

Cannabis Task Force
Town of North Hempstead
December 10, 2021

Background

The Cannabis Task Force was formed by Supervisor Judi Bosworth to assist the members of the North Hempstead Town Board make a determination regarding the opt-out provision of the New York State Marijuana Regulation and Taxation Act (MRTA). This provision allows local municipalities to decide if they want to allow the retail sale and/or the on-site consumption of marijuana within their jurisdiction. The Town's decision would apply only to the unincorporated areas of North Hempstead. Each of the 31 Villages located fully or partially within the borders of the Town of North Hempstead are required to make their own determination regarding the opt-out provision. The MRTA requires that municipalities that wish to opt-out of retail sales and/or on-site consumption pass a local by December 31, 2021. This decision is reversible by board action or a permissive referendum but if no action is taking by December 31, 2021, the municipality must allow the retail sale and on-site consumption within its jurisdiction.

The Task Force members were recommended by the Supervisor and Town Board Members. Town Clerk Wayne Wink was appointed as the chair. In addition to the chair, the members are:

Wayne Wink, Chair
Deborah Abramson-Brooks
Susan Auriemma
Maria Elisa Cuadra
Leslie Davis
Irene "Betty" Hylton
Jordan Isenstadt
Nikki Kateman
Jacob "Jack" Kott
Jeffrey Reynolds
Michael Sahn
Gloria Su
Marianna Wohlgemuth
Desiree Woodson

The mission of the Task Force was:

1. Conduct listening sessions and gather public input on the issue and summarize the information gathered for the Supervisor and Town Board;
2. Explain both the pros and cons of opting out of the state legislation;
3. Make recommendations to the Supervisor and Town Board on whether or not the Town should opt-out of the sale and on site consumption of recreational cannabis; and
4. Make recommendations of best practices to regarding zoning and other legislation to ensure the public safety and quality of life of Town residents regardless of the determination

This report contains details on the Task Force's actions and findings along with the transcripts from the listening sessions, written public comment and any other pertinent documents.

Conduct listening sessions and gather public input on the issue and summarize the information gathered for the Supervisor and Town Board

The Cannabis Task Force conducted three listening sessions at different locations within the Town to gather input and have experts give fact-based testimony on various aspects of the recreational cannabis industry. Below are the dates and locations of the three listening sessions, along with the experts' names and industry expertise.

- 1) August 24, 2021 – Town Hall, 220 Plandome Road, Manhasset, NY 11030 – 6pm
 - a. Expert speakers
 - i. Elizabeth Kase – attorney specializing in criminal defense and cannabis law
 - ii. Jennifer DeSena – Executive Director of Manhasset Community Coalition Against Substance Abuse
 - iii. Jeffrey Schultz – attorney specializing in cannabis law, member of the NYS Bar Assoc. Cannabis Committee, Operator/Owner of a recreational cannabis dispensary in Massachusetts
- 2) September 27, 2021 – Clinton G. Martin Park, 1601 Marcus Avenue, New Hyde Park, NY 11040 – 1pm
 - a. Expert Speakers
 - i. Steve Chassman, LCSW,CASAC – Executive Director of the Long Island Council on Alcoholism and Drug Dependence
 - ii. Murugan Naidu – Pharmacist in the medical cannabis industry
- 3) October 19, 2021 – Yes We Can Community Center, 141 Garden St., New Cassel, NY 11590 – 6pm
 - a. Expert Speakers
 - i. Neera Roopsingh – Attorney specializing in Land Use
 - ii. Chris Farrell – Assistant Chief and Deputy Chief of the Detective Division in the Nassau County Police Department

Attached to this report are the transcripts from those listening sessions, power point presentations from experts and written public comment.

The Task Force also conducted a zoom meeting where they hosted Sarah Brancatella who is counsel and the Legislative Director for the New York State Association of Towns. Sarah conducted a thorough dive into the Marijuana Regulation and Taxation Act (MRTA) for the members fielding various questions about the legislation itself. That PowerPoint presentation is attached to this report as well.

Explain both the pros and cons of opting out of the state legislation

The Marijuana Regulation and Taxation Act allows for local municipalities to opt out of on-site consumption locations and/or retail dispensaries from being allowed to operate within the Town borders.

Definitions: On-site Consumption Locations: An on-site consumption location would be a place that is licensed by the Office of Cannabis Management to sell recreational cannabis to be consumed at the site where the point of sale takes place. The best way to describe a facility of this sort would be to compare it to a bar that sells alcohol.

Some points to take into consideration for this type of facility is that it would be illegal to sell alcohol at an on-site consumption location and the facility would have to comply with all local municipal zoning laws that apply. All recreational cannabis that is sold at this site would not be allowed to leave the facility.

Retail Dispensaries: A retail dispensary is a facility that is also licensed by the Office of Cannabis Management to sell recreational cannabis but does not allow for on-site consumption. The best way to describe this facility would be to compare it to a supermarket, where you can buy a product, but you cannot consume it on-site, typically bringing the product to another location to consume.

Both on-site consumption facilities and retail dispensaries are required by law to only sell to adults over the age of 21.

According to the MRTA legislation, a municipality can opt out of one of the previously mentioned facilities, both previously mentioned facilities, or choose not to opt out of either of them. There are four different pathways the Town of North Hempstead can choose, below are the pros and cons of each pathway that the Cannabis Task Force discovered.

Option 1 – Opt out of both retail dispensaries and on-site consumption facilities:

- Pros: This decision is reversible in the future, a municipality can always “opt-in” at a later date; More information about the State’s regulations will be available in the future
- Cons: Loss of tax revenue associated with the Cannabis Industry; loss of jobs that would add to the local economy within the Town; hindering the creation of new businesses within the Town; possible that villages within Town borders allow for either on-site consumption facilities or retail dispensaries continuing the sale within the Town borders but eliminating the tax benefit to the Town

Option 2 – Opt-out of on-site consumption facilities but allow for retail dispensaries:

- Pros: New tax revenue stream; new jobs that would add to the local economy; new businesses that would add to the local economy
- Cons: Loss in full tax revenue due to no on-site consumption sites; Traffic concerns; No reversal to opt out in the future

Option 3 – Opt-out of retail dispensaries but allow for on-site consumption facilities:

- Pros: New tax revenue stream; new jobs that would add to the local economy; new businesses that would add to the local economy
- Cons: Loss in full tax revenue due to no retail dispensaries; Traffic concerns; No reversal to opt out in the future

Option 4 – Allow for both retail dispensaries and on-site consumption facilities:

- Pros: New tax revenue; new source of jobs; new businesses to help revitalize the Town's economy
- Cons: Traffic concerns; Lack of information about regulatory scheme; No reversal to opt out in the future

Make recommendations to the Supervisor and Town Board on whether or not the Town should opt out of the sale and on-site consumption of recreational cannabis

After much thought, discussion, and analysis the members of the Cannabis Task Force had varying opinions regarding the recommendations of whether the Town should opt out of the various aspects of the Marijuana Regulation and Taxation Act legislation. The members of the task force did not come to a consensus, in the next section the report will lay out the various recommendations expressed and what actions should be taken in each scenario.

Make recommendations of best practices to regarding zoning and other legislation to ensure the public safety and quality of life of Town residents

The Cannabis Task Force recommends to the Town Board that they enact legislation to ban the use of recreational cannabis in all Town parks and facilities, whether the Town opts out of the Marijuana Regulation and Taxation Act or not.

If the Town decides to allow retail dispensaries and/or on-site consumption facilities the Cannabis Task Force recommends that the following zoning requirements are put in place.

- Any facility should be limited to Industrial use zoning plots.
- Any facility should not be within 1,000 feet of school. The current state legislation states that no facility should be within 500 feet of a school.
- Any facility should not be within 500 feet of a place of worship. The current State legislation states that no facility should be within 200 feet of a place of worship
- Any facility should not be within 500 feet of park land.
- Any facility should not be within 500 feet of a residentially zoned property.

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 350 - 2021

A RESOLUTION ESTABLISHING THE TOWN OF NORTH HEMPSTEAD CANNABIS TASK FORCE AND MAKING APPOINTMENTS THERETO.

WHEREAS, the State of New York has legalized recreational cannabis use, sale and on site consumption and has offered local governments the opportunity to opt out of allowing sales and/or on site consumption; and

WHEREAS, in order to determine whether the Town of North Hempstead (the "Town") should exercise the opportunity to opt out of the state legislation the Town desires to establish a Cannabis Task Force to serve in an advisory capacity to the Town Board, in order to assist the Town Board in determining whether or not the Town should opt-out of the sale and on site consumption of recreational cannabis.

NOW, THEREFORE, BE IT

RESOLVED, the Town of North Hempstead Cannabis Task Force ("CTF") be and hereby is established pursuant to the provisions and requirements as provided herein; and be it further

RESOLVED, the CTF shall be comprised of between 10 and 14 members, who shall serve at the pleasure of the Town Supervisor; and be it further

RESOLVED, that the current members of the CTF shall include:

- o Wayne Wink, Chair
- o Deborah Abramson-Brooks
- o Susan Auriemma
- o Maria Elisa Cuadra
- o Leslie Davis
- o Irene "Betty" Hylton
- o Jordan Isenstadt
- o Nikki Kateman
- o Jacob "Jack" Kott
- o Jeffrey Reynolds
- o Michael Sahn
- o Gloria Su
- o Marianna Wohlgemuth
- o Desiree Woodson

;and be it further

RESOLVED, that the powers and duties of the CTF shall be as follows:

1. Conduct listening sessions and gather public input on the issue and summarize the information gathered for the Supervisor and Town Board;
2. Explain both the pros and cons of opting out of the state legislation;
3. Make recommendations to the Supervisor and Town Board on whether or not the Town should opt-out of the sale and on site consumption of recreational cannabis; and
4. Make recommendations of best practices to regarding zoning and other legislation to ensure the public safety and quality of life of Town residents.

RESOLVED, that the CTF shall meet at least at such times and places as designated by the Chairperson and shall adopt rules and procedures to govern its meetings.

Dated: Manhasset, New York

June 16, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney

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TOWN OF NORTH HEMPSTEAD

CANNABIS TASK FORCE

LISTENING SESSION

Town Hall

220 Plandome Road

Manhasset, New York 11030

August 24, 2021

6:03 P.M.

B E F O R E:

WAYNE WINK,

THE ACTING CHAIR

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A P P E A R A N C E S :

TASK FORCE :

Jordan Isenstadt

Nikki Kateman

Jeffrey Reynolds

Jack Kott

Desiree Woodson

Marianna Wohlgemuth

Michael Sahn

PANEL OF EXPERTS :

Elizabeth Kase

Jennifer DeSena

Jeffrey Schultz

Also Present :

Alissa Striano

Alexiara Pierce - The Reporter

1 P R O C E E D I N G S

2 MR. WINK: Good evening, everybody.

3 I'm going to ask before we begin that we all rise and
4 face the flag and say the Pledge of Allegiance.

5 (Pledge of Allegiance.)

6 MR. WINK: Good evening, everyone.

7 I want to thank you all for coming. My name is Wayne
8 Wink. I am currently the North Hempstead Town Clerk
9 and I have been assigned by the Supervisor and the Town
10 Board to serve as the chair of this task force. This
11 task force is charged with certain responsibilities.

12 So this is the first of three
13 sessions that we're going to hold publicly in order to
14 provide information to solicit, elicit and to hear
15 information from all of you.

16 The purpose of the task force as
17 per the legislation, the resolution, is to conduct
18 these listening sessions and gather public input on the
19 issue of whether or not the Town should choose to opt
20 out, or opt in in any fashion, with the current State
21 Law which is the -- forgive me. The MRTA, I believe it
22 is initialed as. We're going to hear more about that.

23 The second consideration is to
24 consider both pros and cons of opting out.

25 Thirdly, we're going to make

1 recommendations to the Supervisor and to the Town Board
2 on whether or not the Town should opt out, both of the
3 sale and existence of dispensaries, as well as -- or in
4 the alternative, on-site consumption locations for
5 recreational cannabis.

6 And then finally to consider any
7 recommendations of best practices regarding zoning,
8 public safety, quality of life issues sand things of
9 that nature.

10 So that's what this task force is
11 charged with. We are doing that in large measure by
12 holding these hearings. This is, as I say, the first
13 of several. What I thought was perhaps the most
14 beneficial thing to do was to begin each of these
15 sessions with a panel of experts, with people who come
16 from different perspectives, different backgrounds and
17 with different types of information, so that we, as a
18 task force, will have the best possible information at
19 our disposal for, at the end of this process, to make a
20 recommendation to the Town Board.

21 Ultimately, it is the decision of
22 the North Hempstead Town Board by December 31st, 2021
23 to determine whether or not this Town will opt out from
24 the retail sale of cannabis products within the
25 township, within the unincorporated areas of the Town.

1 By that, I mean that a number of villages, you know,
2 this Town has more villages than I think any other
3 township in the State of New York, perhaps in the
4 entire country. We have all a part of 31 different
5 villages in this town. Each of them get to make this
6 decision for themselves on their own, but the Town,
7 which is the primary form of government for the
8 unincorporated areas of the Town, will be making this
9 decision on behalf of about half of the Town's
10 residents in the unincorporated areas.

11 So as Chair of this task force,
12 it's my hope that we're going to be able to conduct
13 these hearings and these sessions in a fair and open
14 manner, that we are going to respect differing opinions
15 from each other, that the members of the task force,
16 which each and in and of their own right bring a great
17 deal of perspective and experience to this panel. We
18 will all be able to hear each other. We may not agree
19 at the beginning, we may not agree at the end, but we
20 will, I hope and I expect, be respectful of differing
21 opinions and allow for the possibility that we can be
22 open minded to consider all the possibilities here.

23 So what I've asked, you know, the
24 first panel of experts which we have here, I'm going to
25 ask that they begin their presentations with 15 minutes

1 each of a presentation. They will then be given the
2 opportunity to be questioned by -- first by the task
3 force and then when we open it up to public comments,
4 you will be able to provide, in five-minute intervals,
5 not only your perspectives and opinions, but also raise
6 questions either with the panel or with the task force
7 itself.

8 Before we begin with the panel of
9 experts though, I do want to introduce the various
10 members of this task force, most of whom were able to
11 attend here this evening. And we made it clear from
12 the beginning that if anyone could not attend as a
13 member of the task force, if anyone could not attend
14 the initial meeting or any particular hearing along the
15 way, we are recording these sessions and the sessions
16 will be made available not only publically, online on
17 the Town website, but will be made directly available
18 to the members of the task force that they themselves
19 can review the testimony that is being provided at each
20 of the sessions whether they could attend or not.

21 So without any further ado, let me
22 begin by introducing the members of the task force.
23 The first two people unfortunately were unable to join
24 us here this evening: Debra Anderson Brooks; we also
25 have Sue Oriana.

1 And if you wouldn't mind as I
2 introduce people, I'm going to ask them to maybe just
3 say a couple of words about yourselves as brief as
4 possible because I do want to get to the experts.

5 Did Maria Cuadra join us yet?

6 MS. BRINN: She's not able to.

7 MR. WINK: Oh, she's not able to?

8 Okay. Thank you. As is Leslie Davis. Betty Hylton
9 we're waiting on still. I believe --

10 MS. BRINN: She -- she also -- I
11 spoke to her. She's not able to come.

12 MR. WINK: Oh, she just told us
13 she's not able to come? Okay. Well, the first in
14 attendance is Jordan Isenstadt.

15 Jordan, if you could introduce
16 yourself very briefly, I'd appreciate it

17 MR. ISENSTADT: Sure. Hi, Jordan
18 Isenstadt, resident of Roslyn and I'm a Senior Vice
19 President at Marino Public Relations and work with
20 higher education institutions and cannabis and
21 CBD-related companies.

22 MR. WINK: Thank you.

23 Nikki Kateman.

24 MS. KATEMAN: Good afternoon,
25 everybody. Nikki Kateman. I'm the political and

1 communications director of local 338 RWDSU/UFCW. We're
2 a labor union located in Mineola representing 13,000
3 working people across New York State including those
4 employed in the medical cannabis industry.

5 MR. WINK: Thank you, Nikki.

6 Jack Kott.

7 MR. KOTT: Good evening, everyone.

8 My name is Jack Kott. I'm an adjunct professor at the
9 City University and have been trained in drug and
10 alcohol abuse and behavior modifications at various
11 times.

12 MR. WINK: Thank you, Jack.

13 Jeffrey Reynolds.

14 MR. REYNOLDS: Hi, I'm Dr. Jeffrey
15 Reynolds. I'm the president and CEO of Family and
16 Children's Associations, a not-for-profit organizations
17 a few miles from here with 12 different location across
18 Long Island including two addiction treatment centers,
19 children's mental health programs and two fairly new
20 recovery centers. One in Nassau. One in Suffolk.

21 MR. WINK: Thank you, Jeff.

22 Michael Sahn.

23 MR. SAHN: Thank you, Wayne.

24 Good evening, everyone. I'm a
25 practicing attorney. My office is in Uniondale. I

1 concentrate my practice generally in municipal law,
2 land use and zoning and estate.

3 Pleasure to serve on the committee
4 with everybody who is here.

5 MR. WINK: Thank you, Michael.

6 Gloria Su will not be joining us
7 this evening.

8 We have Marianna Wohlgemuth.

9 MS. WOHLGEMUTH: Hello, everybody.
10 My name is Marianna Wohlgemuth. I'm a resident of New
11 Hyde Park for many, many years and I've been very
12 active in civic work and -- as well as zoning work with
13 my civic. And I guess I know people in my community
14 and I know people in the Town and I'm just here to
15 learn as much you are.

16 MR. WINK: Thank you, Marianna.

17 And last but by no means least --
18 and I know well alphabetically why that happens with
19 the name of Wink -- is Desiree Woodson.

20 MS. WOODSON: Hello. My name is
21 Desiree Woodson. I'm a resident of Manhasset. I'm a
22 commissioner with the Town of North Hempstead's Housing
23 Authority and the board chair of the Manhasset Great
24 Neck EOC Community Center down on High Street.

25 MR. WINK: Thank you, Desiree.

1 All right. Last bit of
2 housekeeping before we begin. Anyone in the audience
3 who wishes to speak as part of the public comment
4 section of the meeting, I'm going to ask you, if you
5 haven't already, to fill out a card. The cards are
6 available outside, but you can also probably flag
7 either Nick or Rachel and they will get you a card to
8 fill out. Just so that we can keep an orderly public
9 comment period and so that we don't miss anybody along
10 the way.

11 So with that, I'm going to ask
12 the -- I'm going to begin by introducing our esteemed
13 panel.

14 The first person who is going to
15 speak is Elizabeth Kase and Elizabeth is a partner at
16 Abrams Fensterman where she's Chair of the Criminal Law
17 Department and a Co-Chair of the Cannabis Law Practice
18 Group. She's conducted numerous classes and seminars
19 on cannabis law for several years.

20 Elizabeth, thank you for coming.

21 After Elizabeth is going to be
22 Jennifer DeSena. Jennifer is the Executive Director of
23 the Manhasset Coalition Against Substance Abuse and an
24 attorney by trade. Jennifer's been an advocate and an
25 educator on the subject of marijuana and substance

1 abuse.

2 Jennifer, thank you for being here.

3 And then third, but certainly not
4 least, Jeffrey Schultz, who is a partner at Feuerstein
5 Kulick focusing on advising private equity funds. He
6 also focuses on advising cannabis industry operators on
7 M&A and capital raising, banking laws, state law,
8 cannabis compliance, corporate governance, intellectual
9 property matters and strategic partnerships.

10 Jeff, thank you for being here as
11 well.

12 Elizabeth, if you wouldn't mind,
13 I'm going to ask you to come up to the microphone. I'd
14 ask each of the panel of experts to try to limit their
15 comments to roughly 15 minutes, so that it will give us
16 all an opportunity to conduct question and answer as
17 well as to give as much time as possible for the public
18 to make comments and questions as well.

19 So Elizabeth as soon as the mic is
20 ready, you can begin.

21 MS. KASE: I hope you -- can you
22 hear me?

23 MR. WINK: Yeah.

24 MS. KASE: Okay. All right. Thank
25 you to the Town of North Hempstead and this committee

1 for providing this forum and inviting me to address New
2 York's passage of MRTA, the Marijuana Regulation and
3 Taxation Act, with particular attention to the economic
4 impacts that can be expected for the Town of North
5 Hempstead.

6 My name is Elizabeth Kase. I'm an
7 attorney practicing in the cannabis space for the past
8 seven years. I'm also a criminal defense attorney as
9 well as the Village Justice for Baxter Estates Port
10 Washington.

11 I began my legal career as a
12 prosecutor in the Manhattan District Attorney's Office.
13 I'm a proud parent of two teenagers and a tweenager and
14 a long-standing resident of Port Washington.

15 Today's forum is a critical and
16 necessary first step in educating the public about New
17 York's legalization of cannabis and the social and
18 economic implications for the passage of MRTA.

19 MRTA is a complex law that
20 legalizes and codifies adult use of cannabis, hemp,
21 hemp-related products and medical marijuana.
22 Notwithstanding MRTA's passage, the crux of the
23 legalization efforts will be delineated in the rules
24 and regulations that will be promulgated by a
25 five-member cannabis control board and then implemented

1 through a statewide Office of Cannabis Management.

2 While the actual rules and
3 regulations have yet to be proposed, MRTA lays out the
4 basic framework for cannabis legalization in this state
5 and it is predictive of the anticipated regulations.

6 The legislative intent set forth in
7 MRTA makes a compelling case for legalization of
8 adult-use cannabis. The New York state legislator
9 determined that prior marijuana laws were not
10 beneficial to the welfare of the general public.
11 According to the State legislature, laws existing prior
12 to MRTA were ineffective in reducing or curbing
13 marijuana use and resulted in devastating, collateral
14 consequences including mass incarceration and other
15 complex generational trauma that inhibit an otherwise
16 law-abiding citizen's ability to access public housing,
17 employment opportunities and other vital services.

18 MR. WINK: Liz, I'm going to
19 interrupt you one second. Because the acoustics in
20 this room are not built for plexiglass, if you want to
21 take your mask off when you make the presentation,
22 that's fine. We will -- we'll be able to wipe down the
23 microphone in between speakers?

24 MS. BRINN: Yes, there's wipes down
25 below.

1 MS. KASE: Thank you. I actually
2 couldn't even see --

3 MR. WINK: Before you pass out.

4 (Laughter)

5 MS. CASE: Yeah, no, I couldn't see.
6 I'm getting all fogged up.

7 MR. WINK: And that, of course,
8 applies to the other panelists as well.

9 MS. KASE: Thank you. And you can --
10 and mic's on? You can still hear me?

11 MR. WINK: Yeah.

12 MS. KASE: Okay. These laws also
13 created an illicit market which represents a threat to
14 public health and reduces the ability of the
15 legislature to deter the accessing of marijuana by
16 minors. Marijuana laws have disproportionately
17 impacted African American and Latinx communities.

18 The intent of MRTA is:

19 To regulate, control and tax
20 cannabis;

21 Generate significant new revenue;

22 Make substantial investments in
23 communities and people most impacted by cannabis
24 criminalization;

25 To address the collateral

1 consequences of such criminalization;

2 To prevent access to cannabis by
3 those under the age of 21 years;

4 To reduce the illegal drug market
5 and reduce violent crime;

6 To reduce participation of
7 otherwise law-abiding citizens in the illicit market;

8 To end the racially disparate
9 impact of existing cannabis laws;

10 To create new industries;

11 To protect the environment;

12 To approve the State's resiliency
13 to climate change;

14 To protect the public health,
15 safety and welfare of the people of the State; and,

16 To increase employment and
17 strengthen New York's agricultural sector.

18 Critically, MRTA is not intended to
19 limit the authority of any district, government agency
20 or office or employers to enact and enforce policies
21 pertaining to cannabis in the workplace;

22 Or to allow driving under the
23 influence of cannabis;

24 Or to allow individuals to engage
25 in conduct that endangers others;

1 Or to allow smoking cannabis in any
2 location where smoking tobacco is prohibited;

3 Or to require an individual to
4 engage in any conduct that violates federal law;

5 Or exempt anyone from any
6 requirement of federal law;

7 Or pose any obstacle to the federal
8 enforcement of federal law.

9 MRTA, how does this affect the
10 bottom line for New York and specifically for the Town
11 of North Hempstead? Like all residents in New York,
12 the residents of the Town of North Hempstead have seen
13 the disproportionate impacts of cannabis-based criminal
14 enforcement. MRTA aims to positively impact areas such
15 as immigration, family law and discrimination in
16 housing and employment.

17 Those who have been previously
18 convicted of marijuana-related offenses can now have
19 their records sealed and/or their convictions vacated.
20 By virtue of this element of the statute, more
21 individuals will be able to tear down previously
22 existent barriers to entry in areas of employment,
23 public housing, custody of their children and prevent
24 unwarranted deportation and access to human services.

25 Ironically, previously existing

1 laws have been ineffective in reducing or curbing
2 marijuana use and have instead resulted in devastating
3 collateral consequences including mass incarceration
4 and other complex generational trauma.

5 As such, the Town of North
6 Hempstead has an opportunity to avail itself of MRTA
7 that seeks to right past wrongs and allow for economic
8 prosperity. This will be seen in job opportunity and
9 growth, small business development and increase sales
10 tax revenue which will be an overwhelming net gain for
11 our town. As historically proven by other 17 states
12 that have legalized adult-use cannabis, New York is
13 projected to receive a significant economic boost from
14 the legal marketplace.

15 And by design, minority and
16 women-owned businesses are positioned to receive
17 favorable treatment and thrive as a result of MRTA.
18 With legal marijuana trade now ascertainable, a diverse
19 population of New Yorkers will be able to participate
20 in the industry, thus encouraging a diversification of
21 small business ownership and the emergence and
22 sustainability of those small businesses.

23 MRTA is also specific in its
24 design, prohibiting vertical integrated cannabis
25 businesses, for example the seed-to-sale model, except

1 for medical marijuana businesses which already exist
2 and are licensed in New York, as well as the
3 microbusiness which is a new design of MRTA. This means
4 that more people from a wider net may have business
5 opportunity in the Town of North Hempstead.

6 It is widely projected that retail
7 dispensaries and consumption outposts in short time
8 will prove to be profitable small businesses with
9 particular benefit to local tax bases. MRTA is
10 expected to bring a significant amount of taxes and
11 ancillary revenue from retail dispensaries and on-site
12 consumption. Proceeds from MRTA are intended to
13 contribute tax revenue to programs that can benefit
14 those who have been forced to rebuild themselves as a
15 result of the drug war that has ensued.

16 MRTA directs 50 percent of tax
17 revenue to establish the community brands reinvestment
18 fund and directs 25 percent of the tax revenue to
19 assisting the State and supporting the State Department
20 of Education. Further, MRTA also directs 25 percent of
21 tax revenue towards program costs for funding drug
22 treatment programs.

23 Beyond the contributions of tax
24 revenue to programs that have harmed those most
25 affected by criminalization of marijuana, MRTA also

1 clearly delineates who the tax will be imposed upon and
2 under what circumstances and will help to address the
3 budgetary short falls resulting from the COVID-19
4 pandemic.

5 The governor's office estimates
6 that legalization could create between 30 and 60
7 thousand new jobs in the State and the tax collections
8 from the adult-use cannabis program could reach as much
9 as 350 million annually statewide and perhaps much
10 more.

11 In order to raise the projected
12 revenue while furthering the stated policy goals of
13 helping those from disproportionately impacted
14 communities and communities reinvestment, New York took
15 a novel approach to taxation and cannabis. The act
16 implements a new cannabis tax structure imposing a tax
17 per milligram of the THC, the active chemical
18 ingredient found in cannabis, with a tiered rate
19 structure depending on the final product type.
20 Specifically Section 493 Sub-A of MRTA provides that
21 adult-use cannabis products sold by a distributor to a
22 retailer will be taxed at the following rates based
23 upon the amount of THC, as reflected on product labels:

24 Cannabis flower will be taxed at
25 five tenths of one percent per milligram, concentrated

1 cannabis at eight tenths of one percent per milligram
2 and cannabis-edible product at three cents per
3 milligram.

4 In addition to the unique tax
5 imposed by product type, subsections B and C of Section
6 493 further impose a retail tax of nine percent upon
7 the sale of adult-use cannabis products, as well as an
8 additional four percent going to the local cities,
9 counties, towns or villages. One percent of that will
10 go to the county and three percent of that will go to
11 the town or village that houses the dispensary or
12 consumption site.

13 Of the 18 states that have
14 legalized recreational marijuana to date, Illinois is
15 the only other state to incorporate potency-based tax
16 structure which has proven extraordinarily successful
17 since its inception in 2020.

18 While this hybrid product's
19 specific taxation model has yet to be widely tested
20 across the patch work of individual state cannabis
21 markets and frameworks, there are similarities to the
22 taxation of the alcohol industry.

23 The adult-use cannabis industry
24 will bring hundreds, if not thousands, of jobs to the
25 Town of North Hempstead's economy. Based on historical

1 data, each dispensary employs approximately 40 to 60
2 full-time employees that are widely unionized. Based
3 on historical data, employees in the space are paid
4 higher than minimum wage with benefits. In states that
5 have legalized, entry-level positions are coveted and
6 provide economic stability, especially for young hires.
7 And remember that one must be over the age of 21 to be
8 hired in a capacity that touches the plant or the
9 products.

10 Another consideration and impact of
11 the collateral consequences of new enterprise,
12 especially in tangential spending by the employees and
13 shoppers, new businesses -- if you'll excuse me just
14 one minute.

15 I haven't talked this much in a
16 long time. I'm usually talking to myself. Excuse me.
17 Okay.

18 Another consideration -- I'm sorry.
19 Another consideration and impact of
20 the collateral consequence of new enterprise,
21 especially in tangential spending by employees and
22 shoppers, new business supports main streets and other
23 local businesses. Employment opportunities will open
24 to those who may have suffered from past criminal
25 convictions in the space. As part of MRTA, all

1 government -- all local governments and municipalities,
2 including the Town of North Hempstead, will have the
3 opportunity to request that the Cannabis Control Board
4 prohibit the establishment of the retail dispensary
5 licenses and/or the onsite consumption licenses in the
6 jurisdiction of the Town.

7 This is the so-called opt-out
8 provision. MRTA also specifically provides that no
9 local law may be adopted after December 31st, 2021
10 prohibiting the establishment of retail dispensary
11 licenses or on-site consumption sites. The Town of
12 North Hempstead can opt-out before 12/31/21, but then
13 opt back in at a later date. But critically if the
14 Town of North Hempstead decides not to opt out, it will
15 continue to retain the ability to legislate time, place
16 and manner restrictions much like it can under the SLA
17 laws for businesses relating to cannabis sale.

18 But even if the Town of North
19 Hempstead were to exercise its right to opt out of
20 retail dispensary licenses and/or on-site consumption,
21 such opt-out does not apply to the other licenses
22 available to cannabis businesses, such as cultivation,
23 processing, distribution and deliveries. So
24 critically, the Town of North Hempstead will not be
25 able to eradicate cannabis from its borders.

1 The Town, however, will lose the
2 sizable sales tax dollars that will be generated by the
3 dispensaries and on-site consumption locations and it
4 will lose the right to secure any tax dollars generated
5 by a village within the Town's border if a village
6 decides not to opt out even if the Town of North
7 Hempstead does.

8 In summary, in the past, marijuana
9 prohibition has failed to be effective in its attempt
10 to curb or stop the use of marijuana in New York State.
11 Instead of curbing or stopping the use, previous
12 prohibition has time and time again ignited further
13 licit drug industry growth and has disproportionately
14 affected communities of color and has been a danger to
15 the health, safety and welfare of our communities, not
16 to mention a failed economic experiment.

17 MRTA addresses the negative impacts
18 that past laws and policies have had and seeks to
19 create an industry that is destined to be well
20 regulated, socially and economically equitable,
21 generate immense tax revenue and generally enhance the
22 state economy, while simultaneously aiding those who
23 have been negatively impacted by past prohibition.

24 MRTA has the potential to create
25 real job growth, especially for those who have had

1 minimal opportunity, and has the potential to revive
2 main streets and secure millions in tax dollars to
3 support local initiatives.

4 I thank you so much for the
5 opportunity to address this panel.

6 MR. WINK: Thank you very much, Liz.

7 You know, I'm going to ask the task
8 force, would you prefer to question each speaker
9 individually prior to the next speaker or would you
10 prefer to wait until all three have spoken?

11 MR. KOTT: I think individually.

12 MR. WINK: Okay.

13 Liz, if you wouldn't mind taking
14 the microphone again. I'm going to open it up to
15 questions from the task force.

16 MR. REYNOLDS: Thank you for your
17 presentation. I appreciate it. You mentioned -- and
18 you used the term a couple of times -- the sizable
19 sales tax dollars for North Hempstead. I'm wondering
20 what your calculation came out to be in way of this
21 year and next year and maybe five years out for those
22 revenues.

23 MS. KASE: So actually myself and
24 the other panelists were discussing the fact that it's
25 virtually impossible to guesstimate that figure based

1 largely upon the fact that we haven't had any decision
2 by this board as to whether or not these dispensaries
3 will exist and if so, whether they'll be some sort of
4 restriction as to how many there will be, what the size
5 and scope of those operations will be. And without
6 that kind of direction it's very hard to know that.

7 I can tell you from my research and
8 understanding of other states that depending upon the
9 bureaucracy of the regulation -- and I would say with
10 sincere and emphatic underlined exclamation points --
11 New York is a heavily-regulated state. This is a slow
12 moving engine and it has proven to be so by the fact
13 that it passed on March 31st and we are here now on
14 August 24th, and we still don't even have the Office of
15 Cannabis Management or the CCB articulated or fortified
16 and there have not been any promulgated regulations.
17 But that being said, once the wheels start to turn and
18 the, you know, the train will start to leave the
19 station, it's predicted that within approximately one
20 to two years of those applications being granted, you
21 will start to see those economies filling in. They
22 will take different shapes and forms. Perhaps
23 cultivators, distributors and processors will be
24 working before retailers because obviously one would
25 have to have product to be able to sell it in a store.

1 But the fact of the matter is once
2 those stores are open, from what we've seen from other
3 states, the cannabis industry did very well in Covid,
4 to be perfectly honest. That was deemed an essential
5 business by most states. And with that designation,
6 the millions of dollars of revenue, even in Illinois
7 when it had just started in January of 2020, ahead of
8 the pandemic, was an unbelievable beginning for the
9 State's tax dollars.

