

**Regular Meeting & Public Hearing regarding Marijuana Dispensary  
December 14, 2021  
Inlet Town Board**

The Regular Meeting was called to order by Supervisor Frey, at 7:30 p.m. with the Pledge of Allegiance.

Present were: Dennis Hudson, Toni and Greg Rudd, Laura Cahill, Dave Kearns, Peter Funk, and Parks Supervisor, Mike Bartolotti, Justice Tera Arey and Officer Chris Shean.

Official's present were: Supervisor Frey, Councilman Levi, Councilman Townsend, Councilman Schmid via Zoom, Councilman Brownsell and Town Clerk Yvonne Lutz.

**MINUTES REVIEW** – Supervisor Frey asked if there were any additions or corrections to the November meeting minutes. Hearing none

**PUBLIC COMMENT** –

**MOMENT OF SILENCE** – Supervisor Frey asked for a moment of silence for Paul Klock and Audrey Drake, after speaking highly of both and expressing how much they will be missed.

**COVID** – Supervisor Frey stated that there are still spikes in cases. He stated he will be meeting with County for recommendations and/or guidance as to what regulations should be imposed, if any. Keep an eye out for vaccine and testing clinics throughout the County.

**PUBLIC HEARING** – On a MOTION made by Councilman Levi and SECONDED by Councilman Schmid, the Public Hearing regarding the subject of a marijuana dispensary being permitted in the Town of Inlet was opened at 7:45 pm.

Supervisor Frey asked if there were any questions/comments from the public.

Dave Kearns stated that his opinion on the subject fluctuates and if allowed, should definitely be locally owned. Had questions on where the money would come from and where the revenue would go if one was operating in the Town of Inlet. Many questions cannot be answered yet, which is why, Supervisor Frey stated, that they don't feel in the position to make decisions on this subject. Mr. Kearns did express that he feels that it could bring significant business to Town and Inlet could become a destination spot for this purpose. He also expressed that he believes alcohol is more dangerous than cannabis in many ways. Supervisor Frey stated that with NYS rules, if the Town of Inlet opts out at this point, it can be later decided to opt in if more information is provided and it is something the Board feels would benefit the Town of Inlet. All the unknowns bother Supervisor Frey and the rest of the Board immensely. Supervisor Frey added that he isn't against the sale, or even use of it, however, feels we need more guidance to make decisions.

Supervisor Frey asked each individual Board member how they felt and what their wishes were:

Councilman Brownsell stated he would opt out. There is no structure or enough information at this point. Councilman Schmid stated he would opt out. To many unknowns and really doesn't understand what the state is thinking at this point.

Councilman Levi stated he would opt out because of WAY too many unknowns.

Councilman Townsend stated he would also opt out and felt we could always opt in if more information is given.

Supervisor Frey discussed the amount of negatives with allowing dispensaries in the towns. He feels that we should entertain a "wait and see" how it goes with other municipalities. He feels at this time though, he would vote to opt out. Supervisor Frey added that the State has not sent any representatives to discuss how it "would look". Supervisor Frey asked the public for their feedback.

Toni Rudd spoke that Lake Placid and Saranac Lake both opted out. She has done a lot of research and it doesn't appear to be a good idea now. She felt it would be naïve to think that local people would be the ones owning and operating the dispensaries.

Gregg Rudd spoke up that he sees no benefit to the Town and residents.

Dave Kearns spoke and stressed that it would bring jobs to the Town and a job is a job, regardless of what it is.

The Town Clerk read an email from local residents, Leo and Linda Fadel, speaking against opting to allow a dispensary in the Town. There was lengthy discussion on the possible benefits and negatives it could bring to the Town.

Laura Cahill added that we have to consider the kids and future generations of this Town.

