

1 INCORPORATED VILLAGE OF MINEOLA

2 HEARING OF THE

3 BOARD OF TRUSTEES

4 October 13, 2021

5 6:30 o'clock p.m.

6 B e f o r e:

7 SCOTT P. STRAUSS,

Mayor,

8 PAUL A. PEREIRA,

Deputy Mayor

9 PAUL S. CUSATO,

10 DENNIS J. WALSH,

11 GEORGE R. DURHAM,

12 Trustees.

13 * * *

14 JOHN P. GIBBONS, JR., ESQ.
15 Village Attorney

16 * * *

17 JOSEPH R. SCALERO,
18 Village Clerk

19 * * *

20 KELLY CULEN
21 Official Court Reporter22
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INCORPORATED
VILLAGE OF MINEOLA
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1 MAYOR STRAUSS: Good evening folks. We
2 have two hearings this evening. The first one is
3 on cannabis law and the other one is on the cable
4 franchise. We're just waiting for Mr. Scalero to
5 come out.

6 Mr. Scalero, if you could.

7 MR. SCALERO: Yes, sir.

8 MAYOR STRAUSS: Thank you.

9 MR. SCALERO: Legal notice, public
10 hearing, Incorporated Village of Mineola. Please
11 take notice the Board of Trustees of the
12 Incorporated Village of Mineola will hold a public
13 hearing on Wednesday, October 13, 2021 at 6:30
14 p.m. in Village Hall, 155 Washington Avenue,
15 Mineola, New York 11501 or at some other location
16 hereinafter designated by the Board of Trustees in
17 order to receive public comments upon the
18 following:

19 A proposed cable franchise renewal
20 agreement for the provision of cable television
21 service by Verizon New York, Inc.

22 The Village of Mineola does not
23 discriminate on the basis of handicapped status in
24 administration or access to or employment in its
25 projects and activities.

1 Joseph R. Scalero has been directed to
2 coordinate compliance with non-discrimination
3 requirements of the Federal Revenue Sharing
4 regulations.

5 At this scheduled meeting of the Board of
6 Trustees, reserved decisions from previous
7 meetings, if any, may be acted upon by the Board
8 of Trustees.

9 At the aforesaid time and place, all
10 interested persons will be given an opportunity to
11 be heard.

12 By order of the Board of Trustees of the
13 Incorporated Village of Mineola, Joseph R.
14 Scalero, Village Clerk, dated September 18, 2021.

15 MAYOR STRAUSS: Thank you, sir.

16 Mr. Gibbons?

17 MR. GIBBONS: Yes, Mayor, as the Board is
18 aware, we are presently under a cable franchise
19 agreement with Verizon. It was signed fifteen
20 years ago and it's now up for renewal.

21 At that time Verizon gave us a \$50,000
22 grant which allowed us to set up our audio/video
23 system that we have now.

24 The gist of the cable franchise agreement
25 is it allows the franchisee, Verizon, to own,

1 construct, operate and maintain a cable system
2 along the public right-of-way within the Village
3 of Mineola.

4 The renewal period is gonna be for five
5 years. It is substantially similar to the
6 agreement that we're operating under right now.
7 They have agreed, since the equipment that we
8 purchased fifteen years ago has now gotten old, to
9 give us another grant of \$50,000 for the renewal,
10 and I would recommend that we vote affirmatively
11 to renew the agreement.

12 If the Board is inclined, I do have a
13 resolution that is statutory that I'll read into
14 the record after any public comment or Board
15 comment.

16 MAYOR STRAUSS: Thank you, sir. Before
17 we open up to public comment, I ask anybody that
18 is wishing to make any statements to please come
19 to the podium, state your name and your address
20 and speak slowly and clearly so it can be
21 accurately recorded.

22 Anybody in the first row?

23 Second row?

24 Third row?

25 Fourth row?

1 Fifth row?

2 Sixth row?

3 Seventh row?

4 Okay, this is just a standard procedure
5 on our part. I'm in favor of it, and Deputy
6 Mayor, any comments from the Board?

7 DEPUTY MAYOR PEREIRA: No, no comments.

8 TRUSTEE CUSATO: No.

9 TRUSTEE DURHAM: No.

10 MAYOR STRAUSS: I'll entertain a motion
11 to approve --

12 Oh, read the resolution.

13 MR. GIBBONS: If you don't mind. Bear
14 with me one second.

15 Whereas the Village of Mineola, as a
16 franchising authority, in accordance with Title 6
17 of the Communication Act and is authorized to
18 grant one or more nonexclusive cable franchisees
19 pursuant to Article 11 of the New York Public
20 Service Law as amended and Title 16 Chapter 8
21 Parts 890.60 through 899 of the Official
22 Compilation of Codes, Rules and Regulations of the
23 State of New York as amended; and

24 Whereas, the Village granted Verizon New
25 York Inc., a corporation duly organized under the

1 applicable laws of the State of New York effective
2 as of September 21, 2006, a nonexclusive initial
3 franchise to install, maintain, extend and operate
4 a cable system in the Village for a term of
5 fifteen years; and

6 Whereas, the initial franchise agreement
7 has expired; and

8 Whereas, pursuant to and in accordance
9 with federal and state law, the Village undertook
10 a process to determine whether it should renew the
11 initial franchise and the terms for such renewal;
12 and

13 Whereas, pursuant to and in accordance
14 with the state and applicable federal laws a
15 franchisee submitted to the Village a proposal to
16 renew the initial franchise to operate a cable
17 system in the franchise area; and

18 Whereas, following good faith negotiation
19 between the parties the local franchise authority
20 and franchisee have agreed to a term of five years
21 for renewal under which franchisee will continue
22 to operate its cable system in the franchise area;
23 and

24 Whereas, a duly noticed public hearing
25 afforded an opportunity for all interested parties

1 to be heard on the proposed franchise renewal
2 agreement was held before the Village on October
3 13, 2021; and

4 Whereas, the project, as proposed, has
5 been determined to be a Type II action pursuant to
6 the regulations of the New York State Department
7 of Environmental Conservation promulgated pursuant
8 to SEQRA, which regulations state that Type II
9 actions will not have a significant effect on the
10 environment.

11 Now, therefore, be it resolved that the
12 Village Board hereby authorizes the Village Mayor
13 to enter into the franchise renewal agreement with
14 Verizon New York Inc. and to execute any other
15 documents necessary to effectuate the granting of
16 the franchise renewal on behalf of the Village of
17 Mineola.

18 Thank you, Mayor.

19 MAYOR STRAUSS: That's it?

20 MR. GIBBONS: That's it.

21 MAYOR STRAUSS: I will entertain a motion
22 to approve.

23 TRUSTEE WALSH: Motion.

24 DEPUTY PEREIRA: Second.

25 MAYOR STRAUSS: Motion by Trustee Walsh;

1 second by Deputy Mayor Periera.

2 Mr. Scalero, please poll the Board.

3 MR. SCALERO: Trustee Durham?

4 TRUSTEE DURHAM: Yes.

5 MR. SCALERO: Deputy Mayor Pereira?

6 DEPUTY MAYOR PEREIRA: Yes.

7 MR. SCALERO: Trustee Cusato?

8 TRUSTEE CUSATO: Yes.

9 MR. SCALERO: Trustee Walsh?

10 TRUSTEE WALSH: Yes.

11 MR. SCALERO: Mayor Strauss?

12 MAYOR STRAUSS: Yes.

13 Let's move on to the next hearing. Mr.
14 Scalero, the floor is yours.

15 MR. SCALERO: Legal notice, public
16 hearing, Incorporated Village of Mineola. Please
17 take notice the Board of Trustees of the
18 Incorporated Village of Mineola will hold a public
19 hearing on Wednesday, October 13, 2021 at 6:30
20 p.m. in Village Hall, 155 Washington Avenue,
21 Mineola, New York 11501 or at some other location
22 hereinafter designated by the Board of Trustees in
23 order to receive public comments upon the
24 following:

25 Proposed local law pursuant to Cannabis

1 Law Section 131 opting out of licensing and
2 establishing retail cannabis dispensaries and/or
3 on-site cannabis consumption establishments within
4 the Incorporated Village of Mineola.