10 Maybe you have more specific -- and
11 I can also do a quick search to get you the numbers,
12 but it was much more than expected.

13 MR. REYNOLDS: We can probably
14 debate as to whether or not an increase of marijuana
15 sales during a pandemic that primarily affects the
16 lungs is a good thing. We also know that alcohol sales
17 rose 35 percent during Covid because that too is deemed
18 by the former governor as being an essential service.

19 I'm wondering -- and this is more
20 of a legal question. You noted that the Office of
21 Cannabis Management and the CCB have not even been set
22 up yet. The governor set aside \$30 million, so we start
23 out at a loss to do this. But I'm wondering to what
24 extent, without the regulations written, the Town Board
25 is opting into something that perhaps all the details

1 haven't been fleshed out. Do you think they're
2 sufficiently fleshed out in the legislation, that we're
3 not going to see anything new in the regulations?

4 MS. KASE: So the regulations are
5 potentially going to be more specific as to a cap or a
6 canopy or a limit. And so I'm -- that's one area that
7 everybody is waiting with great anticipation for
8 specificity and for articulation, but I would say that
9 it would be a mistake to opt out, because -- because
10 the same argument that you would make for the lack of
11 specificity, I would say why wouldn't you want to be
12 part of the ground -- getting the ball rolling from the
13 ground up? There's going to be tremendous opportunity
14 straight away and I would hate to see this Town lose
15 any market share.

16 MR. REYNOLDS: It could be because
17 you don't really know what you're getting into until
18 those boards have been appointed and the regulations
19 are written. Keep in mind right now the State
20 Department of Health is staffed at about 50 percent of
21 what the norm is and that number's dropping by the day.
22 And so there's a part of me that wonders how quickly
23 the regulations will actually be put together. And we
24 both know New York State, especially these days because
25 it's preoccupied with other things, doesn't move really

1 that quickly.

2 MS. KASE: It's a slow moving
3 engine, but it's also summer and change is coming and I
4 think that things will start to speed up and it's
5 anticipated that they'll start naming people on the
6 panel within the next month.

7 So I would actually argue that you
8 would not want to miss an opportunity and that the
9 regulations, as stated in MRTA, are solid enough that
10 one can anticipate what that would look like on the
11 ground especially when compared to other states and how
12 those other states function. You can look at
13 Massachusetts, you can look at New Jersey and in fact,
14 New Jersey just today issued their regulations. I
15 personally haven't had enough time before this meeting
16 tonight to, you know, go through them, but I would
17 argue that again you want to look to other
18 heavily-regulated states to get guidance for how it
19 will look in New York.

20 There really isn't a lot of wiggle
21 room in these things. It's really I's dotted and T's
22 crossed as we've seen with medical cannabis. The
23 Compassionate Care Act was also a very slow moving
24 machine, and for a lot of patients and doctors arguably
25 too slow, that the product didn't get to the patient

1 because it -- there was no synergy between doctors
2 getting on board. So, you know, let's take a page out
3 of New York's own playbook that, you know, it's always
4 been slow and we want to make sure that the right
5 people are seeing the benefits.

6 MR. REYNOLDS: Thank you.

7 MR. WINK: I believe -- Jack, did
8 you --

9 MR. KOTT: Oh, I will wait.

10 MR. WINK: Oh, you will? Okay.

11 Marianna then

12 MS. WOHLGEMUTH: Thank you for being
13 here tonight. You've been very informative.

14 I would just like to understand
15 what the scope and the power of the municipality will
16 be if and when they opt-in. And by that, I mean what
17 control, based on the law, will a municipality have
18 over licensing? Will we issue our own permits?

19 Location of dispensaries, are we
20 going to be permitted to choose where they can be
21 placed? The type of retail sale, is it going to be
22 like a -- you order it online and then go and pick it
23 up? Is it going to be a menu of different items,
24 Brownies? I've heard so many -- gummies, gummy bears,
25 that type of thing.

1 And will it -- will it also be just
2 walk-in? Do you have to make an appointment, similar
3 to the medical? And will a medical dispensary of
4 marijuana be allowed then to have a retail dispensary
5 as well?

6 MS. KASE: Excellent question.

7 MS. WOHLGEMUTH: These are in the --
8 is it in the law?

9 MS. KASE: Yeah, so let's take it
10 backwards forward because that's -- the most recent
11 question you asked had to do with medical dispensaries'
12 ability to be retail dispensaries as well. The answer
13 is yes.

14 MS. WOHLGEMUTH: Okay.

15 MS. KASE: Under MRTA, as a -- as I
16 would say, as a thank you to the pioneers of the
17 industry in New York, the established registered
18 organizations that went through an incredibly long,
19 expensive vetting process to be limited in their scope
20 of business are actually going to be able to have
21 retail establishments and I believe the number is three
22 or two per license. Three. Thank you. And so, they
23 will get -- they will have an automatic ability to
24 apply for that, so they will.

25 Now, where those retail

1 accomplishments are placed with regard to the
2 geographic diversity, again, back in 2014 when the
3 Compassionate Care Act was first being rolled out, the
4 idea was that we would have these five registered
5 organizations, which became ten, but their point was
6 that they would have a long or a wide geographic basis
7 to service as many patients as possible. So even back
8 then it was conceived that they did not want pocketing
9 or, you know, high-volume areas where there would be
10 multiple dispensaries in a geographic region.
11 Obviously it's not good for their own competition, but
12 it's also not necessarily good for patients who live in
13 rural areas who are disabled who have to take planes,
14 trains and automobiles to access their medicines.

15 So the spirit of that law, I would
16 imagine and predict will would be in the spirit of
17 their own retail establishments, that even though they
18 might automatically be able to apply for three retail
19 licenses, there still may be a requirement that those
20 statewide registered organizations have a geographical
21 diversity.

22 Next, you asked a lot about the
23 Town of North Hempstead and about the Town or the
24 municipalities' ability to regulate. It's a great
25 question. And right now as I read the law -- and I'm

1 looking a lot of collaboration on this -- I see that
2 there is some room to regulate with time, place and
3 manner restrictions much like they would regulate a
4 liquor establishment. So that under the SLA, or the
5 Liquor Authority, you would see that those types of
6 regulations would be applied towards MRTA, all right?

7 So now in terms of do you wait on
8 line, do you order it, is it delivered? That's a great
9 question, too. And even within a state like
10 Massachusetts, which is, I would consider, a very nice
11 state to compare and contrast New York's regulations to
12 because they are extraordinarily regulated. It varies
13 from dispensary to dispensary whether it's an online
14 order system only or there is a queue or if it's a
15 combination of both.

16 And I don't know if some of the
17 dispensaries that have required reservations did so
18 because of the -- because of Covid, right? So, you
19 know, that's another wrinkle in all of this which is
20 these have been unprecedented times for a lengthy
21 period of time where we don't really know what normal
22 is. There is no normal. So it's kind of been a
23 wonderful unique opportunity with a clean slate to
24 create the normal and I think that the Town will have
25 an opportunity to, you know, create what the framework

1 for operation looks like.

2 Delivery service is very much a
3 part of MRTA. That's a whole other enterprise within
4 MRTA. And in fact retail dispensaries are allowed to
5 have, I believe, 25 full-time employees that are
6 dedicated to delivery service. And as such, I would
7 think that, you know, much like the delivery of
8 groceries, as we've all gotten accustomed to Amazon,
9 Peapod and the like, the idea that you can receive it
10 at home rather than going to a store, waiting on a line
11 or whatever for your privacy sake or for whatever
12 reason, that that might be something that, again, would
13 be a positive for the Town of North Hempstead.

14 Was there any other question?

15 MS. WOHLGEMUTH: I have one
16 additional based on what you just said. The taxes that
17 will be collected, will the Town be permitted to keep
18 their portion of it and then send the balance or do
19 they have to send everything up and then wait for it to
20 filter back?

21 MS. KASE: Great question. A four
22 percent local tax is excised on the sale of marijuana
23 product, and of that four percent, one percent is
24 allocated to the Nassau County, for example, in the
25 Town of North Hempstead, and three percent remains in

1 the Town. And that's critical for your evaluation of
2 the growth potential for tax revenue in this Town
3 because that could be quite a lot of money.

4 And I think that the logic behind
5 that break down is for local municipalities to have
6 whatever protections, you know, increase police
7 presence, whatever that might be required or might be
8 something that the Town would be interested in having,
9 you know, inclusive of a cannabis dispensary. But also
10 understand as I say that, that there are tremendous
11 safety provisions that are built into the design of a
12 cannabis dispensary, much like a cultivation site.
13 There's terrific amounts of security: Identifying and
14 tagging plants; making sure that what it is that is
15 sold is what it proclaims to be; there are lab
16 requirements for testing for the efficacy of all the
17 product. So this is really regulated top down by New
18 York City.

19 MS. WOHLGEMUTH: One more follow-up
20 and then I'll pass it on. Out of the three percent
21 that the Town will be collecting, where does the
22 village that would opt in -- for instance, Mineola has
23 opted in. Is it part of the three percent that we then
24 would have to pass along or do they have their own?

25 MS. KASE: So that's what I was

1 trying to get at at the end. The way I read the law,
2 if the Town of North Hempstead opts out but Mineola
3 opts in, they get the three percent total. They don't
4 have to share it. It's all theirs.

5 MS. WOHLGEMUTH: If it's sold within
6 that municipality.

7 MS. KASE: In Mineola

8 MS. WOHLGEMUTH: But that's not --
9 the question is how would they get their share -- okay.
10 Would they have to share -- I mean how does that -- if
11 it's sold in Mineola, do they keep the entire three
12 percent.

13 MS. KASE: If the Town of North
14 Hempstead opts out, my understanding is they do.

15 MS. WOHLGEMUTH: No, if we opt in.

16 MS. KASE: If you opt in, too?
17 That's actually a question I don't have an easy answer
18 to.

19 MR. SCHULTZ: I do.

20 MS. WOHLGEMUTH: You do? Okay.
21 Remember that.

22 MS. KASE: Great.

23 MR. WINK: By the way, if I could
24 just for the record. Marianna, I'm not aware that
25 Mineola has in fact opted in yet.

1 MS. WOHLGEMUTH: Yeah, they have.

2 MR. WINK: So just so we're clear,
3 Mineola is being used for hypothetical purposes at the
4 moment.

5 MS. WOHLGEMUTH: No, I believe they
6 did.

7 MR. WINK: Did they choose to opt
8 in?

9 MS. WOHLGEMUTH: Yeah. Holly lives
10 in Mineola.

11 MR. WINK: All right. I wasn't aware
12 of that, so that's fine.

13 Yes?

14 MR. ISENSTADT: Thank you and thank
15 you for your presentation. It was great.

16 Sort of follow-up question and kind
17 of a micro one, but I think it exposes part of the
18 issue here with the opt in. Let's say the Town of
19 Oyster Bay opts in, but the Town of North Hempstead
20 opts out and let's say there's a delivery service in
21 the Town of Oyster Bay and I, as a resident here,
22 order. Can they do that?

23 MS. KASE: Yes.

24 MR. ISENSTADT: Can they deliver to
25 a Town that has opted out?

1 MS. KASE: Yes.

2 MR. ISENSTADT: So the Town of
3 Oyster Bay would make the money --

4 MS. KASE: All the money.

5 MR. ISENSTADT: -- rather than the
6 Town of North Hempstead?

7 MS. KASE: Yes.

8 MR. ISENSTADT: Okay, very good.
9 Thank you.

10 MR. WINK: Nikki, did you have a
11 question?

12 MS. KATEMAN: He asked my --

13 MR. ISENSTADT: Oh, was that your
14 question?

15 MS. KATEMAN: Yeah, great one.

16 MR. ISENSTADT: Great question.

17 MR. WINK: Did anyone -- Jack, did
18 you have a question?

19 MR. KOTT: Yes.

20 Is the size of the sale -- is there
21 any regulation as to the amount of the -- that the sale
22 can be?

23 MS. KASE: Yes, there is. I didn't
24 put that in my testimony, but there absolutely is. And
25 the I-STOP Program, like all controlled substance

1 purchasing in New York, will be enforceable on sales of
2 marijuana. So there will actually be a statewide
3 record of who's buying what, when and how much and
4 there is a -- there is a cap.

5 MR. KOTT: Thank you.

6 MR. WINK: Does anybody else have
7 questions?

8 MS. WOODSON: I just -- I just have
9 one question. How are these licenses going to come
10 about? How easy would it be for someone who wanted to
11 start a retail business if we decided to opt in to go
12 legit, let's say, and not sell stuff illegally? How
13 easy would it be for someone to just start up a
14 business?

15 MS. KASE: Not that easy and that is
16 part of what this law addresses. There is -- there's
17 going to be -- I liken it to like a Disney World line
18 where there will probably be something like a fast
19 track for -- minority-owned businesses, women-owned
20 businesses will be in one fast track and businesses
21 that don't have that identification or outside image
22 will not get that same benefit.

23 And my understanding is that the
24 intention of this law is to bring as many people who
25 are disenfranchised in, so the level of scrutiny is

1 going to be intense for anyone who wants to opt in.
2 There's going to be a corporate of what I call a scrub,
3 you know, who is your financial source? Where -- who's
4 on the face of the business? Who runs the corporation?
5 Who's the partner? And a lot of things could be
6 revealed about that person, their tax, their family
7 structure, their income, their bank account
8 information.

9 MS. WOODMAN: You can't just walk up
10 and --

11 MS. KASE: You may not -- and it's
12 going to be somewhat expensive too, though I don't know
13 the price yet for an application. This is not
14 something that anyone is going to get into lightly.
15 It's a thoughtful process. It's intended to be so, but
16 I do think at the end of day, it will have one that
17 will reflect more equity in the spirit of what this law
18 was meant to address.

19 MS. WOODSON: So I think I heard
20 you correctly when you said -- so businesses that are
21 already selling medical marijuana, that are already set
22 up, they get a fast track to the current retail?

23 MS. KASE: Well, that's -- that's a
24 good point. They're definitely going to be able to
25 procure retail licenses. Whether those licenses come

1 to them quickly or not, I don't know. But they have
2 been guaranteed under MRTA to be able to apply for
3 them.

4 MS. WOODSON: Thank you.

5 MR. WINK: If I could -- thank you,
6 Desiree.

7 That's actually the question I had
8 because one of the elements of MRTA that I wasn't aware
9 of was the ability for medical marijuana to transform
10 into a retail establishment.

11 MS. KASE: They will be separate
12 entities.

13 MR. WINK: They will be separate
14 entities?

15 MS. KASE: Yes, they will and they
16 will have separate storefronts.

17 MR. WINK: So they can't be
18 colocated?

19 MS. KASE: I don't believe they can
20 be colocated.

21 MR. WINK: Now, to your knowledge,
22 I have a feeling they definitely --

23 MS. KASE: Okay. I could be wrong
24 about that, but I do want to say that there's
25 definitely going to be a distinction --

1 MR. WINK: Understood.

2 MS. KASE: -- in the, you know, in
3 the collection of the revenue and the taxes that are
4 collected for each item because --

5 MR. WINK: Because currently the
6 Town would -- well, let me put it this way. Medical
7 marijuana I believe is not subject to the taxation
8 steam that MRTA establishes; is that right?

9 MS. KASE: That is correct.

10 MR. WINK: And to that end also, is
11 it your belief that if in fact a medical marijuana
12 facility can in fact obtain a license, would they be
13 subject to a municipalities' opt out? In other words,
14 the Town of North Hempstead currently has two medical
15 facilities within its borders that are already
16 allowed --

17 MS. KASE: I think the answer is
18 yes.

19 MR. WINK: They would be subject to
20 opt out?

21 MS. KASE: Yes.

22 MR, WINK: Even though -- okay. So
23 they can obtain licenses. They just can't locate a
24 retail establishment within any municipality that opts
25 out?

1 MS. KASE: Correct.

2 MR. WINK: Okay.

3 MR. REYNOLDS: Just a quick thing.

4 One more -- I guess two things. One is that it's easy
5 to imagine the medical market going away given the
6 price differential between -- that we already see
7 now -- between street weed and the stuff you can buy at
8 Curaleaf and there's a vast difference. And most of
9 the folks that are on our client base that are using
10 marijuana for any number of health conditions are
11 getting it from the street despite our admonitions that
12 that's a terrible idea for a whole variety of reasons

13 The expectation is that -- and in
14 fact the legislation does harm, right? It takes the
15 medical program out of DOH and puts it in something
16 that's akin to the State Liquor Authority, which we can
17 talk about forever. I think that that medical market
18 quite frankly disappears and I'd love for you to
19 comment on that.

20 But the second thing is, do you
21 worry that, as is the case in other states, that this
22 is not -- it doesn't become about social justice. I
23 think you and I probably agree through and through on
24 incarceration and the impact that's had on multiple
25 generations and given that my organization has two

1 offices and 60 staff in Hempstead, we get it. But the
2 experience in other states has been that it's folks who
3 look, act and talk like me that have gotten the
4 licenses and have laughed all way to the bank at the
5 expense of communities who have said liquor stores,
6 Checkers, yet another thing that our folks are supposed
7 to benefit from, yet it hasn't panned out that way.

8 And if you look in the literature,
9 there are lots and lots of proclamations on behalf of
10 social justice organizations who have said this is not
11 what you promised at all. We're getting minimum wage
12 jobs at best. Do you worry about that happening and do
13 you think there's adequate protections built into this
14 law to guard against that?

15 MS. KASE: I think that's a fair
16 worry for any new enterprise, an economy, that people
17 who are privileged who have better access to education
18 and money and power might have an upper hand in, you
19 know, getting in on the ground level. I'm not going to
20 buy into that cynicism, no offense, because my
21 interpretation of MRTA is so on for all the social
22 justice reasons that they articulate over and over and
23 over again painstakingly.

24 New York is a progressive state and
25 like it or not, that's the state we live in and this

1 law took forever to pass. And the reason why it took
2 forever to pass was to ensure that the progressive
3 aspects were fully delineated and articulated. This
4 was not something that Governor Cuomo was thrilled to
5 do, but he did because he had no political choice.
6 This is a very important law for the State of New York,
7 because our state more than any other, maybe
8 California, had the most disproportionate results of
9 the mass incarcerations.

10 We also have the biggest population
11 of people who for cultural, spiritual, for whatever,
12 historical reasons would like to access this product
13 that has been demonized and outlawed. This is an
14 attempt to say it's legit and not only is it legit,
15 we're going to make sure it's safe because the safety
16 aspect has also been tarnished and stigmatized
17 throughout the years by this oppression and diversion
18 down into the black market.

19 So I challenge that. I think this
20 law is going to address every single aspect of that and
21 I think that the beginning of this will be more social
22 equity applications through than anything with, you
23 know, a shill or a cover.

24 Secondly, and to your point about
25 the medical marijuana argument and the market being

1 taken over by this, I disagree. I disagree because
2 what has happened in the last seven years in New York
3 is that, again, there's been a destigmatization of what
4 this is as a medicine. Doctors are more readily in the
5 space and there is a connection between patient and
6 medical facility around this substance. I think that
7 patients who are educated, who are under the care for
8 serious medical conditions still would look to their
9 doctor for the medical advice of what to take, how much
10 to take, where to take it.

11 And the medical dispensary, unlike
12 a recreational dispensary or adult-use dispensary, is
13 really tailored to that person's needs. That's a
14 specialized treatment and if you go into any dispensary
15 in Massachusetts or any of their neighboring states
16 that have enacted adult use, you're going to experience
17 something and I suggest you all do it.

18 MR. REYNOLDS: I've been there.

19 MS. KASE: Or go to California or
20 Colorado or Oregon and walk into an adult-use
21 dispensary and understand the knowledge base, the
22 proficiency, the expertise of the people who are behind
23 the counter. That is -- it is a very interesting and
24 unique experience, very different I would argue than
25 walking into a liquor store and buying, you know, a

1 fifth of gin or a bottle of Tito's. And that is
2 because our own population and expertise in
3 understanding has never been to this point of, you
4 know, this is still a little taboo. People don't know
5 what they're doing, so the expertise and the wisdom
6 imparted and the descriptions and educational materials
7 of what is in the pamphlets when you enter the facility
8 is critical.

9 But I would go even further that
10 the medical facility takes that to a much higher degree
11 and to be honest, I don't have the medical card. I've
12 never accessed a dispensary that gives medical
13 marijuana in New York State, but I have very close
14 people in my life who do and the hand in glove
15 participation of their caregivers to understand what it
16 is that they need to treat the specific symptoms that
17 they have for these diseased states is of a science.
18 It's not of a oh, let me take two gummy bears tonight,
19 I'll feel good. It's much more tailor made for the
20 specific patient, so I think there'll always be a need
21 for that.

22 MR. REYNOLDS: So I don't want to
23 prolong this by talking about the bud tenders. We're a
24 little off topic, but I will say you're probably
25 familiar with the study in Denver where they sent in

1 investigators who said that they were pregnant women
2 experiencing morning sickness and in 77 percent of the
3 cases, they were advised to smoke marijuana during
4 pregnancy. And the unlicensed practice of medicine is
5 a crime here in New York State and should remain that
6 and I think it's absolutely a role for somebody in a
7 store to provide some guidance, but is an equally
8 important role for medical professionals who can
9 properly treat, diagnose and maintain conditions.

10 MS. KASE: And as a criminal defense
11 attorney and former prosecutor, I could not agree with
12 you more.

13 MR. REYNOLDS: Thank you.

14 MS. KASE: I'm all about
15 enforcement.

16 MR. REYNOLDS: Appreciate it.

17 MR. WINK: Liz, I want to thank you
18 very much for your testimony. I'm going to ask our
19 next speaker, Jennifer DeSena, to please come forward
20 and as soon as we are sanitized, you can begin.

21 MS. DESENA: I wonder if -- can we
22 allow my friend Alissa over here to speak because she
23 needs to leave quickly?

24 MS. STRIANO: I'll only be five
25 minutes.

1 MS. DESENA: Yes, five minutes. It's
2 more of a personal story and then, you know, 'cause
3 we're going to take longer. She'll only need five
4 minutes.

5 MR. WINK: All right. I'm going to
6 ask you to speak -- I am going to ask you to keep your
7 testimony to five minutes.

8 MS. DESENA: Thank you.

9 MS. STRIANO: You want me to go to
10 the mic or?

11 MR. WINK: Yes, please.

12 Alissa, if you could just give your
13 full name and --

14 MS. STRIANO: Hi, can you hear me?

15 MR. WINK: -- community for the
16 record just so we have it for the --

17 MS. STRIANO: I can't hear me.

18 Hi, my name is Alissa Striano. I
19 have lived in Manhasset since 1976. I was eight years
20 old.

21 I am a mother. My son is 18 years
22 old and I witnessed the transformation of Manhasset in
23 the 80s. Americana evolving into -- from the Miracle
24 Mile into Americana, the finest outdoor shopping and
25 dining in the Northeast. My -- our Manhasset location

1 is everything to me. We have the top school district.
2 We have a 33-minute commute to Midtown Manhattan. I'm
3 so grateful to be a part of our neighborhood that
4 offers the best in education for our families, from
5 yacht clubs, golf clubs, tennis clubs, the best
6 recreational sports and travel leagues for our kids,
7 adults and families. And my greatest hope is to
8 witness the growth and success of our Manhasset
9 community, particularly downtown Plandome Road.

10 There are iconic businesses here at
11 the core of Manhasset life: Schout Bay, Buttercook, you
12 know, De Lis Salon, all the real estate companies.
13 They all have -- they're all thriving in this community
14 connecting the people here.

15 What brought us here tonight
16 concerns me so deeply. I am urging everyone here to
17 strongly consider the ramifications if we don't choose
18 to opt out of allowing the sale of recreational
19 marijuana in our local community. The number of vacant
20 stores, the tax breaks that we could get, whatever.
21 It's alarming the vacant stores that we have here on
22 Plandome Road or elsewhere in retail. However in my
23 viewpoint, desperate times do not call for desperate
24 measures.

25 My 18-year-old son just returned

1 home after being away since January. He was
2 actually -- I was told by the substance abuse
3 counselors that I was considered my son to be a lucky
4 one. One in five kids using marijuana before the age
5 of 21 become addicted to it. One in ten adults are
6 addicted to marijuana. My son -- I'll call him John
7 Doe for the sake of privacy -- is brilliant but he
8 copes with a very active, creative mind otherwise
9 commonly labeled as ADD or ADHD or anxiety to name a
10 few.

11 The pandemic this past 18 months
12 has caused every learning disability and emotional,
13 sociological disorder to seriously worsen and
14 skyrocket. Teens have spiraled out of control. Why?
15 Increasing screen time, decreasing sports and team
16 engagements due to the pandemic, decrease
17 school-related social gatherings. So what do teens do
18 when they're bored? They increase their gaming, they
19 drink or they get high if it's easily accessible.

20 I agree with the legalization of
21 marijuana. I disagree with its commercialization.
22 Commercialization increases demand. Social media and
23 the internet has misguided our youth into thinking that
24 marijuana is harmless. It's not harmless. It's
25 dangerous to our youths' forming brains. Teens who are

1 predisposed to mental illness are unaware that they
2 will not only realize their addiction, but only when
3 it's too late. My son had no idea that he was headed
4 down a very bad path of addiction until it was almost
5 too late. This will be an ongoing struggle for the
6 rest of his life.

7 When my son had an episode -- I'll
8 call it that -- I called Jen DeSena, president of
9 Manhasset Community Coalition Against Substance Abuse,
10 and she referred me to Chris of Herren Wellness. Chris
11 told me that he just lost a University of Miami college
12 football player to paranoia on marijuana, marijuana
13 high. As he was driving, he thought a gang was chasing
14 him and do we have any kind of protocols to test a kid
15 behind the wheel or anybody who's smoking? I don't
16 think so. I haven't heard of any kind of alcohol
17 breathalyzer for marijuana just yet and if it's out
18 there, it's not here.

19 So do we have the appropriate
20 standards in place to protect us? To protect me riding
21 on my bike if somebody's high and they're buying it at
22 a retail store? I don't care how they're getting it.
23 We don't know and as far as I'm concerned, public
24 policy is way ahead of science here.

25 My son met his friends on Snapchat.

1 He found a dealer on every corner. From outside
2 Buttercooky to behind Manhasset Deli to behind the
3 Manhasset Public Library to Publicans, so sad, and they
4 promised it was from a dispensary. And did you know
5 that in the places where they are passing these laws
6 and and where it is commercialized, these kids are
7 at -- it's actually three to one the black market sale
8 because people are always looking for a deal. They'd
9 rather get it a third of the cost than to go into a
10 dispensary that is supposedly a really posh place.

11 So my son became disembodied, a
12 zombie in our home, angry, willful, defiant, he became
13 a shell of himself. It's my great concern that by
14 making marijuana, weed, THS, whatever the hell you want
15 to call it here, more accessible will result in an
16 apocalypse of teenagers.

17 And it reminds me of Montauk when
18 they sold out all the stores and all the local Montauk
19 people were so upset because all the drunken people
20 were in downtown Montauk and they were like why is this
21 happening? There are drunk people on my lawn. Well,
22 all the Manhattan restaurants came in.

23 So it's a concern to me that if
24 these kids are getting high, adults are getting high --
25 they all have fake IDs for alcohol. They're just going

1 to get it. They're going to have access. They're
2 going to get people to buy it for them. And it's just
3 more prevalent.

4 So the element of being -- of this
5 being brought to our town will only, in my belief,
6 crime will be on the rise to drug-related incidents.
7 The streets will be not be safe. It's a small town.
8 There's no drug test for it. So we invite it in,
9 there's no turning back.

10 So in conclusion I say let's pause,
11 say yes to opting out of marijuana in this Town of
12 North Hempstead, preserve our community, our family
13 center community, our community center place. And
14 let's look for more holistic types of venues that will
15 create bonds and connections. And if you need to get
16 it medicinally, go for it and if you're an adult, go
17 for it. Get it somewhere else, but not in our Town and
18 not for a tax break.

19 Thank you.

20 MR. WINK: Ms. Striano, I thank you
21 very much for your testimony.

22 MS. STRIANO: And by the way, this
23 is a great book if you ever want a good argument.

24 MR. WINK: Can you identify it for
25 the record? Just give me --

1 MS. STRIANO: I'm sorry?

2 MR. WINK: Read the title or the
3 book.

4 MS. STRIANO: This book is called
5 Smoke Screen by Kevin A. Sabet and Jen was so kind to
6 suggest it.

7 And obviously, I'm very
8 emotionally, you know, fueled about this topic. I
9 could not believe the number of guys that are roaming
10 around on Plandome Road and I don't think having a
11 retail shop is really going to help say oh yeah, just
12 go over there, make a left and pop in there and see the
13 guy, he'll give you some advice. It needs to be
14 monitored by a doctor. There are hallucinate -- kids
15 hallucinate. Kids hallucinate from -- and adults. It
16 all depends on your body chemistry. It needs to be
17 monitored by a doctor. It's not -- we're not there
18 yet.

19 MR. WINK: Thank you very much.

20 Jen, if you wouldn't mind, I'm
21 going to ask you to make your presentation there.

22 MS. DESENA: Yeah. Thank you.

23 MR. WINK: Good evening. Thank you
24 for coming.

25 MS. DESENA: Okay, hi. How is this

1 volume?

2 MR. WINK: Good. Pretty good.

3 MS. DESENA: All right. Thank you
4 for inviting me to speak tonight.

5 My name is Jen DeSena and I'm the
6 Executive Director of Manhasset Community Coalition
7 Against Substance Abuse.

8 MR. KOTT: Can you speak more into
9 the mic, please?

10 MS. DESENA: More into the mic?

11 MR. KOTT: A little louder.

12 MS. DESENA: Okay.

13 Our goal is prevention. We're
14 successful when tragedy doesn't happen. Our community
15 experienced tragedy this summer and we know now we
16 would do anything to prevent it. I was with some
17 detectives earlier today and they said even if they had
18 pulled over the driver who killed those boys and seen
19 the marijuana in his car, they would not have been able
20 to arrest him. We don't have the tools to deal with
21 marijuana-impaired drivers. We must do everything we
22 can to educate our community about the risks of today's
23 potent marijuana for the users and for others on the
24 roads.

25 When you're a member of a

1 community, particularly a leader, you make decisions
2 that protect the greater good, not just your own
3 wishes. When we consider opting out of having retail
4 stores and consumption sites, we have to consider the
5 greater good of all the residents. It's similar to why
6 we're wearing masks, to protect those around us,
7 particularly those most vulnerable. The short answer
8 to the question of should we opt is yes, to protect the
9 vulnerable and serve the greater good.

10 There's a huge gap in understanding
11 about today's THC. A statement from the Town of North
12 Hempstead that the risks to our health and to everyone
13 on our streets outweigh the potential revenue would be
14 a wonderful first step in the education we need.

15 A recent study published in JAMA
16 found almost half of teenagers who regularly use pot
17 admit they've gotten behind the wheel while stoned.
18 Overall, twice as many teens report driving under the
19 influence of marijuana than admit to drinking and
20 driving. The lead researcher of the study warned,
21 marijuana can impair cognitive abilities that are
22 critical for safe driving. This is a serious issue that
23 requires our attention.

24 Marijuana use is harmful to
25 developing brains. Studies have found changes in gray

1 brain matter volume, a greater risk of short and
2 long-term memory deficits, cognitive impairment,
3 worsened academic performance and reduced educational
4 attainment.

5 In the 1970s, marijuana contained
6 about one to three percent THC. Since then the potency
7 of marijuana plants has increased to approximately 18
8 to 23 percent. In 2017, THC concentrates had an
9 average potency of 55.7 percent and some now contain 95
10 to 99 percent THC.

11 It is easier to purchase and use
12 today's oil, wax, shatter and edibles. The number of
13 daily marijuana users has gone from 6.2 million in 2009
14 to 13.8 million in 2018. Daily users of high-potency
15 THC are five times more likely to develop a severe
16 mental illness. A social worker from the North Port
17 school district recently described for us students who
18 went from first use of marijuana in the summer to being
19 addicted daily users by Christmas.

20 We have a mental health crisis,
21 partially attributed to the loneliness teens experience
22 from hours online. We have increased anxiety from
23 fears of Covid and pandemic isolation. A June 2021
24 study published in JAMA found cannabis use is
25 associated with higher prevalence of suicidal ideation,

1 plan and attempt among U.S. young adults with or
2 without depression. Until we know more about this, why
3 take the risk?

4 The number of traffic fatalities
5 increased 8 percent in 2020 to 42,000 and this is
6 during the pandemic shut down. 4.8 million people were
7 injured in crashes. Speed is a top factor in the
8 increase, but tests are also showing increased use of
9 alcohol, marijuana and opioids.

10 Marijuana companies have targeted
11 our youth. Those exposed to marijuana marketing on
12 social media are five times more likely to use it. A
13 2019 study found the number of young people with
14 cannabis-use disorder increased 25 percent after their
15 state legalized marijuana. And we still don't know
16 what New York regulations will say about advertising.

17 The United Nations Office on Drugs
18 and Crime warned there's a disconnect between real
19 risks and public perception. Cannabis products have
20 almost quadrupled in potency, yet the percentage of
21 adolescents who perceive it as harmful has dropped by
22 as much as 40 percent.

23 The UNODC recommends a
24 comprehensive ban on advertising, promoting and
25 sponsoring marijuana to ensure that public health

1 interests prevail over business interests. It also
2 calls for regulations to cap the potency of THC in
3 legal markets. The Netherlands implemented a
4 15 percent potency cap and it resulted in a reduction
5 in the number of people seeking treatment for marijuana
6 issues. Until New York has regulations on advertising
7 and potency, why take the risk?

8 We should learn from evidence in
9 other states that legalized. Colorado legalized it in
10 2012. The annual national survey called Monitoring the
11 Future found past month use among 12 to 17-year-olds
12 increased. Only 15.9 percent of them perceived a great
13 risk from using marijuana compared to a national rate
14 of 23.6 percent. In 2017, 34 percent of high schoolers
15 reported dabbing as the means of marijuana consumption.
16 This delivers a far more potent high than smoking a
17 marijuana flower.

18 In Colorado, marijuana was found in
19 the toxicology screens of 200 suicide victims in 2017,
20 up from 83 in 2012, and marijuana-impaired drivers were
21 implicated in 18 percent of traffic fatalities in 2018.
22 In May, Colorado health professionals declared a State
23 of Emergency in youth mental health with marijuana use
24 listed as one of several contributing factors. In
25 June, Colorado passed a legislation responding to these

1 concerns. This bill passed 56-8 in the House and 35-0
2 in the State Senate. It created a \$3 million
3 educational campaign about youth use and THC and a
4 study on the mental health effects of marijuana.