## **LOCAL LAW NO. 2 OF 2021 TOWN BOARD TOWN OF INLET**

### **PROPOSED LOCAL LAW OPTING OUT OF ADULT USE CANNABIS RETAIL DISPENSARIES AND ON-SITE CANNABIS CONSUMPTION SITES**

**A LOCAL LAW to opt-out of allowing adult-use cannabis retail dispensaries and adult-use on-site cannabis consumption sites to locate within the Town of Inlet as authorized under Article 4 of the Marijuana Regulation and Taxation Act.**

#### **Section 1. Legislative Intent**

**It is the intent of the Town of Inlet to opt out of allowing cannabis retail dispensaries and on-site cannabis consumption sites in the Town of Inlet that would otherwise be allowed under the New York State Marijuana Regulation and Taxation Act.**

#### **Section 2. Authority**

**This Local Law is adopted pursuant to New York State Marijuana Regulation and Taxation Act § 131 which expressly authorizes the Town Board to adopt a local law requesting the Cannabis Control Board to prohibit the establishment of adult-use retail dispensary licenses and/or on-site consumption licenses within the jurisdiction of the Town. This Local Law is subject to a permissive referendum/referendum on petition pursuant to Municipal Home Rule Law § 24.**

#### **Section 3. Local Opt-Out**

**The Town Board of the Town of Inlet hereby opts out of allowing cannabis retail dispensaries and on-site cannabis consumption sites from being established and operated within the Town's jurisdiction. In accordance with the New York State Marijuana Regulation and Taxation Act § 131(1), the Town requests the Cannabis Control Board to prohibit the establishment of retail dispensary licenses and on-site consumption licenses contained in Article four of the New York State Marijuana Regulation and Taxation Act within the jurisdiction of the Town of Inlet.**

#### **Section 4. Severability.**

**If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, 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 judgment or order shall be rendered.**

#### **Section 5. Permissive Referendum/Referendum on Petition**

**This Local Law is subject to a referendum on petition in accordance with New York State marijuana Regulation and Taxation Act § 131 and the procedure outlined in Municipal Home Rule Law § 24.**

**Section 6. Effective date.**

**This local law shall take effect immediately upon filing with the Secretary of State.**

**MOTION OFFERED BY COUNCILMAN BROWNSELL  
SECONDED BY COUNCILMAN LEVI**

**Called Town Board Vote:**

**Town Board member Schmid AYE  
Town Board member Townsend AYE  
Town Board member Brownsell AYE  
Town Board member Levi AYE  
Town Supervisor Frey AYE**

**MOTION CARRIED**

**CLOSE PUBLIC HEARING-** **Councilman** Schmid made a MOTION to close the Public Hearing and Councilman Levi SECONDED.

**POLICE** – The police department presented a quote for the video system for the station. It had to be ordered according to NYS as the current system failed.

**COMMUNICATIONS** –

Verizon tower, behind the St. Anthony’s church will be turned on by the end of year. There was an APA meeting with Tarpon Towers and attorneys. Matt Miller attended and said the APA visit went well. The questions being asked were more directed on the access road. He felt that construction will begin in Spring. There was discussion and it was noted that an APA application for a cell tower has never been denied, however, the APA has made it difficult to make the tower work as needed.

**PARKS DEPARTMENT** – Park’s Supervisor, Mike Bartolotti thanked Rich and Bonnie Lutz for the Christmas tree and going to get it. He also thanked Shawn for help with the cleanup behind the library from the new well and thanked the Stuart Foundation for the well. Supervisor Frey added a Thank you to the Stuart Foundation. Lastly, Mike thanked the Board for the new chainsaw, it has come in particularly handy with the recent storms. He added that the John Deere has been able to go in places they weren’t able to before and it is a huge asset. Supervisor Frey complimented the job done on the hallway for Codes.

Dennis Hudson asked if the library has a generator because the last power outage, the batteries were depleted on the internet. He implemented a back up to be safe. Wondered if there was any money left over in the Stuart Foundation grant to possible pay for a generator to prevent this from happening in the future. Conversation followed. Dennis discussed how the equipment worked during the long power outages and there were no issues.

Justice Arey asked if the TV for Zoom and taping meetings could be moved or secured so that defendants could not damage it.