5 The Village of Mineola does not
6 discriminate on the basis of handicapped status in
7 administration or access to or employment in its
8 projects and activities.

9 Joseph R. Scalero has been directed to
10 coordinate compliance with non-discrimination
11 requirements of the Federal Revenue Sharing
12 regulations.

13 At this scheduled meeting of the Board of
14 Trustees, reserved decisions from previous
15 meetings, if any, may be acted upon by the Board
16 of Trustees.

17 At the aforesaid time and place, all
18 interested persons will be given an opportunity to
19 be heard.

20 By order of the Board of Trustees of the
21 Incorporated Village of Mineola, Joseph R.
22 Scalero, Village Clerk, dated September 18, 2021.

23 MAYOR STRAUSS: Thank you.

24 Mr. Gibbons, anything?

25 MR. GIBBONS: Mayor, the proposed local

1 law is as the Village clerk described it. The
2 Village of Mineola would be opting out of allowing
3 retail cannabis stores to operate within its
4 boundaries.

5 The law promulgated by New York State
6 provides that the Village can do so prior to
7 December 31; however, if the Village fails to opt
8 out prior to December 31, it cannot thereafter opt
9 out.

10 In contrast, if it opts out at this time
11 and decides at a future date after December 31st
12 that they would like cannabis retail stores within
13 the Village boundaries, they are allowed to opt
14 in.

15 And that's it in a nut shell.

16 As the Board knows, and I'm sure the
17 public knows from reading the newspaper, most
18 municipalities in Nassau County have opted out.

19 MAYOR STRAUSS: Thank you.

20 MR. GIBBONS: Or are in the process of
21 opting out.

22 MAYOR STRAUSS: Thank you.

23 Before we have comments from the Board, I
24 would like to hear what the residents have to say.
25 So, again, I ask anybody that's approaching the

1 podium to state your name, address and speak
2 slowly and clearly so it can be accurately
3 recorded for the hearing notice.

4 Anybody in the first row? Yes.

5 AUDIENCE MEMBER THEO: Good evening, my
6 name is Theo, and I live on First Street here in
7 the Village.

8 So I want to kind of base the decision to
9 allow or not allow cannabis businesses based on --
10 what it is usually is based on the good of public
11 health. I think we can all agree on that. Any
12 opt outs would be based on what you think could be
13 some detriment to public health from cannabis. Is
14 that a fair assumption?

15 MAYOR STRAUSS: No.

16 AUDIENCE MEMBER THEO: Okay, what are
17 some concerns regarding the sale of cannabis?

18 MAYOR STRAUSS: We want to hear what you
19 have to say.

20 AUDIENCE MEMBER THEO: Sure.

21 So just kind of going off that
22 assumption, the Village currently has somewhere
23 around ten bars that serve alcohol in the Village
24 and two wine and liquor stores.

25 By all data taken in this decade, alcohol

1 is significantly more dangerous to the public good
2 than cannabis is. A study published in scientific
3 reports found that the mortality rates associated
4 with marijuana was approximately 114 times less
5 than that of alcohol. There are, according to the
6 CDC, there are 88,000 alcohol related deaths occur
7 each year and that's just from firsthand usage and
8 over consumption of alcohol whereas the number of
9 deaths caused by marijuana is so few that the CDC
10 hasn't even calculated it.

11 A study conducted by the Research
12 Institute studies on addictions found that among
13 individuals who are chronic abusers the use of
14 alcohol was associated with significant increases
15 of likelihood in male and female aggression
16 compared to those of marijuana uses about, I think
17 it is, eleven times higher, is what I'm reading.

18 While, yes, there are studies that show
19 and the data does show that the odds of being in a
20 car accident do increase by 83 percent with
21 marijuana usage. When alcohol is involved, the
22 odds of being in a car accident increase by more
23 than 2,200 percent.

24 So based on consistency of what would be
25 good for the public health, it can't be said that

1 in good conscience you can allow bars to open in a
2 Village but you can -- but you're gonna ban
3 cannabis because, again, the facts and the data
4 show that cannabis is significantly safer.

5 And out of full disclosure, I don't use
6 cannabis. I do consume alcohol frequently, and I
7 love our bars in this Village, but the facts are
8 the facts that cannabis is significantly less
9 dangerous, especially secondhand and thirdhand
10 than that of alcohol.

11 We also -- it also has to be said that I
12 believe we have three firearm stores in the
13 Village including two that have opened within the
14 last number of years that have been approved by a
15 number of members of this Board and firearms
16 are --

17 DEPUTY MAYOR PEREIRA: No.

18 AUDIENCE MEMBER THEO: No?

19 DEPUTY MAYOR PEREIRA: New York State
20 approves those. Those do not come before us at
21 all, unfortunately.

22 AUDIENCE MEMBER THEO: I understand.
23 Now, I do have here though --

24 DEPUTY MAYOR PEREIRA: I'm sorry to
25 interrupt you. As your other two examples as

1 well, we don't approve liquor stores. New York
2 State approves liquor stores, and we don't approve
3 bars to sell alcohol; the State Liquor Authority
4 does. So all three of your examples,
5 unfortunately, are out of our hands.

6 What we do approve is food and use and
7 zoning. So unfortunately liquor stores, and
8 there's four of them in the Village, we don't have
9 any say in whether they do or do not open in the
10 Village. Firearm stores, same thing, and bars, as
11 far as the alcohol is concerned, it is the State
12 Liquor Authority.

13 AUDIENCE MEMBER THEO: According to
14 federal law, resolutions can be passed by towns
15 that effectively make it -- that effectively
16 render it obsolete with gun stores and firearms
17 being opened. For instance, in Piscataway, New
18 Jersey, recently had a resolution passed by the
19 town council that bans gun stores from opening
20 within a thousand feet of schools, parks, health
21 care facilities and other locations that
22 effectively renders it null and effectively
23 prevents all firearm stores from -- so you can
24 pass a resolution. Can you or can you not pass a
25 resolution?

1 DEPUTY MAYOR PEREIRA: We can limit -- we
2 can control our zoning, but we cannot say we do
3 not want a gun store.

4 MR. GIBBONS: That would be illegal.

5 DEPUTY MAYOR PEREIRA: Yeah.

6 AUDIENCE MEMBER THEO: But you can pass a
7 resolution that effectively would prevent other
8 localities around this country from doing it?

9 MR. GIBBONS: That would be illegal in
10 the State of New York. A case coming out of the
11 Court of Appeals it had to do with adult uses
12 because back in the day before the Internet when
13 you had the proliferation of adult uses everybody
14 tried to effectively zone out adult uses for
15 obvious reasons, and the Court of appeals, which
16 is New York's highest court, says you can't do it.
17 Same would apply to guns or bars.

18 AUDIENCE MEMBER THEO: So there is no way
19 in which the Board would be able to pass any
20 resolution that would prevent any institution such
21 as bars or firearm stores from opening in this
22 Village? Are there any loopholes?