5 Does anyone notice this educational
6 campaign was being funded nine years after
7 legalization? Is that how long we'll wait?

8 Colorado will be reporting the
9 results of THC toxicology screens for suicide, overdose
10 and accidental deaths for people under the age of 26.
11 Other statistics from Colorado we should learn from,
12 illegal marijuana activities higher than ever, there
13 were 257 investigations into illicit operations in 2018,
14 up from 144 the year before, and in 2018, 6.1 tons of
15 bulk marijuana was seized. There are over a thousand
16 dispensaries in the State outnumbering all Starbucks
17 and McDonalds combined, but 52 percent of them are
18 concentrated within three counties.

19 Sixty four percent of Colorado
20 jurisdictions have banned both medical and recreational
21 marijuana. Pot lobbying expenditures exceeded 955,000
22 in 2018. Alcohol use has increased since marijuana
23 legalization and poison control calls have increased
24 112 percent. ER visits increased 54 percent.

25 We cannot rely on regulation of

1 marijuana stores to keep us safe. Lobbying as well as
2 favoritism and influence will affect how New York
3 licenses will be distributed and regulated.

4 Again, we look to other states and
5 see regulated stores selling marijuana tainted with
6 pesticides and bud doctors advising pregnant customers
7 to use marijuana for morning sickness. In Oregon,
8 there's one inspector for every 83 retail stores. No
9 state has succeeded in limiting THC potency because of
10 opposition from the marijuana industry.

11 The only way to keep our youth safe
12 is to prevent them from trying it. Would they be able
13 to buy it in Little Neck? Yes, but it will be harder
14 and we would have fewer marijuana users driving on our
15 streets. Triple A has opposed legalizing recreational
16 marijuana because of the inherit safety risks and
17 difficulty in writing a legislation that will protect
18 the public and treat drivers fairly.

19 Will we lose some tax revenue?
20 Yes, but we are talking about preventing drug use
21 disorders and traffic fatalities. We cannot falter at
22 a small promise of revenue.

23 Two years ago, I watched the
24 presidents of the Detectives' Association and the EMT
25 Association testify to the Nassau County's Legislature

1 about the huge costs we would incur from hospital
2 visits, ambulances and necessary training if we were to
3 have retail marijuana stores. The Nassau County Task
4 Force found that the anticipated county revenue would
5 be far outweighed by expenses and for this and other
6 reasons, they voted to opt out.

7 The Nassau County legislature has
8 banned smoking marijuana in Nassau County public
9 spaces. County Executive, Laura Curran, in supporting
10 the bill stated, "As a parent, I know we must do
11 everything we can to keep cannabis out of kids' hands
12 and out of public spaces where minors may be present,
13 including all county parks and facilities. I look
14 forward to signing this legislation as my number one
15 priority is keeping our children safe."

16 The Town was given the right to opt
17 out and should use it. Incidentally, we can always opt
18 back in, but we won't have this chance again.

19 In Oregon, 60 percent of
20 municipalities have opted out. In Michigan, over 500
21 jurisdictions have opted out. In California, only 161
22 of the State's 482 municipalities have opted in. In
23 New Jersey, municipalities had until August 21st to opt
24 out and almost half have done so.

25 The Mayor of Union City stopped

1 marijuana operations from opening in his Town, even
2 though he's also a State Senator who cast a yes vote
3 for marijuana legalization. Another local mayor voted
4 to opt out saying residents didn't vote for
5 17-year-olds to become drug users, they didn't vote for
6 some overtaxed product, so some MS13 gang banger can
7 come in here and undercut the legal market. And many
8 jurisdictions simply want to wait until the new
9 cannabis commission puts out regulations and we should
10 wait, too.

11 We've been fooled by powerful
12 corporations before. It took 50 years for the tobacco
13 industry to admit its products were harmful and they're
14 still litigating with the FDA over new graphic health
15 warning labels. Incidentally Altria, an investor in
16 Canadian marijuana and JUUL, is none other than
17 Marlboro with a new name. We were fooled by the vaping
18 industry which claimed its products were for adult
19 smoke cessation, but which paid teen influencers for
20 advertising on social media.

21 We were fooled by the opiate
22 industry. They concealed evidence that their products
23 were addictive, they ignored massive orders of pain
24 medication from smaller pain shops that were supplying
25 people's addictions. One of the former Purdue Pharma

1 executives has now created his own marijuana company
2 and Teva Pharmaceuticals, a defendant in the New York
3 Attorney Generals trial happening on Long Island now,
4 is a medical marijuana distributor in Israel.

5 Constellation Brands, maker of Corona beer, has a
6 38 percent stake in Canopy Growth. Anheuser-Busch is
7 partnering with Tilray to make marijuana-infused
8 drinks.

9 We've been fooled by legislators
10 who claim they're serving social justice. Marijuana
11 possession was decriminalized in 2019 and they did
12 nothing to advance the expungement process. Advancing
13 social justice takes real targeted training and
14 education. Instead they offer another addictive drug
15 that will harm underprivileged communities. The real
16 motive is money and it will go to large corporations
17 because buying a licence from the Office of Cannabis
18 Management will be too expensive. Nationally, in
19 states that legalized, less than two percent of
20 dispensaries are owned by minorities. Yes, we want
21 jobs, but we have so many other needs in the Town of
22 North Hempstead. We want businesses that lift up our
23 youth.

24 Increased accessibility and
25 acceptability means more young people will use

1 marijuana. Clearly, a minimum age of 21 doesn't work.
2 The Town of North Hempstead created zoning laws in
3 response to a public outcry two years ago. Medical
4 marijuana stores can operate in industrial and hospital
5 zones and they will be allowed to sell recreational
6 marijuana. This will be an adequate supply for our
7 adult users.

8 Marijuana is legal, but not safe.
9 People say we should treat it like alcohol and tobacco,
10 but these are our biggest killers. Each year more than
11 480,000 Americans die from diseases caused by and
12 exposure to tobacco smoke and 88,000 die from alcohol.
13 Legalizing and regulating does not make something safe.
14 Please put our health and safety first and opt out of
15 retail marijuana stores and consumption sites.

16 Thank you.

17 MR. WINK: Jen, if I could. I'm
18 going to more or less repeat the question I asked of
19 Liz Kase. One of your last statements was that medical
20 cannabis facilities can sell recreational?

21 MS. DESENA: That's my understanding
22 is that medical will be allowed to sell recreational.

23 MR. WINK: With or without an opt
24 out on our part -- on the Town's part? Because that
25 was the question I asked Ms. Kase was whether or not

1 they're somehow exempt from our opt out because they're
2 already here.

3 MS. DESENA: I didn't think that the
4 medical dispensaries would be affected by opting out.
5 I thought that the opt out was for recreational.
6 That's how I've been interpreting.

7 MR. WINK: Okay. We're going to
8 talk more about that, but I just wanted to clarify that
9 because I know you made that statement. It sounded
10 like there were going to be retail establishments here
11 anyway in the form of, you know, not only medical, but
12 that there'll be guaranteed the right to sell
13 recreational. So that's something we have to flush
14 out.

15 Do you have a question?

16 MS. KATEMAN: No, I can answer that
17 question.

18 MR WINK: Oh, you can answer that
19 question?

20 MS. KATEMAN: Yeah. So I can answer
21 the question about the medical cannabis companies. So
22 they will be allowed to apply for a license in the
23 adult-use market, doesn't mean they're going to be
24 granted one. They still also have to go through an RFP
25 process as well, so it's not a done deal. Part of

1 their licensing, there's several -- there's several
2 different tracks of how they can apply to operate. So
3 they can remain vertically integrated, they can set up
4 similar to the way the adult-use market is, where you
5 have a cultivation, processing, distribution or just
6 free retail.

7 Where it comes to the free retail,
8 there will be an mechanism to allow them to colocate,
9 understanding that that's the -- respecting the will of
10 the municipality. So if the municipality opts out,
11 that will be represented there. So if there's already
12 a medical cannabis dispensary there, they won't be able
13 to colocate. There will be a clear line of
14 demarcation with separate entrances. They will
15 essentially be two different entities and it will be
16 clearly marked that this is the medical cannabis side,
17 this is the adult-use cannabis side but there's not
18 a -- there's still going to be a process of allow -- of
19 whether or not -- who will be allowed, you know,
20 they'll have to pay for it, participant application
21 fees.

22 So there is a process for them to
23 allow but they will still have -- there's not like,
24 you know, I'm a medical cannabis company, I'm going to
25 automatically be an industry. They still have to meet

1 certain thresholds in an application process to be able
2 to do that.

3 MR. WINK: But to your knowledge,
4 will they be subject to an opt-out?

5 MS. KATEMAN: To my knowledge, yes.
6 The rule that -- the rule governing adult use will
7 apply even if the medical cannabis company does acquire
8 an adult-use license.

9 MR. WINK: Okay.

10 Jack and then Marianna.

11 MR. KOTT: Jennifer, thank you for
12 your presentation. Particularly what intrigued me was
13 the amount of information you gave us on education. I
14 remember 50 years ago I was a drug teacher in Ocean
15 Hill-Brownsville in the City. We got tons of supplies
16 from the federal government. I visited classroom after
17 classroom. When I left, it just died. What has been
18 done -- and I've tried to follow it. I haven't seen
19 the education being effective at all. You just turned
20 around and said nine -- was it nine years after
21 Colorado began, the state legislature turned around and
22 said let's start educating people? The whole thing has
23 me in a boggle in all honestly and I don't know where
24 to go with it.

25 MS. DESENA: Right. There's a lot of

1 of will there be -- will they be near schools or
2 churches? I don't know.

3 MR. KOTT: I believe that's been
4 taken care of in the law itself.

5 MS. DESENA: Well, currently the
6 zoning -- currently, the Town of North Hempstead said
7 medical marijuana can be zoned in industrial or
8 hospital zone and that's it. And no retail -- no
9 recreational retail marijuana, but I believe this law
10 is going to supersede that and that's why the
11 affirmative opt out should be done.

12 Then the question is what happens
13 to our zoning, you know, it'll be challenged someday.
14 And I don't know if we're going to be allowed to have
15 limits on the number of dispensaries or if they're
16 located near a school. I don't know yet.

17 MR. KOTT: Then the question -- my
18 question becomes, assuming we opt out, what changes
19 from before the law existed when it was totally
20 illegal? And I've heard Pat -- I've heard Pat Ryder,
21 the Commissioner, speaking about this. We've had
22 discussions about it and again, it's the same question.
23 It was illegal before, it's been illegal since the
24 early 1920s and yet, look at it. And education has not
25 done a damn thing about it. The law has not done a damn

1 thing about it.

2 This young lady who I feel sorry
3 for, Alissa who spoke earlier about her son's
4 addiction. Again, he -- the law was not there. It was
5 there saying it's illegal, period, end of discussion.
6 What do you do? If we opt out, we're leaving
7 ourselves -- I think at least at this moment without
8 further observation, we're leaving ourself in the same
9 position that we -- if we opt in, we might have the
10 ability to regulate. If we opt out, I don't see any
11 possibility of regulations.

12 MS. DESENA: Well, if we opt out,
13 we're sending a message saying that we don't want our
14 kids walking by these stores every day and being
15 tempted to go in and buy marijuana. It'll definitely
16 be easy to buy it, you know, the older kids will buy
17 it, kids with fake IDs will buy it and there's
18 something, you know, seeing all these stores and
19 advertisement does make them think that it's safe, but
20 they don't -- they don't know what this is. They don't
21 know that this is stronger stuff that's causing
22 hallucinations, because we've all let down our guard if
23 we let them think it's safe.

24 That's why I think opting out
25 really sends the message, this is for adults. We care

1 about our kids and we also care about who's driving on
2 our streets and we think a lower number of stores on
3 our -- in our downtowns, we have a lot of empty stores.
4 We think not having, you know, 20 marijuana stores on
5 Plandome Road, we think that's better, you know? Let's
6 get better stores, let's get a salad store, you know,
7 let's get better stores. And so by opting out, we're
8 saving the chance for our kids to see good businesses
9 that are safe for them.

10 MR. REYNOLDS: Can I just offer a
11 different perspective on the educational piece?
12 Because I think you're right. So, you know, my
13 perspective on the educational piece is that for too
14 many years, we went in and equated marijuana use with
15 heroin use and said if you smoke a joint today, you're
16 going to be living in a box, shooting dope tomorrow.
17 We didn't get into the nuance discussion about how
18 substance abuse actually works in kids and we didn't do
19 it in a sustained way. So virtually every school
20 district across Long Island has what they call Red
21 Ribbon Week. They bring in somebody like me or Jen,
22 they put 400 kids in an auditorium and they tell us
23 scare the hell out of them.

24 MR. KOTT: And you speak to them
25 once?

1 MR. REYNOLDS: And we do it once,
2 right? And Jen pointed out that there are a whole
3 series of influences that happen around the clock 24/7.
4 And so as New York State moved ahead with this, there
5 are a lot of us who said you ought to be rolling out a
6 public education campaign focused on young people,
7 pregnant woman and folks with mental illness before you
8 even move forward with this because the discussion
9 about legalization has created an impression among
10 young people that it's safe. And as that anxiety and
11 depressions increases, they're going to find a way to
12 make it go away and right now cannabis is that thing.

13 I would say that any town that
14 moves ahead with opting in ought to make sure that
15 every dime in tax revenue is set aside to address the
16 preventative pieces. I feel the same way about the
17 State and actually called the State today and said
18 you're halfway into the fiscal year, you didn't use the
19 \$30 million you set aside for the Office of Cannabis
20 Management, that means you have \$15 million. Spend it
21 on a public education campaign right now, today. But
22 that's where some of this begins to fall apart. When
23 you're talking about the financial piece -- and I
24 don't know what the revenues are going to look like.
25 Nobody does. There's a part of me that wonders are you

1 going to have to spend as much dealing with the
2 potential downsides in the long runs?

3 So that's the big equation, but I
4 share your frustrations about marijuana use and drug
5 use among kids. It's not getting better, but part of
6 that is we've done a lousy job when it comes to
7 education and in some regards, we haven't been honest
8 with our kids because we don't have time to get into
9 the nuances. It scared them, the bell rings, they're
10 on the bus and they forgot everything you said in
11 15 minutes.

12 MR. KOTT: Look, I was in business
13 in the city and I could go to my loading dock and get a
14 contact high from -- and these were not kids that were
15 smoking.

16 MR. REYNOLDS: Right.

17 MR. KOTT: And at that point, it was
18 going -- gold was going at about \$55 an ounce.

19 MR. REYNOLDS: I hope you bought
20 some.

21 MR. WINK: Can I just add one thing?

22 MR. KOTT: That was long passed.

23 MR. WINK: Michael.

24 MR. SAHN: Yeah. I just want to --

25 MR. WINK: Marianna, I'm so sorry.

1 We'll get to you.

2 MS. WOHLGEMUTH: It's okay.

3 MR. SAHN: I think your presentation
4 is wonderful. I think all the presentations have been
5 highly informative. I think for ourselves -- and I may
6 be wrong on this -- we have to define what is the scope
7 of the Town's authority to act or not act under the
8 State law. As I understand it -- and again I may be
9 entirely wrong on this -- there is no such thing as opt
10 in. There is only opt out. And the opt out -- and
11 please if I'm wrong, correct me. As I understand it
12 the opt out is very limited. The opt out is to allow
13 retail dispensaries or on-site consumption
14 establishments in the Town. That's what the Town can
15 --

16 MR. WINK: That is the basis of opt
17 out as I understand it as well.

18 MR. SAHN: As I understand it, you
19 can opt out of doing.

20 MR. WINK: If you opt out, you
21 don't allow anything.

22 MR. SAHN: So if we opt out, we will
23 not allow that. If we don't opt out, they would be
24 allowed subject to reasonable regulations that the Town
25 can impose that would be similar to other land use type

1 regulations. So they could be in certain zones, they
2 could be certain distances, if they were reasonable.

3 So I think as I'm listening, there
4 are so many layers of discussion that, for instance
5 that Jeff has brought up about education, about driving
6 and, you know, when having consumed the product, etc.,
7 but with respect to the Town Board and what the Town
8 Board is going to do, I think, you know, for better or
9 worse, the State has circumscribed what we can do.

10 And all these, you know, the other
11 discussions are very informative and helpful and should
12 inform our discussion of whether we recommend to opt in
13 or -- not opt in, opt out or not. But I think it would
14 be between us to focus on those particular -- the
15 public authority we're getting.

16 MR. WINK: I do believe all three of
17 these speakers speak to elements of this, but I also
18 think there is a lot to be flushed out in terms of what
19 the law allows.

20 MR. SAHN: Yes.

21 MR. WINK: For example, my
22 understanding is, if there is an opt in, the State
23 presupposes that we cannot site a facility within 500
24 feet of a school or within 200 feet of a house of
25 worship. Am I correct about that? So that's -- as I

1 understand it, that's a floor, that's not necessarily a
2 ceiling.

3 MR. SAHN: Exactly.

4 MR. WINK: So the Town, if it choses
5 to opt in, could in fact span those restrictions beyond
6 500 or 200 feet. But I think for the purposes of our
7 discussion right now, that's not the threshold. The
8 threshold is are we opting out or are we considering
9 opting in? And if we do, what regulations would be
10 imposed upon in opt in?

11 So while there is no vote to opt in
12 officially, there are many questions irrespective of
13 even opting out. For example, you know, as Jen has
14 mentioned, as others have mentioned, Nassau County has
15 prohibited the consumption of cannabis in their parts
16 and on, I think, their right of ways or whatever. You
17 know, they've done that even though they don't have the
18 choice of opting out or not. You know, my suspicion is
19 that if the Town were to opt out, that is something
20 else we could and probably should do under any
21 circumstances, you know, to make this consistent with
22 our regulations on tobacco, on alcohol, things like
23 that within the Town's facilities.

24 That would be a separate question
25 from opt in or opt out, but within the opt in, while

1 there's no one set of decisions that get made, there is
2 a whole panoply of different options that the Town
3 could entertain. So that's -- when we sign the flesh
4 out, it's going to be imperfect. It's not going to all
5 come out chronologically or, you know, linearly, you
6 know, as we get testimony both from the experts and
7 from the public. But my intention, my hope, is that by
8 the time we've completed this process, we will be able
9 to piece together a coherent, understanding of every
10 right and responsibility the Town has and make a
11 recommendation to the Town Board to that end, to
12 whatever end this task force believes.

13 MR. SAHN: I fully agree. For me as
14 I listen to the discussion, what concerns me most is
15 understanding if the -- the following. If the Town
16 decides to opt out, what other issues will the Town
17 still confront?

18 MR. WINK: Understood.

19 MR. SAHN: And that's I think what
20 you were saying.

21 MR. WINK: Right. One thing I
22 suggest is regulating -- the reality is this is legal
23 in the State of New York. It's been decriminalized for
24 two years and it will be in fact legal, whether it's by
25 mail order, whether it's by someone, you know, someone

1 in New Hyde Park walking six blocks across the border
2 into, you know, into Glen Oaks or into Little Neck, it
3 will be in the community. It already is.

4 MR. SAHN: I think that's the point,
5 even with opting out, that the Town and the community
6 is going to face a series of issues about -- and I
7 think that's what Jeff was saying and what the speakers
8 are saying. That's what I believe.

9 MR. WINK: Right. The inquiry
10 doesn't end at opt in or opt out. It goes beyond.

11 MR. SAHN: Right. I'm only saying
12 this is what interests me to understand the scope of
13 that.

14 MR. WINK: Understood. Understood.
15 And Marianna, did you have a
16 question?

17 MS. WOHLGEMUTH: Yes.

18 MR. SAHN: And Jennifer, I think
19 your presentation was wonderful.

20 MR. WINK: I'm sorry.

21 MS. DESENA: Thank you.

22 MR. WINK: And Marianna, if you have
23 a question, please.

24 MS. WOHLGEMUTH: Hi. You mentioned
25 before a statewide potency cap. Is that being

1 considered now? Is that on the table for discussion
2 or?

3 MS. DESENA: I don't think so, no.
4 That's what they're looking at in Colorado now. That's
5 what they've learned nine years later is that --

6 MS. WOHLGEMUTH: So it's not even
7 like a little thought?

8 MS. DESENA: It's not a cap, no.

9 MS. WOHLGEMUTH: Okay.

10 MS. DESENA: I mean they've talked
11 about taxing at a different price, recognizing that
12 that product is so strong, but they haven't -- New York
13 hasn't said that they would limit it to 15 percent.

14 MS. WOHLGEMUTH: Okay. I have just
15 two short questions. You mentioned the inspectors.
16 Does the law provide or allow for that and if so, who
17 would really be responsible? Would the Town be
18 responsible for inspecting if there is something -- who
19 does the enforcement? What would that be? Are you --
20 do you know?

21 MS. DESENA: I'm not sure. I would
22 think that would be State. I would think it would be
23 state inspectors --

24 MS. WOHLGEMUTH: Okay.

25 MS. DESENA: -- but I think --

1 that's in the detail.

2 MS. WOHLGEMUTH: Well, I'll -- we'll
3 find out, I guess. And then the third question I had
4 was when you speak about expenses, that it outweighs
5 the expenses, what type of expenses did you have in
6 mind that it would outweigh the revenue?

7 MS. DESENA: Treating people in
8 hospitals, ambulances, emergency room visits, a lot of
9 expenses to take care of people who are sick and
10 needing treatment.

11 MR. WINK: Jen, if I could just
12 clarify the record. I believe what you were indicating
13 was that the county's task force, which was established
14 two or three years ago I think, came to that
15 conclusion, right?

16 MS. DESENA: Yes. I was talking --

17 MR. WINK: You were (unintelligible)
18 with it, but that was their basis.

19 MS. DESENA: Right. At that time I
20 was talking about testimony from the union leaders, of
21 the detectives and the ambulance drivers and the EMT
22 workers about how expensive it would be to treat all
23 the people who need help, you know, who are having
24 accidents on the roads and being transported to
25 hospitals. And so the county had a task force and the

1 County calculated how much it could make from marijuana
2 and the expenses and that -- and the County two years
3 ago voted to opt out, but that legislation isn't around
4 anymore. This is new legislation, the MRTA, and now
5 the opt out has to be at the Town level so, you know,
6 their testimony about how expensive it would be to
7 treat people and bring them in ambulances to hospitals,
8 you know, those expenses are never calculated when
9 people talk about revenue. They're only talking about
10 money coming in, but it's expensive to take care of
11 people who are addicted and who get into accidents
12 because they're, you know, impaired.

13 MS. WOHLGEMUTH: Thank you.

14 MR. WINK: Are there any other
15 questions?

16 MR. ISENSTADT: Can I ask just one
17 question?

18 MR. WINK: Yes.

19 MR. ISENSTADT: Thank you. Actually,
20 just a point of clarification and then a question. On
21 the education campaign that you guys were talking about
22 before, New York State has already issued an RFP for a
23 comprehensive education campaign including access to
24 minors and pregnant women and things like that. Even
25 though the office is not fully established, they are

1 thinking about that. So I don't think we'll be looking
2 at, you know, nine years down the line and I think
3 maybe New York is trying to learn from some other
4 states' mistakes.

5 The question I had was -- you made
6 a comment about how -- I think it was something like,
7 you know, we should opt out here, people will go to
8 Little Neck and it'll just be harder. Was that just --
9 were you just saying distance, that people would have
10 to travel to get it? Is there anything else that -- I
11 just want to clarify.

12 MS. DESENA: I'm mostly thinking
13 about kids, you know, just if the stores are right
14 here, if they're right in our own downtowns, it would
15 be easy for them to get it. It's not only accessible
16 because there's -- there'd be many stores here, but
17 it's also acceptable. You know, it just looks very
18 legitimate when you have 15, 20 stores mixed in with
19 our other restaurants. So it's easier for -- it'll be
20 easy for them to get it. Obviously, you know, marijuana
21 is legal now. So we have to deal with this and we have
22 to educate as much we can, but if the stores aren't in
23 our downtowns, it's harder for our kids to get it.

24 So, you know, for adults who want
25 to buy it, obviously there's delivery. There's a lot

1 of ways they could get it and, you know, that goes to
2 my earlier comment that, you know, we're not just
3 making this decision for ourselves, you know, an adult
4 who wants to go use some marijuana. The greater good
5 includes our children. And also anyone who is
6 suffering from anxiety or ADHD, they're very vulnerable
7 to, you know, getting addicted to marijuana.

8 So I just meant Little Neck is very
9 close to us. New York City obviously is not opting
10 out, so it won't be that hard for adults to go get
11 marijuana, but what I would like to see is for it to be
12 harder for our children to get it.

13 MR. REYNOLDS: Jen, I'm wondering
14 if you could -- and I know we're running late on time,
15 so, you know, I'll keep it short and maybe we could
16 probably get out of here at a reasonable hour.

17 I'm wondering if you could share
18 your thoughts about on-premise consumption. I think
19 most of us, when we think about a consenting adult
20 smoking marijuana in their own home, without operating
21 a motor vehicle, not in front of children, that kind of
22 thing is one thing. But did you have thoughts about
23 on-premise consumption, specifically on-premise
24 consumption that may or may not include alcohol as
25 well?

1 MS. DESENA: Right. I think that
2 would be dangerous. Obviously people are on the roads
3 going home. You don't know who you're going --
4 especially if you don't know what other villages are
5 opting out. I mean are we going to be -- have other
6 people coming to a consumption site here? They do have
7 to get home. People, you know, people here drive.
8 It's not like we're in the City and we take the Subway
9 and, you know, we're not so vulnerable with our roads,
10 but people drive here. So I would be -- I would
11 definitely think that it would be dangerous and they do
12 say combining alcohol and marijuana together results in
13 a much more dangerous, you know, health condition, so
14 that would have to be very carefully separated.

15 MR. WINK: Ms. DeSena, I want to
16 thank you very much for your testimony. I appreciate
17 you taking the time.

18 Mr. Schultz, while they're cleaning
19 up, I'm going to ask you to prepare to come up and I'm
20 going to ask you to start whenever they're ready. Maybe
21 in like 2 minutes.

22 MR. KOTT: Excuse me, Wayne.

23 MR. WINK: Yes.

24 MR. KOTT: I'm sorry. I don't know
25 your name.

1 MR. ISENSTADT: Jordan.

2 MR. WINK: Jordan.

3 MR. KOTT: Just for your own
4 information, I have been querying the state regents and
5 they have been -- not been asked anything by the State
6 as far as setting up any kind of program for education
7 statewide. So the board of regents is nonexistent
8 basically as far as this is concerned.

9 MR. ISENSTADT: I mean this was
10 specifically an education -- this is an education
11 marketing campaign, advertising and things like that.
12 Not --

13 MR. KOTT: But that would be
14 follow-up. What good is it going to do?

15 MR. ISENSTADT: Right. Understood.

16 MR. KOTT: You know? I think it's a
17 great idea if they do it, but you still need the
18 follow-up.

19 MR. ISENSTADT: Right. Well, it
20 needs a comprehensive approach. You need both.

21 MR. KOTT: Because if a kid looks
22 at it on their phone or online or whatever. Okay,
23 great. That's great. And then it's gone.

24 MR. ISENSTADT: Right.

25 MR. KOTT: And I think that's been

1 part of the problem.

2 MR. SCHULTZ: Would you like me to
3 wait until they --

4 MR. WINK: I think you can begin.
5 You know, we are creating a record for everyone to
6 review.

7 MS. WOHLGEMUTH: Oh, thank you.

8 MR. SAHN: Thank you, Rachel.

9 MS. BRINN: You're welcome.

10 MR. WINK: Oh, this is the handout?
11 Perfect.

12 MR. SCHULTZ: Can you guys hear me
13 okay? I can't hear anything in this thing, so I don't
14 know.

15 MR. WINK: I know.

16 MS. KASE: I think you have to get
17 closer.

18 MR. WINK: Yeah, I think -- yeah,
19 if you can lean in a little bit more, that'd be great.

20 MR. SCHULTZ: How's that?

21 MS. BRINN: You can take it out of
22 there if it's easier.

23 MR. SCHULTZ: Is that better?

24 MR. WINK: If you want to hold it by
25 hand. I think that may be possible.

1 MR. SCHULTZ: I might start singing.

2 Nobody wants that.

3 (Laughter.)

4 MR. SCHULTZ: Good evening. Thank
5 you for having me. It's an honor, a privilege to be
6 speaking in front of you and presenting.

7 MR. KOTT: I can't hear him.

8 MR. SCHULTZ: Thank you to my fellow
9 experts, their presentations, great questions, a couple
10 of which I have some answers to, that may not have been
11 completely answered, but maybe I just have a different
12 answer to some of those questions.

13 MS. WOHLGEMUTH: I can't hear you.

14 MR. SCHULTZ: Can't hear me? I'll
15 hold it close.

16 MR. WINK: The closer, the better.

17 MR. SCHULTZ: My name is Jeff
18 Schultz. I am an attorney. I'm a partner at
19 Feuerstein Kulick. We're a New York City based law
20 firm with 25 attorneys. Our practice is dedicated I'd
21 say roughly to 95 percent to the cannabis industry,
22 operators, investors and the like and some government
23 relations work. I myself am a member of the New York
24 State Bar Association Cannabis Committee, the New York
25 City Cannabis Industry Association and National

1 Cannabis Round Table. In addition to being a
2 practicing attorney in the space, I'm also an operator,
3 I own a dispensary in Massachusetts and I'm an active
4 investor in the industry as well.

5 I'm also a resident of the Town of
6 North Hempstead. I live in Roslyn. I'm a homeowner, a
7 tax payer, a father of two lovely children. They're
8 nine and six. So all of these issues are very much
9 near and dear to my heart. You can imagine what some of
10 these conversations -- or what I'm thinking in my head
11 -- are going to be like with my kids in a couple of
12 years or maybe very soon when they learn how to use
13 Google.

14 So these are issues that I think
15 about constantly and I take it very seriously. I take
16 the safety issue very seriously. Access to cannabis,
17 safe access to cannabis and I think often, everyday,
18 about whether we're going to see retail or any other
19 cannabis in our community whether it's cultivation,
20 manufacturing, processing or otherwise.

21 If you guys wouldn't mind humoring
22 me, I can answer some -- there's a couple of issues
23 that came up. Would you like me to just get it out of
24 the way and answer them?

25 MR. WINK: If you would, that's

1 perfectly fine. Extemporaneous speaking is always an
2 asset.

3 MR. SCHULTZ: Sure. So when it comes
4 to opting out, you have one shot, right? If you opt
5 in, the Town opts in indefinitely. It's permanent.
6 You can not revoke that opt in. You're in for good, so
7 I think that's something that the Town should be aware
8 of. Know that there's no taking that back after
9 December 31st.

10 The timeline that I heard some of
11 you express some concern over is a legitimate concern.
12 I hope -- I expect that the State, because the program
13 has been delayed, I expect that the State is going to
14 probably give towns -- give municipalities perhaps an
15 extra month. That's been known to happen in a lot of
16 other jurisdictions. I think that would be wise at
17 this point since the CCB directors have not been
18 appointed, the Office of Cannabis Management has not
19 been established and the regulations to the extent are
20 being written -- are being written behind closed doors.
21 I do have a little bit of insight to the extent that
22 there are any questions on the regs and what they're
23 thinking about.

24 Michael, I think that you nailed
25 the very focused issue of what's our obligation here in

1 the Town of North Hempstead? There are two steps.
2 This is decision to opt out or not. There's no opting
3 in. You're either opting out or you do nothing and
4 you're in. If you do opt out, the Town is allowed to
5 opt back in at a later date, but there are reasons why
6 that is completely impractical.

7 So the second question is if you
8 opt in, what do we do now? How is this going to affect
9 our Town? You have zoning regs and laws. I'm not a
10 zoning lawyer -- I just play one on TV -- but I know
11 enough to be able to help inform this a little bit.
12 You could create buffer zones. You could say create a
13 2,000-foot buffer between stores. How many stores
14 could you even put on Plandome Road? Or make it 5,000.
15 It would need to be reasonable, right? We'll get to
16 that in a second.

17 So there's two parts to this role.
18 It's -- excuse me -- the decision to opt in or not and
19 then promulgating zoning regs that fit within the Town
20 to get what you want. There are nuances that are
21 complicated there, which we can get into, like the
22 state has ultimate control of who to award licenses to.
23 They could award 30 licences to applicants who have
24 real estate in the Town of North Hempstead. You have no
25 say of whether you want 3, 10, 30 or 100 dispensaries

1 in your town. That is an issue. I don't know how that
2 gets resolved at all, but it's something that I think
3 about a lot. I don't know how it's going to get
4 resolved.

5 Cannabis is ubiquitous. It's
6 everywhere. Consumption, possession is everywhere.
7 It's been -- I don't need to repeat that. Everybody
8 who has spoken, all three women, have discussed that
9 cannabis is in fact in our communities on a very
10 regular basis. Whether the Town decides to opt in or
11 not will not change that decision. You can choose to
12 have a dispensary on Plandome Road or you can tuck it
13 back in the corner somewhere depending on what the
14 zoning rules look like, but it's here today. It's not
15 going anywhere. It will be here tomorrow. It'll be
16 here whether we opt in or opt out. Let's be clear
17 about that.

18 So to the extent that there are
19 concerns over safe access and children getting access,
20 that is a huge concern of mine. I think regulating the
21 industry -- and I have data to show having dispensaries
22 in certain localities actually decreases the likelihood
23 that children under the age of 21 get access to it.
24 They shouldn't have any access to it. We were all kids
25 once. We all went to high school. I was once 16, 17,

1 18 years old and it was easiest to buy cannabis and
2 then beer and then alcohol and there's a reason for
3 that and they were regulated as such. If you want your
4 kids to have less access in it, regulate the market.

5 You can not walk into my dispensary
6 without showing a valid I.D. and it's not a guy behind
7 the counter just giving it a look. You scan it into a
8 system. You can't even walk in. Last time I checked my
9 kids can go in the liquor store with me and be
10 mis-educated about everything on the shelves. That can
11 not happen in this market, not under the MRTA. You can
12 not even walk in. Period. You can't walk in with an
13 expired license if you're 50 years old. They will not
14 let you in.

15 The rules in New York are going to
16 be very strict as they should be. Nobody wants anybody
17 under the age of 21 -- the evidence around cannabis
18 consumption for teenagers is difficult to refute. It
19 creates problems and we should regulate it as such, but
20 acting like it's not going to be in our communities is
21 only going to serve to harm them.