**ASSESSOR/CODES** - Assessor and Codes/Zoning Officer, Aimee VanWie provides a report each month and is available online and attached to the agenda packet.

**INFORMATION OFFICE** – Publicity Director, Adele Burnett provides a detailed monthly report online and is attached to agenda packet. In addition to past events and information about her department, this report will detail upcoming events.

**HIGHWAY**

Superintendent Hansen reported on the numerous projects that they have been working on. In addition:

- Hauled garbage and recyclables

- Plowed and sanded
- Trucks are ready to go for winter.
- Assisted snowmobile trials with their snow fence
- Cleaned up our yard to make it more snowplow friendly
- Repaired Channel Rd hill behind Town Hall
- We have had really good success with our new 2 stage snowplow. It does a really good job scraping. Stop up and check it out.

#### Coming up

- Haul garbage and recyclables
- Plow and sand
- Going to dig the trench for the new well at the library and try to clean up the back yard and do some regrading
- Assist Snowmobile with snow fence installation
- Take down Shootout banner. **Would still like to find a different place to hang these banners. Somewhere on the side of the road vs overhead. DOT will not allow anything like that to be constructed in their right of way. We have reached out to Scott at Rocky Point and he asked that we stake out the location and he would look at it and get back to us.**
- Like to wish everyone a Merry Christmas and a Happy New Year!

#### Transfer Station

- Open 4 days a week from 8AM-11:45AM then 1PM-6:45PM Closed from 12-1 daily for lunch. Closed Tuesday, Wednesday, Friday, Christmas Day and New Year's Day.
- We shipped out our clear plastic bails, still waiting on shipping out the Color and milk bails
- Place is clean and orderly

#### **TOWN CLERK -**

Reported revenues for the month of November. Town Clerk asked if Chip has permission to hire Stephen Cole for grooming and start now to help with debris removal. The Board stated he does have permission. Town Clerk informed the Board that Cyber Liability is now excluded on their Liability insurance policy. She is obtaining a quote with NYMIR for this coverage.

#### **SUPERVISOR –**

**ORGANIZATIONAL MEETING –** This meeting will be held on January 4<sup>th</sup> at 7:30 pm.

**LIBRARY –** Supervisor Frey pointed out that the library annual report is attached to the agenda for review

**LAND SWAP – TOWNSEND -** Seeing some progress with the land swap on the Townsend Estate.

**ST. ANTHONY'S RETAINING WALL -** Supervisor Frey stated that there has been work done with the engineers to replace this wall. We need to move forward with studies, including boring and a survey. The Town has previously agreed to help with the engineering costs involved in this. There was discussion on what needs to be done, however, the engineer firm will make final recommendations.

**PUBLIC COMMENT-** Peter Funk stated that the paper bin at the transfer station has been moved inside the building. The Board stated they like the location, at least for now.

Dave Kearns asked what the legal number of marijuana plants to be grown is? With all the changes in marijuana laws, he wanted some clarification. He asked if the Town had any laws. The Supervisor advised him that we follow NYS laws and have not passed any further laws on this subject. It was recommended that he see someone in the police station to inquire on the current NYS law.

**EXECUTIVE SESSION -** Councilman Schmid made a **MOTION** to enter into executive session to discuss personnel issues. Councilman Levi **SECONDED**.

No action taken. It was recommended that behavior be documented.

Councilman Levi made a **MOTION** to enter into regular session. Councilman Brownsell **SECONDED**.

A **MOTION** to pay highway bills as presented was made by Councilman Levi, **SECONDED** by Councilman Townsend

5 AYES 0 NAYS **MOTION CARRIED**

A **MOTION** to pay General/Wastewater bills presented was made by Councilman Schmid **SECONDED** by Councilman Levi

5 AYES 0 NAYS **MOTION CARRIED**

All business having come before this Board, Councilman Schmid made the **MOTION** to adjourn the meeting at 9:05 pm. Councilman Levi **SECONDED**. Next meeting will be the Organizational meeting and held January 4, 2022, at 7:30 pm.

Respectfully submitted,  
Yvonne Lutz, Town Clerk