23 MR. GIBBONS: No. There's no similar opt
24 out in those areas.

25 AUDIENCE MEMBER THEO: Okay. Then,

1 again, by ethics and morals, I would say, that if
2 we are embracing alcohol establishments in this
3 Village, there is no reason not to embrace
4 cannabis establishments. If we are embracing
5 firearm stores in this Village, there's no reason
6 not to embrace cannabis.

7 Cannabis is significantly less dangerous
8 than firearms and significantly less dangerous
9 than alcohol.

10 The last point I want to mention, in
11 addition to it being hypocritical to speak out
12 against cannabis, you know, there are way too many
13 open storefronts in this Village. So, obviously,
14 in addition to the moral inconsistencies, it would
15 not be in the Village's best interest to forgo the
16 revenue that it would see from cannabis related
17 businesses.

18 Thank you all for your time.

19 MAYOR STRAUSS: Thank you, sir.

20 Anybody in the second row? Third? --
21 yes, sir.

22 MR. LADADO: My name is Gus Ladado, 311
23 Garfield Avenue. I heard the arguments.
24 Scientifically, non-scientifically, pros and cons.
25 Cannabis or weed, marijuana. I'll stay away from

1 that term cannabis as against alcohol as against
2 firearms as against a lot of things. You can make
3 any kind of argument you want, either way, depends
4 on whatever you feel about it from a moral point
5 of view, a law and order point of view or a health
6 and science point of view.

7 We have a lot of empty stores right now
8 in Mineola and it's not our fault. It's
9 everywhere. The last thing, I think, my opinion,
10 we need is any kind of store opening up in this
11 Village that sells any kind of cannabis connected
12 product. In my opinion, based upon what I read
13 about it and my own observations in talking to
14 people who have used it, and I've listened to
15 programs that get into it from a point of view
16 what effects this substance has on the brain. Fat
17 cells can absorb this chemical, and from what I've
18 heard scientifically, it's said these -- how do I
19 put it? Chemicals in that product don't get
20 assimilated out of the system, and, in a sense,
21 they have studies that show it can cause long-term
22 different mental products. So I would say to
23 myself do we really need this? And my answer is
24 no.

25 I'm 81 years old. I've lived in the City

1 through the marijuana, drugs, crack epidemic. I
2 have seen what that's done. I was a victim of
3 three car thefts, one attempted burglary and two
4 burglaries. Marijuana, you could say, well, can
5 lead to something like that to someone? I don't
6 know, but I feel deep down something inside of me
7 says Mineola does not need any cannabis stores.

8 Thank you.

9 MAYOR STRAUSS: Thank you, Mr. Ladado.

10 Anyone in the fourth row? Yes, sir.

11 GREGORY CANNELL: Hello, good evening, my
12 name is Gregory Cannell. I live at 212 Linden
13 Road. I would like to apologize, I'm not the best
14 public speaker.

15 MAYOR STRAUSS: Not a problem.

16 GREGORY CANNELL: But I feel it's --

17 We heard arguments about the public
18 health side, and I want to look at this as an
19 economic issue. Projected, our comptroller says,
20 there's going to be 60,000 new jobs because of the
21 marijuana industry in New York. And if most of
22 Nassau County has already opted out, that means we
23 have the opportunity for a monopoly on Nassau
24 County jobs. I don't feel like that's -- I don't
25 get why we would, potentially, shoot ourselves in

the foot by also opting out.

They're going to go to Queens or Suffolk if those two places open. We live fairly close to Queens, so it's not like people in Mineola aren't going to be smoking marijuana. In fact, people are already smoking marijuana in Mineola, and they're also already selling marijuana in Mineola.

But what we have is the opportunity to allow for the legal sale and the -- well, legal use is going to already happen but the legal sale of marijuana in Mineola, and if we opt out, the illegal sale will still happen in Mineola, and people fear because of with the taxes that the illegal sale is gonna happen, and when you opt out, that just leaves only the illegal dealers to have a monopoly on our town and our Village, and I don't feel like that's the safest option. I don't feel like that's the most sensible or economic option. And, also, the illegal sale invites crime but the legal sale doesn't because it's all above board.

It's still federally illegal so we can't -- there is still some risk but the illegal sale invites much more risk in crime to our town than the legal sale does, so I urge you to make

1 the economic, let's say --

2 I'm sorry.

3 To consider the economic argument, and
4 the idea that there is some -- a lot of studies
5 have shown that marijuana is actually very safe to
6 use. I have never actually personally used it, so
7 I cannot say from experience, but alcohol also
8 affects the brain long term and even owning a cat
9 has been shown to affect your brain long term. We
10 already deal with drugs that are both legal and
11 illegal that affect the brain long term. Opting
12 out won't really change how that happens in our
13 town.

14 The only thing it's going to affect is
15 whether our town can make money off of it or
16 whether it cannot, and that's really what we're
17 deciding here.

18 Thank you for your time.

19 MAYOR STRAUSS: Thank you. Great job.
20 Thank you.

21 Anybody else on the floor? Yes, sir?

22 JIM CANNELL: Jim Cannell, 212 Linden
23 Road.

24 Mayor and board members, I've had an
25 ongoing business in Mineola 33 years and loved

1 every minute of it. What I see coming down the
2 pike is what we want our Village to become, what
3 we want our Village to be. Yes, we do have
4 storefronts for rent all over the County, you can
5 see that. What do we want our Village to be? Do
6 we want it to develop into something that's it
7 unsavory, drive down Jericho Turnpike and you see
8 different things? You know, go through different
9 villages and you don't see those different things.
10 So I just want --

11 I understand the economics of it all, and
12 I just want to know if there is a way that it can
13 be if there was some sort of a limitation? Can it
14 be fifteen cannabis stores? Can there be ones
15 near schools? Because we have many schools,
16 parks. I just want to know are there limitations?
17 I know there was limitations when they were
18 talking about this. That's the only thing I'm
19 concerned about.

20 I think it's a very good argument both
21 ways, so I think just -- I think it should be
22 really talked about and put in front of the
23 Village to let us all know where your heads are at
24 on this.

25 Thank you.

1 MAYOR STRAUSS: Great, thank you, sir.

2 Anybody in the fifth row? Yes, sir.

3 GREG NAPOLI: Good evening, I'm also not
4 the best public speaker, so you'll have to forgive
5 me if I stammer a little bit.

6 I'm Greg Napoli. My wife and I moved to
7 Mineola about five years ago. We have two young
8 children and are expecting a third in March.

9 DEPUTY MAYOR PEREIRA: Congratulations.

10 GREG NAPOLI: We very much enjoy living
11 in the Village, and we look forward to raising our
12 children in this wonderful community. I rise in
13 opposition to this proposal of the law. I believe
14 such laws are arbitrary, counterproductive to
15 protecting public health and could ultimately
16 cause more harm to our community than they wish to
17 prevent.

18 Like others in the audience, I do not
19 consume cannabis personally. It is just not for
20 me, however, I support responsible adult
21 consumption of cannabis whether for medical or
22 recreational purposes.

23 In a society that tolerates alcohol,
24 tobacco consumption, I find it hypocritical and
25 counterintuitive to chastise cannabis use when

1 studies have demonstrated it is a less dangerous
2 substance.

3 Now that the Marijuana Regulation and
4 Taxation Act has legalized cannabis consumption in
5 New York, I believe it is our responsibility to
6 promote safe, legal and responsible access to
7 cannabis while ensuring the necessary safeguards
8 exist to prevent underage usage.