22 There are two companies -- I am not
23 vouching for either one of them. I have no financial
24 interest or any interest whatsoever in them. One is
25 called Hound Labs and the other is Cannabix. Both of

1 them have developed a breathalyzer for cannabis, so
2 that does exist and that should be on the record. If
3 the Town of North Hempstead opts out, we have less
4 revenue for pay for those devices for our law
5 enforcement to enforce the law.

6 To Jeff, to address your concern
7 over white men owning the vast majority of this
8 industry, that is a real concern. That's a problem and
9 you're right. It's a factual matter, it's
10 indisputable. The MRTA is a very progressive bill.
11 It's the closest thing I have seen to trying to course
12 correct on that. They're awarding 50 percent of the
13 licenses to women and minority-owned businesses. Half.
14 That's probably 48 percent more than everywhere else,
15 right? That's very little minority and women-owned
16 businesses in the cannabis industry.

17 The solution to that problem in my
18 opinion is passing the SAFE Banking Act, which has
19 passed the House three times, and our senator, Chuck
20 Schumer, has now put it to the side for a federal
21 legalization bill that has no chance of passing, but
22 what that would do is open up markets for lending and
23 for individuals to raise capital. Right now if you
24 don't know a family office or a billionaire, you're not
25 raising money. It's all being raised by high net worth

1 individuals. That's who owns this industry. The only
2 solution to that is allow other people to invest in it
3 and you have to legalize banking to do that and that's
4 not something New York can really solve. But that's my
5 opinion on this industry. Will that change? I'm not
6 terribly optimistic that it's going to change. It is
7 what it is. It's unfortunate.

8 Although I love the bill -- I love
9 the New York bill for that purpose. I see it in the
10 way we are structuring businesses here in New York
11 today. We're very active in that. We are writing
12 applications for New York cannabis operators for adult
13 use and what might be an expanded medical program,
14 which we can also discuss. It's heartening to see
15 what's going on and seeing how many entrepreneurs are
16 out there that are women and minority and minorities
17 that look like they're going to get a real piece of
18 this industry which they should.

19 As far as distance and difficulty
20 to obtain cannabis, the one thing that would make it
21 easiest to obtain cannabis is, as we mentioned, the
22 drug dealer down the street. Do we want our kids
23 buying cannabis from a drug dealer down the street
24 who's going to upsell them to cocaine or other drugs
25 that we don't want -- obviously don't want in our

1 community and don't want our kids to have anything to
2 do with?

3 If my kids are going to consume
4 cannabis, they're going to get it from me. And I know
5 that may seem crazy to some people, but they're not
6 getting it from a drug dealer who's going to sell them
7 product that's never been tested, they're lying to them
8 about what it is, where it came from and I have no idea
9 what's in it. If they're going to get it, they're
10 going to get it from me first and they're not going to
11 get it until they're 21 and that's my responsibility as
12 a father, okay?

13 Just because they have to drive
14 five minutes away or ten minutes away does not really
15 make it more difficult. There's a company in
16 Massachusetts in the Berkshires right on the New York
17 border called Theory Wellness. I'm not calling them
18 out. They're just a success story. That store does
19 \$40 million a year in revenue. I believe about half of
20 that is coming from New York State residents. So if you
21 think driving six minutes makes it more difficult,
22 you're wrong. People drive three hours to go get it
23 and bring it back. The amount of cannabis coming back
24 from Massachusetts is outrageous. New Jersey beat us to
25 the punch, it's going to be even worse and Connecticut

1 might beat us.

2 Nonetheless it's easier to get
3 cannabis than that. It will be delivered into our
4 community. You cannot opt out of delivery. In fact, I
5 can go set up a building in town, a warehouse, I don't
6 need a dispensary. I can have a massive warehouse and
7 just have people delivering it to every one of you
8 guys, right down the street. You can't opt out of that
9 and you don't get the tax revenue. So it's a nuance in
10 the bill that everybody should be aware of. It's going
11 to be in our neighborhoods. It's already here.

12 To answer the question on the ROs,
13 the medical operators, they currently have three
14 licenses -- three retail licenses. They will get all
15 eight. That's been an ongoing negotiation, I bet my
16 life on it. They're going to get eight total
17 locations, three of which could be located as -- eight
18 medical and three of which can be colocated as medical
19 and adult use. Whether they have to be separate
20 physical locations and addresses, I don't know. In
21 Massachusetts you walk into one store and they have
22 medical this way, adult use that way and it's
23 distinguished as such.

24 Lastly, they addressed the question
25 on whether the medical market goes away. I'm worried

1 that about, too. There is reason to believe that it
2 could remain alive. They have now allowed flowers as a
3 form factor. The governor and the head of DOH, have --
4 they don't believe in -- my understanding is that they
5 don't believe that cannabis is medicine and have been
6 loath to approve other form factors.

7 So with the introduction of -- with
8 the introduction of flower, dry flower, smokable --
9 weed as, you know, most people think of it, will be
10 allowed and that usually represents roughly 60 percent
11 of sales across the country I'd say on average. So --
12 and there's some loosened regulations around doctors
13 and how they can prescribe it. So the medical program
14 may be revived a little bit. I think the solution there
15 is to allow for insurance reimbursements and you might
16 be able to keep the industry alive for a little bit.

17 As far as the \$30 million that's
18 been earmarked for the OCM establishment, like, I have
19 proposed at various levels of the state and local
20 governments in New York to bond that tax revenue and we
21 can do that now. The State of New York can raise, I
22 don't know, five hundred to a billion dollars and they
23 can bond it, right? If you're a resident of the State
24 you can invest in that tax free and it will be backed
25 by cannabis tax revenue. I don't know if that idea's

1 getting attraction, but that's one way to deal with
2 some of these finance issues because this program is
3 going to take three to five years to get to scale at
4 least.

5 Everybody's very excited -- well,
6 maybe not everybody, but a lot of people are excited
7 about what could be and it's just not going to happen
8 overnight. We've seen it happen -- I've seen it now
9 happen in 19 states. It doesn't happen quickly. It's
10 certainly not overnight, so it takes years to happen.
11 Bonding the tax revenue is one potential solution, but
12 let me quickly move on.

13 A lot of these issues were covered,
14 so I'm going to kind of fly through a little bit of
15 them.

16 Where are we at federally? 39
17 states have legalized medical cannabis -- 37, I'm
18 sorry. 19 states and Washington D.C. and Guam have
19 legalized adult-use cannabis. There's a current bill
20 in the senate that's been introduced. It's a discussion
21 draft to remove cannabis from the Controlled Substances
22 Act. It's now a controlled -- it's now a Schedule I
23 drug, along with heroin. I believe cocaine is a
24 Schedule II drug.

25 The MRTA was passed on March 31st.

1 We're gone through this. It decriminalizes and
2 regulates the industry. Decriminalizing the industry
3 will only allow for what we all know as drug dealers to
4 prevail. Drug dealers in the city are absolutely just
5 making a fortune right now. There are no repercussions
6 for selling drugs. I walked through Times Square last
7 week. It it like a farmer's market of drugs. I have
8 never -- I am blown away by it. There are people just
9 with displays out, okay? That's what happens when you
10 decriminalize it, but you do not regulate a market.
11 Hopefully we'll get these regulations pretty soon.

12 We've gone over this one. I'm just
13 going to skip it.

14 What are the goals and objectives?
15 Prioritizing social and -- excuse me. Prioritizing
16 social and economic equity among applicants, advancing
17 social and restorative justice initiatives. And as I
18 discussed, half the licenses are going to women and
19 minority-owned business. Minorities are just defined
20 as basically anybody that doesn't look like me.

21 I think there's a huge opportunity
22 for small businesses to thrive in the State. They
23 don't want big cannabis companies in New York. I can
24 promise you that. They've banned vertical integration,
25 except for the 10 ROs, 9 of which are multistate

1 operators and mostly publically traded. I don't think
2 that there will be a lot of room for big companies in
3 the State that are coming in from out of State. They
4 do -- this bill is certainly a nod to local industry
5 and local entrepreneurs. And of course rectify the
6 injustices from the misapplication of our criminal
7 justice system over the last seven years.

8 And on that note, I just want to
9 say that I don't use the term marijuana. I call it
10 cannabis. Marijuana is a derogatory and a racist term.
11 I'm offended when I hear it.

12 Timeline. This is anybody's guess,
13 but my educated guess is it looks like we may get CCB
14 appointments from the governor as early as -- within
15 two weeks from now. I don't know if that's really going
16 to happen, again, there's a lot going on. The new
17 governor is very busy and has a lot of priorities. My
18 understanding is that this is one of them. One of the
19 main sponsors of the bill, Crystal Peoples Stokes is
20 from Buffalo, as is Governor Hochul, so I'll just point
21 that out.

22 As soon as the board is appointed
23 they can -- the State can promulgate rules and regs.
24 The regs come out, long story short, it's a five-month
25 period for two notice of comment periods, right? So

1 from the date that the CCB's appointed, then we have to
2 work into finalizing the regs that can be released
3 publically. Once they're released publicly, there's a
4 five-month period. That's obviously going to get us
5 past December 31st, which is why there's some concern
6 over -- we don't even know what the regs are and you're
7 asking us to make this decision to opt out or not which
8 is -- leads me to the conclusion that I think that
9 they'll extend that. It's happened elsewhere.

10 Once the rules are finalized,
11 things move generally pretty quickly as they have in
12 other states. That's what I would anticipate. That's
13 happening right now in New Jersey. Things are moving
14 very fast. I think applications may be due within
15 90 days right now. So this could happen -- we could
16 see in April, May or June, applications released and
17 they'll be due within maybe 30, maybe 60 days, very
18 quickly. These are thousand-page applications.

19 This is just a slide on the license
20 types.

21 Again, New York has banned vertical
22 integration much like alcohol laws at the federal
23 level. You cannot be a vertically-integrated operator.
24 Now, the ten medical operators are going to be
25 grandfathered into being vertically integrated, right?

1 And they're going to pay a hefty tax for that. I've
2 heard numbers as high as \$20, \$30 million to the State.
3 That money is going to be used to fund social equity
4 initiatives. The State intends to give low interest
5 loans to social equity applicants who win in order to
6 fund their businesses because they can not raise money
7 from other sources.

8 Yeah, I wanted to just point out --
9 I may have mentioned this already, but retail --
10 delivery, stand alone delivery is a category. Like I
11 said anybody can open up a warehouse and deliver
12 anywhere they want. The only limitation on that, which
13 is a significant one, is that delivery-licensed
14 operators are limited to 25 full-time employees or
15 their equivalent. Now that means that they don't have
16 a enter into a labor peace agreement and they don't
17 have to maybe deal with the unions. The other reason
18 why I think that they've limited it to 25 individuals
19 is to ensure that big large corporate delivery
20 businesses don't get a foothold into this industry,
21 right? Again, it's a nod to small business owners.

22 Now to the more germane issues,
23 opting in -- or opting out, right? There is no, you
24 know, again once you opt in -- we've gone through this.
25 Once you opt in, you're in. What do we do now? Now we

1 got to deal with zoning regs. Applicants will have to
2 notify you of their intention to apply. If they're
3 retail, they have to structure real estate and what the
4 MRTA says is when you submit your application, you need
5 to be able to demonstrate control over your site within
6 30 days of winning, which means they either have to own
7 that property outright or they have worked out a deal
8 with the landlord to take possession within 30 days.
9 Maybe it's a lease that's contingent upon winning,
10 right? But they will have to notify the Town, so it's
11 not like you won't know who's applied or where.

12 Again, we've been through some of
13 this. Zoning is about time, place and manner, but it
14 all has to be within reason. There are laws at the
15 State level that prevent rules and regulations, zoning
16 rules, that are unreasonably impractical, right? And
17 you can't just say they need to be in an industrial
18 zone and there's a two-mile buffer when the town might
19 be two miles, you know, wide.

20 I won't get into too much of that,
21 but, you know, I think there's a copy of this if
22 everybody on the committee would like one, I can share
23 some of this information. But that's going to be next
24 question is how do we zone this in a way that's
25 appropriate? Where you can keep it away from a retail

1 zone, so you don't have anything on Plandome Road?

2 That is a concern. I don't want to walk down Plandome
3 Road and my kids say, "Oh, what's that in the store?"

4 I don't want to deal with that and I work in this
5 business. You can have it somewhere else. My store in
6 Massachusetts is off set in a -- it's back out where
7 you have to find it. You got to be going there to want
8 to go there and I'm perfectly fine with that because
9 very few consumers just wander upon a dispensary and
10 say, wow now's a great time to buy some weed. When
11 people go to buy cannabis, they're intentionally doing
12 so.

13 There are other sensitive use
14 restrictions that I would take into consideration when
15 thinking about zoning laws. LA for example. So there
16 is something in the MRTA, that -- it's 500 feet from a
17 school, 200 feet from a house of worship. That's not,
18 you know, that doesn't limit a whole lot. There should
19 be, you know, if I could provide a recommendation on
20 zoning, it would be that you keep it out of other
21 sensitive-use areas, like the City of LA has done. No
22 public parks -- nowhere near, you know, certain
23 distance from public parks, daycare centers, supportive
24 housing, drug and alcohol treatment centers. It would
25 be wise to -- and prudent to probably keep dispensaries

1 a safe distance from there. Same with consumption
2 lounges. I'm not quite sure how consumption lounges
3 are going to work outside of Manhattan when you have to
4 get back into a car.

5 I wanted to approach this from a
6 little bit of a different angle and just from an
7 educational perspective. This is, you know, I hear the
8 same four, five arguments typically in these types of
9 meetings on why we shouldn't allow cannabis in our
10 neighborhood, notwithstanding the fact that 99 percent
11 of the time it's already there.

12 What happens to our home price?
13 There's data to suggest that your home prices actually
14 go up. I am surprised by that data. I think it's
15 wild, but it's not my opinion. I am not speculating.
16 It's not innuendo. Unlike perhaps whatever committee
17 was in Nassau County that said that the expenses of
18 hospitalization were going to be -- were going to
19 overshadow all of the tax revenue generated, I'm basing
20 this on facts. I can go through all these, but the
21 short story is that there's data that show that home
22 prices actually go up in case that's a concern.

23 Increased access and usage among
24 teens. We don't want to make it any easier. Neither
25 do I. To begin with, drug dealers don't ask for I.D.,

1 I know you've had -- you've had the additional burden I
2 think of trying to mop up some open questions that were
3 still outstanding and what not and I do appreciate the
4 fact you've given us an entire presentation which will
5 be made part of the record as well. I'd love it if you
6 can't wrap up get to question and answer because what
7 you brought up, I have a few questions about some
8 elements of it. So thank you.

9 MR. SCHULTZ: Absolutely. So I'll
10 fly through these last couple of ones.

11 Does crime increase? Data suggests
12 that it actually goes down. You put in a dispensary,
13 you get rid of the drug dealer and you get rid of the
14 violent crime. Very simple. The drug dealer's at the
15 corner of Publicans, that guy's gone when you put a
16 dispensary in town.

17 Traffic safety is a mixed bag.
18 Data is all over the place. There's some evidence that
19 shows that car accident and fatalities go up. Some
20 suggest they go down and some are completely neutral.
21 It is an issue.

22 Tax implications of opting out.
23 Town gets three percent, county gets one. That three
24 percent isn't shared with other towns. They get all of
25 it. If North Hempstead opts out, but a Village within

1 North Hempstead opts in, my understanding is that the
2 village gets one hundred percent of that three percent.

3 I have made some guesses --
4 guesstimates at the potential revenues at the state
5 level and potentially at the local but again this data
6 is very difficult to predict for reasons I mentioned
7 before. You have no idea how many stores can end up in
8 the Town, right? Educated guess is the size of the New
9 York market is somewhere between 4 to 6 billion dollars
10 in annual revenue from retail sales at scale and that's
11 a good three, probably five years away. What does that
12 mean? Well, if you split up what I think will be
13 around 750 retail licenses that will be awarded, if you
14 split them evenly, you get about 5.9 million per store
15 in revenue. That gets you to \$177,000 per store in
16 North Hempstead tax revenue. So my example here is if
17 you have five stores that are doing a little under 6
18 million in revenue, the Town stands to collect just
19 under \$900,000 a year in tax revenue. If you look at it
20 at a completely different angle and say the Town of
21 North Hempstead captures just one percent of the
22 overall sales tax revenue, you're looking at
23 \$1.2 million. That's about, you know -- at a \$4
24 billion run rate.

25 In case anybody hasn't traveled to

1 California and seen what has become of this industry --
2 and it's become a real CPG industry, it's very
3 sophisticated out west. Just what everyone's
4 visualizing in their head as a dispensary, this is your
5 old Head Shop. Nobody wants this in their town. It's
6 disgusting, right?

7 This is a store in Portland,
8 Oregon. This is a store in Colorado and this is a
9 store right next door in Massachusetts in Boston. It's
10 in Brookline. It's in a former bank building. These
11 aren't scary. There's no boogie man. It's nicer than
12 most liquor stores I've seen. So to anyone who thinks
13 it's a blight or thinks the wrong people are going to
14 be hanging out there, it may not be the case. Know
15 that this industry has become very sophisticated,
16 becoming well financed. People want to attract certain
17 consumers. So I would expect something more like than
18 that, like, a gross grimy head shop kind of thing. So
19 I'll leave it there.

20 Thank you.

21 MR. WINK: Mr. Schultz, thank you
22 very much. Let me, if I can, I'll take the prerogative
23 beginning. My understanding is that the opt out
24 question is not binary. In other words, that there's a
25 question about whether we opt in or opt out of

1 dispensaries, but there's also a separate question as
2 to whether we opt in or opt out of on-site consumption
3 locations; is that right? That we can opt into one and
4 opt out of the other if that's --

5 MR. SCHULTZ: I was thinking about
6 that earlier before I got up here and I don't know the
7 answer to that question of whether you can opt out of
8 one, but not the other.

9 MR. WINK: Okay.

10 MR. SCHULTZ: I don't know. Now I
11 need to go find out and I'll find out tonight.

12 MR. WINK: All right. And I plan to
13 do the same, but let me take a second to talk about the
14 supply chain part of all of this.

15 MR. SCHULTZ: Sure.

16 MR. WINK: We know there's no
17 vertical integration, so the farmer can't also own the,
18 I guess, the processing center, can't also own the
19 distributor -- distribution chain, can't also own
20 delivery or the ultimate retail location; is that
21 correct?

22 MR. SCHULTZ: Close. So if you are
23 a cultivator, you have a cultivation license. You can
24 also have a processing license which allows you to make
25 cannabis-based products.

1 MR. WINK: Okay. So you can have
2 part of the supply chain, but not --

3 MR. SCHULTZ: You can own a supply
4 chain all the way up to retail. So you can have a
5 cultivation, processing and distribution license, but
6 you can not have a retail. If you have a retail
7 license, you can not have any interest directly or
8 indirectly, financially, economically, through a lease,
9 through interlocking directors. It's incredibly
10 strict.

11 MR. WINK: Okay.

12 MR. SCHULTZ: I suspect they'll
13 loosen that up in their rights.

14 MR. WINK: Let me then ask because
15 I asked about what our opt-out rights are. It's a
16 theoretical question at first because I don't think we
17 have much in the way of farmland here in the Town of
18 North Hempstead, but could the Town of North Hempstead
19 opt out or refuse a cannabis farmer, grower operating
20 out of the Town?

21 MR. SCHULTZ: They cannot. No, the
22 Town cannot formally opt out cultivators.

23 MR. WINK: Could it opt out of a
24 processing center existing in the Town?

25 MR. SCHULTZ: No.

1 MR. WINK: Could it opt out of a
2 distribution center?

3 MR. SCHULTZ: No.

4 MR. WINK: In other words, a
5 warehouse where deliveries get made out of it?

6 MR. SCHULTZ: Distribution is not
7 allowed to deliver to any consumer. Distribution
8 licenses only allow to take product from a cultivator
9 or processor and deliver that to a retail license.

10 MR. WINK: But could the Town zone
11 out of existence a distribution center?

12 MR. SCHULTZ: In my opinion, no you
13 could not. It would probably be unreasonable.

14 MR. WINK: All right. So, basically
15 we're given the option of opting in or out of retail,
16 not any other part of the process?

17 MR. SCHULTZ: Correct. And
18 consumption lounges.

19 MR. WINK: I just wanted to clarify
20 that. And you had indicated that the City of Los
21 Angeles had come up with more restrictive limitations
22 in connection with parks, libraries and things of that
23 nature?

24 MR. SCHULTZ: Correct. They refer
25 to it as sensitive use.

1 MR. WINK: Sensitive use, right,
2 because of the propensity for children to be
3 associated.

4 MR. SCHULTZ: There are more --
5 correct.

6 MR. WINK: All right. Thank you for
7 that. I think that helps clarify it a bit. I am very
8 interested in the issue of whether there's two forms of
9 opt out or only one.

10 MR. SCHULTZ: I'll try to get an
11 answer if it's --

12 MR. WINK: I appreciate that. Thank
13 you.

14 MR. SCHULTZ: -- If it's answerable.

15 MR. WINK: All right. So Jordan.

16 MR. ISENSTADT: It's not actually a
17 question. It's addressing what you were just saying.
18 I'm looking at the local government cannabis.ny.gov
19 page. I'm not a lawyer, so you -- it says --

20 MR. WINK: We won't hold that
21 against you, Jordan. Actually, the entire panel aren't
22 lawyers.

23 MR. ISENSTADT: I know. Sorry to all
24 the lawyers in the room.

25 MR. WINK: Please don't hold that

1 against them either.

2 MR. ISENSTADT: To opt out of
3 allowing adult-use cannabis retail dispensaries or
4 on-site consumption licenses, a municipality muss pass
5 a local law. They keep talking about "or," not "and."
6 I could be wrong. I mean as I'm reading it, it looks
7 like they're separated.

8 MR. WINK: So you think they can opt
9 out of one?

10 MR. ISENSTADT: That had been my
11 interpretation previous to today.

12 MR. WINK: Interesting. Okay.

13 MR. SCHULTZ: It would be reasonable
14 to be able to opt out of one, but not the other for
15 issues we've already discussed.

16 MR. WINK: Yeah, but where does it
17 say in the, legislator you know, legislate reasonably?
18 So, you know.

19 MR. SCHULTZ: And cannabis -- a
20 cannabis consumption lounge is absolutely prohibited
21 from serving alcohol or selling it. Absolutely.

22 MR. WINK: Okay. Thank you.

23 Jordan, did you have any --

24 MR. ISENSTADT: No, that was it.

25 Thank you.

1 MR. WINK: Jeff.

2 MR. REYNOLDS: Thank you for that
3 thoughtful presentation. As you can imagine, there's a
4 couple of places in which we probably diverge, not the
5 least of which is an economic model that suggests that
6 a store on Plandome Road would gross about the same as
7 one on 7th Avenue and 35th in New York City, but that's
8 beyond the point. I really want to cut to something you
9 said probably in your third sentence which caught my
10 attention. I really want to know more about it. You
11 said opting back in is impractical for a number of
12 reasons. So if the Town were to opt out, I think
13 there's a sense that you could opt in at any time and
14 that wouldn't be hard, yet you have a different take on
15 that. Could you talk about why it would be impractical?

16 MR. SCHULTZ: Sure. So my
17 understanding is that the only way to opt back in would
18 be pursuant to a voter referendum and if that -- that
19 would have to make its way onto a ballot during an
20 election. So we're looking at -- unless I'm wrong
21 about that, unless you can pass a law and you can pass
22 around a, you know, you can get enough signatures and
23 have a vote whenever you want, my understanding is that
24 a voter referendum occurs during an election.

25 MR. REYNOLDS: So that's not out of

1 the ordinary. That could happen and with a very
2 well-financed industry behind it and some opposition
3 groups and groups that are interested in this, this
4 could very well be a test case for that. So it's not
5 impossible. So the reason it's impractical is that it
6 would have to go to a referendum.

7 MR. SCHULTZ: Yes. And to finish
8 the thought, if it goes to a referendum and in
9 November, the Town of North Hempstead voters overturn
10 the decision and decide to opt in, by November of 2022,
11 those licenses are all -- will very likely have all
12 been awarded.

13 As an operator and as an attorney
14 representing a lot of operators, I am steering them
15 totally clear of this area because they need to secure
16 real estate and if your application is due, say in June
17 or July or August, and that decision's being made, you
18 need to make that -- you submit that application with
19 real estate secured. Obviously they're not going to
20 secure real estate at a location where a town is
21 currently opted out, but a voter referendum may or may
22 not be on the table.

23 We have no indication that the
24 State is considering additional rounds that would go
25 beyond this election cycle, the next election cycle in

1 November. So it could be 750 licenses and done. And
2 maybe it's three years or it's five years or it's never
3 that additional licenses are rewarded, so an opt back
4 in in November, pursuant to a voter referendum would
5 potentially be useless because all of the licenses have
6 been awarded and they've been awarded in different
7 towns.

8 MR. REYNOLDS: And I could
9 (unintelligible) that may upset you or may not upset
10 you, but let me ask this: Does the Town lose any
11 authority or options in terms of limited -- limiting
12 time, place and manner if it goes to a referendum?

13 MR. SCHULTZ: That I don't know.

14 MR. REYNOLDS: Right. So let's say
15 it goes to a referendum, the referendum passes -- I
16 don't happen to think that letting people vote on
17 issues is a bad idea, but I'm wondering if that were to
18 happen -- putting aside the issue of whether or not
19 licenses are still available -- if the Town loses any
20 of its jurisdiction if people say yes we want this.

21 MR. SCHULTZ: That I don't know. I
22 don't know if they -- if you can put something on the
23 referendum specifically that's a zoning code.

24 MR. WINK: Jeff, can I interject
25 for a second?

1 MR. REYNOLDS: Yeah.

2 MR. WINK: One of the villages
3 within this town that opted out, I was told -- and I'm
4 not going to reference, you know, I'm not going to
5 quote the person, but I was told that they were under
6 the understanding that they could always opt back in
7 later as a local municipality without the need for a
8 referendum. Do you know that to be true?

9 MR. SCHULTZ: It's a local law --
10 yeah, it's a local law issue, right? So I don't know
11 if in North Hempstead to overturn the Town's decision
12 requires a voter referendum. If it doesn't, the Town
13 can make that decision I suppose in theory at any
14 point.

15 MR. WINK: Understood.

16 MR. SCHULTZ: But towns that, you
17 know, my understanding is that the typical way to do
18 that is via voter referendum and November and the
19 timing -- the timing just doesn't match up. I don't
20 have a dog in this fight, so I'm just pointing that out
21 as if, you know, if you opt out and think that a voter
22 referendum could open up the industry here, it's
23 probably not going to work out that way. It's
24 potentially, you know, to offset that you could have
25 somebody win a license in a neighboring town or in New

1 York City say you know what? I'm going to move my
2 state license into the Town of North Hempstead. I just
3 need approval from the State to do that and I need a
4 lease. So that could happen. That's the one way you
5 could get back in after November I suppose.

6 MR. REYNOLDS: Thanks for the
7 discussion.

8 MR. ISENSTADT: The same website I
9 was just referring to does actually say all local laws
10 passed by municipalities opting out of allowing
11 adult-use retail dispensaries or on-site consumption
12 are subject to permissive referendum as outlined in the
13 Municipal Home Rule Law.

14 MR. WINK: Yes.

15 MR. REYNOLDS: But it doesn't say
16 it's required. So a bunch of us could get together and
17 say I don't like what the Town did. I want to get this
18 to referendum, but it doesn't necessarily say that it's
19 required in order to do that.

20 MR. WINK: Right. The question is
21 whether a future Town Board is bound by the decision
22 made within the confines of the MRTA regulations of
23 opting out by December 31, 2021. The question is
24 whether a future Town Board can say you know what? We
25 didn't like that decision a year ago, three years ago,

1 ten years ago. We want to opt in now. And I
2 understand the practical issue where there may be a
3 finite number of license that may or may not allow, you
4 know, you may miss the vote. I get that, but my
5 question is whether or not a Town Board can in fact, on
6 its own accord, pass a local law overturning a prior
7 local law of opting out and that I think may still be
8 an open question.

9 MR. ISENSTADT: Sounds a little
10 murky, yeah.

11 MR. WINK: Yeah.

12 MR. SCHULTZ: I think that's a -- I
13 suspect that's a local law issue. I don't think the
14 State of New York can override that. They have no say
15 in that.

16 MR. WINK: Understood. Okay.

17 Jack, you have questions?

18 MR. KOTT: Thank you. Thanks for
19 your presentation. I've heard a lot tonight about the
20 opportunities that exist for entrepreneurship and at
21 the same time I've heard you have to have maybe a
22 billionaire behind you. How do you become, you know,
23 an entrepreneur and need that kind of money?

24 MR. SCHULTZ: That's a really good
25 question. That's no good answer to it. There are a

1 lot of people with hopes and dreams that don't have the
2 capital to even apply. It's not a simple application.
3 It's a very technical -- it's a combination of
4 technical and creative writing. People get paid a lot
5 of money to write these application, 6 figures plus
6 easy per app. And then you have to fund -- then you
7 have to capitalize the business. It cost millions of
8 dollars, you know, no less than a million dollars to
9 get a retail -- one single retail location up and
10 running.

11 So what's happening is there are
12 entrepreneurs that have had success in other industries
13 or in cannabis and want to do that here in New York.
14 Those entrepreneurs are not people without money.
15 Those are people who do have money or they have the
16 wherewithal to raise it. Those are two very different
17 things that are difficult to do, but those options are
18 generally not available to minorities. Most people,
19 you know, there are not a lot of minority-owned venture
20 capitals funds out there. There are a couple -- there
21 actually are a couple specifically in the cannabis
22 industry that are specifically funding these
23 businesses, but that's a very small world. Of the
24 50 percent of licenses that will be awarded to women
25 and minority-owned businesses, a subset of that is the

1 social equity program. It's not separate and distinct.
2 It's not all 50 percent. It's a subset of that effort.

3 MR. KOTT: And who's going to fund
4 that?

5 MR. SCHULTZ: The State of New York.

6 MR. KOTT: The State. Okay.

7 MR. SCHULTZ: And some of the money
8 coming from the ten medical operators to be
9 grandfathered in as vertical operators, that money that
10 -- I don't know what the number is, right? But like
11 I've said, I heard it could be \$20 to \$30 million. All
12 that money is going to state coffer to invest in these
13 businesses. Whether that's wise is not something I can
14 opine.

15 MR. KOTT: Yeah and one other
16 thing. You had mentioned it's the State that's going
17 to be issuing the licenses.

18 MR. SCHULTZ: Correct.

19 MR. KOTT: So locally --

20 MR. SCHULTZ: No local.

21 MR. KOTT: The local community will
22 have no say. Now the State issues how many licenses
23 and with each license, how much stores can be open?

24 MR. SCHULTZ: So it's one -- in
25 retail context or in every context?

1 MR. KOTT: The retail.

2 MR. SCHULTZ: Retail only. It's one
3 license per store, one application per license and one
4 license per store. I don't know the exact number. My
5 best guess, a fairly well educated one, is about 750
6 retail licenses in the first round. Will there be a
7 second? I have no idea. On a per capita basis -- that
8 may seem like a big number on an absolute basis, 750
9 dispensaries.

10 MR. KOTT: It's not a big number.

11 MR. SCHULTZ: It's nothing.

12 MR. KOTT: Not on a statewide basis.

13 MR. SCHULTZ: It's a very low number
14 per capita over the age of 21, it's a pretty -- it's
15 relatively low which is why those numbers are what they
16 are and the average store should be doing 6 million.

17 A store out here is going to do
18 well. I disagree, Jeff. I think a store in this town
19 given where you can sell the products at, it's going to
20 be a very expensive market. A store here would do --
21 it'd go crazy.

22 MR. KOTT: So based on that, we as a
23 community in the Town of North Hempstead may only be
24 looking at one store in the entire town as a
25 possibility.

1 MR. SCHULTZ: Correct. But there's
2 no way -- in my understanding, there's no way for the
3 Town to control that at all.

4 MR. KOTT: Right and that I
5 understand.

6 MR. WINK: Jack, I would just, you
7 know, by reference mention the fact that we have two
8 medical marijuana facilities in the Town.

9 MR. KOTT: I know that.

10 MR. WINK: And there were efforts
11 for more. So, you know, I hate to say it. We are, you
12 know, we are an affluent, educated, low-crime area that
13 would probably be very attractive to any retailer. So,
14 you know, you're right. There is no way of limiting
15 where they're going to be sited except through zoning
16 regulation, what have you if the Town were to opt in.

17 MR. KOTT: So that would be the
18 Town's only defense if we opts it.

19 MR. WINK: That would be their
20 primary defense, yeah.

21 MR. SCHULTZ: I think that the
22 discussions around Nassau and Suffolk County and in
23 particular North Hempstead are already scaring people
24 away. Nobody's paying attention around here and
25 nobody -- I don't know anybody that expects to see

1 dispensaries around here. And that goes for most of --
2 almost all of Long Island. But the ones that are --
3 and this is a counter point, right? If you are the one
4 town around here that has a store, everyone's going to
5 come flocking. So while that store may do \$20,
6 \$30 million in revenue because it's what I would call
7 located in a cannabis desert and that's what happens in
8 some of these locations, a geographic arbitrage.
9 You're attracting people from every community to come
10 here and that's, you know, some people don't want that.

11 MR. WINK: That's every
12 restaurateur's dream, but not necessarily every town's
13 dream when it comes to cannabis.

14 MR. SCHULTZ: Correct. That is
15 correct. So that is an issue to discuss and what some
16 might consider a risk of opting in, that you might be
17 the only one.

18 MR. WINK: Got you.

19 Does anybody else have questions
20 for Mr. Schultz?

21 MR. REYNOLDS: There's at least one
22 real estate professional in the room and I would just
23 note that home prices have soared in the absence of
24 cannabis stores in the Town of North Hempstead.

25 MR. SCHULTZ: This is why the data

1 on home prices is very difficult to understand.

