there's a lot of hurting, lonely and fearful teenagers as well as adults in this area.

9. A couple residents from W. Heman St. arrived after the informational hearing on Cannabis. Mayor Tackman informed them of the decision the board had made and asked if they wanted to share any comments. The residents provided their feedback on why they disagree with the boards direction and asked the board for their feedback on why they are allowing it.

10. **Motion by Trustee Raesky, Seconded by Trustee Albanese to adjourn the special meeting at 7:10pm.**

**Polling the Board YES**

**Motion carried**