9 Tonight I wish to articulate some points
10 as to why the Village should not opt out of
11 cannabis sales.

12 First, as some had previously mentioned,
13 MRTA legalizes the use of cannabis almost anywhere
14 tobacco may be consumed. It's here. We can opt
15 out of retail sales, but we cannot prohibit the
16 general consumption within our Village. It's
17 already happening. With or without local cannabis
18 stores, users will continue to consume cannabis in
19 Mineola.

20 Second, and probably most important, the
21 Village cannot opt out of residential delivery or
22 home cultivation of cannabis. The MRTA allows
23 cannabis and cannabis products to be delivered
24 directly to consumers. This means Mineola
25 customers can purchase cannabis from jurisdictions

1 that do permit retail sales and have it delivered
2 to their Mineola address.

3 Additionally, consumers will eventually
4 be permitted to grow up to six cannabis plants
5 within their homes. Villages are not permitted to
6 preempt or opt out of either residential delivery
7 or home cultivation. As a result, any Village ban
8 on cannabis retail stores would be, for all
9 intents and purposes, circumvented or rendered
10 moot.

11 Third, prohibited licensed cannabis
12 retail stores within the Village could lead to
13 increased underage access and force consumers to
14 utilize less safe products. Under MRTA cannabis
15 retail stores are mandated to prevent the sale
16 and/or diversion of cannabis to minors. Stores
17 are required to collect valid proof of age for
18 every transaction. Those under the age of 21
19 years cannot even step foot inside a cannabis
20 store, a requirement that does not exist for
21 liquor or tobacco stores.

22 Additionally, cannabis retail stores may
23 only carry products that are laboratory tested and
24 must provide laboratory test reports for each
25 cannabis product offered for sale to cannabis

1 customers.

2 By prohibiting licensed cannabis retail
3 stores, customer in the Village may seek to obtain
4 cannabis from the illicit market, a market that
5 operates outside the law and without safeguards
6 necessary to prevent underage usage or the sale of
7 unsafe products.

8 Finally, Mineola can use the tax revenue
9 collected from cannabis sales to fund youth
10 prevention programs. Under MRTA, as I'm sure
11 you're already familiar, a local excise tax
12 imposed on the sale of cannabis products are four
13 percent of the product's price. This tax is
14 distributed to local governments based on where
15 their cannabis retail store is located. Should
16 Mineola allow cannabis retail stores within its
17 jurisdiction, I recommend it utilizes this
18 additional revenue to fund local youth-focused
19 prevention programs and reduce the risk of
20 cannabis and other substance use by our school-age
21 children.

22 If the board decides to opt out tonight,
23 Mineola would not be entitled to any of this new
24 potential revenue.

25 Now from a practical point of view,

1 Mineola does not have to take an all-or-nothing
2 approach on the cannabis question. The Village
3 has the ability to proactively regulate licensed
4 cannabis stores through their zoning laws.

5 Since it's its power to define the time,
6 place and manner of operation for licensed
7 cannabis retail stores, I recommend it utilizes
8 its special use permit process to gain reasonable
9 assurance of a store's ability to restrict and
10 prevent underage access to cannabis.

11 If there's still hesitation among the
12 Board, I suggest you reserve your decision tonight
13 until the cannabis task force for the Town of
14 North Hempstead completes their assessment and
15 delivers their recommendation. There's no sense
16 in having a town and a Village take disjointed
17 approaches on this matter.

18 If the Village still believes it should
19 opt out, then the Board should pass this law.

20 However, I feel it would not be
21 appropriate for five people to have a final say on
22 this matter. The people of Mineola deserve to be
23 heard as well.

24 Given this law is subject to permissive
25 referendum, I recommend this Board invoke Article

1 9 Section 9-92 of New York State Village Law and
2 adopt a motion to bypass the petition process and
3 submit this proposition directly to both qualified
4 electors of this Village for their approval.

5 In my view, this is the only fair and
6 democratic way for the community to decide on
7 cannabis.

8 One final point, some have suggested
9 taking the wait-and-see approach -- opt out now
10 and maybe I'll back in later. This is a terrible
11 idea. And here's why:

12 Any serious entrepreneur looking to
13 operate in this space will not wait for the
14 Village to make up its mind.

15 I hold a degree in finance, and I've
16 worked for Goldman Sacs and Morgan Stanley, and I
17 have a fair degree of authority in this base.
18 Entrepreneurs will move on to the next Village,
19 the Village that took the bold approach to not opt
20 out. They will spend their hundreds of thousands
21 of dollars to develop their property, open their
22 business, create dozens of well-paying jobs within
23 the Village, jobs that cannot be outsourced.

24 By the time Mineola realizes it wants a
25 piece of this industry, the ship will have sailed.

1 Entrepreneurs in this space will not want to
2 invest in a Village that flip-flops on this issue.
3 I beg you consider this before you make your
4 decision tonight.

5 Thank you.

6 MAYOR STRAUSS: Thank you.

7 Anybody else?

8 Yes, ma'am.

9 KARA DEMKOWICZ: Hello. My name is Kara
10 Demkowicz. I actually live in Queens, but I'm
11 here on behalf of a friend that lives in the
12 Village.

13 TRUSTEE CUSATO: Can you move the
14 microphone closer?

15 KARA DEMKOWICZ: I live in Queens and I'm
16 here on behalf of a friend that lives in the
17 Village. I'm actually a nurse. I work for one of
18 the largest health care facilities in New York,
19 and I've been following all of the studies on
20 cannabis use and legalization, and this is a
21 highly debated topic throughout all different
22 levels of government, and I wanted to just dispel
23 some claims that people have about the use of
24 marijuana.

25 There are a bunch of myths associated

1 with the drug, and the first of those that is
2 highly debated is that cannabis is a gateway drug
3 to more serious drugs, that's also associated with
4 crime. This is called the gateway hearing and,
5 you know, people are saying that people that use
6 marijuana are more likely to use other drugs such
7 as opioids and fentanyl and other more serious
8 drugs that are very dangerous and should not
9 really be consumed by people off of the street.

10 So the scientific research that I have
11 studied, it has debunked the gateway theory. On
12 July of this year the National Bureau of Economic
13 Research published a study on this subject. It
14 was the first to use nationally representative
15 data, all fifty states and the District of
16 Columbia, to comprehensively explore the broader
17 impacts of recreational and marijuana laws
18 providing some of the first evidence on how
19 marijuana legalization is affecting illicit drug
20 use.

21 Heavy alcohol use, arrest for drug and
22 nondrug offenses and objectively measured adverse
23 drug-related offenses including drug-related
24 overdose deaths and admissions into substance
25 abuse treatment centers.

1 The conclusion to the study was we find
2 little compelling evidence to suggest that
3 recreational marijuana laws result in increases in
4 illicit drug use, arrests for drug-related violent
5 or property offenses, drug-involved overdoses or
6 drug-related treatment admissions for addiction.

7 Another report from the National
8 Institute on Drug Abuse also found that the
9 majority of people who use marijuana do not go on
10 to use other harder drugs, such as cocaine,
11 heroin, fentanyl, amphetamines.

12 Another from the National Academy of
13 Sciences says that cannabis does not appear to be
14 the gateway drug to the extent that it is the
15 cause or even that is the most significant
16 predictor of serious drug use. That is, care must
17 be taken not to attribute cause to association.

18 What's even more curious is that these
19 studies have revealed evidence that cannabis can
20 actually serve as a potential exit drug rather
21 than a gateway drug.

22 A paper published in the Harm Reduction
23 Journal stated findings on cannabis substitution
24 effects and the biological mechanism behind it
25 strongly suggest that cannabis can play a role in

1 reducing the public health impacts of prescription
2 and nonprescription opioids.