2 MR. REYNOLDS: Of course it is.

3 MR. SCHULTZ: Cause they've just
4 gone up for reasons unrelated to cannabis.

5 MR. WINK: Marianna, you have a
6 question?

7 MS. WOHLGEMUTH: Yeah. Let's talk
8 about consumption lounges. Can you describe one to me?

9 MR. SCHULTZ: There are so few of
10 them that it's difficult to describe it, but I can give
11 you some anecdotal context with what it could look
12 like. You could -- I think what you're going to see is
13 potentially something that looks like a coffee shop in
14 Amsterdam where cannabis sales and consumption are
15 tangential to, you know, the entire concept which is --
16 you have coffee people that can hang out, you can sell
17 food and you can also sell cannabis, but it has to be
18 consumed on site. The regulations will limit -- it's
19 not going to be a de facto dispensary and what they've
20 done say in West Hollywood for example, you're limited
21 on how much you can purchase because it's intended to
22 be a dispensary, so -- and you have to -- in West
23 Hollywood, you also have to open it and consume part of
24 the product on site. So if you buy a pack of
25 pre-rolled joint, and there's a pack of five, you have

1 to open it and you have to consume one or throw it
2 away. And you'll be limited in the quantity that you
3 can purchase in any sitting. Some people are trying to
4 colocate dispensaries with consumption lounges which is
5 different.

6 MS. WOHLGEMUTH: Now, can the
7 consumption sites be zoned individually from the sale
8 sites? So can the Town create zoning for one and the
9 other? Like they could be separate or do they have to
10 do it together?

11 MR. SCHULTZ: They won't be -- it
12 doesn't appear that they can be colocated. It's
13 possible. We have to wait and see the regulations.
14 When it comes to zoning and where consumption lounges
15 can be located versus retail locations, that's a
16 zoning -- that would be a zoning issue.

17 MS. WOHLGEMUTH: That would be in
18 the Town -- the Town has that in their purview?

19 MR. SCHULTZ: You can put some here
20 and some over there and, you know, come up with
21 something creative I'm sure.

22 MS. WOHLGEMUTH: Okay. Thank you.

23 MR. WINK: Okay. Anyone else have
24 questions?

25 (No response.)

1 MR. WINK: All right. Mr. Schultz,
2 I thank you very much. I know you were given the added
3 responsibility of, you know, answering a few questions
4 that weren't even asked at the time -- well, that
5 weren't asked of you at the time, so I thank you for
6 taking the time to do that.

7 I apologize because this has taken
8 longer than I think any of us expected, but, you know,
9 I do want to have an opportunity for public comment and
10 input. My understanding is a couple of people submitted
11 cards, but apparently had to leave before they had the
12 opportunity to make a presentation. I was glad Ms.
13 Striano was able to make her presentation before she
14 had to leave.

15 Is there anyone in the audience who
16 wishes to make a public comment at this time?

17 (No response.)

18 MR. WINK: Okay. I will suggest and
19 I will make it, you know, we'll make it clear to anyone
20 who submitted a card that there are two additional
21 hearing sessions that we are going to hold. The next
22 one is scheduled for Monday, September 27th at 1 p.m.
23 We thought changing up the time to give options to
24 people would be preferable. That one is to be located
25 at Clinton G. Martin Park, which is a bigger site than

1 this. So to the extent that more people do show up,
2 we'll be able to accommodate them.

3 And then the third and and at this
4 time as of now, the final session will be at the "Yes
5 We Can" Community Center on Tuesday, October 19th at 6
6 p.m. So those are the next two sessions that we have
7 scheduled.

8 I believe that is going to complete
9 our public sessions, but -- was there a question?
10 Please come up and state your name for the record.

11 PUBLIC SPEAKER: I just simply
12 didn't hear you say the second date.

13 MR. WINK: The second date is
14 Tuesday, October 19th at 6 p.m. also just like this.

15 PUBLIC SPEAKER: Thank you.

16 MR. WINK: Thank you.

17 So that is I think the sum and
18 substance of this session. It has been recorded.
19 Those task force members who were unable to join us
20 this evening will have the opportunity to view this, as
21 will anyone in the public going forward. It will be on
22 the Town website as quickly as we can get it up and
23 running.

24 Apart from that, I think that this
25 concludes the first session.

1 I want to thank everyone who
2 participated. I particularly want to thank our
3 experts, Liz Kase, Jen DeSena and Jeff Schultz. The
4 three of you I think have certainly enlightened us in
5 many respects and probably raised a few other questions
6 that I think is incumbent upon all of us now to pursue
7 the answers to.

8 I especially want to thank the task
9 force for being so engaged and for raising what I think
10 are a number of very important questions.

11 We are only beginning this process.
12 There are questions to be answered still. As we go
13 forward, we are going to continue -- just so the task
14 force is aware -- continue to have panels. I anticipate
15 that they will come from a variety of perspectives,
16 from law enforcement, from advocacy groups, from, you
17 know, mental health groups and things of that nature
18 and I will renew my request to the task force in
19 particular to offer up people that we think can add to
20 this discussion as part of the panel of experts.

21 With that, I'm going to thank you
22 all for attending and I'm going to ask you to have a
23 great evening. And I look forward to seeing all of you
24 soon. Thank you very much for being here. (At 8:36,
25 the proceedings were concluded)

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STATE OF NEW YORK)

SS.

COUNTY OF NEW YORK)

I, ALEXIARA PIERCE, a Shorthand
(Stenotype) Reporter, do hereby certify that the
foregoing pages 1 through 132, taken at the time and
place aforesaid, is a true and correct transcription of
my shorthand notes.

IN WITNESS WHEREOF, I have hereunto set
my name this 15th of September 2021.

TOWN OF NORTH HEMPSTEAD

CANNABIS TASK FORCE

LISTENING SESSION

Clinton G. Martin Park

1601 Marcus Avenue

New Hyde Park, New York 11040

September 27, 2021

1:02 P.M.

B E F O R E:

WAYNE WINK,

THE CHAIR

A P P E A R A N C E S:

TASK FORCE:

Jordan Isenstadt

Jeffrey Reynolds

Jack Kott

Desiree Woodson

Marianna Wohlgemuth

Betty Hylton

Sue Auriemma

PANEL OF EXPERTS:

Steven Chassman

Murugan Naidu

Also Present:

Alexiara Pierce - The Court Reporter

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P R O C E E D I N G S

MR. WINK: Good afternoon, everyone. On behalf of the entire task force, I want to thank all of you for being here today. My name is Wayne Wink. I am the North Hempstead Town Clerk and I'm also chairing this task force. On behalf of Supervisor Judi Bosworth and the entire Town Board, I want to thank you all for attending here today both in person and on the livestream.

I want to welcome you to the second of three public sessions that we're holding as part of the cannabis task force. The Town established this task force and appointed 14 members of diverse backgrounds including substance abuse and mental health experts, social justice advocates, civic leaders, business and labor leaders and legal experts.

Purposes of the task force are as follows: To conduct listening sessions and gather public input on this issue; to consider the pros and cons of opting out of the state legislation, the state legislation, which we're going to get into further is known as MRTA, so if you hear that acronym, you'll understand what we're speaking of; to make recommendations to the supervisor and the

Town Board on whether or not the Town should opt out of the sale and onsite consumption of recreational use of cannabis and if so, how to go about doing either of those things; and to make recommendations and best practices regarding zoning, public safety and quality of life concerns.

Ultimately, the decision to opt out, for those of you who know some of the details of the MRTA law, the decision to opt out, A, must take place before December 31st, 2021, and B, must be a vote of the North Hempstead Town Board. So those -- so this task force is purely advisory to the Town Board. We will -- we have been collecting information. We have been collecting testimony. We will continue to do that not only today, but later on in October. We will then formulate a report, which will be submitted to the Town Board for their consideration and the town -- excuse me.

Based on that, the Town Board will likely schedule the public hearings and make a decision one way or another before December 31st this year. As chair of this task force, I hope that you'll find that these hearings are being conducted in a fair and open matter.

The video of this session, as well

as the previous session, will be posted online following the meeting. And we brought in a stenographer to ensure that the panel gets a written transcript of this as well.

First, we're going to begin by hearing from our two experts on the panel who have submitted to us from -- and by members of the task force. They will each make a presentation and then we will open it up to questions and comments for the panelists. After that, we will then begin by having public comments and allow everyone an opportunity to come up and make a presentation to the task force.

So without any further ado, let me begin with Steve Chassman. Steve is a LCSW CS -- Excuse me, CASAC. I'm going to let you explain what those initials stand for. Steve Chassman is the Executive Director of the Long Island Council and Alcoholism and Drug Dependence and is a licensed clinical social worker and has a credential in alcoholism and substance abuse council.

Steve has served as a clinician and a healthcare advocate for individuals and families with mental health and substance abuse issues since completing his master in social work at the University of Pennsylvania in 1995. Steve has

served as a director of various mental health and substance abuse programs including Family Service League's Co-Occurring Disorder Program, the Circulo de la Hispanidad, Samaritan Village and Housing Works.

Steve is a dynamic speaker. I know I've had the fortune of knowing Steve for quite some time and I am going to turn it over to Steve to make his presentation.

MR. CHASSMAN: Thank you, Mr. Wink, and that was more than I deserve. But I'm a licensed clinical social worker, I'm a concerned Long Islander and I've been a professional working in the field of mental health including substance abuse for 30 years. So I know you have a great burden on your shoulders is to hear some of the testimony today and I'm here to provide a public health perspective.

I think I'm stating the obvious, but the United States, New York, Long Island, we're in the midst of an unparalleled pandemic. Now mind you, I'm just not referring to COVID-19. If I had the honor of standing here two years ago, my friend and some colleagues in this room will have been screaming from the rooftops that Long Island, New

York and America is in the midst of a devastating healthcare pandemic called the substance use pandemic.

Now what does marijuana have to do with that? We know that in times of great uncertainty, great crisis, financial insecurity, grief and loss and times of great uncertainty, it's the human condition to seek comfort. We know in the last year of 2020 according to the Center of Disease Control that the rate of overdose from opioids, which are painkillers, 93,000. The rate of alcohol related fatality, 156,000.

What does this have to do with marijuana? It has everything to do with marijuana because we're not going to switch seats on the Titanic. If you've looked at other states; if you've looked at some of the rates of underachievements academically because of marijuana use; if you look at the rate of car wrecks and we have not given law enforcement the adequate tools to detect driving impaired, a friend who's in law enforcement and it's no different than when I or you were in high school; if you go to Walgreens and CVS; if you use highly potent THC products or flower or bud with a good bottle of Visine, there are very few

tools that law enforcement have.

Mind you we've seen in New York State in recent months the settlement from opioid -- how do I say this -- negligence. And really presented to the American public the less than honest addictive property of legal opioids. What does that have to do with marijuana? It's a lesson learned.

I know some of you have a legal background. On the Supreme Court, it says, right, history is prolonged. Definition: If we don't learn from history, it's going repeat itself. What we saw from the U.S. pharmaceutical companies who just settled for 1.3 billion in this state, that does not bring back the tens of thousand of lives that we've lost.

What does that have to do with marijuana? Any time you put monetary gain against public health, we are losing the substance use battle. We are losing tens if not hundreds of thousands of people nationally. Now mind you if you used marijuana products or THC in the 60s, 70s or 80s or 90s, this is not that. These are not a bunch of long-haired folks from Colorado trying to legalize marijuana. These are a billion dollar

industry with marketing campaigns that are targeting, not 51-year-old men who want to keep a little marijuana around the house and watch Seinfeld and eat Häagen-Dazs on the weekends. They are using the same strategies that the tobacco companies used.

I've been to dispensaries in California. I've been to dispensaries in Portland, Oregon and I've been up to Massachusetts where it's decriminalized as well. These marketing strategies are undeniably focused towards young adult -- young adults.

I also have to say there's three answers to every question: Yes, no and not yet. I believe this was a not yet situation at the height of the global pandemic. Remember New York State was hit hardest at first with COVID-19. We're dealing with grief and loss. LICADD works with 109 schools. We know teachers and schools and faculty and parents. They're in a great state of unrest, concern. This comes dangerously close to saying yes we need revenue in this state, but is this a money grab pitted against public health? We're concerned.

In times of great crisis, there is no crime more detrimental to man or woman than to do

absolutely nothing. Now yes, if you opt out in this town, you can go to the next town over or here or there, but it is a time to stand up and take a stand. Opioids, 93,000 last year; alcohol related fatalities, 156. Find me a disease -- substance use disorder, substance use that includes marijuana use, misuse, abuse, and dependence -- that kills more than a quarter million people every year, year after year and it's a shame we've done so little so far.

I mean for this testimony to be marijuana centric because people don't wake up and take opioids. They start with alcohol, a very potent form of marijuana and THC products and of course nicotine, which we did really well. For 20 years, we lowered the rate of teen and young adults smoking and you know what happened? The vaporization of nicotine, a stimulant. So JUUL was first on the scene. You see how marketing has destroyed progress that we made in public health. You have choices to make here.

By the way, the criminal justice is expunging low level misdemeanors for marijuana use, as far as I'm concerned that's correcting failed drug policies for half a century in New York State. That needed to happen. But we're

particularly concerned. You can talk about the revenue piece here. It's probably minuscule in the large scheme of things, but it is the time because we've just learned some really hard lessons from the U.S. pharmaceutical companies.

How would you like if children or students in your school district, every time they went on YouTube or went online had a pop up for the nearest dispensary in your town? And we're not just talking about flower and bud. We're talking about edibles. We're walking about THC-infused tomato sauce. We're talking about paraphernalia and all these cool things that you can buy to help you use mind and mood altering substances. This is going to be a nightmare and those of us in public health, we know because I have to tell you just on the ride here from our executive office in Westbury, have you noticed recently, in recent years all the ribbons and flowers around trees on the (unintelligible) parkway, the Southern State, Northern State. Have we taken time to ask, 'cause other states have, does marijuana play a role in that? Most of us are attention deficit anyway because of the digital and technological revolution.

LICADD is more concerned as a

65-year-old agency with the phrase that is common in people in my field, in our peer literature, called amotivational syndrome. It is not exclusive to marijuana users or users of THC products, but it's close. I have all these things to do for school. I have to study for the exams, study for the quiz, work on the lab, do the reading, but I get high instead. Then you come to your school the next day and the teacher of your junior high school or high school asks, "did you take care of this?" "I didn't do any of that. I used THC products instead." Do that for a night. Do it for a week. Do it for a school semester. Do it for an academic school year. Marijuana has hijacked your ability to develop, pursue and achieve your goals.

I ask you -- I'm 51. I know men and women that I've grown up with in Bellmore, Long Island not too far away -- I live in Northport now -- who probably could have done -- no judgment -- more with their lives vocationally, educationally. One of them still lives in his mother's basement and he's still a chronic THC and marijuana user. No judgment, but in times of a great public health crisis, I think we owe it to ourselves.

This is a time to take a stand.

There is a pandemic going on, Covid and the substance use disorder. We are losing a whole generation of young and middle-aged men and women. Marijuana unequivocally plays a role in that. Of the 500 people we saw last month, many of them with serious and profound issues with alcohol and/or other substances, marijuana is present in over 90 percent of those cases.

Now is that hard data? No, but people don't wake up and take heroin or fentanyl or oxycodone. It happens in a substance use progression that begins with experimentation and according to the National Institute on Drug Abuse, that's somewhere around 11, 12, 13 and unequivocally, the experimental gateway into mind and mood altering substances, this young adult or young people's drug of choice is marijuana or THC product. Does it mean -- and I can see -- does it mean that everyone who uses THC and marijuana products will develop a substance use disorder? No. Some will not. Some may just play a really good game of Playstation. I don't mean that to be comical.

Amotivational syndrome. Let me also say that if you saw what we saw in LICADD in

our two offices and two counties over the last ten years, there's been tragedy. We've lost people. We've seen tragedies on Channel 12 every morning. Have we asked the question does marijuana play a role in those? We know 'cause we work in the field of mental health that the answer is yes.

Now I know there's people on both sides of this debate or this conversation. I started my work in New York City in the 80s and 90s working with HIV and AIDS. For the last six years, we've had a medicinal marijuana program in this state. No one is arguing the medicinal properties for cancer, HIV, glaucoma, some of the other 11 approved clinical diagnosis that THC and marijuana helps. That is not this conversation.

I think all of us -- we have to be concerned. People don't begin experimental drug use in their 40s and 50s. According to the National Institute on Drug Abuse, it's happens in adolescence or preadolescence. Accessibility. When you increase access, ultimately -- and you can ask a 15-year-old or a 55-year-old this. When there's a wider access, of course it's going to lead to an increased rate of use. Again, if you used marijuana in the 60s, 70s, 80s or 90s, this is not that. This

is not mother nature's marijuana. There is a multibillion dollar industry making the THC levels significantly higher than mother nature ever intended it to be. Hydroponics and genetic engineering. This is a highly psychoactive chemical THC today. It was at a moderate level maybe 30 years ago.

Listen, we're in the midst of a crisis right now. It's a public health crisis. Yes, it's Covid. We are in a middle of a mental health crisis.

I'll close where I began. Any time you have fear, anxiety, financial insecurity, grief and loss, there is the natural inclination for human beings to seek self medication. Adolescents are in a particularly vulnerable place. Much like the tobacco companies involved, if the marijuana industry can get them young, they have them for the next 30 years.

Ladies and gentlemen, we've just learned a hard lesson, a hard lesson when you pit monetary gain and big business against public health. Now I didn't, although I thought, bring in the moms and dads that LICADD and many of us have been working with who have lost children or loved

ones to overdose. Ask them, has marijuana played a role in their journey. The overwhelming majority the answer is yes. In times of great crisis, it is absolutely detrimental to do absolutely nothing. You have choices today. Thank you for your time.

MR. WINK: Thank you, Mr. Chassman. Thank you. Mr. Chassman, what I'm going to ask you to do is if you have a seat, I'm going to call the other speaker up and then I'm going to ask the task force to, when the time comes, to raise questions to both of you or either one of you as the case may be.

MR. CHASSMAN: Thank you.

MR. WINK: All right. Thank you. Our next speaker -- you know what? Before I do that, let me take a moment, if you don't mind, to introduce the members of the task force who are here or better yet to have them introduce themselves with at least, you know, a very short statement of kind of why you're here.

To the far left, we have Dr. Betty Hylton. Do you have a -- sorry, maybe we can pass the microphone around. There's only so many to go around apparently.

MS. HYLTON: Good afternoon, everyone. I'm a little delayed, but pleased to be

here and see so many of you. I am here from the Westbury, New Cassel area. I have children of ages 65, 63, and 60. So they really are teaching me about what has been in the past and also what is going on today. I hope to learn more from you. Thank you.

MR. WINK: Thank you, Betty.

Our next individual, Dr. Jeff Reynolds.

MR. REYNOLDS: Hi, I'm Jeff Reynolds. I have the privilege of running Family and Children's Association. We're a 138-year-old organization in Nassau County. We run more than 50 programs and serve 30,000 Long Islanders in any given year. Most relevant to this conversation, we run two addiction treatment centers, one in the heart of the Village of Hempstead and one in Hicksville, two recovery centers and a variety of children's mental health programs. Happy to be here. Thank you, Wayne.

MR. WINK: Thank you.

Jordan Isenstadt.

MR. ISENSTADT: Hi, everyone. Good afternoon. Jordan Isenstadt. I'm a resident of Roslyn. I have two young children in the Roslyn

school system. I am a senior vice president at Marino, which is a public relations agency in Manhattan. I run our cannabis practice and work with dozens of cannabis and CBD companies and their public relations in marketing efforts. I came out of New York State government. I work for State Senator, Toby Stavisky, as well as Liz Krueger who is the original author of the MRTA, the bill that set this all up. I also worked in the Governor's office. Thank you.

MR. WINK: Thank you, Jordan.

Jack.

MR. KOTT: My name is Jack Kott.

I'm a retired teacher in the City of New York, a college professor, retired businessman and I was also certified in drug and alcohol abuse and behavior modification and very active in the community.

MR. WINK: Marianna.

MS. WOHLGEMUTH: Can you hear me?

MR. WINK: Yea, we can hear you.

MS. WOHLGEMUTH: Okay. Marianna Wohlgemuth and I'm a resident of New Hyde Park. I've lived here, raised my children here over 40 years. My background primarily is civic work.

I've always been vocal, speaking for my community and I'm proud of that. Primarily -- my primary purpose for being here is to learn about the pros and cons of opting in or out and the consequences that we will feel for many days to come. If we opt in, then it's forever. If we opt out, we can always come back in at a later date. Thank you.

MR. WINK: Thank You, Marianna.

MS. WOODSON: Hello. Good afternoon. Can you hear me? Hello?

MR. WINK: Yup.

MS. WOODSON: Good afternoon. My name is Desiree Woodson. I'm a chairman of the Board of Directors of the Manhasset Great Neck EOC. I'm here representing the Manhasset Great Neck area. I'm also a commissioner with the Town of North Hempstead's Housing Authority where I am a tenant representative.

And I'm here just to learn about the whole process of opting in, opting out, what it means, how do the people of the Town of North Hempstead feel about it and just to gain the knowledge of whether it's beneficial to us or not and primarily how it will affect the young people of the Town of North Hempstead.

MS. AURIEMMA: Hi, my name is Sue Auriemma. I am a resident of Manhasset for 26 years. I'm also the mother to a 19-year-old, 23-year-old and 25-year-old. They've often been my best educators on what's going on in the world. I serve as the second vice president for the Greater Council of Manhasset Civic Associations. And I've been an advocate for my community and public safety for many years working from the village level all the way up to the federal level. And I'm honored to be part of this committee and sit here and listen and learn and be able to advise the town council based on the information that's brought to us in these listening sessions. Thank you.

MR. WINK: Thank you, Sue. In addition to the task force members who are present with us today, there are a number of task force members who are involved on the livestream and who will be not only on the livestream, but reviewing the video and the testimony given here today.

Just for the sake of the record, I will indicate the following members who fall into that category: Deborah Anderson Brooks, Maria Elisa Cuadra, Leslie Davis, Nikki Kateman, Michael Sahn and Gloria Su. So with that housework out of the

way, I'm going to ask our next speaker, Murugan Naidu --

MR. NAIDU: Yes.

MR. WINK: -- to please come forward. Murugan has been involved in the cannabis industry since 2018 as a pharmacist at MedMen, as a proud Local 338 RWDSU/UFCW Union member. He's responsible for counseling clients on proper regimen of cannabis treatment based on an individual's medical conditions. He also oversees daily operational aspects of maintaining dispensary regulation. That includes inventory management, working along with other team members and contacting medical providers to discuss patient's regimen.

Prior to joining MedMen, he was the founder of the Rite Choice Pharmacy in Bedford Stuyvesant, Brooklyn in 2003, started that community pharmacy and provided easy access to prescription medication to underserved communities. He partnered with Interfaith Medical Center and Bed-Stuy family health centers to provide free affordable medications to those patients who are uninsured or federally subsidized 340B programs to improve patient's quality of care.

He has a Bachelors Degree from St.

John's University and serves as a volunteer of --
with the Nassau County Medical Reserve Corps.

Thank you very much for being here
today. Please begin.

MR. NAIDU: Good afternoon,
everyone. Thank you for the opportunity to be here
and I thank the task force. My name is Murugan
Naidu. I live and work in the Town of North
Hempstead and my three children attend school in the
Harry school district.

I'm here today to be the voice
that many don't often hear from, someone who works
in New York cannabis industry. Understanding my
experience of what it's actually like inside of the
cannabis dispensary is essential as the Town of
North Hempstead makes a decision on opting out of
allowing cannabis dispensaries to open up within the
Town.

I joined this town for MedMen as a
pharmacist in their Lake Success location in 2018.
I have been a pharmacist since 1995 primarily
working in a retail setting. After New York
legalized medical cannabis, I decided to take
advantage of the opportunity to be part of the new
and exciting industry. Many of the patients I was

seeing in my retail setting at that time were already using cannabis, a time illegally from an unregulated, untested source to treat chronic conditions, such as epilepsy.

I remember a parent who couldn't get the product and they actually moved to Colorado to treat their son, their five-year-old son, for epilepsy -- epileptic conditions. I wanted to be part of helping people's health. My primary role at MedMen is to consult with clients and answer any questions they have on how to use cannabis products, its benefit and to help overcome skepticism, concern and generally put them at ease.

I work with doctors, providers who are certified to prescribe medical cannabis, to discuss appropriate dosages, answer questions about products that may be best for their patients. I'm also the individual at the dispensary that has full access to the safe where products are stored.

So it's -- me and my fellow pharmacists are the only ones to have the access to the inventory of the products. My job is simply not just to sell cannabis to a client. More importantly, I'm trained in the science of cannabis, so that I can educate users on what they are taking,

help them find the product that best suits their need.

Prior to joining MedMen, I was required to take a training mandated by the State Department of Health -- New York State Department of Health that educates pharmacists entering the cannabis industry on the science of the cannabis plant and its proper utilization.

Additionally, all of my colleagues, regardless whether they have a pharmacy degree or not, are required to undergo extensive training as a condition of being hired. The training is constant and all pharmacists and frontline retail and dispensary staff are required to take weekly and sometimes daily training to update and to enhance our product knowledge; refresh our understanding of cannabis science; to keep us informed on the latest development of cannabis research.

In my previous role at a retail pharmacy, I would probably spend a few minutes or even a few seconds to talk to the customers about the product, pharmaceutical product. Whereas at MedMen, I get the opportunity the sit with someone who's cannabis -- now you're coming into the

dispensary for the first time, talk to them in a detailed manner. It takes 20 to 30 minutes to understand the benefit of the cannabis, how to titrate the dose and for various conditions, such as arthritis, back pain, PTSD. There's 17 qualifying conditions in New York and it's growing, including opioid dependence.

Another aspect of working in a dispensary is that I'm required to be up to date to New York State regulations and security standards, including knowing who can and cannot enter the dispensary. I know the consequences of violating the standards set by the state and frankly, additional compliance protocols set by my employer. I'm not interested in losing my job, nor is my employer interested in losing their license to operate.

In order for someone to enter a dispensary, they must have a Department of Health issued medical cannabis I.D. and they have to be over 21 years old. And all I.D.s are checked at the front door and they're entered into the New York State Department of Health live track system, which is a software system that monitors who's making the purchase, list of products they are making a

purchase of, which is accessible just like any other prescription record, which can be printed if anybody, a medical provider, our patient or any caregiver wants access to that. We can give it to them right away.

Prior to entering the prescription, the recommendation by the doctor into the software, all we have to monitor through the Prescription Monitoring Program, which is abbreviated PMP, which is part of the I-stop Program because cannabis is treated as a controlled substance. So prior to anyone making a purchase, pharmacists would check an individual's PMP record to make sure they are within the guidelines of making the cannabis product. The product is then scanned into tracking software that prints the label that includes the name of the client, their medical provider, the issue and expiration date and the instruction on how to use the product.

Since cannabis is a controlled substance, we follow strict guidelines in storage, dispensing, including daily inventory. There's no room for errors. This also applies even before a product is dispensed to our clients. All deliveries of products from the continuation facility are

tracked and arrive at the secure -- with security tags. We must confirm that what's on the manifest matches what's in the delivery and the products have not been tampered with. Again, there's no room for error.

Yes, while we do not have the exact detail of what security measures will be in the new state regulations, based on protocols that we have in place in the medical cannabis programs currently and practices in other state, we can expect security measures to be comparable and not to be less secure. New York State has created a pathway for consumers to legally purchase regulated, clearly labeled, cannabis products. All the products are tested by New York State Wadsworth lab and must clear a number of different rigorous tests before they are released for sale to ensure their safety, that they are free of excipients.

The report from these tests are available to all clients. There's always a team member ready to explain what they meant. The products themselves are dispensed in a packaging that is childproof, meets poison control standards. They have labeled the list of THC per dose, per container and how to store the products. The

packaging also includes warning to keep out of -- keep the products out of reach of children. The products can impair the ability to drive, advising pregnant or breast-feeding women not to use cannabis unless directed by their medical provider.

Additionally, we also provide detailed product insert with each purchase that outlines information including on proper use, side effects and disposal. Within the statute of Marijuana Regulation Taxation Act, dispensaries will continue to mandate it to make sure reports are available to the public and that packaging lists the THC count.

Underground cannabis market can be dangerous. Consumers don't know what's in the product they've received or even if they're safe, unlike legal cannabis, which is lab tested. By opting in, you're not just bringing in new jobs and businesses to your community, but you're ensuring that users have a safe place to purchase regulated tested cannabis. They can ask questions and receive answers from employees who know what they're talking about and can help make the right decision in making a purchase.

We want to be comfortable with

what they're buying and make sure they'll know how to use it. Beside the dispensary, we have patient -- clients that come in. They've been using these products. They come in the dispensary because they know these products are regulated. Unregulated products -- the Wadsworth lab is basically checking for any contaminated product, such as microbials. What are the, besides the microbials, the cannabinoid levels, pesticide, mold, another contaminant. So when clients are coming into the dispensary, they know that they're getting. It's a safe regulated product.

I care deeply about the work I do. That's in part because I also feel invested in being in a union that has given me affordable quality medical coverage, paid time off, retirement benefits and access to crucial on-job protection. I have a guaranteed wage increase in my contract making quality wage.

With the support of my union Local 338, I, along with hundreds of workers in the New York cannabis industry, seen our jobs turn into a long time career. I want workers in the adult use industry to have the same opportunity that I have. Moreover, I want to see workforce development on job

training for thousands of New Yorkers and new workers who will be entering into the industry over the next few years. This is something my union is committed to actively working on with community and academic partners.

I would like to add -- I would like to make an additional point about where the dispensaries should be located. While residents may personally object to cannabis use, the reality is medical and adult-use cannabis are legal and we should not be stigmatizing workers in the industry or adults who choose to purchase product that New York has chosen to tax and regulate. Our workplace can look like any other retail space, fitted on a regular commercial street.

I would also recommend that when you're making a decision about zoning, please consider the safety of workers and customers, particularly in recognizing that we are handling high profitable products working with tax. Dispensaries should not be isolated away from regular foot traffic. I'm interested in ruining the stigma of cannabis ensuring my customers can access the product that is legal and safe.

I have many such a story from

clients. One that stands out to me is a client in his 20s who suffers from autism. His mother was very challenged by the lack of relief her son was getting from a traditional pharmaceutical and his doctor suggested trying medical cannabis. After their first visit, she returned and couldn't believe the change she saw in her son almost immediately.

I and my colleagues have also worked with a lot of elderly clients due to various conditions: Arthritis, chronic back pain, had multiple back surgeries and regular pharmaceutical opioid medication just doesn't work, or doesn't work for them, and cannabis provided an alternative to opioids.

Working with clients is the most rewarding part of my job. I get a sense of satisfaction when clients return and say to me "this product is so amazing. It really helps me." As a pharmacist, that is nothing more than a client coming back and just giving his feedback on the product, saying how well this product works to the point where they don't need to depend on their pharmaceutical painkillers.

Finally, I would like to touch on my future in the cannabis industry, which -- that I

hope to transition into the adult use industry as an owner/operator of a retail dispensary. I have already owned a pharmacy. I would like to apply my entrepreneurial spirit to continue to educate the public and the clients on usage and cannabis.

Many are using cannabis for the first time or have sparingly and need more robust education. For those in the adult use industry, I expect clients to have more knowledge about the product and its benefit, so they know exactly what they want, when to use it and why they want to use it. However, cannabis is not legal. They need a place to purchase product that has been grown, manufactured and quality controlled. I have learned a lot from cannabis dispensaries and the positive impact it's making on clients. I fully believe that cannabis is going to make a huge improvement in daily life.

In the next chapter in my work in the cannabis industry, I intend to apply a holistic approach to continue to help patients, help them to be free of cannabis use.

I recognize that many have a preconceived idea of what it's like to work in a dispensary or who's working in a dispensary. I

assure you it's a professional, structural environment. With the legalization of adult use cannabis, people need to have access to dispensary staff with well-trained unionized workers who can educate them about cannabis, what products may be right for them because all these people who want cannabis will find a way to purchase it.

Although we may not have specific regulations yet for the adult use cannabis business, we already have a framework of what we can expect of the operation of a dispensary as well as the expectation of those who own and work in the dispensary.

Finally, I'd like to -- I strongly believe cannabis is not a gateway drug. I think it's a gateway opportunity for many in the community to access highly-regulated products to treat their various health conditions. And I thank everyone.

MR. WINK: Thank you, Mr. Naidu. What I'm going to ask -- Mr. Naidu? Before you walk away, perhaps for this next segment, I'm going to ask you to take the microphone over, so that you and Mr. Chassman can use that microphone to answer questions.

We are going to open it up first

to the task force, so -- and I'm sure the task force will have a number of questions. I'm going to take the liberty as the chair to begin.

With your permission, I'll start with you, Mr. Naidu. It sounds like in your practice as a pharmacist that you have extensive interaction with the patients, with the clients prior to and during their prescription usage. Now that's of the medical variety, which, if I'm not mistaken I believe, has a single standard THC and CBD value to it. Is there other concentrations -- different concentrations available under the medical marijuana statutes at this time?

MR. NAIDU: Very good question. Basically the doctor would write a certification. It's called recommendation. It's not a -- it's not like a pharmaceutical where the doctor will say take tramadol 50 milligrams, four times a day to treat your pain. These are recommendation, so there's three different types of ratios.

Ratios would be the THC and the CBD. So there's a low THC, high CBD product and there's an equal THC and equal CBD product and there's a high THC and low CBD product depending on individual experience with the product. So when a

client walks into the dispensary, my primary job is to intake, make an assessment. The questions that are asked are -- first question: "What is your level of experience with cannabis? Have you used them in the past?" And educate them on the proper use.

Just like any other painkiller, there are medications -- these products need titrating up on the dose. So as a pharmacist, myself and my fellow pharmacist, we don't -- we never start a client on a high THC product. They always start on a low THC or high CBD product and titrate their way up.

MR. WINK: Okay. And the reason why I ask that is because it seems as though the medical marijuana industry is quite regulated and doesn't have that wide swing of THC levels that seem to be encouraged in the MRTA legislation.

Two parts to that question. One: How is your -- how does your experience affect taking the doctor and the prescription out of the equation when -- and secondly, the difference in volume levels, which I imagine is going to occur in -- under MRTA, the number -- the share of number of people who can come into any dispensary, is there a

requirement under MRTA that you would be engaged as a pharmacist with individual clients or is it going to be overwhelming that so many people will be coming in with such an array of options available to them that no individual pharmacist or even team of pharmacists will be in the position to really help guide people the way you have under the medical marijuana regulations? I know it's a -- kind of a very broad question, but, you know, I just want to find out how does this change the industry and how does this change what you've experienced as a more hands-on experience with patients and clients when you open it up to the public and you give them this vast array of options for THC levels and CBD levels and whatnot?

