

At a special joint meeting of the Board of Trustees of the Village of Morrisville and the Town of Eaton Councilmen, held the 24<sup>th</sup> day of August, 2021 at the Town of Eaton Town Hall, Morrisville, there were:

Present:	Thomas Lane	Mayor
	Kathleen Roher	Trustee
	William Donnelly	Trustee
	Amy Will	Village Clerk-Treasurer
	Cliff Moses	Town Supervisor
	Joseph Wicks	Councilman
	David Verne	Councilman
	Sam Rogers	Assistant District Attorney
Absent:	Michael Higgins	Trustee
	Judy Scholefield	Trustee
	Jeffrey Golley	Councilman

Village Residents: Christine Cunningham, Deb Lane, Olivia Sayre, Tiffany Pacheco, Jim Harp, Mark Whitney, Natalie Sweeney, Danielle Papelino, Ron & Charlene Bush, Judy Donnelly, Joel Marshall, Kelly Hennigan, Nicholas Snyder.

Town Residents: Deb Clark, Dean Curtis, John & Marcia Reed, Shane Gallup, Steve Palmere, Johanne Purple, Cynthia Basic-Snyder, William Snyder, Debra Ketcham, Nancy Benedict, Amanda Marshall.

SUNY Morrisville Representatives: Paul Field, Chief of University Police, and Mary Bonderoff, Interim Vice President for Student Affairs and Chief Diversity Officer.

Mayor Lane called the joint meeting of the Board of Trustees and Town Council to order at 6:03 p.m. with the Pledge of Allegiance. He stated that the purpose of this meeting is not to discuss the opinions of board members, but to provide information and solicit public comment from village and town residents on the option for allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Village of Morrisville or Town of Eaton.

Supervisor Moses stated that under the new law towns and villages may opt out of allowing cannabis retail dispensaries and/or on-site consumption establishments from locating and operating within their boundaries. He noted that municipalities cannot prohibit possession, consumption or cultivation. To opt-out of retail dispensaries or on-site consumption establishments, the town or village needs to adopt a local law.

Mayor Lane opened the public hearing at 6:08 p.m.

Cynthia Basic-Snyder questioned whether any projections have been made on the tax revenue this may bring to our area. Supervisor Moses responded that there have not and it will be difficult to estimate because it will depend on what neighboring towns are doing. If we are surrounded by towns opting out, and we opt in, more will revenue will obviously come here.

Charlene Bush questioned whether we know if our neighboring communities have acted one way or the other. Someone in attendance indicated that the Village of Hamilton has opted out.

Steve Palmere questioned who makes the decision to opt out, only the boards? Supervisor Moses explained that the local elected board will make the decision to opt out. A local law would be adopted by the municipality to opt out, and that local law is subject to permissive referendum, meaning the qualified voters of that municipality can petition for a vote. Mr. Palmere questioned why the boards wouldn't want this in the town or village as it's going to bring revenue.

Shane Gallup said he has been traveling to a dispensary in Massachusetts. He said the benefit of going to a dispensary is that you know what you are getting, it is regulated. You may pay a higher fee, but he is more comfortable going that route than buying it from some guy down the street who is growing it. Mr. Gallup noted the revenue from this could be both substantial and beneficial, and he believes this is a step in the right direction. The industry will be regulated on both state and local levels. He said it is personally beneficial for him and he thinks a lot of people would say the same. Mr. Gallup noted that he'll go to the next town over if they offer a dispensary and we don't. He believes having a dispensary here would benefit smaller businesses in town as well.

William Snyder asked if consideration has been given to students in the market. They have always had marijuana and always will. They like the convenience of a dispensary. There are a lot of students that want this, besides local residents. He suggested the boards consider the amount of potential revenue this could generate. He noted that in Colorado and Oregon their state university systems are flush with money after legalization. This will boost our economy.

A SUNY Morrisville student said students are now getting into the cannabis minor at the college. She said the village should opt in and keep the revenue here. Another SUNY Morrisville student agreed and said if there were a dispensary here the students in the cannabis minor could get a job or internship at the dispensary and learn the retail side of it, first hand. She said Morrisville is a hands-on college and the cannabis minor with a local dispensary could be a learning opportunity.

Charlene Bush said she is open to the idea of having it available for purchase, but in the same regard consumption on the street in front of her grandchild is concerning. She questioned whether there is an option to allow a dispensary but not an on-site consumption establishment. Supervisor Moses confirmed that is an option.

Jim Harp said he is of the opinion that legalization is a good idea as well as having restricted selling locations. He said dispensaries will provide a clean product, and consumers will have peace of mind that they are getting a good product and not something off the street that is laced with Fentanyl or heroin. He personally knows someone who died from bad marijuana. Mr. Harp is in favor of a dispensary because it will be controlled and a better product.