3 This begs the question why would cannabis
4 proponents risk more opioid related overdoses and
5 death simply because they hold moral objections to
6 cannabis?

7 Opioid overdoses has been declared a
8 crisis in the United States. As we are very aware
9 opioid overdoses they attribute to nearly 50,000
10 deaths in the United States in like the year 2019
11 and, yet, the Village of Mineola has at least six
12 pharmacies within its borders, all capable of
13 dispensing fatal amounts of Oxy-Contin, Vicodin,
14 Percocet, codeine, Demurral and so many other
15 drugs that could be potentially much more
16 dangerous. So while we sit here debating the
17 legal sale of cannabis within our Village, we
18 openly permit the flow of opioids to our streets.

19 What's more is that preventing access to
20 cannabis may also prevent opioid users from
21 accessing the very tool that could end their
22 addiction. If our goal here tonight is the
23 protection of public health, then it surely makes
24 no sense to prolong the opioid crisis by
25 prohibiting a potential lifesaving drug.

1 Myth No. 2 that is highly debated states
2 that increased accessibility and acceptability
3 means more young people will use cannabis. You
4 know, cannabis opponents are arguing that
5 increased accessibility to marijuana means that
6 more young people are likely to use the drug.
7 Specifically, they have suggested that Colorado
8 has seen cannabis use increase -- suggests that
9 Colorado has seen cannabis use increase among 12
10 to 17-year-olds but public research on this topic
11 directly refutes this claim.

12 In 2019 the Journal of the American
13 Medical Association Pediatrics published an
14 article that examined the association of cannabis
15 laws with teen cannabis use, and they found that
16 passage of adult use cannabis laws is not
17 associated with any casual uptakes of youth
18 marijuana use in the jurisdictions where these
19 laws are effective. There was also no evidence
20 that the legalization of cannabis encourages
21 marijuana use among youth. Moreover, the data
22 showed that marijuana use among youths may
23 actually decline after legalization from
24 recreational purposes.

25 The paper claims that it's more difficult

1 for teenagers to obtain marijuana if drug dealers
2 are replaced by stores that are legally selling
3 the drug because these stores will have to have
4 proof of identity, proof of age, things like that,
5 that drug dealers are not looking for when they're
6 selling drugs on the streets. This is consistent
7 with findings from another journal of the American
8 Medical Association published paper titled
9 Prevalence of Cannabis Use in Youths After
10 Legalization in Washington State.

11 I'm not suggesting that any amount of
12 cannabis use among our youth, regardless how big
13 or small, is acceptable; I'm just saying that
14 segregating cannabis from the black market into
15 the legal framework will make it harder for minors
16 to have access.

17 The third myth that has been debunked is
18 that cannabis is the casual factor to the
19 increased number of incidents. Cannabis opponents
20 are asserting that there is a correlation between
21 marijuana use and suicide rates; however, this is
22 not true. You know, to support this they
23 reference the presence of THC in 200 suicide
24 victims, and it's misleading because in the same
25 study they also studied people that committed

1 suicide that were also using other drugs such as
2 nicotine, alcohol and things like that, which are
3 legal.

4 The study found that much of the
5 association between cannabis abuse and dependence
6 and suicide attempts risk arose because
7 individuals who developed cannabis abuse or
8 dependency tends to come from disadvantage or
9 sociodemographic childhood background which
10 independently of cannabis use are associated with
11 higher risk of suicide or because cannabis abuse
12 or dependence is comorbid with other disorders
13 which are independently related to suicidal
14 behavior.

15 In 2009 the British Journal of Psychiatry
16 published a study that supported findings and
17 added that the association between cannabis use
18 and suicide was explained by markers of
19 psychological and behavioral problems.

20 Another study from the Journal of
21 Affective Disorders found that while illegal
22 cannabis use increased suicidal ideations, it was
23 not independent from other substance usage, as I
24 mentioned before, alcohol, tobacco and other
25 illicit drugs. You know, sick people with serious

1 mental disorders, disadvantaged people rose from
2 harsh economic conditions and harsh upbringings,
3 these are the real underlying casual factors
4 associated with the higher risk of suicide.

5 Unfortunately, opponents would rather
6 just blame cannabis because that's easier. In
7 their view cannabis is a much easier scapegoat
8 than other issues that are going on in the
9 background with poverty and mental health.

10 So I'm just saying that, you know,
11 there's really a lot of myths about the drug and a
12 lot of people hear these and they don't do the
13 research, so I just want to bring some of that to
14 light.

15 MAYOR STRAUSS: Thank you very much, I
16 appreciate it.

17 Anybody in the sixth row? Yes, sir.

18 ROB PATRIZZO: Rob Patrizzo, 145
19 Stuyvesant [phonetic].

20 Good evening everyone, as I mentioned, my
21 name is Rob Patrizzo, and I work as a data analyst
22 and researcher at Adelphi University, and since
23 cannabis became legal this year, I heard many
24 people speak out against. In doing so they
25 propagated many misconceptions and pseudoscience

1 to support their anti-cannabis position.

2 I believe the Board's decision tonight
3 should be based on facts, not fallacy, so I would
4 like to share some academic and professional
5 studies on the topic in an effort to help
6 alleviate some concerns about cannabis.

7 It has been argued that access to legal
8 recreational cannabis would increase the risk of
9 traffic accidents and fatalities; however, a
10 traffic study performed by the National Highway of
11 Traffic Safety Administration in 2015 found no
12 significant increase in the risk of crash that was
13 associated with cannabis and that demographic
14 variables were a better account for any increase
15 risk of crash.

16 The study stated this finding indicates
17 that demographic variables were highly correlated
18 with drug use and accounted for much of the
19 increased risk associated with the use of illegal
20 drugs and THC. For example, the THC positive
21 drivers were predominantly young males, their
22 apparent crash risk may have been related to age
23 and gender rather than THC.

24 They collected data from 3,000 crash
25 involved drivers and 6,000 control drivers. They

1 took blood alcohol measurements from 10,000
2 drivers, oral fluid samples from 9,000 drivers and
3 blood samples from another 1,700 drivers. They
4 responded to crash sites 24 hours a day, seven
5 days a week for over 20 months. This was the
6 first large scale study in the U.S. to examine
7 drugs other than alcohol, and it was
8 professionally conducted with an extremely
9 stringent research protocol.

10 This result was not a fluke and was
11 corroborated by several other studies in numerous
12 key areas.

13 To be clear, driving under the influence
14 of any drug or alcohol is a hundred percent wrong
15 and should be prosecuted appropriately. That's
16 not a debatable point. All this study serves to
17 demonstrate is that the link between cannabis and
18 increased accidents is simply not supported.

19 Another common claim from cannabis
20 opponents is that today's cannabis is stronger and
21 more potent than ever. While it is fair to say
22 the potency of cannabis on the market has risen in
23 the past decade, it is not nearly to the extent
24 claimed by the opponent.

25 Firstly, it's difficult, if not

1 impossible to classify the average potency in a
2 way that can be tracked meaningfully over time.

3 Secondly, the federal government has been
4 testing marijuana for other 40 years and has long
5 acknowledged limitation to its methodologies.

6 Nevertheless, cannabis with higher THC
7 concentrations do exist today. Typically when
8 consumers encounter higher potency product, they
9 consume lesser quantity of them though. This is
10 no different than drinking a pint of beer Verizon
11 a shot of liquor.

12 A 2021 study out of Washington State
13 University supports this dissertation. They
14 stated that present findings indicate that
15 experienced cannabis users simply use less of
16 these higher potency products to achieve the same
17 level of intoxication.