MR. NAIDU: My primary practice is in working in New York in a medical cannabis setting, but I have spoken to many of my -- MedMen also operates in other states where they're a recreational state like California and I have spoken to my other fellow coworkers at MedMen and there's strict guidelines. This is -- just because it's adult use, it's not where you can just walk into a gas station, grab a six pack and leave. There are strict guidelines on -- in terms of -- we don't know

what the regulation would be on adult use, but there will be a restriction on how many milligrams of the THC an individual can purchase. This has been -- we have a protocol from out of state, so there's not unlimited purchase of product. And the products are not -- even though there'll be a demand for the product, all the products are kept behind the counter to the safe.

There's multiple levels of inventory management that goes in before giving out the product, but there will be a limitation in terms of -- which is already happening in recreational states -- on how many milligram of THC per day a client can purchase.

MR. WINK: And by your understanding that's going to come from this bureau that's just been recently appointed -- or nominated, I guess? That's where it's going to come from?

MR. NAIDU: I would think the Cannabis Control Board would have the regulations on that, yes.

MR. WINK: But at this time we don't have those regulations.

MR. NAIDU: You're right.

MR. WINK: All right.

Mr. Chassman, if I can to you, this task force has had one public session already and in that time, we've learned that, I believe it's the Town of Oyster Bay has already issued regulations to allow dispensaries within industrial zoned areas perhaps as close as Hicksville, which is within five minutes of the Town of North Hempstead. We certainly have every reason to believe that the City of New York, which is within five minutes in that direction is going to legalize -- or opt in.

My question to you -- and testimony was given to this body that each of the these dispensaries will have the ability to provide delivery services, which means that you can place an order online or over the phone and within a matter of minutes, you can have it delivered to your home. How does that affect the concerns that you have, the concerns that I share and I think many of us on the task force share with recreational cannabis falling into the wrong hands, but knowing how accessible and how available it's going to be and knowing that MRTA is a done deal?

It's something the State has already enacted. We're already on the road to this. My question to you is how does that affect or how do

you think that should guide our task force in the recommendation we make for the town board?

MR. CHASSMAN: Thank you, Mr. Wink.

And I understand what you're saying is if I could go to the next community, but this is about your community. This is about taking a stand now.

First off let me say this, there's a book in my field called The Diagnostic and Statistical Manual of Mental Disorders. Everything that afflicts the human mind is in it. It was put out by the American Psychiatric Association. Cannabis abuse, dependence, intoxication is in there, so for some this could be a problem.

Now, respectfully to the other expert witness, I did hear "adult" age 21. We know neurologically that prefrontal cortex we know responsible for reasoning and decision making is not fully developed until 25. So to call a 21-year-old neurologically as a fully developed adult is biochemically purely incorrect.

Also, respectfully I did hear with the testimony -- and I thought the gentleman was thorough. There was a lot of phrases like I took advantage of an opportunity, you know, that these are products. Yeah, they're products, but they're

drugs is really what they are. So home delivery of drugs, let's call it what it is, to our homes, to our children for 21. Now what's to prevent -- and I haven't seen the Office of Cannabis Management really drill down on this. We're talking about dosages, yes, but what's to prevent a 16-year-old, who has his 21-year-old brother, from answering the door? What are the regulations around this?

When we talk about dosages of edibles. I was flying recently to see my elderly parents in Florida. Do you know how many people reached into their bag to pull out gummies about a half hour, 45 minutes before the flight? Some of them didn't look older than 21. Now does it mean you can go to Oyster Bay or another town? But this is about this town, North Hempstead. Knowing what we know -- and respectfully Mr. Wink, you and some of your colleagues on the board, we fought really hard against the substance use crisis and this isn't directed to you, sir, but to the panel. It would be simply naive, ignorant and incorrect to say that marijuana doesn't play a role.

We have colleagues here in the audience that work in the Manhasset school district, CASA. They know that marijuana plays a role. I'm

not going to make reference to recent tragedies that affected Manhasset, but marijuana was present in that.

So let's look at the facts as they are. When you talk about the term medical marijuana for ailments in the state, no one's denying that, but I have to tell you sleep disorder and anxiety or social phobia, which a lot of young adults and a lot of adults quite frankly struggle with, marijuana is not the key to that. Do you know how you develop? You face your fears, you learn to develop character by negotiating things. When you introduce mind and mood altering substances, right, that mask, certain fears that we need to work through to actually develop as well adjusted biopsychosocial human beings.

When you introduce drugs at a young age, not only neurologically, but as far as personality development, some of those processes get hijacked. We know the data is enclosed with this. The younger you introduce mind and mood altering substances -- you can call them products, but they're drugs. Let's call it what it is. So the home delivery of drugs to young people, young adults or to adults. Quite frankly given what I know with

the Long Island Council on Alcoholism and Drug Dependence, given what I know 30 years working in mental health from a public health standpoint, this is a bad idea.

MR. WINK: Well, I hope the bureau heard your comments and I hope the bureau regulates it as such, but so far the testimony we've heard is that stubhub or Grubhub or whatever hub you want to call it these days will be available and will be very effective to my understanding, so --

MR. CHASSMAN: But I say this in the front of the board, sir, Mr. Wink, you -- we have constituents here from this town, this town. It's a time to take a stand in my opinion. I spoke recently at Northport where I live, so everyone has a voice and that's our right here. To legalize another drug at the height of Covid and a substance use crisis, is this going to positively or adversely impact public health? So I think that's the question.

MR. WINK: And you get no argument from me. My only point is that for those who are opting in, it's going to be crossing our borders and the delivery systems will be there irrespective of whether we opt out or not. So that's my real

concern.

I'm going to turn it over to the rest of task force. Okay. Marianna, I saw your hand up first. Please begin.

MS. WOHLGEMUTH: First of all, thank you both for helping us learn a little more. Mr. Chassman, can you just describe in one or two sentences what amotivational syndrome means?

MR. CHASSMAN: Amotivational syndrome. So it's a term that we saw about ten years ago. I actually learned it at the Harvard addiction conference and it talks -- I'm not going to call it laziness. It's the ability to get distracted from the development to pursue and the achievement of one's goals.

So if you look at some of the data -- and I won't drone on madam, but if you look at some of the data from Colorado and California, there is data to support that early introduction of cannabis or THC products can greatly impede, because of neurological development, one's academic success and the ability for executive function to develop, pursue and achieve your goals. For a lot of people, the reason they use marijuana products for relaxation is it tends to want to mask some of our

primal motivations. That is amotivational syndrome.

MS. WOHLGEMUTH: Thank you. In your opinion, in your professional opinion, do you think the availability so close would increase sales or make a child or a young adult be more interested in trying something like that?

MR. CHASSMAN: Well, it's my experience if there's a true motivation to pursue, seek and obtain drugs, I would know working at LICADD, people will go to great lengths, but -- I don't mean to make kind of a shallow analogy, but, you know, if I want my favorite ice cream and it's a town over, but there's my second favorite ice cream or something else closer, sometimes the added inconvenience is -- plays process -- into the decision making process.

Now of course, as Mr. Wink said, with delivery services, which is not uncommon by the way, we've seen since the digital and technological revolution, the delivery of a whole host of drugs including heroin door to door. And in fact many of us have spoken out about it that be it Craigslist of old or some of the websites today to be able to buy drugs online has actually fed the substance use crisis.

So I understand, but I encourage this board to be North Hempstead centric, that we -- you have a decision to make regarding your town. Is it available in New York State and will it be available in New York State and New York City? Absolutely, but at the height of a national crisis, what is going to be your decision? And that's a very difficult one for the board to make.

MS. WOHLGEMUTH: Thank you.

Forgive me. I'm going to call you Ruben because I can't say your last name.

MR. NAIDU: You could call me Morgan.

MS. WOHLGEMUTH: Morgan. Okay. Let me see. The training that you speak of for cannabis retail or medically, what exactly does that entail?

MR. NAIDU: As a pharmacist, prior to working in the medical cannabis industry, we need to take a certification program mandated by the New York State Department of Health. Beside that, my employer MedMen, we have a daily, sometimes weekly, we have an ongoing continuing education on various benefits of the product because we are learning about this product. We have learned a lot about

this product, but there's so many benefits about this product we are learning each and every single day.

So there's a continuing education on the product not just for the pharmacist, but for the team members that work with us and we already have a framework of how the adult use cannabis is being operated in other states and so education is paramount to every single staff that works in a dispensary, so we can properly advise on the proper use of cannabis for our clients.

MS. WOHLGEMUTH: Okay. Now you are a licensed pharmacist. What about the person that's behind the counter dispensing retail marijuana? What type of training do you think they'll have or get?

MR. NAIDU: Very good question. As of right now, I can only speak for the State of New York, but we do have other locations in California, MedMen. So -- and I have spoken to the staff and we've seen the company daily. Weekly we have guidelines on how the other locations are performing and they have -- the basic training they're getting is from what the employers are offering at this time.

There is no certification program that I know of, but the industry is growing bigger and there are universities that are offering cannabis science. So my neighbor lives on Roslyn right next to -- four doors from me. She's actually currently enrolled in cannabis science offered by the University of Maryland. So there are more schools or universities that are offering these programs.

MS. WOHLGEMUTH: How would -- let's say for instance medical marijuana, the guidelines that you have in place, how are they being enforced? You mentioned I.D. cards and checking that, but who enforces that? Who oversees that?

MR. NAIDU: There is -- the New York State Department of Health oversees the entire program, but within that New York State Department of Health, there is a program called Medical Marijuana Program. They are the ones who make -- inspect the dispensary -- proper dispensing is done. So the answer to your question is medical -- New York medical program is the one that's under the umbrella of New York State Department of Health.

MS. WOHLGEMUTH: One more. Sorry. Who has the discretion -- at the retail level, who

would have the discretion of not allowing a sale?
For instance, you mentioned a pregnant person. Is that at the discretion of the person who is selling it or are there guidelines in place?

MR. NAIDU: In terms of adult use dispensary, my experience is on medical use dispensary, but we know now the framework from other states. So there will be guidelines --

MS. WOHLGEMUTH: Okay.

MR. NAIDU: -- specific to pregnant women, who can access these products and I'm pretty sure each dispensary will have their own standard operating procedure to exclude someone who were pregnant not to obtain these products.

MS. WOHLGEMUTH: One more question. Does -- MedMen, is that correct?

MR. NAIDU: MedMen, yeah. That's correct, yeah.

MS. WOHLGEMUTH: Do they need a license -- do you have a license to sell medical marijuana -- and I think the answer is probably yes -- in the State of New York, but has your company or corporation applied for any licenses to sell in this state retail marijuana?

MR. NAIDU: I do work for them, but

I'm not in the management to answer that question, but my understanding part of the new medical MRTA is that companies that's been the original registered organization, they currently have four locations. And I think they are authorized to get four more, but as far --

MS. WOHLGEMUTH: For retail?

MR. NAIDU: Well, it's to expand the medical program.

MS. WOHLGEMUTH: Okay.

MR. NAIDU: Medical program and as well as adult use from my understanding. Once again, that's beyond my pay grade to comment on that.

MS. WOHLGEMUTH: Okay. Thank you.

MR. WINK: Thank you. Yeah if I'm not mistaken, I believe that was a discussion at the last session indicating that if a licensed facility for medical marijuana -- they can seek -- I believe it goes up to three licenses per existing medical marijuana license.

MR. KOTT: I thought -- I was thinking about it when Marianna asked the question. I remember vaguely that anybody who was in medical marijuana could not apply to get a retail sale.

MR. WINK: Okay. As I recall, I thought they -- as I recall, I thought they couldn't be cohabiting, but they were entitled --

MR. ISENSTADT: In a separate location.

MR. WINK: Right. Jordan, if you could speak into the mic, that would be great.

MR. ISENSTADT: Yeah, they can't be in the same location as a medical marijuana dispensary and there would be a certain number they can apply for. I don't know the number.

MR. WINK: All right. Jeff, I know you had some questions.

MR. REYNOLDS: Yeah. Again for the MedMen representative and I want to ask this question in a sensitive kind of way, but it's a conversation that's been front and center around the social justice goals associated with marijuana legalization and this is about opt in or opt out in North Hempstead.

It's easy to imagine that MedMen would be very anxious to open up a store here in the heart of Nassau County given their penetration in New York State, but I'm wondering how -- I took a look at MedMen's financials. Last year, the company

brought in \$145 million. You mentioned that most decisions are made above your pay grade, which means that the folks within your organization look more like me than they do like you.

I also note that the company actually lost a ton of money in its last reporting quarter, so you guys evidently are not getting the market penetration you're looking for. But at a time when the law has been advanced as a way of equalizing the playing field, particularly for minority entrepreneurs, I wonder if a store led by MedMen gets us closer to that goal or potentially moves us closer to the corporate apocalypse that Steve Chassman mentioned.

MR. NAIDU: My understanding from the MRTA, the New York -- the recreational cannabis act, the -- for additional license that -- each original registered organizations, such as MedMen, requirement is they need to open in underserved communities. That's my understanding of the law.

MR. REYNOLDS: And do you see Manhasset as an underserved community?

MR. NAIDU: No.

MR. REYNOLDS: Okay. Let me ask you as a licensed pharmacist, you know, we know that

there are some limitations on recommending, right? It can't be prescribed because the federal Food and Drug Administration who has approved drugs since 1940 has not approved the use of cannabis for any medical condition and there's no other medical conditions for which you actually smoke your medicine. This is the only one. We understand that this retail program and recreational program will essentially gut and move out of the Department of Health and into the Office of Cannabis Management, a really well run medical program and I'm wondering if, as a licensed pharmacist, you have concerns about that.

MR. NAIDU: Number one, FDA has approved CBD components. There's a drug on the market called Epidiolex to treat pediatric -- two conditions of pediatric epilepsy.

MR. REYNOLDS: And does that involve smoked flower or no?

MR. NAIDU: No.

MR. REYNOLDS: So has the FDA approved any use of marijuana in a smoked form for use for any medical condition?

MR. NAIDU: It's not because it's a Schedule I drug, so FDA is currently -- obviously

they understand the benefit of the product. My understanding is the FDA is doing studies on the benefit of cannabis.

MR. REYNOLDS: How do you know that they understand the benefit of cannabis use?

MR. NAIDU: Because there are studies done -- currently being done by FDA on the various benefits of cannabis. Yes.

MR. REYNOLDS: And they've told you that they understand the benefits and they see the benefits?

MR. NAIDU: Well, they're looking into the benefit of --

MR. REYNOLDS: Okay. So they're studying it. So on the medical program, are you worried about the loss of the medical program in the face of a recreational program?

MR. NAIDU: Not at all.

MR. REYNOLDS: Okay.

MR. NAIDU: As a pharmacist, my primary goal is for clients to have access to a regulated product. If it means that I'm losing my job, I'm totally fine with that, but I just wanted to see that clients have access to a product, highly regulated product, so -- and for the industry to

grow. With pharmacists or without pharmacists, I think my goal -- at the end of the day, I see the benefit of this product. These are your neighbors. These are my neighbors that use this product and so at the end of the day, it's not about my job as a pharmacist. It's about clients, community having access to the product.

MR. REYNOLDS: But MedMen spent more than a hundred thousand dollars to influence the passage of MRTA. So obviously, your colleagues must see it as a good move financially.

MR. NAIDU: No comment on that. So I'm not, you know -- like I said, it's above my pay grade.

MR. REYNOLDS: Okay.

MR. NAIDU: So I'm only looking at it as someone who's in the industry, seeing on the frontline the benefit it's making on the communities.

MR. REYNOLDS: Thank you for your presentation and for being here today.

MR. NAIDU: Thank you.

MR. WINK: Anybody else have questions? Betty.

MS. HYLTON: Is it on? What keeps

going through my mind is the impact on taking cannabis with an adolescent versus a senior. I know of seniors that get cannabis to stop the pain, you know, the oils on your knees and what is the difference between getting that kind of cannabis on your -- the liquid and the -- I guess the gels or whatever it is, the gummies, I think that's what they call it, versus the cannabis that the adolescents tend to get? And I think I'd like to hear from both presenters on that. The pluses and minuses, not on the adolescents, but on the seniors.

MR. CHASSMAN: Thank you for your question. Great question. I have a father who's 87 tomorrow, deals with chronic pain and he is seen by two doctors, of which we are in touch with, that treat his chronic pain. One is through the University of Miami, granted outside this state, and the other is a highly accomplished pain management specialist in and around his home in Delray Beach, Florida. Marijuana has never come up in the discussion and as a healthcare professional, I'm very much involved in those conversations.

So I'm not a physician. I see some lab coats around, but there's something to be said that some of the more stringent regulations in

the world is the U.S. Food and Drugs Administration as to why that has not been approved. So let me say it in a very simplistic way, there's people a lot smarter than me who have determined that for our seniors and for other Americans, this is not a healthy option.

Now I did hear also the other experts speak about PTSD, post traumatic stress for our combat veterans and this -- I mean, listen, I think I share in this and I happen to know a World War II veteran who lives in Manhasset and he does the parade every Memorial and Veterans Day right here in this town. And I think our veterans deserve better for their PTSD than to give them a big bag of weed and say, "thanks for your service."

So we need to come up with greater alternatives for people that are struggling with mental health including post-traumatic stress and including chronic pain. I hope that answered your question, ma'am.

MR. NAIDU: As far as the various formulations of the products that you mentioned, it's no different than going into a pharmacy and you have a different type of pain medication. It could be a tablet. It could be a transdermal patch. It

could be a nasal spray. In extreme cases, it could be IV use of the product.

So as far as the cannabis, currently what formulation is approved by the New York State is we have sublingual drops, capsules, gummies and as well as ground flowers for vaping purposes and oil for vaping purposes. What each product offers is different bioavailability depending on individual tolerance to the pain or the type of pain they're in.

Most clients may be happy with just sublingual drops and/or capsules, but many require, depending on how severe their pain is, need a different formulation such as ground flower or inhalation, so that the onset of relief is much quicker. So they don't need to take a pill, wait for one hour for the pain to subside, whereas the ground flower and the inhalation method, the peak effect can happen within five to ten minutes. So the pain is gone or their symptoms, it can be anxiety or pain. So basically it's an increase of the bioavailability to the point where the symptoms are subsided much quicker.

MR. WINK: Okay. Jack.

MR. KOTT: Thank you.

Mr. Naidu, my question is this: In a dispensary, will there be different strengths of the marijuana dispensed? In other words, can somebody -- can I just walk in and say I want to buy an ounce and get -- you know, how strong will that be? Can I buy that much? Who determines all of that?

MR. NAIDU: Right now in the medical setting that I practice every day, we do have different strengths. I think --

MR. KOTT: Excuse me. I'm not talking about the medical marijuana. I'm talking about in a regular dispensary that could be set up.

MR. NAIDU: Right. Good question. I only can speak from the -- since I have not worked in an adult use, but I have colleagues in a different state that worked, so we do have a different strain. There's multiple strains. So who would determine that depends on the intake of the clients, the questionnaire that we ask, their level of experience with the products.

So there's three different types of consumers we get across. Someone who is cannabis naive. We're going to take up the staff and strain to talk to them about starting at a very low potent

product to work their way up. Then the are experienced users are someone who's been using this product for a long time. They would know exactly what product to have, so the staff is there to guide them, but it all goes back to the intake that we ask, our questionnaire that we ask to our clients and customers who walk through the door.

MR. KOTT: Thank you. I didn't get from what you said earlier that there will be somebody like you, a trained professional, at a regular dispensary. It would just be a young person who would be -- possibly get a little bit of training at a school or whoever is running the dispensary. I don't get -- I did not get -- if I'm wrong, please correct me -- that there would be somebody, let's say a trained pharmacist, who's gone through the training that you have.

MR. NAIDU: You are absolutely right. From talking to my colleagues in other states where it's recreational, the training is done by individual dispensary. There is no standardized program, to my knowledge, but it's all done by the individual dispensary.

MR. KOTT: Isn't that a major drawback? I mean, if I walk in and I speak to a

22-year-old person, what is their experience with it? What training have they had? How are they going to determine that I, being my age, my weight and so on and complaining of sciatic pain is going to get the right type of marijuana dispensed? What is going to give them that expertise? And that scares me right now. Please, if you --

MR. NAIDU: I think you have a valid point. So once again having a pharmacist -- but I'm looking at it from a pharmacist perspective, we are trained healthcare professionals. There are other places that the staff may not have the same education as we do, but I could speak for MedMen how, you know, how our staff team members are trained. They're not pharmacists, but at the end of the day, they are trained well.

MR. KOTT: Steve.

MR. CHASSMAN: Well, part of my field research -- and I say that as a licensed clinical social worker and a credential outgoing substance use council. I've been to dispensaries in California. I've been to dispensaries in Portland, Oregon and there are definitely, A. Various strains. And I've listened to the people that came in. Ultimately they were probably younger than 35 for

the most part and it's just a question -- and excuse the laypeople's term -- "how checked out you want to be?" People will describe scenarios like, you know, northern lights, purple haze, different variations.

This is not mother's nature's marijuana. They have genetically and hydroponically enhanced the THC levels and you're really walking into a drug store and you have a 22-year-old male or female basically eliciting in sales and trying to elicit from the buyer just how checked out do you want to be for the most part.

So respectfully, again to put med in this, it's really not medicine. It's an elicit drug that has become legal and I know people that are in the industry. They're all under 35, but they are not medically trained. That's been my experience.

Now these are questions we would have preferred if New York State would have sorted out before they went to legalization at the height of a global pandemic. This tiptoes dangerously close to encouraging quote or quote self-medication in a time of great need.

MR. KOTT: Thank you, both.

MR. WINK: Does any other member of

the task force have questions?

(No response.)

MR. WINK: Okay. If not, we are going to open it up to public comment. We are going to ask people as much as possible to limit their comments, you know, and the comments can either be directed to the task force or can be in the form of questions to the experts that we have with us today. So I'm going to ask you to try to abide by, you know, that distinction.

We have six cards at the moment. First of which is James McHugh. Mr. McHugh, I see you're dressed for the occasion.

MR. MCHUGH: I am.

MR. WINK: And Mr. McHugh, I'm going to ask you to try to keep your comments as brief as possible.

MR. MCHUGH: I will.

MR. WINK: And I see you've submitted written comments.

MR. MCHUGH: I did. I've submitted written comments --

MR. WINK: I appreciate that.

MR. MCHUGH: -- based on what I'm going to read. I want to thank the committee and I

want to thank the Town of North Hempstead. I had --
oh, I need to speak up. Let me put this closer.

MR. WINK: Yeah, you need to lean
in to the mic.

MR. MCHUGH: No problem.

I want to thank the committee and
thank the Town of North Hempstead for giving me this
time. I was assured by the Town that I would be
able to get through my presentation.

I am a registered pharmacist in
the State of New York, St. John's graduate. I am a
hospital pharmacist, which is much different than my
colleague. This issue has caused a great division
in my profession, okay, between many people that are
in -- some people that are in retail who are
involved currently in medical marijuana -- I don't
want to include all the retail guys because they're
not -- and the hospital pharmacists like myself.

I'm in the trenches, okay? When
you're a hospital pharmacist in my particular
hospital in the neighborhood that I work in in
Jamaica, we have a level 1 trauma center. So I get
all of the fallout from our public policy when it
comes to this that it doesn't work, okay? I get the
GSWs, I get the gunshot wounds, I get the stabbings,

I get the addicts coming in begging for their methadone. I get all this stuff every day, okay? I am not bringing it to my town, all right? I deal -- I'm in the real world. Okay.

I did three years, three years on a rotation basis through my emergency room. We're not hanging out in the pharmacy anymore. That's ancient history. That's why I'm wearing my whites because we're up there. We're doing rounds. We're doing these things with the doctors, okay? We're not just the traditional role of counting tablets anymore.

Now, the basis of my presentation is a letter that I sent to the State and my representatives on December 31st, 2020 before they were going to vote on this issue up in Albany. I sent it to all the assembly people. I sent it to our state senator. I sent it to the Governor. I sent the same letter to two of the major newspapers and two of the local papers. This is basically the presentation I'm going to give today. I'll try to go through this as quickly as possible. I know there's other people that want to speak, but I think as a professional, I'm an expert in this too because I live it every day, okay?

Now first order of business is this and that is the potential revenue gain, okay, which is really what this is -- the bottom line, no pun intended, that this is all about. It's about tax revenue. I'm not against entrepreneurship, but I am against doing it this way. I'm not against medical marijuana, okay? But I am against what it's morphing into, which is what happened in the ten other states that this -- it always starts we're gonna help people. That's great. Then it sort of gains its own momentum somewhere else.

Young people are going to be affected by this. They are, okay? 21 is the age limit, right? Okay. 21 is a senior in college or a junior. Let's be realistic. Who on this board who in this room thinks that the sophomores and the freshmen and the kids coming in that are 18 aren't going to be involved in this? That it's not going to be shared? It will be on campus. Absolutely it will be. It's happening now in our high schools illicitly at 18.

My sister is a pediatrician, my second oldest sister, so she deals with adolescence as well as children. They're having a symposium, if you go online October 5th, pediatricians in New York

State are getting together with these child psychologists and psychiatrics to address this issue of the effects of marijuana, cannabis on the adolescent brain. You can go online October 5th, the board of professionals are going to discuss this issue as a scientific symposium. So anybody can tune in on the internet and can see what these very professional people are going to say about this, okay?

Second thing is besides its effect on our youth, we have to give our young people the right example. We don't -- we want them to blossom. We don't want them to get into self-destructive behavior. This is where it's going to lead. I see it. The fact that the Governor comes -- the ex Governor and says, "oh, it's not a gateway drug." That's not true. That's absolutely false and he said it with such authority, but he backed it up with no studies, no data, nothing. As far as I knew, it was his opinion.

Now we do have a study in Nassau County. I gave it to one of the board members, transferred to her online. It's a 127-page white paper covering this issue. The county based their decision to opt out on this study. The study

involved the ten states that had -- that recreational marijuana was made legal in since the first state that did it, which is California, okay? Colorado's included, all ten of them. What the study was about was the after effects. What happened after most of them started out with medical marijuana? They transitioned into recreational. What happened within those states, okay? This particular white paper covers all of that, 127 pages.

Every board member needs to read this paper before they advise the Town of North Hempstead about anything because the county shared this paper with many of the incorporated villages right here in North Hempstead. Many of those villages based their decision to opt out on that paper and the data in that paper because it was so negative, okay? Please read it. I've made it available to this committee, okay? So the ball's in your court on that. I'm going to advise the town, advise them on the facts, advise them on the data. It's all in that report. It's all there. There's no guesswork here. It's based on experience and facts and data. That's science.

The other thing is we have to deal

with what's going to come about on our roads because in one of the data that I kind of cherry picked out of the report -- because there's a lot of data, so I could only kind of sprinkle it -- is what happens on the roads. In Colorado when they did this, the first six months, the governor there was pretty slick. They really put a lot into their enforcement on the roads. They got their state -- they do a lot of state programs, so they got the state police to do a lot of traffic stops.

The problem is there is no field test for this for when you're doing stops. So I can pull you over because you're driving erratically, but I can't give you a DWI or a DUI. Why? Because I can't test you. The only way I can really catch you is if you're foolish enough to bring it into the car and I can smell it or you had it in the car with you. You can smoke ten joints, get in your car as long as it's not in the vehicle, try to drive that vehicle, okay? And I say "try" to drive it.

I've had people foolishly say to me "oh no, Mr. McHugh, I drive better when I'm stoned." No, you don't. You just think you do. You don't. Okay. When the cop pulls you over, he can't field test you. Right now for alcohol you got

to walk the line, you got to get a breathalyzer. He's got nothing. He'll give you a citation and send you on your way for whatever the offense was, weaving or whatever.

He can't cuff you, can't arrest you. The only way he can do that is if you cause an accident, which causes bodily harm to other individuals. In other words, you kill someone or you send them to the hospital to the intensive care unit back to me, okay? Then he can cuff you, take you to the nearest hospital, let's say North Shore. What will he do? He -- you will get a blood test, tox screen, which will include cannabis.

If you come up positive, now you could be arrested. And if you killed somebody, you'll be arrested with the charge of vehicular homicides. You think he's going to do that on a regular traffic stop? No. Nope. He's going to give you a \$250 fine and send you on your way 'till you wrap your car around a tree or another person. That's what's going to happen. Do you want that? I don't think so. I don't think we want that. We don't want our kids to be the ones who end up on the receiving end of the person that T-bones their car.

None of us want that, so why do we

want this? What is the benefit of this? The only benefit that I can see of this is on the financial side. I don't see any other benefit. On the tax side, on the revenue side. But in my book from where I stand, from what I do every day is not -- it's simply not worth the devastation that it's going to cost. It's not worth it. Don't do it. Don't do it.

Come visit me at my hospital. I'll take you on a tour. We'll start with the emergency room. Any time you want, I'll arrange it with my -- and see it one day. That's all I need you. You will never vote for this. Never. One day. Why am I so passionate about it? Because I've been a pharmacist for 41 years now. I've been in good neighborhoods. I've been in middle class neighborhoods. I've been in -- and now I'm in a poor neighborhood, okay?

For me, this is a marvel issue. It's really -- do the right thing. Do the right thing here. Do the right thing. We can't control what the state's done. I didn't agree with that. My letter told them don't do it. They did it anyway. I gave them all the reasons I'm giving you. They said we don't care. We're doing it anyway. We want

the tax revenue. That's it. Goodbye. But we here in North Hempstead have the opportunity to take the bull by the horns and be in control of our own destiny. We need to do that. It's in our hands.

Let's say no to this. Let's opt out and stay opted out. Not in today -- not out today, in tomorrow. Because once we're in, we're in forever. People ask me -- I said, "it's like being in a union." If you're a historian -- Mr. Wink, you're a historian. During the Civil War, okay, you were either in the union or that's it. There's no -- there's no secession on this. We had a civil war because the union said no secession. No opting out. You're in forever. Well, that's what happens. If we run the clock out on this, we do nothing, we get this January 2nd.

Because people say, "well, you have to opt in." No. Just don't do anything. We're in next year. We have to physically go and opt out and stay out. No changing our minds later, okay? And again, I purposely -- people said to me "listen, this is not a political issue per se," okay? I refuse to make a political football here. It's too incorrect. It's life or death. It's not meant to be kicked around.

So I hope I made the case because I went out of my way to write a full page and I didn't even read this to you. I just did it out of my brain because I read it enough times. I sent it enough places. It didn't get the result I wanted. I'm hoping it gets the result -- this gets the result I didn't get at the state. I hope it gets it here in my hometown, in my own neighborhood. The Village of New Hyde Park has opted out. Westbury opted out. Mineola is about to opt out.

MR. WINK: No. Actually, Mr. McHugh, Westbury hasn't opted out yet.

MR. MCHUGH: They will. I've talked with the Mayor.

MR. WINK: I spoke with the Mayor too.

MR. MCHUGH: They're going to be out.

MR. WINK: They will -- held the hearing at some point. I think you're right. They will opt out.

MR. MCHUGH: They will.

MR. WINK: Let's be clear for the record --

MR. MCHUGH: The 127 page report

that I got --

MR. WINK: Don't talk over me, Mr. McHugh, please. I just want to make it clear for the record, they did not opt out yet --

MR. MCHUGH: They will.

MR. WINK: -- so let's make that clear.

MR. MCHUGH: Okay. They will. I spoke to the mayor. Where do you think I got the 127-page report from? That's where I got it from.

MR. WINK: Mr. McHugh, I understand. I'm just making the record as clear as possible.

MR. MCHUGH: All right. Straighten the record.

MR. WINK: I've done that with the Village of Mineola and other situations that have come up --

MR. MCHUGH: They're going to be voting on it too soon. Mr. Wink, let me -- let me tell you something. Those villages are going to opt out.

MR. WINK: And they may well, but for the record --

MR. MCHUGH: Okay. For the record,

New Hyde Park Village did.

MR. WINK: Mr. McHugh, I'm going to thank you for your comments. I'm going to ask you to let the other speakers speak.

Next speaker is -- forgive me. I'm trying to read the handwriting. Arty Hansman? Andy Hansman? Forgive me.

MS. HANSMAN: Good afternoon.

MR. WINK: Good afternoon.

MS. HANSMAN: I live in the Town of New Hyde Park for the last 11 years. I'm a mother. I'm a Girl Scout leader. I'm a member of the community and, you know, I don't have too much things to tell you because the gentleman did the best job for our community. He expressed everything that all the neighbors, most of them, you know, would like to tell you.

I just don't agree with this dispensary. We don't need it. We are a residential community. The location that they picked, it's surrounded by houses and I don't think that is the best idea. I don't believe that the people that work in the dispensary are trained well and I can just see because I was Googling how many arrests of employees of dispensaries happens. So in

2009, it was over 500,000 people got arrested for stuff like this. So I just don't think that we need it. We are good in New Hyde Park. Not in our town. We don't need it.

And also I'm sorry, but I have to go and pick up my kids right now. Thank you for your time.

(Round of applause.)

MR. WINK: Thank you.

Next speaker is Eric Spinner.

MR. SPINNER: Good afternoon, ladies and gentlemen.

MR. WINK: Good afternoon.

MR. SPINNER: I come here number one having been the person who made the flyer that brought most of the people here. I don't want recreational marijuana in my town and I say this for several reasons.

We've heard from two expert panelists. One is an entrepreneur. The second one has been in the trenches to see the effects of recreational marijuana. The first -- the second speaker is an entrepreneur who said he doesn't care if he loses his job. Well, of course not. He's well invested in the company that's going to make

the money.

So we're talking about an entrepreneurial gain here. We're talking about financial benefit. I am more interested in my personal wellbeing when a recreational marijuana user who does not have the developed judgment or has abrogated his judgment and gets behind the wheel and kills somebody in my town or elsewhere.

I feel we have a personal responsibility to control this and this process has not been thought out sufficiently. The Department of Health of the State of New York has not been notorious in their wisdom. There have been many things that have come down over the past year and a half and I will not specify those issues, but their judgment is a little bit tainted by politics. It is tainted by a chance to tax another industry and bring in income.

I speak as an almost 38-year survivor as a teacher in the inner city New York City high schools. I've seen what the marijuana does to the kids. I've seen them come into class not knowing what day it is, spaced out, unable to carry on a coherent conversation. No. I don't want it in my town and to quote what was on the sign

right outside the Town Hall in Manhasset, "not in my town." I want to keep my town healthy. I have nothing against medical marijuana properly prescribed and controlled, but I am totally against recreational marijuana for open sale. Thank you.

(Round of applause.)

MR. WINK: Thank you, Mr. Spinner.

Kathleen Deegan Dickson.

MR. GUARIGLIA: She left.

MR. WINK: Oh, she left. Okay.

The next speaker is Nina Gordon.

