



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD MINUTES PUBLIC HEARING December 2, 2021

To view a recording of the full meeting, please visit You Tube channel link below:
<https://www.youtube.com/watch?v=5nBMPVtHBeQ>

The following is a summary of the Town Board Public Hearing as recorded by the Town Clerk.

Call to Order 5:30 PM
Pledge of Allegiance
Town Board Meeting:

Members of Town Board

Present	Absent	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Supervisor J. Conway
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilor T. Tierney
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilor H. Kennedy
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilor R. Matters
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilor B. Fritz

Schedule of Meeting:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that pursuant to the direction of the East Greenbush Town Board, the Town Board shall hold a public hearing on December 2, 2021, at 5:30 P.M., in the Red Barn in the Town Park, 100 Town Park Road, East Greenbush, New York and/or by remote means, to receive comments from the public about a proposed local law as follows:

A local law opting out of on-site cannabis consumption sites in the Town of East Greenbush authorized under Cannabis Law Article 4.

New York State has recently legalized the recreational use of cannabis products. It has also created a Cannabis Control Board, authorized to issue retail dispensary licenses and on-site cannabis consumption licenses within the State. The law also allows local governments, including towns, to prohibit the establishment of retail dispensary licenses and/or on-site consumption licenses by local law. That local law must be enacted by December 31, 2021, or the town waives the ability to challenge such outlets in the town.

In addition, that local law is subject to a referendum on petition pursuant to the Cannabis Law and the procedure outlined in the Municipal Home Rule Law § 24. The local law will not become effective until after the petition period has expired, without a petition being filed, or a vote has been taken after a valid petition has been filed.

A copy of the local law may be inspected at the Office of the Town Clerk during regular business hours. A copy of the proposed local law is also available on the Town's website at: <https://www.eastgreenbush.org/>

Written comments may be submitted to the Town Board by email to epangburn@eastgreenbush.org or by mail to the Town Board, Town of East Greenbush, 225 Columbia Turnpike, Rensselaer, New York 12144 at any time prior to the hearing.

By Orders of the East Greenbush Town Board

Dated: November 19, 2021

Ellen Pangburn, Town Clerk

Open Public Privilege:

Residents addressed their comments to the Town Board.

Email comment: John and I want to register our disapproval of cannabis sale and smoking lounges in our town. Grace Gregory

Local Law No. 09-2021 – Attached.

ADJOURNMENT

Motion to adjourn by Supervisor Conway and seconded by Councilor Tierney and brought to a vote as follows:

Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor B. Fritz	VOTED: YES

Respectfully submitted by,

Ellen Pangburn, Town Clerk

TOWN OF EAST GREENBUSH

LOCAL LAW NO. 09-2021 OF THE YEAR 2021

A LOCAL LAW OPTING OUT OF ON-SITE CANNABIS CONSUMPTION SITES
IN THE TOWN OF EAST GREENBUSH AS AUTHORIZED UNDER CANNABIS
LAW ARTICLE 4

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF EAST GREENBUSH AS
FOLLOWS:

Section 1.

Legislative Intent

It is the intent of this local law to opt out of allowing on-site cannabis consumption sites in the Town of East Greenbush that would otherwise be allowed under Cannabis Law Article 4.

Section 2.

Authority

This local law is adopted pursuant to Cannabis Law § 131 which expressly authorizes the Town Board to adopt a local law requesting the Cannabis Control Board to prohibit the establishment of on-site cannabis consumption licenses within the jurisdiction of the Town of East Greenbush and is subject to a permissive referendum, the procedure of which is governed by Municipal Home Rule Law § 24.

Section 3.

Local Opt-Out

The Town Board of the Town of East Greenbush hereby opts out of allowing on-site cannabis consumption sites from being established and operated within the jurisdiction of the Town of East Greenbush.

Section 4.

Severability

In 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 Cannabis Law § 131 and the procedure outlined in Municipal Home Rule Law § 24.

Section 6.

Effective date

This local law shall take effect immediately upon the filing IN the Office of the New York State Secretary of State.