18 Additionally, the Marijuana Regulation
19 and Taxation Act has empowered the cannabis
20 control board to regulate the concentration of
21 product which ensure public health and safety. It
22 states in Article 2 Section 10 Paragraph 4: To
23 fix by rule and regulation the standards and
24 requirements of adult use cannabis and cannabis
25 product including the ability to regulate the

1 types, forms and concentration of products which
2 may be manufactured and/or processed in order to
3 ensure the health and safety of the public.

4 Finally, I just want to clarify two other
5 misleadings that were previously raised to the
6 board regarding MRTA. The first is that MRTA does
7 not promulgate regulations regarding the marketing
8 or advertising of cannabis. This is incorrect.

9 MRTA Article IV Section 86 outlines the
10 Cannabis Control Board's role in promulgating
11 regulations and explicit rules governing cannabis
12 advertising and marketing content.

13 The second is that New York State -- New
14 York State as well as Colorado fund cannabis
15 education campaigns. Again, MRTA adds in Section
16 99-JJ New York State Finance Law and specifically
17 allocates funds to drug treatment and public
18 education, and just this past June, the New York
19 Office of General Services issued a request for
20 information asking input for developing and
21 implementing large scale public education
22 campaigns for responsible cannabis use and
23 prevention against minors.

24 I appreciate the Board's time tonight. I
25 hope you consider this testimony in making your

1 decision.

2 MAYOR STRAUSS: Thank you.

3 Anybody else in the sixth row?

4 Seventh row?

5 Okay, I'll open it up to the Village
6 board.

7 So a couple of comments and I was making
8 notes and thank you very much, folks, for your
9 time coming out tonight as well as the education
10 on both sides of this.

11 It was mentioned -- first, I want to
12 mention that we have approved medical marijuana to
13 be sold in the Village of Mineola, maybe quite a
14 few months ago, maybe two years ago. We're not
15 here to debate the legal sale of cannabis. That's
16 just simply not true. That's already approved by
17 the state. We're not here for that.

18 In my opinion we're debating whether we
19 want it sold in Mineola. To me, that's pretty
20 simple. It boils down to whether or not, to me,
21 the revenue is worth the additional traffic in the
22 Village of Mineola.

23 With many of our surrounding communities,
24 many of them opting out, and we don't opt out, we
25 have cannabis stores in Mineola, all of that

1 traffic is going to come here. We already have
2 congested roads. We already have parking issues.
3 That's our concern. My concern anyway. I can't
4 speak for my fellow Board members, but that's my
5 concern.

6 Whether it's a mind-altering or not, it
7 causes gateway issues, to be honest with you,
8 that's for people other than me to decide.

9 I'm concerned about the congestion and
10 the traffic that the only stores in this area
11 would cause on our roads.

12 If it can be -- apparently, it can be
13 grown at home. It can be delivered in the mail,
14 UPS FedEx, so our Mineola residents can still get
15 it. I'm not so sure the revenue gained by having
16 a store or two in the Village of Mineola is worth
17 added traffic and parking issues on our streets,
18 and most of you live in Mineola, and you know what
19 I'm talking about.

20 So if you can get it at home in the mail,
21 grow it yourselves, you can still enjoy it or not
22 get it if you don't, depending on what side of the
23 fence you sit on.

24 That's my opinion. I'm concerned about
25 increased traffic. I'm concerned about parking,

1 the stores on Jericho Turnpike, and they can't
2 find a parking spot, they will be just circling
3 the blocks looking for a parking spot till they
4 find one. The stores on Willis Avenue, they will
5 be circling the blocks until they find a parking
6 spot.

7 I'm not sure many people, unfortunately,
8 because I'm a big proponent of shopping in
9 Mineola, I'm not so sure many people will do that,
10 and it would be so much easier to order online,
11 unfortunately, certainly for this. That's my
12 personal opinion. I'm not sure where I'm gonna go
13 yet with this, but that's my personal opinion.

14 Deputy Mayor?

15 DEPUTY MAYOR PEREIRA: Thank you.

16 Thank you all for coming out. I really
17 enjoyed your presentations, and I think they were
18 informative, and I will do something that elected
19 officials normally don't do, and I wish that, you
20 know, Mr. Napoli mentioned the Town of North
21 Hempstead, I wish that Mr. Wink would do this, and
22 I wish that the current supervisor would do this,
23 but there's a reason why they're waiting, right?
24 Because there is an election on November 2nd. So
25 it's interesting, isn't it?

1 So I'm going to tell you that I
2 personally support 100 percent the legal use,
3 safe, legal and responsible use of adult cannabis,
4 whether it be for recreational use or if it is for
5 medical use. So everything that you said up here,
6 I agree 100 percent, right?

7 But I, currently, I took the morality
8 out, the legality out of it, as the Mayor said,
9 New York State made it legal, and it is not up to
10 us to make it legal, and personally, I don't think
11 it should be illegal. I agree with many of the
12 arguments of bringing it out of the shadows and
13 the corner dealer and the crime. I also think
14 that there was some things that -- I'm sure that
15 there was research to oppose it.

16 So I'm going to talk and I think that
17 Greg Cannell made some really good points and I
18 believe this is the right combination.

19 So MRTA currently does not have any
20 answers to the question of how will that four
21 percent be divided up? I don't know if you're
22 aware of this, but in New York State, you pay
23 sales tax. You go shopping in the stores across
24 the way or in any place where you pay sales tax in
25 the Village of Mineola. Everywhere in New York

1 State except Nassau County we usually do not get a
2 share of that sales tax, right?

3 From time to time the County, depending
4 how they're doing, they will throw us a crumb, you
5 know, \$25,000 when we generate hundreds of
6 thousand if not millions of dollars in sales tax,
7 so who is to say that's not gonna happen? So we
8 are going to bear the burden of having retail
9 sales of cannabis in our Village without any clear
10 indication from the state how that is going to be
11 governed. I'm not willing to sign up for that.
12 I'm not willing to sign up for the problems that
13 the Mayor mentioned in return for no revenue.
14 There is no guarantee currently in MRTA that we
15 will get any revenue. It's just saying that the
16 revenue will be divided, we'll figure that out
17 later.

18 The good thing is we can sit it out now,
19 and so, I think, Mr. Napoli mentioned the word
20 ban. We're not banning it. I'm not banning it,
21 right?

22 And I understand that some of you may be
23 against the wait-and-see approach, but using your
24 very argument, Mr. Napoli, I'm just mentioning you
25 because I'm reading notes here, if everyone else

1 entrepreneurship, I don't work at Goldman Sacs,
2 but I understand a little bit about it, if there's
3 nowhere for them to go, they will have to wait,
4 right? If they can't go to Garden City, they
5 can't go to Williston Park and they can't go to
6 East Williston, and they can't go to Town of North
7 Hempstead, and they can't go to every other
8 municipality that's opting out, then they will
9 have to wait and see until this stuff is sorted
10 out.

11 So maybe they go to Queens and maybe we
12 lose them and maybe that's the risk we take, but
13 for me, it is purely an economic issue. Those
14 questions are not answered. It is not a moral or
15 legal issue that, obviously, I'm basing my
16 decision on. That is my concern. That's why the
17 marijuana task force in the Town of North
18 Hempstead is, frankly, too chicken to decide
19 before the election. So I suggest, Mr. Napoli,
20 you go there and you tell them. Hey, I'm telling
21 you where I stand right here right now, something
22 that elected officials don't do too often, and
23 these words can come back to haunt me but why
24 doesn't Mr. Wink do that? Oh, I want to hear from
25 everybody. Let's have another meeting next month,

1 and we'll have another meeting next month and
2 we'll wait and see. And, by the way, it was told
3 to us that in his meeting he could say, well,
4 Mineola is not opting out, right, passing the
5 buck. Hey, don't look at me, look over here,
6 right? Well, what's he doing? What's the town
7 doing? The town is pushing it, taking it down the
8 road. Why? They have as much time to consume
9 this as you have and as we've had, so I don't
10 understand, right?