MS. GORDON: Hi. Thank you for the opportunity to speak. I'm going to take this off. My name is Nina Gordon. I'm a 60-year resident of the Town of North Hempstead and first of all, I want to say that recreational marijuana is coming whether or not you want it. It has been legalized and whether or not you allow it in the Town of North Hempstead, it will be available in Little Neck. It will be available in probably Elmont. I'm not sure about the Town of North Hempstead, but just over the border in Queens, it's going to be there.

I started taking notes and I was listening to the first couple of speakers and so I'm kind of responding to what they're saying.

Marijuana plays a role in everyone's journey. It's been around for a millennia. The Aztecs and the Mayans were smoking marijuana. This is not a new drug. It's not a gateway drug either. I know people that smoked marijuana 50 years ago that never touched heroin. What is a gateway drug is opioids. Opioids, prescription opioids, are what lead people to heroin and other drugs and that has been proven.

Opioids are nothing like cannabis.

I can tell you this from experience. I have had multiple orthopedic surgeries. I've had back pain for many years. I was prescribed opioids in 2012. My dosage was raised higher and higher and higher to the point where I was miserable. I was uncomfortable. I had developed a tolerance. I had side effects from this and after five years of asking my pain management doctors, respected physicians who didn't seem interested in helping me get off opioids, I became certified for medical marijuana in 2017. And with the use of medical marijuana, I was able to completely get off opioids.

I want to address the statements that were made about marketing and the fear of how this will be marketed to young people. You know, I wish some of the passion that people are showing

today about cannabis, I wish they would show this about alcohol because alcohol is marketed to our young people with candy-flavored drinks. Nobody -- there are liquor stores all over the place. Where is the outrage about this? My son who's a 35-year-old successful attorney, when he was 14, was able to get alcohol near Hunter High School in Manhattan 'cause fake I.D.s were so easy to come by. This is a real problem in our society more so than cannabis. Alcohol is a real dangerous drug and the marketing is just out of control.

Also, I'd like to address the concern that people are asking about whether they'll be a guide to purchasing cannabis. Do we have guides in liquor stores? When you go into a liquor stores, does anyone tell you how much you should purchase? Whether you should purchase vodka or beer? No, you go in and it's legal and you buy what you want. What is the -- you know, why is everyone so hysterical about cannabis and so tolerant of alcohol? This is what I don't understand.

And the comparison with -- the hysteria over today's marijuana is so much stronger than 50 years ago. We are talking about a legalized monitored regulated product. I can tell you I'm

68 years old. I smoked pot 50 years ago and I smoke medical marijuana now and it's different. It's regulated. I know when I have my medicine what I'm getting every time because it's grown on a farm upstate and it's grown under laboratory conditions. It's not some guy, you know, in a farm and dosing it with god knows what other chemical. In other words, you know, street pot, if you want to compare it to alcohol, street pot is like rock cut and legalized regulated marijuana is more like a bottle of alcohol that you buy and you know what's in it.

As far as -- and first of all, bringing in -- talking about the wreaths on the side of the highway is kind of a cheap shot. I mean, we have seen these memorials to people killed on the highway for many, many years and it's generally alcohol related.

As far as amotivational syndrome, this fear of amotivational syndrome, again, I know plenty of successful lawyers, doctors, accountants who smoke pot. I would like to remind you that Willie Nelson, Louis Armstrong and Bill Maher are all very accomplished people who contributed plenty to our society, have Grammy awards who smoke pot every day. You can get amotivational syndrome from

booze too.

In conclusion, I mean I've heard a lot of people getting -- I feel like this is an episode of Reefer Madness today. Everybody's hysterical about what might be coming. It's coming. Whether or not you want it, it's coming. The question is is North Hempstead going to lose out on the revenue and is North Hempstead going to lose out on attracting young people to moving to our town by preventing something that is going to be legalized and going to be widely available in the neighboring towns? Thank you very much.

MR. WINK: Thank you, Ms. Gordon.

The next speaker is Sanjoy Augustine. Forgive me if I mispronounce.

MR. AUGUSTINE: No, you're good.

MR. WINK: Okay.

MR. AUGUSTINE: Good afternoon.

MR. WINK: Good afternoon.

MR. AUGUSTINE: I'm a resident of New Hyde Park. I have three young kids, but before I even talk about marijuana, I just want to let you know that I had no idea about this meeting up until this morning and it was communicated very poorly to the residents and I generally get most of the

communication, but this is not what I received. And also the timing at 1:00 is when most of the working communities, working class people is out of town. So the timing was extremely bad if you really wanted to get an opinion from the working class.

MR. WINK: Mr. Augustine, I'm going to stop the clock for you. Let me first of all apologize if you didn't get notice of it. A press release went out before the first session laying out the times, dates and location of all three sessions. I believe the town website has it posted with this information as well and the first session was I believe at 6:00. The third session is also 6:00. This session was done at 1:00 to facilitate people who had alternate schedules who couldn't come during the day and maybe couldn't come during the evening. So we tried to spread it out to three different locations of the town at two different times of the day and over August, September and October, so that it would maximize the opportunity for people to participate.

MR. AUGUSTINE: Point well taken, but I still have -- was not aware of this meeting.

MR. WINK: I apologize.

MR. AUGUSTINE: First of all, I

just want to let you know that I am completely against it from my own personal experience. I have three kids. My number one concern right now is my ten-year-old child who's having access to marijuana. The marijuana effect has been personally seen in my own house and I -- it is not a good scene.

I have a 21-year-old child who generally is a good child. Any time he used marijuana, he becomes not himself and he's irrationally behaved and that is not what I want to see in this community. It is not what I want to see in this -- in my house or anybody -- any of my neighbor's house or anybody in the Town of north Hempstead.

All of the benefit that many people talked about is medical marijuana. We're not talking about medical marijuana. We're talking about recreational marijuana. Recreational -- marijuana doesn't give you any recreation. It breaks down families. It breaks down the community. It breaks down the society in the name of money. You make money for entrepreneurs or whoever wanted to make -- sell marijuana or drugs to the community. It makes money for the community. I am not willing to sacrifice my kids in the name of money, okay?

This is not what we're here for. It is not what we should be here for.

One of the individual men said that there is no space for error. There are error -- happens in every place in every situation including alcohol. You will see one of the ladies mentioned earlier just because alcohol is being sold, it's okay to sell marijuana. It is not okay. Just because you have one community or one alcohol or one drug is being sold does not mean that marijuana itself will help that society. That is not what we're here for.

Just because marijuana is being authorized or being sold in the neighboring community, it's okay to sell in this community, is not acceptable, which is one other point that you mentioned, Mr. Wick. Just because it is okay for the neighbors to do a wrong thing does not make that a wrong thing to be done in this community, in my community. I do not want marijuana being sold.

MR. WINK: Mr. Augustine, if I could just address that for a second. I did not indicate right or wrong in any of this, but I did indicate it was a fact that it will be available in this community in one form or another, either by the

delivery or by people bringing it home whether or not this town opts in or opts out.

MR. AUGUSTINE: I didn't say you said it's wrong -- right or wrong. What I said was you said it is being sold in other communities and it might be delivered to this community. Yes, there is Grubsum (sic) or Grubhub or whatever it is that delivery community -- delivery services might provide the service. That does not give you the right to sell the same wrong product in my community and it should not be sold in my community. Thank you.

MR. WINK: I have no other cards from people wishing to speak. Is there anyone else who wishes to speak before we adjourn this session?

MR. MCHUGH: One more comment and the comment is this. Right now any state that goes to recreational marijuana sales are in violation of federal guidelines, okay? One of the things we learned in pharmacy school when we took our state board exams part two is the law. You take a law exam. Any state that's recreational selling right now 'cause it's a class one is in violation of federal law right now. They -- the feds have chosen not to act on that for whatever reasons, but that's

a fact. We are in -- federal law supersedes state law on this issue. Every state that's doing it could be sanctioned by the federal government. For the political reasons, it's not happening, but it could if they wanted to, okay? So we are in violation of federal narcotic laws in the State of New York now that we've passed recreational use. Thank you.

MR. WINK: Thank you all very much. I appreciate everyone who's been here. I certainly want to thank Mr. Chassman and Mr. Naidu for their expertise in this matter and I want to thank all of you for your participation.

The next and final public session of this task force will take place at the "Yes We Can" Community Center on Tuesday, October 19th, roughly three weeks from today, at 6:00 p.m. And I welcome all of you to attend that as well.

We will do everything we can to ensure full publicity for this and all the sessions. I would also remind you that the video of this and the streaming of this session will be up on the town website.

I want to thank you all very much and I hope you have a pleasant afternoon and

evening. Take care everyone. Thank you.

(Whereupon, at 2:52 p.m., the
meeting concluded)

STATE OF NEW YORK)

SS.

COUNTY OF NEW YORK)

I, ALEXIARA PIERCE, a Shorthand
(Stenotype) Reporter, do hereby certify that the
foregoing pages 1 through 89, taken at the time and
place aforesaid, is a true and correct transcription
of my shorthand notes.

IN WITNESS WHEREOF, I have hereunto
set my name this 25th of October 2021.

TOWN OF NORTH HEMPSTEAD

CANNABIS TASK FORCE

LISTENING SESSION

"Yes We Can" Community Center

141 Garden Street

Westbury, New York 11590

October 19, 2021

6:00 P.M.

B E F O R E:

WAYNE WINK,

THE ACTING CHAIR

MGR REPORTING, INC.,
1-844-MGR-RPTG

A P P E A R A N C E S:

TASK FORCE:

Jack Kott

Desiree Woodson

Marianna Wohlgemuth

Leslie Davis

Gloria Su

Betty Hylton

PANEL OF EXPERTS:

Neera Roopsingn

Chris Farrell

Also Present:

Alexiara Pierce - The Court Reporter

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P R O C E E D I N G S

MR. WINK: Ladies and gentlemen, good evening. My name is Wayne Wink. I am the North Hempstead Town Clerk. On behalf of Supervisor Judi Bosworth and the entire Town Board, I want to thank you for joining us here tonight both in person and online.

This is the third of three public listening sessions that we'll be conducting as the North Hempstead Cannabis Task Force. I have been requested by the Supervisor to chair these meetings.

The Town established this task force and appointed 14 members from diverse backgrounds including substance abuse and mental health experts, social justice advocates, civic leaders, business and labor leaders and legal experts.

The purpose of the task force and the goals of the task force are as follows: One, to conduct listening sessions and gather public input on the issues; two, to consider both the pros and cons of opting out of the State Legislation known as MRTA, the Marijuana Regulation and Taxation Act; three is to make recommendations to the Supervisor and the Town Board on whether or not the Town should

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opt out of the sale and onsite consumption of recreational cannabis; and four, to make recommendations of best practices regarding zoning, public safety and quality of life concerns with respect to said issue.

As Chair of the task force, it's my hope that these will be -- that these listening sessions will be conducted in a fair and open manner. It's certainly my intention.

The video of this session will be posted online on the town website following the meeting. And we have, for the third time, brought in a stenographer to ensure an accurate transcript is maintained.

Tonight we will hear presentations from a panel of experts and then we will open it up to public comment. Anyone wishing to make public comments should submit a card at the back of the room at the table, so that we may call on you in the order in which you've submitted.

Tonight, I want to welcome two experts here to speak. The first one is, on behalf of the Nassau County Police Department and Commissioner Patrick Ryder, is Chief Chris Farrell and I apologize Chris, you were a late addition. I

don't have much detail about you, so I am going to ask you to introduce yourself more thoroughly as we continue.

And I also want to introduce Neera Roopsingn who is an associate with the firm of -- is it Sahn Ward Braff Koblenz?

MS. ROOPSINGN: Yes.

MR. WINK: Okay. I wanted to make sure I got the name right and Neera concentrates her practice in zoning and land use planning, municipal law and mitigation and appeals. And prior to joining the firm, Neera was in fact a Deputy Town Attorney in the Town of North Hempstead. So she is well aware of how town government functions. And I want to thank you for being here as well.

Without any further ado, I'm going to ask you each to begin with your presentations and we'll begin with Chief Farrell.

MR. FARRELL: Thank you.

MR. WINK: If you want to take the microphone, you can either put it next to you or hold it, whichever you're most comfortable with.

MR. FARRELL: How's that? Can you hear me?

MR. WINK: Okay. That's good.

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That's as good as it gets.

MR. FARRELL: Good evening. Thank you for the invite.

MS. DAVIS: Is it on?

MR. FARRELL: I don't know. Is it on?

MR. WINK: It is on. It is on. I'm just going to ask you to stay close to it.

MR. FARRELL: Thank you for the invite, honorable Wink. I'm Chris Farrell. I'm Assistant Chief --

MR. WINK: Chief, if you're comfortable, you can take your mask off while you make your presentation.

MR. FARRELL: Sure. I'm vaccinated, so.

MR. WINK: Okay.

MR. FARRELL: My name is -- I'm Assistant Chief and I'm a Deputy Chief and a detective, so I'm the second in charge in the Detective Division for the department, the county. Just a side note, I work these streets right here in New Cassel, so it's always good coming back here to (unintelligible). I did the mentoring program here, so I have a lot of good memories of working here

with the families and I was also a detective right here in the 3rd precinct.

So now I'm in charge of the Narcotics Vice Squad. I've done extensive lectures on the opioid crisis and also marijuana and vaping, so this is, you know, near and dear to my heart with the opioid crisis.

Some of the -- I'm sorry. Let me go back to myself. I'm been doing this 35 years, law enforcement 35 years, 7 years with NYPD and I'm currently in Nassau County since 1993. Prior to that, I did -- I was a narcotics investigator in the NYPD and again, I was a commanding officer with the Narcotics Vice Squad before moving up to now -- the position I'm in now with the Detective Division.

So I go to community meetings all over the county, most thoughtably (sic) with Commissioner and County Executive for the opioid crisis. We've been in pretty much almost every community. The interviews we've conducted with addicts, people who are in crisis, a lot of them started out on marijuana. So in my research -- I've been doing this many years -- it is a gateway drug and not only on the empirical studies that are done, but also the interviews. I've based it on mainly

the interviews of talking to addicts and my detectives talking to addicts, so -- not everybody, but there's a good portion of them started --

So some of the community, the members that we've encountered, ask a lot of questions about the new law. So I don't know if you covered that yet, but I will -- I jotted some notes down. So some of the questions that -- the current law is called the Marijuana Regulation and Taxation Act, like Mr. Wink mentioned, and some of the questions I get repeatedly is "can I smoke marijuana in the streets?" And in the law says adults can -- 21 and older can smoke marijuana legally in the streets similar to tobacco.

"How much am I allowed to have?" And the law right now says you can have three ounces at home. In the public, you can also have three ounces. In several months, the Office of Cannabis Management is going to set up permanent regulations. I believe that starts in 2022. I'm not sure of the actual date. The new -- and New Yorkers will be able to have five pounds of marijuana at home.

"Can I smoke marijuana in a park?" It's going to be similar to the regulations that the state, county, town, village, parks, municipality

set up, so if you can't smoke cigarettes in a park, you shouldn't be able to smoke marijuana in a park. So that's not going to change much. Again, depending on the municipality and the penalties for that is dependent upon the municipality levies.

If I'm 21 and the police catch me -- "if I'm under 21 and the police catch me smoking, what will happen?" Well, you can't smoke cigarettes nor you can't smoke marijuana under 21, so it's going to be similar to the circumstance of if you're smoking cigarettes. It's a penalty. It's not going to be any arrest. There was never arrests prior to that if it was just one -- for cigarettes, I should say. There's no criminal consequences for that.

"What if I'm selling, can I continue to sell?" You cannot sell on your own under the Act, but harsh penalties will be levied for, you know, if you are selling it. There's no regulation market as of right now. However, you can sell -- you're eventually going to be able to sell up to three ounces and that -- selling to a juvenile is a crime. So anybody who's a juvenile, if you're selling any amount, will be a misdemeanor for a certain amount and if it's 24 grams for more, it'll be a felony. So we're trying to obviously -- this

law is designed to protect some of the youth.

"Can the police pull up and smell marijuana from driving?" So let's -- the law has vehicle traffic law built in, so basically it's going to be like having an open alcohol beverage in a car. So if you're caught with a marijuana cigarette in a car, you're going to be given a ticket. If you're smoking while driving, you're going to be treated as if you were drinking and driving. So those laws haven't changed. It's been like that.

There is money or part of the law that is going to be used for training more officers in New York State for drug recognition -- to become drug recognition experts. So again, the crimes are for anybody in a vehicle who's smoking, anybody in the backseat, front seat. The law's also about having plants in the house. I'm not going to get deep into that unless somebody asks me.

The section of the law about office of cannabis -- that's going to take effect I believe in 2022. That's where I think the municipalities have to decide if they're going to opt in or opt out.

"Can I get fired using weed?"

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That's more of a civil matter, but if you're in a position where you're federally regulated like myself, we get backgrounds checks, the employer can say no, you cannot smoke. If you work for a private company, the law says as long as you're not using it while you're working and it's not affecting your operation. That's strictly case by case, but we get a lot of questions about that. So law enforcement or any type of job like that, I believe teachers or maybe even attorneys -- I don't know. I'll leave that for the attorneys, but many occupations cannot -- can be -- can have, you know, negative consequences.

Again, a gateway drug, so there is studies out there. You can go on the open source internet that have indicated marijuana can be a gateway drug to many of the teenagers. And we have a program in the Narcotics Vice Squad that we introduced a couple of years ago where we visit overdose victims post event and we interview them, try to get them help. We'll actually drive them to get treatment, but part of that is to interview them and tell -- ask them how'd you get -- end up like this, so we can help them better and a lot them said they did start off -- with the marijuana of today --

and again, I'm not basing it off of the -- what's going to happen in 2022 and the parameters on growing it, but the marijuana of today, that we're recovering for the last eight to ten years is so much more potent than 20, 30 years ago when I was a narcotics detective. It's much, much more potent, so being much more potent, it's going to affect the human body more. And then you got the studies with the, you know, teenagers, young adults. Their brains don't stop growing until they're around 25. So we've seen that effect.

That's all really for now. We're -- again, it's changed the way policing's done, but we'll see how the studies go. There are studies with Colorado, Massachusetts and Washington. They're all out there. Some of it's negative, some of it's positive, depending on who did the study.

So any questions, let me know.
Thank you very much.

MR. WINK: Chief, I appreciate you taking the time. With your permission what we have been doing is having both panelists speak and then starting with the task force asking questions of either of both of you if you're available to do that --

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MR. FARRELL: Absolutely.

MR. WINK: -- then I really appreciate that. That's great. Thank you. Okay.

Our next speaker is Neera Roopsingn. Do you want to just move the microphone over? That might be the easiest way to do this.

MS. ROOPSINGN: Thank you. Got it. My apologies. Thank you.

MR. WINK: All right. And Neera, as I mentioned to the Chief, if you're comfortable when you're making your presentation, you can take your mask off, leave it on, whatever you prefer.

MS. ROOPSINGN: Will do.

Good afternoon, everyone. Neera Roopsingn. I'm an associate with Sahn Ward Braff Koblenz. I apologize. I was a little bit too quick on the draw earlier. I'll be speaking this evening about zoning laws generally and how it relates to the legalization of cannabis and retail use stores in New York State.

So most of my presentation is going to be based on the assumption that the Town does not opt out of the Marijuana Regulation and Taxation Act. If the Town chooses not to opt out, there are certain tools available to it that would

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help to regulate stores that will be -- that will -- that the Town will allow as dispensaries.

So the local law is basically -- the local zoning laws can be used to regulate certain aspects of the retail space. So generally, zoning laws is a municipality's guide to future development. In other words, local zoning laws are used to accomplish a municipal -- a municipality's goal with regards to its growth, development and can also be used to help protect the general health and welfare of its constituents.

So for example, our -- the Town's Building Code is located in Section 20 of the -- Section 70 of the code. Similarly, the Town could adopt local laws that regulates the specific use of physical facilities that will be retail stores within the Town. So for example, the Town can enact local zoning laws which places restrictions on retail sales and use facilities. Generally, the Town can pass local laws governing time, place and manner of the operation of these type of facilities. Getting a bit more specific, the Town can restrict these types of shops to a certain district or districts. So for example, they can say all retail stores will only -- can only be located in, for

example, the industrial district or, for example, a Business-A district or a mix of the two or a mix of districts. So that will be the first type of regulation that the Town can place on such retail facilities.

The second would be actual physical restrictions, such as requiring certain setbacks from the street or certain types of -- certain sizes of buffers along the sides or the rear of the building to protect or to shield it from adjacent stores or businesses or other types of uses.

Another thing the Town can do is they can restrict the facilities's proximity to, for example, a school or a house of worship or a residential district for example. Right now, State Law requires all residential dispensaries or onsite consumption sites to be at least 500 feet away from any school and at least 200 feet away from any house of worship.

The Town can enact similar types of regulations, but cannot curtail the number of feet away that the State says these facilities have to be. So for example, they can say it has to be -- a school has to be at least 600 feet away from a

facility in order to apply with the Town to use this facility as a retail store or it has to be 500 feet away from a house of worship or it has to be, you know, X number of feet away from a residential district, thereby protecting that residential district from perceived impacts upon its -- upon the people that reside there and upon the house values as well.

The Town can also -- they can also consider different characteristics or different types of concerns that the community may have, such as traffic impacts that a use facility may introduce into a community, traffic congestion. They could also consider health issues that may be raised by constituents or by professionals. And all those things can be used to craft a local law that places restrictions to properly ameliorate against any sort of perceived harms that a retail use can do within -- or could possibly do within the township.

Apart from these physical requirements, the Town can also require what they -- what's now a conditional use permit and that's typically done through an application and a public hearing process before the Town Board. During that hearing process, the Town Board will consider --

usually considers testimony by the applicant as to why their -- that piece of property specifically qualifies to be used as a retail space. It's also open to members of the public or anyone that has concerns or is in favor of these types of hearings.

One of the -- I guess one of the good things about a special use permit is that they're temporary in nature, so they're not permanent and this allows -- would allow the Town to keep a closer eye on these types of facilities, ensuring that they are taking into consideration the following: state laws, local laws and any sort of other specific conditions that are placed on that facility.

Another thing about a special use permit is that the board can institute specific requirements of that individual facility. So for example, they can require security on the premises or within its parking lot. They can require that the store checks I.D. before someone even enters onto the premises. So conditions similar to that can also be attached to a special use permit and, like I said, one of the good things about this is that it would be temporary in nature. So the board could always have the option to choose not to renew

during the next application process.

Another use would be a conditional use permit and this is also very similar to a special use permit except it's granted by the board -- in the Town's case by the board's -- Zoning Board. Similar in nature to a special use permit, it's temporary. Conditions can be attached. It's subject to a public hearing process where individuals can be heard -- individuals from the public can be heard either against or for it.

Another thing the Town can consider is whether they want to implement a waiver. Should the Town choose to do a special use permit, they would want to consider whether or not any sort of waivers to specific requirements to applicants. So say for example, if one of the requirements is that a school has to be at least 500 feet away, they could consider whether, under special circumstances, that particular requirement can be waived and if that's something that they want to consider, it's also -- they also would have to lay out parameters that an applicant would have to reach in order to be considered for such a waiver. It's not something that has to be done, but it's something that can be considered as well.

Let's see. Similar to what the Chief said, local governments can impose their own smoking and vaping restrictions for properties that are owned, controlled -- owned or controlled by the municipality. That includes parks and playgrounds and that kind of goes into one of the allowances of the Act, which allows not just retail uses, but also onsite consumptions. They -- so the Town would not be able to control use on the retail premises itself, but on properties that are owned by the Town. They can't control whether or not marijuana use is permitted, similar to the way they would be able to determine whether smoking is permitted on that premises.

Let's see. Yeah, I think that's all I have. Just in closing, just to reiterate that the zoning law, the Town zoning law is a very -- would be a very instrumental tool in helping to design the -- how the Town -- if the Town agrees to opt into this Act, how the Town will treat such uses within its border.

MR. WINK: Okay. Thank you very much. Let me, if I could, just begin with a question. Maybe I'll start with Neera and then, I'll ask the Chief to weigh in also. I understand

that Nassau County, in addition to banning consumption in parks and playgrounds and other county-owned facilities, also I think banned it on sidewalks. I guess county controls sidewalks.

Neera, is that something you believe is a reasonable restriction that a municipality can place on consumption? And then chief, on a practical matter how does that get enforced? Is it just similar to a loitering type thing or, you know, or -- how would we do that?

So why don't we start with Neera and then I'll ask the Chief to step in

MS. ROOPSINGH: Absolutely. So the law does say that a municipality can place reasonable time, place and -- time, place and location restrictions on facilities and generally, that kind of applies to most things within the law. I would think that, similar to tobacco, marijuana would be treated similarly as far as where it can be used upon a town-owned property, whether it's a public street or a private street. I think that would be a reasonable restriction should the Town choose to enforce that.

MR. WINK: Okay.

Chief?

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MR. FARRELL: So it's -- it'll be treated as a civil violation, a ticket with penalties attached. I think the spirit of that ordinance would be more of a residential or -- and/or commercial. So hypothetically someone's eating at a diner and someone's smoking -- I mean, obviously marijuana has much more of an overwhelming scent than cigarettes, so I think that's what the spirit of it is, but it will be treated similarly. I don't think we're going to have a unit out there specifically assigned to that. It would be more of a patrol function, a case by case or a complainant based. Again -- so it'll be issued -- probably similar to being issued a ticket on site.

MR. WINK: Okay. I guess my question also I guess is about the fact that we have been told more than once that anywhere you can prohibit smoking, you can prohibit cannabis smoking, but in a case like this where I don't think we really prohibit smoking on a sidewalk, can we go beyond that and prohibit cannabis smoking where we don't necessarily prohibit tobacco smoking?

MR. FARRELL: That would be a question for a lawyer. It's a case law.

MR. WINK: Funny you should mention

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that. We have one to your right.

MR. FARRELL: That would be more case law. You know, look, the County can do what's reasonable for its residents. Again, I don't equate cigarette smoking and marijuana smoking on the same level. I mean, marijuana carries more. It's more potent. It's just more overwhelming to the average person. So I think the spirit of the law would prevail, but then -- I don't know the case law or if there's an existing case law on it.

MR. WINK: Right.

MS. ROOPSINGN: Similar to the Chief, I think I would have to defer also to the Town's attorney office.

MR. WINK: So we'll ask about that. One thing you had mentioned Neera was health issues as a condition or as a reason for regulation, I believe. What did you have in mind by health issues because obviously for a lot of people, marijuana use is nothing if not a health issue. So, you know, what --

MS ROOPSINGN: Absolutely. So, you know, one of the things really would be -- where people are concerned about is how close either secondhand gets to their -- to themselves or family

members or their children. And one of the chief ways to help ameliorate that would be the proximity to residential districts, residential homes, schools, churches or similar places of public assembly. That may be one thing that can be considered. Another thing may be, like I said, the buffering of the retail use location itself. You know, it would be stuff -- things similar to those types of considerations that the board can look at in crafting a local or a zoning law that deals with the retail use.

MR. WINK: Okay. And at the risk of hogging the microphone for a moment, I'm going to ask one more question. We've heard testimony that there is a way to distinguish between the dispensary and the onsite consumption uses and we've heard mixed testimony as to whether or not you can opt out of one and continue to opt into another. Do you have -- have you had an opportunity to review MRTA to determine whether or not you believe the Town has an option to opt out of one and still opt into another?

MS. ROOPSINGN: Sure. So I have had a chance to review the Act and similar to the response to one of my other questions, I think I

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would defer to the Town attorneys -- the Town's town attorney's office in doing some research in providing an answer to that.

MR. WINK: Okay. All right.

Anybody else have questions?

MS. WOHLGEMUTH: I have some.

MR. WINK: Yes. Go ahead,

Marianna.

MS. WOHLGEMUTH: Thank you for attending tonight. It was very understandable and we appreciate your expertise. I have several questions and I'm not sure -- I think they're in a gray area between the two of you, but here's my first concern. Okay.

Smoking is allowed in a vehicle. When a police officer sees someone smoking, how do they really know that they're smoking a cigarette and not a cannabis cigarette without stopping them?

MR. FARRELL: Well, again that's kind of a vague -- I wouldn't say vague question. It's kind of open ended here. It'll be case by case. I mean, an officer will use his sensories of smell and sight, so if it doesn't appear to be a cigarette that's normally marketed with a filter and/or if the odor of marijuana isn't emanated from

the vehicle. Those are two reasons. The other would be operation of the vehicle. If the person is operating the vehicle in a matter that looks like they're under the influence, that would be a third reason to stop the vehicle.

So I wouldn't say an officer is going to randomly pull people over just because there's smoke coming from the car. I mean, I drive through streets all the time. You smell it from way -- you know, distance from -- the car can be five, six car lengths away and you can smell it. So I don't think that'll be an issue as far as vehicle traffic law enforcement.

MS. WOHLGEMUTH: Are the police officers concerned about the -- there's no field test to test?

MR. FARRELL: Well, similar to when officers pull people over for driving under the influence the alcohol --

MS. WOHLGEMUTH: Yeah.

MR. FARRELL: -- the same telltale signs for the operation of vehicle, there are experts we have. Every day we're introducing new experts into the department or certifying them, drug recognition experts. So there are chemical tests

out there being marketed. We haven't adopted anything yet. We will in the coming future, but the drug recognition experts can -- are trained and are -- can testify in court when an individual is under the influence of marijuana and/or other substances.

MS. WOHLGEMUTH: And all police officers then would be given training on that? That they would be --

MR. FARRELL: I wouldn't say every police officer. I mean, detectives work in a precinct squad. I don't think would go through the training. It would mainly be the patrol force. It's yet to be determined how many and how soon. That's right now in the works.

MS. WOHLGEMUTH: Well, the detectives aren't out in the patrol cars.

MR. FARRELL: No.

MS. WOHLGEMUTH: So the training should go to the police officers.

MR. FARRELL: Yes, that's -- the patrol force would be mainly trained.

MS. WOHLGEMUTH: Now you spoke a lot about the act of smoking cannabis, but what about the other methods that are going to be

available? Gummies, for instance? Brownies?
There's going to be all sorts of different types.
How is that going to affect the car driving for
instance?

MR. FARRELL: Well, the consumption
of the brownies, the gummies and the other
substances that don't emit an odor is obviously not
going to affect any of the ordinances that the towns
or the counties out in place because they're
consuming it in a different matter.

However, the -- depending on the
level of the cannabis, the THC -- the concentrated
THC in each item, the gummies, you know, and based
on the person's weight and prolonged use of the
cannabis is going to determine how quick they get
intoxicated or high under the influence of it. So
it goes back to now the operation of the vehicle and
how the person's operating the vehicle. There's
going to be no odor, so an officer is going to
enforce the law based on if a person is operating
the vehicle safely.

Now if there's an accident with
injury and an officer comes to the scene and, you
know, if there's enough people to at least be a
witness to saying the person was acting -- was

driving the vehicle in a reckless matter and/or the officer observes the individual may be appearing under the influence and there's a serious physical injury, then there would be blood drawn on that individual if they cause a serious physical injury. That would be a court order and the the District Attorney's Office would get involved and we do that every so often unfortunately. We have to do that.

MS. WOHLGEMUTH: Okay. I believe this is directed to the attorney. A special use permit you said would be temporary. Now what exactly would a special use permit be?

MS. ROOPSINGN: So it's one of the, I guess, tools that are available to any municipality via its zoning laws. It's a permit, by its very nature, that's special use. So, for example, a gasoline could be a special use. A marijuana facility could be a special use. The municipality would have to determine what type of uses they consider to be a special use permit. It would just be another tool to help a municipality to regulate that specific type of use.

MS. WOHLGEMUTH: And when you say "temporary," what does that mean?

MS. ROOPSINGN: Sure. So

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typically, special use permits are temporary. So the permit itself is limited in duration. So it's -- a special use permit can be granted for X number of years according to whatever that municipality's law is. Could be two years, could be one year, could be five years, so the duration of the permit itself is temporary in nature.

MS. WOHLGEMUTH: Okay. Now --

MR. WINK: If I could just add to that. Neera, is it also temporary to the actual permit holder? In other words, you know, one special use permit is, for example, for a gas station, but if that gas station closes and another one wants to come in, does it necessarily mean that they get to continue the special use or do they then have to reapply.

MS. ROOPSINGN: That's typically the case. A new application is typically required for a new operator.

MR. WINK: Right.

MS. WOHLGEMUTH: What would -- what is the potential for the reasons not to renew it? What could be a valid reason that it wouldn't get overturned in court?

MS. ROOPSINGN: So there are

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several reasons. The chief among them could be -- could possibly be nonadherence to state laws, local municipal laws, not adhering to the conditions that have been placed on that permit. Those could possibly be three reasons. Off the top of my head -- you know, some research would have to be done as far as what courts have specifically upheld, but those three I can see being a potentially valid reason for a nonrenewal.

MR. WINK: The State Liquor Authority has similar jurisdiction in that respect, for example with bars and liquor stores and restaurants where periodically, they will -- it needs to be renewed and they will actually request information from a municipality and in part from the police department as to whether or not there are reasons why they should not renew the permit. That's something that comes to my office in the Town Clerk's office.

MR. FARRELL: Just to answer that.

MS. WOHLGEMUTH: Now you mentioned the word --

MR. WINK: Marianna, one second. The Chief wants to add to that answer.

MR. FARRELL: So Mr. Wink brought

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up a good point. So if the dispensary is having a disorderly premise, there's a lot of fights, they're just not keeping a safe operation, it's probably going to be very similar to what we enact with bars, with bars that have constant fights and rowdiness and people getting hurt. We'll go in there and issue them a SLA citation, which gets reviewed, so I imagine that's probably going to be on par for the SLA regulations for alcohol.

MS. WOHLGEMUTH: Thank you. Now when you say the word "waiver," it gives me goosebumps because that's always like this hidden elephant in the closet. What exactly would be a waiver for -- to override the local laws?

MS. ROOPSINGN: So it's -- I guess let me first start by saying this. It's not required to be included in any potential local law that regulates a retail use. I was just putting it out there as the -- it being an option that --

MS. WOHLGEMUTH: Take it away.

MS. ROOPSINGN: -- you know, the board could consider. It's by no means a requirement.

MS. WOHLGEMUTH: Is it within the purview of the Town -- I know this is going to be

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complicated, but will the Town decide a permit application or will a board, a special board, be set up or will it go through the BZA? What are other states doing to now -- to hear the application and then grant it?