Supervisor Moses went back to the point made by Charlene Bush. If you are over 21, you can possess it and you cannot control smoking on the street. Mrs. Bush responded that is her concern; can a bunch of kids hang out on the corner and legally smoke a joint while others are walking up and down the street, or is it like the open container law where that would not be permitted? Attorney Rogers said he believes this to be considered more of a tobacco issue and in that respect, it would not be parallel to the open container law. It would be treated just like tobacco. Mrs. Bush said it sounds like it's not controllable then. Supervisor Moses reiterated that wherever vaping or smoking is permitted, marijuana can be used.

Judy Donnelly questioned what reasons the communities which opted out offered for doing so. Supervisor Moses said within the Town of Cazenovia they currently have zoning which prohibits retail stores. Because a dispensary is a retail store, their zoning eliminates that, unless they change their code. Supervisor Moses noted that he was told that the only location within the Town of Cazenovia where that would not apply is New Woodstock.

Attorney Rogers said that from the District Attorney's perspective, something to be concerned about is an unintended consequence, such as consuming pot and operating vehicles. This is not like alcohol. When it comes to pot, it's hard to enforce driving under the influence as there is not a clear way to determine if someone is high on pot at the time of a vehicle stop. He continued that with alcohol, there is a blood alcohol level that can be determined at that time. With pot, it stays in your system for up to a month because the body metabolizes it slower. Attorney Rogers said what's for someone to say it's in my system but I smoked 15 days ago. He said from their perspective, it makes enforcement harder and policing the safety of the roads harder. He added that the state police are working with different laboratory tests to determine intoxication from pot. Attorney Rogers said another consideration is that everyone believes they are going to use this in a mature and safe way for those around us. However, that is not always the case for others. Steve Palmere responded that people are out there doing that now. People have been smoking marijuana and driving down the road for years. Attorney Rogers said it might be great to bring people into your

community, increase revenue, and maybe people are just going to buy it and go home. But some may buy it and have some before they leave. He said it just raises that risk and from a District Attorney's perspective and is a potential issue. Shane Gallup noted that when he travels to a dispensary in Massachusetts the bulk of the vehicles you see in the parking lot are from Connecticut, Pennsylvania and New York. While in Massachusetts, he and his wife will visit a restaurant and shop downtown. Mr. Gallup said never once has he seen someone smoke on the street or in the parking lot. It's a matter of responsibility. If you drink and drive, play on your phone and drive, you have to be responsible. In his opinion, it's a moot point as you are either going to do it as a responsible adult or you are not.

Cynthia Basic-Snyder said she would hate to forgo the potential revenue for our area. The discussions about whether you can grow it at home, or if someone is going to smoke and drive, that is irrelevant to having a dispensary. These are two different discussions in her opinion.

Supervisor Moses noted that the boards have not decided one way or the other, we wanted to obtain community input first. He went on to say that people tonight are talking about money coming in, when at the same time we have company that wants to put six wind turbines in the town but people are saying they don't want it. That will bring in \$100,000 per year to offset taxes. Supervisor Moses questioned what is the difference, it is also revenue. Mrs. Basic-Snyder responded that the windmills cause wear on our infrastructure in addition to environmental concerns. A dispensary would not do that and would also provide economic benefit to other businesses in our community.

Dean Curtis said he is from Morrisville, but lived in San Diego for a period of time. Dispensaries are just like Starbucks there; very clean, efficient, and bring in a lot of revenue. He said people in our area are currently going all over to buy it. He suggested we need to be forward minded and bring revenue here, to our community.

William Snyder addressed the windmill comment and noted that income is fixed and there is not much of an economic multiplier for a windmill farm. The people who come here for a dispensary are going to get gas, stop by Annie's Sweets and Treats, go to a restaurant and utilize other resources. There will be a tremendous economic multiplier to the community, beyond cannabis sales and the tax we will get. Mr. Snyder said it could be fairly significant for both the town and village economy. He questioned whether the village doesn't have some control over the businesses that come in? Supervisor Moses noted that even with three law enforcement agencies here, we have a terrible time enforcing things now. Mr. Snyder noted that you can sell beer at Speedway, but you can't consume it there. The infrastructure already exists to control these activities. Charlene Bush said if we look ahead as a village, and allow dispensaries, when someone wants to locate here can't the board target where they locate? Supervisor Moses said the only control is how an area is zoned. He continued that if someone obtains a permit from the state to open a dispensary, if a location is zoned commercial, then they can do it. His neighbors could be up in arms over it, but once we opt in we lose control.