11 Mr. Rabinowitz, you know, you came in
12 here and, you know, I can sense that you were
13 passionate. Unfortunately, the comparisons that
14 you were making are not the same comparisons that
15 are before us right now. And, frankly, you
16 used -- you know, to essentially call us
17 hypocrites before hearing our stance, is unfair,
18 right? Because you don't know what we're thinking
19 and you don't know what we're basing our decision
20 on.

21 But I respect your opinion, and I
22 understand the passion, I do. I just don't think
23 that there's a reason for us to rush into this.
24 We can opt out today, and if they clear up the
25 MRTA, we can opt in in January, February, March.

1 And, you know, Mr. Napoli who worked the
2 a Goldman Sacs thinks that, well, they will all be
3 gone then. There will be no, you know, legal pot
4 sale retailers to be had, maybe, and then we'll
5 miss the boat and then we will have to answer for
6 it, right, but I'm willing to take that chance.

7 The chance I'm not willing to take is get
8 the traffic and the complaints. Because just as
9 many of you came up here today and expressed your
10 opposition to the opting out, there are probably
11 countless people who will applaud us for opting
12 out, right? So if we're going to have the
13 headaches, then, frankly, as Greg Cannell said,
14 the younger Cannell, let it be worth our while.
15 Many of you make economic arguments. I agree with
16 those economic arguments, but I want to see it in
17 writing before I decide.

18 As far as Ms. Demkowicz, you know, I
19 appreciate your presentation. I did take a little
20 bit of umbrage to comparing opioids sold in legal
21 pharmacies that are prescribed to us allowing, you
22 know, the free flow of opioids in our community,
23 that's just not a good comparison. We don't
24 control that. Again, we're not licensed
25 pharmacies, nor do I think most pharmacies act in

1 the free flow of opioids. They have to be
2 prescribed by a doctor, and, yes, there are
3 abuses, of course, but the views that you
4 portrayed as if people are going in and getting a
5 pack of gum and, you know, a couple of Vicodin and
6 that's just not accurate, right? Just like it
7 would be the free flow of marijuana if we were to
8 approve marijuana.

9 So, you know, again, for me, it boils
10 down to we just don't know enough yet. Not about
11 cannabis, not about its effects, not about its
12 medical use or legality, but about the economic
13 impact on the Village and, also, the impact that
14 it will have on our infrastructure, the parking
15 and things of that sort. So for me, it is a
16 wait-and-see approach, but we'll wait, maybe we
17 will reserve decision. Maybe Mr. Wink will decide
18 in the meantime, and we'll see or the Town of
19 North Hempstead, their commission, will come out
20 with its findings. So that's what I say.

21 Thank you.

22 MAYOR STRAUSS: Thank you.

23 Trustee Cusato.

24 TRUSTEE CUSATO: Thank you Mayor.

25 Good evening, and I want to thank

1 everybody who made quick comments pluses and
2 minuses but, you know, I think everything has been
3 said already, so that's -- I'm done.

4 MAYOR STRAUSS: Thank you.

5 Trustee Durham.

6 TRUSTEE DURHAM: Thank you.

7 As Deputy Mayor Pereira said, I
8 personally think that the law was a long time
9 coming, that marijuana should have been legal a
10 long time ago like other states did.

11 Places -- from what I read in the law,
12 places that sell medical marijuana right now will
13 be able to sell recreational marijuana from day
14 one. So the establishment on Glen Cove Road and
15 the establishment in Lake Success will be able to
16 take and sell recreational marijuana because the
17 law stated that if they're already selling medical
18 marijuana, they would be allowed to be able to
19 sell recreation.

20 I think as a Village we already put on
21 the law that the areas would be manufacturing
22 zones, so that we already established that it
23 wouldn't be on Jericho Turnpike, it wouldn't be in
24 the main areas. It would be in manufacturing
25 areas.

1 And, yes, residents can cultivate plants
2 indoors and outdoors. Six plants per -- six
3 plants per person up to twelve plants on a
4 property. Only after eighteen months from the
5 first adult use dispensary opening up.

6 Medical marijuana users, though, can grow
7 plants six months after the passage of the law.

8 With this law, residents right now can
9 carry up to three ounces of marijuana without
10 being arrested. If they have more than three
11 ounces, the only thing that the law states,
12 basically, that was harshly put, is if you're
13 sitting in a car or anywhere in a motor vehicle
14 and you're smoking, you can be arrested. Which,
15 surprisingly, is where most people that you see
16 smoking marijuana are driving in cars all around
17 the area.

18 One of the interesting things in the law
19 anyplace that it's sold cannot sell alcohol. So
20 it cannot be sold in a bar, so they could not put
21 a cigarette machine in a bar or anything like that
22 from Biltmores, and if, say, Tobacco Junction
23 wanted to sell it, they would have to surrender
24 their liquor license before they can take and
25 sell. So we already put a law on the books that

1 it can only be in the manufacturing area, so they
2 couldn't sell it in the first place.

3 The 21 and older takes a lot of the
4 street sales off because if the people start
5 buying it, they will be overtaken, have it
6 delivered to them or grow their own, so it's going
7 to take a lot of the street sales off the -- and,
8 also, they increase the penalty for selling
9 marijuana without a license. They upped it to a
10 felony crime, so where they said they're going to
11 try to help the minority communities and some of
12 the areas where the minority communities are
13 selling this stuff they're now going to face
14 harsher penalties with the sales.

15 You're allowed to smoke anywhere on your
16 property or anywhere smoking is permitted. And
17 with the law, it's only a civil penalty of \$25 for
18 smoking anywhere that you're not supposed to
19 smoke. And an officer has to visually see you
20 smoking to take and issue that ticket. He cannot
21 go on just the smell. He must physically observe
22 you.

23 Reading the stuff, I also saw one thing
24 that sort of brought a tear to the eye, in Canada,
25 there's two large garden centers or greeneries

1 that stopped growing Christmas trees to take and
2 turn those fields into pot plants so that can be a
3 big problem come Christmastime in a few years when
4 there's going to be a Christmas tree shortage.

5 I personally don't think that we should
6 opt out, but I think we should wait. I think like
7 they said we can wait and see what the Nassau Task
8 Force says.

9 I have seen in other states and I visited
10 in other states taking a look and to see what they
11 were, and the traffic was no more than a pharmacy
12 in the two states that I went and visited and
13 looked at to take in and see what it was like. So
14 I think people are gonna take it and have it
15 delivered because as soon as it's opened, I think
16 they said that as soon as it's opened, they can
17 have delivery services so that there will be
18 vehicles driving up right to people's doors
19 delivering it, so I don't know how much people are
20 gonna be going to the stores when they can take it
21 and get it delivered to their own residence or
22 they can grow their own. So that's just my
23 opinion.