Mark Whitney said he was in attendance as a resident of the town and village. He doesn't care if people want to smoke pot, as long as it is done responsibly. The bottom line is that it is legal now and the boards need to look at this in terms of an economic issue. He said the main question to be addressed is does the town and village want to opt out. Once you opt out, you get zero of any kind of tax revenue. He continued that if you don't opt out, that doesn't mean you must have a dispensary. Mr. Whitney noted the estimate for the first year of legalization is that it will generate \$350 million in sales. 4% of \$14 million is going to be divided among the towns and villages that have not opted out. He said we don't need people to come in and buy it here to get a percent of the sales as it will be shared among all towns and villages that did not opt out. Mr. Whitney said however if a dispensary does locate here there could be trickle-down economics. He said there are laws on the books now regarding driving under the influence. He agreed with Attorney Rogers that it will be hard to prove, but the laws are already there. Mr. Whitney reiterated that the boards only need to decide if they want to opt out. If they do, that means no money. If they don't, it doesn't necessarily mean there will be a dispensary in the village or town, but we will get a share of the money.

Shane Gallup said marijuana was so beneficial to him when he was sick and going through chemotherapy. He added that he doesn't drink alcohol. If he wants to sit on his back deck and smoke a joint he's not hurting anyone. A SUNY Morrisville student agreed and said when she is in the comfort of her home no one cares if she's drinking a glass of wine. There should be no difference with marijuana.

Supervisor Moses noted that if we opt out we can see what is happening elsewhere. If we don't, we lose all control forever. He suggested people think about that.

Nicholas Snyder questioned whether the village has no control over businesses opening here. He is in favor of opting in. There is a misconception that this is going to cause crime. People are already smoking pot, it's whether the government is going to get its cut. It's going to happen regardless; do we want the tax dollars to benefit our community? Mr. Snyder thought the board should take into consideration the population here. We are not growing and are quite stagnant. This will benefit the community.

Supervisor Moses said at this point the respective boards will take this matter into consideration. If either board decides to opt out, a local law will be enacted subject to permissive referendum. Someone questioned whether that means the residents can vote on the topic. Mark Whitney responded that if the board opts out, residents can attempt to flip that decision by filing a petition and forcing a vote to be held.

A SUNY Morrisville student suggested that the board consider the opportunities this may bring rather than being negative. She said cannabis is a plant, it's natural, and certainly doesn't result in as many issues as alcohol does. Charlene Bush remarked that she gets the feeling everyone in attendance is in favor of opting in. No one disagreed. Mark Whitney added that in states where it has been legalized, they have not seen any significant increase of people using marijuana. If they are going to use it, they are now.

Councilman Verne offered that by opting in, if you go to a dispensary, you will obtain a better, safer product. He can see the benefit to having a dispensary by making a safer product available in this area.

Shane Gallup noted that if you go to a dispensary to control pain, anxiety, stress, or whatever the condition may be, the dispensary tailors the strain of marijuana for that specific issue. You talk to a professional at a dispensary and instead of taking a pharmaceutical, they tailor a strain right for you based on the ailment. A SUNY Morrisville student noted there are many options other than smoking or consuming marijuana. They make bath bombs, lotions, etc.

Nicholas Snyder commented that he has lived here his whole life and marijuana has always been here. When he was in high school marijuana was being laced with opium and the only way someone knew was if they smoked it. If people are able to get the product from a dispensary, they know what they are getting. He would like to see a safe option available, rather than relying on a random person to provide it. A SUNY Morrisville student agreed and said students come to Morrisville and they don't know anyone at all. If they go to some random dealer they don't know what they are getting. A dispensary is safe. Charlene Bush agreed and said our community has been loaded with drugs for a long time. She would like it to be legalized and safe.

Nancy Benedict stated that she currently drives to Binghamton and she would like to see a dispensary closer to home so our community will benefit from it. She said this is the only pain control she has, other than pharmaceuticals. She would prefer a local dispensary. She questioned why not here, because if we don't Earlville or Sherburne will and those communities will benefit from the tax revenue.

The village received public comment via email from two residents. The content of those messages is below.

**From:** Brian Butcher  
**Sent:** Monday, August 23, 2021 8:19 PM  
**To:** villageclerk@frontiernet.net  
**Subject:** Public Comment - Cannabis Dispensaries

My name is Brian Butcher, I live at 14 Callahan Drive, and I am in favor of having a cannabis dispensary within the village of Morrisville.

A dispensary will have a positive impact on our town income, California alone took in over 1 billion dollars in marijuana tax revenue in 2020.

A licensed dispensary will reduce health risks, illegal growers do not have incentives to use safe herbicides and pesticides where a licensed dispensary will have procedures to make sure the product is free of contaminants, toxins, molds, etc.

Cannabis is less harmful than tobacco and alcohol. According to the CDC over 88,000 people die annually from excessive alcohol use, there are no recorded deaths from marijuana overdose.

These are the main reasons why I urge the Board of Trustees and the Town Board to approve having a cannabis dispensary within the town of Morrisville.

**From:** Michael Bischoff

**Sent:** Tuesday, August 24, 2021 12:08 PM

**To:** 'Amy Will'

**Subject:** Public Hearing Comment

Amy,

I am unable to attend the public hearing on Tuesday, so I am sending my comments hear.

Whether we like it or not, recreational marijuana is now legal in New York. The question is how can the Village of Morrisville benefit from this. The Village is dying. There have been more business losses than gains over the past few years and the tax rate has stagnated over the past 10 years. We need to do something to bring our Village back to life. A cannabis store would bring needed business to our Village and hopefully other businesses would benefit from the increased traffic. I am sure the state will regulate these businesses and ensure legality. This is a perfect opportunity for the Village to jump start our lifeless economy and we cannot let our personal feelings dictate what could be a business boom. I encourage the Village Board to make decision based on what is the best for the future of the Village and future generations of those that choose to live here.

Thanks,  
Michael Bischoff

Supervisor Moses said from the comments tonight he believes this group would like to see dispensaries and on-site consumption locations split. Several members of the public agreed. He thanked those who attended and shared their thoughts on this topic. With no further public comment, Supervisor Moses closed the public hearing at 7:02 p.m.

Clerk Will advised the village board that the moratorium on short term rentals within the village will expire in October. Based on the discussion at the meeting earlier this month, Attorney Bell prepared a resolution to extend the moratorium an additional six months to allow the board additional time to consider how to regulate this activity.

**VILLAGE OF MORRISVILLE  
VILLAGE BOARD RESOLUTION**

**August 24, 2021**

**LOCAL LAW NO. 3 OF 2021**

**(“A Local Law Extending a Six (6) Month Moratorium on  
Short-Term Rental Dwellings Within the Village of Morrisville”)**

Mayor Lane introduced proposed Local Law No. 3 of 2021 to extend for six (6) additional months a Moratorium on the establishment, creation, maintenance, advertisement and/or operation of short-term rental

dwelling within the Village of Morrisville and made the following Resolution, which was seconded by Trustee Roher:

**WHEREAS**, proposed Local Law No. 3 of 2021 will extend a Moratorium enabling the Village to continue its review and comprehensively address the issues involved with short-term rental dwellings, originally enacted as Local Law No. 1 of 2021; and

**WHEREAS**, the Village recognizes the potential benefits and desirability of short-term rental dwellings but determines that additional time and research is necessary to determine how to properly regulate such rentals; and

**WHEREAS**, the Village Board has deemed that extending this moratorium is necessary to preserve status quo while this issue is examined by the Village; and

**WHEREAS**, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of Local Laws in the Village of Morrisville, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQR) with respect to the proposed enactment of said Local Law.

**NOW, THEREFORE**, in order to maintain the status quo until the consideration of adoption of any proposed legislation, the Village Board desires to consider extending the Moratorium for an additional six (6) month period or until such shorter period of time as the effective date of any legislation; and it is

**RESOLVED AND DETERMINED** that there are no other involved agencies, the Village Board shall act as lead agency and that the enactment of this proposed local law is a Type II action under SEQR, thus concluding the environmental review process; and it is further

**RESOLVED AND DETERMINED** that the Village Board shall conduct a public hearing as to the enactment of proposed Local Law No. 3 of 2021 at the Town of Eaton Town Hall located at 35 Cedar Street, Morrisville, New York on September 9, 2021 at 7:00 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard; and it is further

**RESOLVED AND DETERMINED** that notice of said public hearing shall be provided at least five (5) days prior to the date of said public hearing in a newspaper of general circulation within the Village of Morrisville; and be it further

**RESOLVED** that pending action on this local law, the Village will neither accept nor process any application pertaining to short-term rental dwellings.

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

<b>William Donnelly</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Michael Higgins</b>	<b>Trustee</b>	<b>Voted</b>	<b>Absent</b>
<b>Judy Scholefield</b>	<b>Trustee</b>	<b>Voted</b>	<b>Absent</b>
<b>Kathleen Roher</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Thomas Lane</b>	<b>Mayor</b>	<b>Voted</b>	<b>Yes</b>

The foregoing resolution was thereupon declared duly adopted.

**DATED: August 24, 2021**

With no further business before the board, Mayor Lane made a motion to close the meeting at 7:03 p.m., seconded by Trustee Roher. Meeting adjourned.

Respectfully submitted,

Amy Will  
Village Clerk