24 MAYOR STRAUSS: Thank you Trustee Durham.

25 Trustee Walsh?

1 TRUSTEE WALSH: Yes, thank you Mayor, and
2 it's nice to see this room with a lot of people in
3 it. It used to be a lot more people that come
4 down. I appreciate everybody's passion tonight.
5 I understand the sentiment of the people that are
6 in this room. There are, also, many people that
7 are not in this room, and we speak to people every
8 day and so I --

9 My opinion is going to be, you know, my
10 decision is going to be on what I hear from
11 everybody. We need to do what's best for everyone
12 in the Village. The point of the five people
13 should not be able to make a decision for the
14 whole Village is, you know, I mean, there's an
15 election every two years, and that's our
16 responsibility. We have to make a decision for
17 everybody in the Village, and it's not just on
18 this subject. On many, many subjects, and it's
19 not always easy to make decisions, and no matter
20 what decision you make some people are gonna like
21 it and some people aren't. I mean, it's hard
22 to -- it would be hard to get everybody who's
23 listening in this room to agree that today's
24 Wednesday, never mind whether marijuana should be
25 sold in the Village or not, and there are a lot of

1 other opinions that weren't heard here. And I
2 appreciate everybody for coming out and, you know,
3 I'm well-versed on this and, you know, I'm
4 prepared to vote.

5 Thank you.

6 DEPUTY MAYOR PEREIRA: Mayor, if I may
7 add something to this because Trustee Durham
8 mentioned a couple of things. Number one, a while
9 back a couple of years ago the fact that we passed
10 a local law about zoning and that's something else
11 in MRTA that's not clear that they may supersede
12 that and, likely, they will just like when I said
13 to Mr. Rabinowitz that we don't control liquor
14 stores or firearm stores. This could very well go
15 that way.

16 So we passed this law that essentially
17 relegated any kind of commercial sale of marijuana
18 to the industrial area and out of the residential
19 area, the schools and that could be overturned,
20 and we don't know that, and the problem is that
21 it's not clear. There are too many questions
22 still, and until we have some answers, until we
23 have some clarity, I'm gonna wait and see, and I'm
24 gonna take a wait-and-see approach personally.

25 As far as the traffic --

1 MR. GIBBONS: Deputy Mayor, can I just
2 comment on that? That's an interesting point
3 because the law does provide that if you don't opt
4 out after December 31st, you can not view -- the
5 local municipality cannot involve yourself in the
6 licensing or regulation of the businesses. And
7 like any statute, once it's passed, there's going
8 to be case law developing, what does regulation
9 mean? We know what licensing means. But what
10 does regulation mean? It doesn't mean the citing
11 of stores. Can the Village's law citing them in
12 the M district hold up or is it going to be like
13 liquor where you're preempted and you're not
14 allowed to decide those things. So that's a fair
15 point.

16 DEPUTY MAYOR PEREIRA: And I think it's
17 going to be the latter because the first person we
18 will want to stick in the industrial area is going
19 to bring an Article 78 against us and say, no, I
20 want to be on Jericho right next to Bedquarters,
21 so I want to be where people see me.

22 And we don't know that yet. We don't
23 know what those answers are, and we've waited 240
24 years to legalize marijuana in this country and --
25 or at least in this state, since 1776, I think

1 that we can wait a few months to see how this
2 flushes out. Just my opinion.

3 So me, personally, I'm not looking at
4 this as a ban. Because it's coming. We know that
5 it is. I just want, for our residents, to have
6 some more control and some more knowledge before
7 we make a decision. We need to make a more
8 educated decision.

9 So everything you said here tonight, I
10 agree with, for the most part, you know, I agree
11 with it. That's not the question before us, not
12 for me. This is not -- we're not, as the Mayor
13 said, we're not debating the morality or legality
14 of the issue. For me, I'm debating if this is
15 smart for the Village. We could take the legal
16 use of marijuana and just put some other, you
17 know, very controversial issue, you know, an adult
18 use or, you know, prostitution or something like
19 that, and, to me, that's -- this is not purely a
20 moral issue for me. It's got, there's more -- the
21 details are in the weeds, and we haven't gotten
22 into the weeds. This law does not get into the
23 weeds. It has not been answered to my
24 satisfaction yet, and I've learned one of the
25 things when I first got on this board I learned

1 that we do not get any sales tax, that angers me.
2 That angers me that the residents of this Village
3 who shop in this Village who spend money in this
4 Village who pay sales tax in this Village do not
5 reap the benefits of that, and what if this is the
6 same thing? And you're saying, What if it's not?
7 You're right, we don't know yet.

8 Thank you Mayor.

9 MAYOR STRAUSS: Trustee Durham.

10 TRUSTEE DURHAM: One of the things the
11 younger Mr. Cannell stated with the economic
12 advantage with the Colorado and Massachusetts in
13 the dispensaries and distributors are now some of
14 the highest paying jobs in the communities. So
15 that we have to keep our mind open and this could
16 take also -- put high paying jobs for some of the
17 young people and for some of the other people in
18 our community. So that's got to be kept in
19 thoughts because when you take and look at what
20 they're paying people in Colorado and paying the
21 people in Massachusetts working in dispensaries,
22 some of them are nice six-figure jobs. So --

23 MAYOR STRAUSS: I might sign up for one
24 of those.

25 Any other comments from the board?

1 TRUSTEE WALSH: Yes, Mayor, I just want
2 to say I agree with the Deputy Mayor. I say this
3 often, but everything we do here is reviewed, so
4 whatever we decide there's going to be somebody
5 taking it to Nassau County Supreme Court and
6 fighting this point, so we will not be the
7 ultimate decision makers. You know, I imagine --
8 I imagine it's going to go much higher than our
9 place here.

10 And as far as jobs are concerned, it may
11 or may not produce high paying jobs. I don't
12 think we can compare ourselves with Colorado or
13 Massachusetts. We are 35 minutes from Manhattan,
14 and that's why everybody uses the Mineola train
15 station, and there are many high paying jobs that
16 are outside that field, and I don't necessarily
17 agree that they are going to be the higher paying
18 jobs in this area. Many, many friends of mine are
19 construction workers, they're union workers and
20 they make quite a bit of money, and they do very
21 well. They work very hard. Construction laborers
22 work very hard. They make good money. People
23 that work in these marijuana stores are not going
24 to make money like union laborers. So I just
25 don't see that as a relevant part of the argument,

1 but that's just my position.

2 Thank you Mayor.

3 MAYOR STRAUSS: Thank you.

4 Any other comments from the Board?

5 I'll entertain a motion to close the
6 hearing and reserve decision.

7 TRUSTEE WALSH: Motion.

8 MAYOR STRAUSS: Motion by Trustee Walsh.

9 Second?

10 DEPUTY MAYOR PEREIRA: Second.

11 MAYOR STRAUSS: Second by Deputy Mayor
12 Pereira.

13 All in favor?

14 DEPUTY MAYOR PEREIRA: Aye.

15 TRUSTEE CUSATO: Aye.

16 TRUSTEE WALSH: Aye.

17 TRUSTEE DURHAM: Aye.

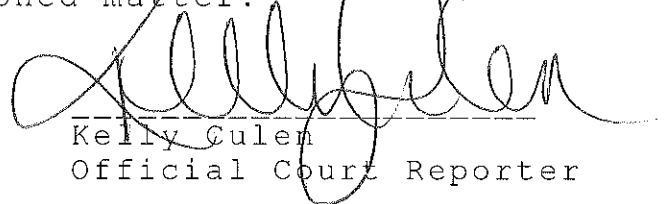
18 (CONTINUED ON THE NEXT PAGE TO INCLUDE
19 THE CERTIFICATION.)
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1 MAYOR STRAUSS: Aye.

2 Again, I can't thank you enough, and I
3 appreciate your well thought out presentations and
4 I appreciate your time. Have a great evening and
5 get home safe.

6
7 * * * * *

8
9 I hereby certify that the foregoing is a
10 true and accurate transcription of my stenographic
11 notes in the captioned matter.

12 
13 Kelly Cullen
14 Official Court Reporter
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