MS. ROOPSINGN: So I guess I need a little bit of clarification to your question. Are you asking about a permit to have the --

MS. WOHLGEMUTH: Well, in the Town -- the application that you are going to be applying for in the Town of North Hempstead to have a retail dispensary, who is going to ultimately say yes or no on that? Who will? Is that within the Town's purview to set the rules for that or is it already set by the law?

MS. ROOPSINGN: Well, anyone that wants to open up a retail center would first have to go through the -- I believe there have been two boards that have been set up by the State. They would need to go through that permitting process first before they can even apply within the Town to open a specific site. That would be their first step.

The second step would be to apply to whichever board the Town determines through its

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local law will be the board that would be responsible for either denying or granting use of a specific site in that manner.

MS. WOHLGEMUTH: Now the Town will -- I'm sorry. The Town will be able to establish who is in charge of that?

MR. WINK: Okay, but one second. Let Marianna finish her question and then you can ask.

MS. WOHLGEMUTH: The Town will be able to establish who is responsible for that within their government, their administration? I'm trying to understand whether the Town is going to approve it in a hearing or whether the BZA is going to approve it or whether a special board is going to approve it. That's what I -- that's what I'm asking.

MS. ROOPSINGN: Sure. I think ultimately that's going to be up to the Town to decide.

MS. WOHLGEMUTH: Okay. So the Town will be permitted to make that decision?

MS. ROOPSINGN: Correct.

MS. WOHLGEMUTH: Okay. Okay.

Thank you.

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MR. WINK: Yeah. So for example Marianna just by way of reference, just by way of analogy, if you want to open a food use for example, if you want to open a restaurant or a bakery or something of that nature in the Town, you, by definition, need to obtain a conditional use permit.

MS. WOHLGEMUTH: Right.

MR. WINK: That -- and under Town Law, under article -- excuse me, Chapter 70 of the Town Code, you're required to appear before the Board of Zoning Appeals in order to get that conditional use permit. In other instances, the special use permit, for example, as Neera referenced, one of them just off the top of my head is an underground storage tank permit and that is most commonly utilized with a gas station use. That's a special use permit that requires a separate public hearing before the Town Board.

So I believe under Chapter 70, the Town could determine which board among those two -- I don't know about establishing third boards. Unlike some towns, North Hempstead's planning board is it's Town Board, whereas in Suffolk County, a number of the town boards can separate apart from the planning board and separate and apart from the

planning board. So it would be -- it would be something -- to my knowledge and maybe Neera can verify this -- that would fall to the Town when setting up a regulatory scheme, it would determine which board would actually be responsible for issuing which type of permit.

MS. ROOPSINGH: That's correct.

MS. WOHLGEMUTH: Okay. Thank you.

MR. WINK: Thank you. Okay.

Leslie.

MS. DAVIS: I was just trying to add to that because questions have been posed to a lot of us because of different jurisdictions and you have jurisdictions that are governed by towns. You have certain jurisdictions governed by villages and again to a better question is who determines -- my first question is who determines where the location is going to be?

Second question is who -- like what are the steps and measures that were presented to anybody that may be interested or who may be qualified to be able to hold a dispensary or some type of a, I guess, municipality that would govern the marijuana sale or the CB -- you know, the CB -- all of that. When did that begin? That's really

where I'm going. When did it begin? How is it offered to whomever? It doesn't matter who you are. And what justifies this person getting it over that person? So it's a lot of things that we question, but because it's become prevalent because you're coming to different areas, you know? If you go to a predominantly minority area, are they going to be -- not entitled, but afore it is a better word, you know, are they going to be allowed to have the same opportunities as maybe a zip code that is not near them. So I mean that's the elephant in the room. I spoke to it the next time we were on a Zoom call, but people have approached myself and Dr. Hylton and I'm sure what we're trying to find out is how are going to even the playing field with this situation to make it available to everyone? And I think that's the key that I'm saying. Well, neither one -- those are the questions that were posed.

MS. ROOPSINGN: I will -- I will --

MS. DAVIS: It's not against you guys, but you're put in a position. You're asked to be a part of a task force or a board and you respect everything that's going on, but then when that ugly question comes -- and I told Wayne. I called it the sticky question, like when you're approached with

that you want to have an educated, tangible answer for whomever asks that question respectfully. And I think you both respectfully understand where I'm coming from, so can somebody help us?

MS. ROOPSINGN: I'll try as best as I can I guess with that question. Thank you for asking it. It's an important one. So with regards to the State permitting process slash licensing process, the State is ultimately the one who would have decided what the parameters for qualification would be and as such that would be obviously out the Town's hands.

What the Town does have control over, again assuming it opts into the Act, would be to decide things similar to what you've asked. Where are these types of facilities? Where can these type of facilities be located? So that's something that the Town can take a look at, you know, they can take a look at their different districts and see where it would best fit as far as fitting in with the character of the neighborhood, where it would be -- again, where it would be beneficial to the residents of that particular district or that particular zoning. So those I guess tangible and physical aspects can be

considered -- or will be considered --

MS. DAVIS: I'm not --

MS. ROOPSINGN: Should be considered in drafting a zoning law. We know what district should it be located in, how does it benefit, how does it not, how does it -- pros and cons, you know, what size of -- for example, what size of property should we require to have proper setbacks maybe from the street or to have proper street name. Those types of requirements, I guess, in order to even qualify you to apply for something for that type of application to the board would be construed -- crafted into its local law requirement.

MS. DAVIS: So you just gave me a list of maybes or it would be this or that. Is there a tangible document?

MR. WINK: Leslie, in fairness to Neera, the bureau of cannabis regulation is only now being formulated at the state level and I believe that when it comes to, like, the social justice elements that I think you're focusing on, many of them are actually the regulations that the office of cannabis regulation or whatever they're going to be called, that bureau is supposed to be promulgating those regulations as considerations on whether or

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not they are going to issue a license to a particular facility.

MR. DAVIS: Okay.

MR. WINK: But there is a chicken and egg element to that that I'm not sure, you know, I'm not sure I would say Neera have to answer, but, you know, I know there is an element of -- a particular establishment needs to apply to the State for a license, but in order to fully apply for the license, they need to have a location.

MS. DAVIS: Okay.

MR. WINK: So the question becomes do they need to clear all the zoning hurdles prior to or contemporaneous with the application to the State for the license itself or is it potentially a full (unintelligible) that they go to the State, get a license based on 123 Main Street, only to find the Town says, "no, you don't qualify. Sorry."

MS. DAVIS: There you go.

MR. WINK: And that's -- so that is one of the questions I think that's in this which is which comes first and -- or do they operate in tandem or do they operate, you know, consecutively or do they operate simultaneously? And that I'm not, you know, that may also be part of the

regulations that the bureau was supposed to be creating, but I'm not -- I'm not sure if you know that answer.

MS. ROOPSINGN: Yeah, sure. The honest answer to that question is I do not know off the top of my head. However, it would sound just logically that it's something that would have to happen in tandem, you know? I can't see an applicant putting forth an application with an address of 123X Street and representing to the State that this is the location that we're going to be operating a retail facility out of knowing that it's either not zoned for it, it's not, you know, it's not in the correct zone, it doesn't meet the qualifications, so I would suspect it's something that would have to work in tandem.

MR. WINK: Okay. And with that in mind, I do want to reference the fact that this task force did have an opportunity to have a Zoom conference with Sara Brancatella who is the legislative -- I believe she's the Legislative Director and Associate General Counsel for the association of towns -- the New York State Association of Towns, who did in fact address some of this, but again there was that issue of, you

know, which comes first, the license or the zoning approval and whether or not -- and there is also a provision that she indicated which said that whenever a -- whenever the bureau receives an application for a license, there is the right on behalf of the municipality in which it would be situated to actually object or not object or perhaps offer, you know, conditions and things like that as part of the process before licensure.

So I would imagine that that's -- zoning would also be a key element of that and so I tend to agree with you that they do need operate in tandem, not consecutively because otherwise, you know, otherwise it becomes a burden. Some process to get a license only to find out that you can't use it there or to get the zoning only to find out you can't qualify for the license.

MR. FARRELL: I'll jump in in the spirit of not, you know, saying mum. So the police department is going to have very little participation in choosing locations, individuals. It's no different than if someone wants to open up a bar or a restaurant. However, we obviously enforce the laws, we don't make the laws, we don't choose who gets a permit for anything. It's not our role.

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We're the enforcers.

I imagine the Office of Cannabis Management is going to act like the State Liquor Authority. They're going to do their own investigation on the individuals and issue the permits, but again we're not going to have a say on it, nor should we, you know. We don't -- that's not our role. We have a role of enforcing if they don't abide by the parameters that the Office of the Cannabis Management establishes.

MR. WINK: Thank you.

Leslie, do you have any other questions or?

MS. DAVIS: I'm done.

MR. WINK: You're done? Okay. I'm going to go to Jack and then we're going to go to Gloria if that's okay.

MR. KOTT: All right. Chief Farrell, thank you.

MR. WINK: I'm going to ask you just to pull the mic close.

MR. KOTT: Thank you both again for joining us. Chief, my question is this. There are specific laws on the books right now dealing with alcohol and when you make a stop for alcohol use.

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There is no specific laws that I know of that deal with a stop for cannabis.

MR. FARRELL: Well, there's vehicle traffic laws that are part of this law that basically says you cannot have a burning cigarette in the vehicle, whether you're the occupant or the passenger -- I'm sorry, whether you're the operator or the passenger. So that's one law that's new. The other existing law is you cannot operate a vehicle under the influence of any foreign substance, whether it's, you know, xanax because you're -- you know, anxiety pills. You're taking medicine that makes you drowsy. If you're operating a 5,000, you know, 3,000-pound vehicle under the influence of anything that's going to affect your operation, your safe manner of operating that vehicle, that's against the law.

So there is no new law that's going to come that I know of that's going to, you know, supercede what's existing. You know, we've arrested people for driving under the influence of marijuana, you know, I wouldn't say all the time, but it happens often when people just get high and they're operating their vehicle unsafe and they get --

MR. WINK: There are laws for, you know, more generic laws about reckless driving and things of that nature that also warrant a stop.

MR. FARRELL: Of course. Reckless driving is a vehicle traffic law misdemeanor. It's got certain parameters, but if someone is under the influence of cannabis, the driving under the influence intoxication is going to supercede or add to it. That's a higher charge. That becomes a misdemeanor or a felony depending on how much times you did it, if you have any children in the car -- that's Leandra's law that comes into effect -- and if you cause physical injury to anybody during the operation.

So those laws are there, but I think what we need the State to catch up on is the detection and the digital and/or the technology that's out there to help law enforcement quickly detect if someone is under the influence. So if they're not, you know, you don't want to detain them any longer than you have to and if they are -- so there is solutions out there that the department and the State of New York are exploring.

MR. KOTT: I know that there are tools out there for field sobriety tests. I've

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learned since sitting here that there are now -- there's one company out there that has at least two types of equipment out there for field sobriety testing. Has the department had any opportunity at this point to check this out?

MR. FARRELL: Okay. So the jury's out on it. I'll leave it at that. I don't know what phase right now we are at because we are looking into it. It's a process because once we decide, there's a whole procurement process behind that and approval process. Similar to the body cameras, it's not going to happen overnight, but it is in the process of being looked at. But again, it's not -- we don't have -- there's not 0 solutions out there. There are many officers out there trained in drug recognition -- as drug recognition experts. So they may not have done the stop, but they can be called to the scene to assist the officer who is investigating that accident or that vehicle stop. So we have solutions that -- and that stands up in court. Those experts train -- I don't remember how many hours, but it's extensive training and they have to prove that they passed a specific test that they detect the, you know, the substance.

MR. KOTT: Thank you.

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Neera, one quick question.

Assuming let's say that the Town opts in, villages opt out, does that mean that the only place a facility can be placed is in an area that the Town controls and not the village?

MS. ROOPSINGN: Correct. It would be in an unincorporated part of the Town.

MR. KOTT: Right. So it can only be there.

MS. DAVIS: You said it has to be in the incorporated --

MS. ROOPSINGN: Unincorporated.

MR. WINK: Unincorporated. Right.

MS. ROOPSINGN: Right.

MR. KOTT: Thank you both.

MS. ROOPSINGN: Thanks.

MR. WINK: Gloria.

MS. SU: I have a question. I need clarification from Neera. Is the -- everything that you spoke about was if we opt -- if we do not opt out, so I just want to clarify -- get some clarification that if we decide -- the Town opts out, does the Town still have the ability to regulate any of the time, place, manner, how cannabis is used in the Town?

MS. ROOPSINGN: Well, if the --

MS. SU: Not retail location
obviously, but just for the usage.

MS. ROOPSINGN: Well, if the Town
opts out, it would -- there would essentially be no
retail spaces to regulate.

MS. SU: Right, but just --

MR. WINK: I think what Gloria's
asking is can the Town still ban it in parks, can we
still ban it in public facilities, things of that
nature, right? Is that correct?

MS. SU: Right. The sidewalk like
they were talking about before, can the Town
still --

MR. WINK: Can we prohibit the use
of it? Yeah.

MS. ROOPSINGN: Sure. I
misunderstood. I apologize. Again, that's one of
the questions that I don't want to provide
misinformation to and I think some research needs to
be done in order to clarify the valid law on that.

MR. WINK: I'll just offer by way
of analogy the fact that Nassau County, which does
not have an opt out provision under MRTA, has in
fact prohibited the use of cannabis in parks, in

public, you know, in county run facilities and on county sidewalks. So my estimation based on that would be that we could do the same even if we opted out of dispensaries and/or onsite consumption locations.

MR. WINK: Sorry. Jack, just --

MR. KOTT: I'm sorry. Go ahead.

MS. SU: Okay. And this question would be for the Chief is that, you know, we have been told before that even if we don't have retail space in our town, you know, it's easy for the substance to be going across the border and so does the police anticipate any difference in terms of policing burden if the Town opts in or out?

MR. FARRELL: Any time a substance that is going to be widespread use that can affect operating a vehicle, gateway drug, there may be an increase. I mean, we've looked at studies in Colorado and Washington. They've had an increase in -- an uptick in all different types of crimes. You know, again, there's studies on the effect, the long-term use, but do we predict an uptick in our enforcement? Sure, the more people smoking a substance of that nature and are operating a vehicle, that's our biggest fear.

MS. SU: My question is specifically, do you think -- anticipate a difference if the Town decides to opt in or opt out?

MR. FARRELL: I can't -- I mean, that's too much of a hypothetical question, so it depends. I mean, you can opt out, but have the neighboring community, you know, people buying it there and coming to the community. That's just too hypothetical. Again, the more use, the more chances of people getting involved with something or, you know, it's definitely -- it's up -- in Colorado, the law did studies since it's one of the first states. There was an uptick in vehicle fatalities and certain crimes.

MR. WINK: Chief, if I could -- I'm sorry, just to jump on that for a second. To my knowledge, MRTA has already taken effect with respect to it no longer being criminalized to possess at least within three ounces; is that right?

MR. FARRELL: Correct.

MR. WINK: Okay. And it's no longer criminalized to consume, you know, in otherwise unregulated areas.

MR. FARRELL: The criminal aspect is selling it to a minor and having more than five

pounds. That's currently the criminal aspects of it. Other than that, then you have your ordinances, which aren't criminal, it's civil and that's where the municipalities come in, county, the towns, the villages.

MR. WINK: Right. Okay.

MS. SU: And my last question is about, you know, it seems like it's going to be a lot of different zoning and, you know, laws enacted by different towns and villages and everything. I don't -- I was wondering, how is that going to -- because I'm not exactly sure who this question is addressed to. Probably to the Chief is that how does the police anticipate to keep up with the differences in a different zone, laws in different towns and how to enforce them and also is the burden on the police or the town or the individual to learn what the rules are so that they don't, you know, offend the laws or, you know? The educational aspect is whose burden or where the burden falls on education?

MR. WINK: Right.

MR. FARRELL: Well, the education aspect will fall on families and schools. We also have programs that we go and speak to the community

about drug use. So we've been doing that especially with the opioids. Obviously opioids is more of a prevalent issue.

As far as the enforcement, once a new ordinance gets introduced, the towns send it to the county, the county sends it to us. We have a great working relationship with the three townships. So, you know, we enforce all laws. More -- some are more than others when citizens call us to complain. I mean, your ordinances aren't on the same level as your penal law offenses obviously.

MR. WINK: Right.

MR. FARRELL: Those are more -- they're prioritized more, but we get calls all the time in different villages and townships to enforce their ordinances and we do. And every officer is going to have the copy of the Town of North Hempstead ordinances with them, especially if they work in the area and they're going to know and they're going to work with the communities and do what they have to do to address the community concerns like we do all the time in the Nassau County Police Department.

MR. WINK: Right. The Nassau Police Department frequently writes tickets on behalf of

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villages and behalf of the town and behalf of, you know, any jurisdiction in which they reside based upon local determinations: Speed, parking, you know, anything along those lines. So thank you.

MS. SU: Thank you.

MR. WINK: Okay. I'm going to take a moment. One of our task force members, Deborah Brooks, is -- she is watching this as we speak and she has requested a couple of questions be answered, primarily by Chief Farrell. The first one that I was handed was "you said the marijuana of today is much more potent than the marijuana of yesterday. Are you talking about unregulated marijuana from the street and if so, wouldn't state-regulated retail sales and dispensaries ameliorate that concern?"

MR. FARRELL: So I'm referring to unregulated and regulated that comes out -- from out of state. So even the marijuana from -- and the -- somebody brought up the brownies and gummy bears are more potent than 15, 20 years ago. I don't know what the state parameters are going to be and the level and how these dispensaries -- that's still -- the jury's still out on than.

So that's the unknown, but from my experience, personal experience of enforcing these

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laws from 30 something years ago, it's much more potent. I mean, that's common knowledge out there. It's open source. You can check that anywhere that marijuana -- and I can take that the marijuana coming out, you know, may be a certain strand, there may be certain parameters that the state is setting, but I would bet that it's going to be just as potent as what we have out now that's coming from other states. But it's still uncertain right now.

MR. WINK: Okay. And I do know that there was a whole tax scheme that seems to be part of the MRTA legislation that the higher the concentration, the higher the taxation if I'm not mistaken, just by way of reference.

The other question I guess which is kind of a compound question is "Chief, do you have statistics on teenage drinking versus teenage marijuana use? Are there separate statistics regarding teenage alcohol use? How about teenage driving and drinking? Alcohol is considered a gateway drug to tobacco and marijuana. What is your opinion on whether we should have liquor stores in the Town of North Hempstead?" How about we start with that grouping and then I'll get to the back of the page.

MR. FARRELL: I don't have any statistics per say on teenage alcohol use. I don't have any specific numbers I can tell you, but I can tell you from the interviews that my detectives and myself personally have done is that marijuana is absolutely a gateway drug. Is alcohol? Alcohol could be, but we haven't seen the level that the current marijuana that's out -- offered has been bringing people to a different drug. What was the other question as far as the --

MR. WINK: "With respect to alcohol, is it potentially a gateway drug? What is your opinion of whether we should have liquor stores in the Town of North Hempstead?"

MR. FARRELL: That's something the police department doesn't get involved with as far as giving opinions on what substance or vice can be sold. Alcohol is legal. So is marijuana now -- or cannabis. Again, any alcohol we regulate it as far as the disorderly premise type enforcement. We don't regular it in issuing permits. We don't regulate where locations go. The State Liquor Authority authorizes who can open up a bar or sell liquor. The State Office of Cannabis is going to do the similar strategy on giving out those permits.

So it's not something we get involved with nor take stance on as far as if it should be, you know, in the Town of North Hempstead.

MR. WINK: Okay. And the last part of the question is "can you confirm that anyone who wants to get cannabis will continue to find a way to do so and that illegal street cannabis poses more dangerous than what the State would regulate?"

MR. FARRELL: Well, anything that's not produced in a controlled environment and sold illegally is obviously going to be much more dangerous and, you know, used by chance. I mean, I'll give you an example. The current trend for the last couple of years is drug dealers pressing their own pills and putting in fentanyl, which is killing a lot of our citizens in Nassau County, young and old. So anything regulated and through a process is going to be safer. As long as it's -- but it's going to be very difficult though to tell what is -- and it's not going to have a seal on it I don't think. Again, that's -- there's too many open ended questions on it. I can't answer that. So if there's a quality assurance program, that it's sealed and the State has a tax like they do with cigarettes, yes, that can definitely be -- you know,

if ABC marijuana or a cannabis manufacturer produced it in, you know, somewhere in the island or upstate and it goes from point A to point B, which is the dispensary, yes, that could definitely be something that -- we know that that manufacturer has a safety record, that they're not selling a substance that is, you know, spiking with other illegal substances 'cause some of the dealers are putting in fentanyl in marijuana also, which is causing overdoses.

So I hope that answers your question. Anything sold illegal on the street, they're not -- drug dealers are not pharmacists. They don't know how to mix drugs. They don't know what the percentages are, so.

MR. WINK: Okay. Thank you. Does anyone have any other questions for the panelist before we open it up to the public?

MS. WOHLGEMUTH: Just one more.

MR. WINK: One more Marianna. Okay.

MS. WOHLGEMUTH: Just very small.

If the Town should opt in, can they develop laws controlling retail sales versus laws controlling consumption use. Can we have separate requirements for each?

MS. ROOPSINGN: I think I'm a

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little bit unclear as to your question. When you say --

MS. WOHLGEMUTH: Well, if we have laws for retail use, zoning laws and -- what about on consumption?

MS. ROOPSINGN: You mean onsite consumption facilities.

MS. WOHLGEMUTH: Yes. Can it that be separate?

MS. ROOPSINGN: That is a very good question. I don't want to give misinformation. I'm not quite sure if they're a separate require -- if the State requires separate requirements for an onsite use as opposed to a retail use and I think that would probably play into the answer to that question. So unfortunately, I don't know that I have an answer -- a yes or no answer to that question for you.

MS. WOHLGEMUTH: Okay. Thank you.

MR. FARRELL: Let me just try to answer. Let me just give you a parity. The SLA has regulations in places where a bartender can't overserve an individual who's clearly intoxicated. So I'm not saying that's what the Office of Cannabis Management is going to do, but it make senses that

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they follow the SLA in suit. So if a marijuana bartender, if you want to use that analogy, sees someone that has clearly smoked too much, maybe they'll put that in place. That's hypothetical, but it makes sense if they do put something like that in place.

MR. WINK: I just want to apologize because I've been using this misnomer for the bureau, the office, whatever, but the Office of Cannabis Management I believe is in fact the agency that would be responsible for promulgating regulations at state level. So just so the record is clear, anytime I refer to anything else, it was actually the OCM we're referring to.

So thank you. Thank you all. We're now going to open this up to the public. I have -- right now I have four cards of people wishing to speak, but I believe the first person who submitted, David Emmanuel, has left. Okay. So we're going to skip Mr. Emmanuel.

The next speaker we have is Jeff Linder. You can come up to the microphone. Yes, please. I'm going to ask you as much as possible to try to keep your comments down to about five minutes.

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MR. LINDER: Okay. Yes. I'll keep it short.

MR. WINK: I appreciate that. Thank you.

MR. LINDER: Can I take my mask off?

MR. WINK: Yes, you can.

MR. LINDER: Okay. Just to identify myself, I've been living in Great Neck, my wife and I since 1981, same house in Great Neck Plaza since 1986 raising our two kids. We're now -- they're now at their own --

MR. WINK: If you could just either lean into the microphone or --

MR. LINDER: Okay. This better?

MR. WINK: Yeah, that's good.

Thank you.

MR. LINDER: I just want to make sure that what I'm going to -- planning to say is appropriate. I just wanted to make some comments about what we've been calling dispensaries.

MR. WINK: Yes.

MR. LINDER: And retailers.

MR. WINK: The analogy is the difference between a dispensary and an onsite consumption site under the terms of MRTA.

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MR. LINDER: Yeah, I'm not really talking about --

MR. WINK: Is a dispensary would be akin to a liquor store where you go and you buy it and take it out and you consume elsewhere, whereas onsite consumption would be a kin to a bar or a restaurant where by analogy, alcohol would be served and in this case, where cannabis products would be served.

MR. LINDER: Yeah. No, I'm just --

MR. WINK: I just want to make sure it's clear to everyone that when we discuss dispensary versus onsite consumption site, it's that type of distinction.

MR. LINDER: Okay. My comments are limited just to I guess what we call dispensary stores, retail stores.

MR. WINK: Okay.

MR. LINDER: I do want to also say one other thing very quickly. I'm 69 years old. I've already done my -- I already did marijuana. It's all becoming legal. I did it. I did it in high school. I did it in college, when my kids were really little. That was it. It's enough and I also did some of --

MR. WINK: Chief, there's a statue of limitations on this, right?

(Laughter)

MR. LINDER: Yes. So actually I did some work for the drug -- I'm in the advertising business and we did some advertising for -- to help people who believe that their children are trying drugs and alcohol and so -- so my comments again are just limited really to Great Neck because that's where I live and the nearby town. In Great Neck -- and Great Neck is, so far as I could tell, we're a little unique in that we've seen a lot of retail -- tenants have left the storefronts and they're empty. We have too many empty storefronts in Great Neck. Look, I drive around Nassau County. I don't see this very much. The economy seems fairly strong in Nassau because storefronts are not closed, but we do have that in Great Neck. I'm sure someone from the villages in Great Neck can provide statistics and I'm pretty sure they're not good.

This is all to say I'm a long-term resident. Cannabis shops would be a good thing for us. I know -- I don't believe in any way, shape or form that a cannabis shop would attract a bad element. In fact I think 180 degrees the opposite

and I'll tell you why. I believe that people who have the money to buy cannabis will also spend money visiting our local restaurants and spend money in some of our other retail shops, jewelry stores, shoe stores and even in Great Neck, the two Kosher grocery stores as in let's prepare for the expected munchies.

And I just want to say one thing about that. If that's the kind of cannabis you want to buy -- I don't know if you guys have been -- someone's explained to you. I don't know that much about this, but when you go to a dispensary, this is not like when I was a kid in the 60s and the 70s, you get wrecked. You don't really know what you're getting, but now you can say "I want to get the munchies. That's what I want" and they'll give you the right stuff. "I want to get the giggles" and they'll give you the right -- "I want to go to sleep" and they'll give you the right -- so you can -- it's a selection and edibles is a big part of this so that -- right. So if someone's in the car, you're not going to know if they took their edibles and now they're driving. We just don't know that. So that's kind of important. So it just depends on what, you know, you want.

So Great Neck, I can tell you from my own experience as a resident, we're looking for new retail blood, new life, a new way to attract consumers. Cannabis is a good place to start. I would strongly recommend any decision maker to approve cannabis retailers.

That's all I have to say. Thank you.

MR. WINK: Thank you for your comments, sir.

The next speaker is Denise Hylton.

MS. HYLTON: Hello.

MR. WINK: Good evening.

MS. HYLTON: Okay. So I love the gentleman's presentation. Thank you. I also am a long-term cannabis smoker. I'm 63 years old and I been smoking since 15 and I've been a minister and I've got my Masters Degree and I've done anything I wanted to do successfully.

So it's not a gateway -- it is a gateway. It starts, but it doesn't mean that you're going to keep doing it. I don't drink alcohol and I was married to a Rastafarian for many years and they consider it their sacrament, okay? So it's done in a reverent way, okay?

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I'm in favor of marijuana licenses. I'd like to know how minorities will have an opportunity to participate in the licensing especially if it's coming from Albany. We know when things start at the top, by the time it fizzles down, you have large corporations that come in and get large contracts to take over areas and we don't want to see that happening. I'd like to see opportunities for people -- there are vendors right in the community that sell weed everyday, okay? Illegally. We need to be able to provide them an opportunity to get contracts too, okay? So, you know, there has to be a balance. If you want the people who are out there doing it illegally to come in and participate, we have to find a way to marry the two, okay? Because it's going to still continue on the street if not, okay?

Yes, you can go into some places and get different specialty. I only smoke Jamaican weed, okay? And I know it comes from Jamaica, okay? And yes, it comes through the waters and all that, but the quality control is when I smoke it, I know what it is, okay? I don't mess with the other stuff, okay? So you have to understand that there's a whole science to it, okay? It's not just, you

know, anybody going -- people can grow stuff in their background. It doesn't come out the same, okay? So definitely --

MR. WINK: Much like home brewed beer, I guess.

(Laughter)

MS. HYLTON: Yeah. It doesn't come out the same. I can tell you as children we've tried that, too. So that's my main thing is that I'd like to make sure that we try to support businesses that are illegal that need to be legal to give them an opportunity and that we support vendors, minority vendors, so that we don't have outside contractors coming in, okay? Thank you.

MR. WINK: Thank you, Ms. Hylton. I'm not sure if it was -- Ms. Hylton, were you asking specific questions or was it more rhetorical in tone?

MS. HYLTON: I asked a question about minority vendors.

MR. WINK: About the --

MS. HYLTON: About it coming from the state level, when they come up to their communities that a certain percentage of those contracts go to minorities.

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MR. WINK: That is my understanding as well under MRTA. That's right, that the OCM, the Office of Cannabis Management, would in fact be considering those elements prior to and during the licensure process. That's my understanding.

MR. KOTT: The law specifically states that communities that have been affected or have had -- been greatly affected by cannabis use will be given much greater assistance than other areas in setting up stores and applying for a license.

MR. WINK: Okay.

The next speaker we have a Linda Lebovitz.

MS. LEBOVITZ: So my name is Linda Lebovitz. I'm a retired criminal defense attorney. I know a little bit about this. I used to smoke pot when -- I'm 60 -- almost 67 and I also used to smoke a lot of pot in high school, a lot of pot in --

MR. WINK: This is a very open crowd, isn't it?

(Laughter.)

MS. LEBOVITZ: I know.

MR. WINK: We know a lot more about the crowd than we usually do.

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MS. LEBOVITZ: But I have not gotten high in many, many years and despite the fact that my daughter lived in California and it was totally legal there, I felt as an attorney, I didn't want to take a chance of it being in my system while I was driving or whatever.

So I haven't gotten high in a long time much to my chagrin, but now I'm not practicing anymore and I really, really hope that the Town does not opt out. I think financially it's important. I also think that this idea of "not in my backyard" is offensive. I think that people will smoke marijuana. They will go to the other communities where it is legal and is available and they will bring it back here and unfortunately they might end up driving or in any way, you know -- and just to address your concern -- I don't have any idea how to pronounce your last name, Marianna, so I apologize.

MS. WOHLGEMUTH: Oh, that's fine.

MS. LEBOVITZ: But as the Chief said, there are laws in effect. 1192(4) is the driving under the influence of any drug, it's measurable and the bad part about it, from a defense attorney's point of view frankly, is that marijuana stays in your system for 30 days and it's not

chronofiable, which is one of the big problems in Colorado. And so people would be arrested because there's circumstantial evidence of marijuana use and then they would take a blood test and it shows the presence of marijuana and even if they smoked five days ago or 29 days ago, theoretically they could be convicted of 1192(4) of the VTL.

So okay. I mean it's already been addressed, but clearly what I've learned about the process in Colorado is that you definitely have an array of potency in the dispensaries. You can buy, like the gentleman said, you can buy -- or I think it was -- somebody about if you want to go to sleep or if you want to get a munchies, you know, there's all kinds of assortments there.

Frankly this idea of it being a gateway drug makes my spine chill. I remember Reefer Madness and it was absurd then and it's still absurd now. If you look at drug addicts, if you look at heroin users or narcotics users, sure they started on pot, but how many people smoked pot and never go further than that? And that's the important thing. I've never done more serious drugs than that and I'm sure most people have not and that is the important thing.

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When Reefer Madness was out, it was like if you smoke pot, you're going to get addicted to heroin? Really? And I've dealt with drug addicts for many, many years while I was practicing. And, except for Rastafarians, nobody was arrested for straight pot, you know, and it was just -- and not only that, but you're entitled to an automatic dismissal. I mean there's all kinds of stuff attached to that.

So I really -- and unless you can cite me studies to show that people who start -- I think that there are studies that would show -- and I can't give you citations -- that would show that many, many people smoke pot religiously or frequently or however you want to characterize it and never go on to more serious drugs and that's the more important analysis to me. People are going to smoke pot whether it's legal or not, so we might as well control it, might as well get the tax benefits and so on.

And when I walk out of a store or I walk down the block and somebody is smoking cigarettes, there is very little that's more offensive to me than the smell of cigarettes. When somebody's smoking pot, it smells sweet to me. I

like it. I don't get high and I don't get lung cancer from sitting in a car with somebody who's smoking marijuana. Maybe I'll get high, but I haven't been in that situation. But secondary cigarette smoke has been proven for years to be harmful and fatal, you know, children who are around parents who smoke get lung diseases.

Okay. I'm trying to talk quick. Oh, I love your presentation. I love the zoning regulations. It makes perfect sense. You know, you can't -- you can't, you know, you have to be able to regulate like security, enforcement of I.D.

And by the way, it's not illegal to smoke cigarettes if you're younger than 21. It's illegal to buy them and so I think that's a distinction that we have to know and I'm not suggesting that people under 21 should smoke pot, although they do. They do, but the sale is very important. I like the regulations. I like the enforcement of those regulations and security guards and nobody wants to live among chaotic situations. Nobody wants people hanging out on the corner because they can buy pot there, you know, buy your pot and go home or do whatever you're going to do with it.

I think that's it. I kind of put asterisks around the things that I thought were really important and I think I got it.

MR. WINK: Okay.

MS. LEBOVITZ: Thank you.

MR. WINK: I thank you very much.

MS. LEBOVITZ: Oh, is this somebody's -- okay. Sorry.

MR. WINK: Thank you. Okay. All right. Those are all the cards I have.

Is there anyone else wishing to be heard?

(No response.)

MR. WINK: Okay. Seeing no one, I'm going to thank the task force. I'm going to thank our panel of experts. I'm going to thank all of you for attending this evening.

This is the final of the three public listening sessions that this task force has had. There will be an opportunity I believe to review the transcript, to review the video of all of these sessions. They're -- as I mentioned, they're already -- the first two are already up on the Town website, so you can view them at your leisure.

And the next step will be this

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task force will take into consideration everything we've learned as a result of these sessions and begin to craft a report and a recommendation -- a set of recommendations to the Town Board and the Town Board has until December 31st to act on some elements of it particularly with respect to the opt out. If an opt out does not occur by December 31st, then the Town is opted in in perpetuity.

But having said that, a number of the time, place and manner restrictions, a number of the other restriction that were discussed here tonight can survive I believe past December 31st and can in fact be implemented at any time in the future by the Town Board.

So it will ultimately fall into the hands of the North Hempstead Town Board as it's currently constituted to make the determinations with or without the recommendations of this task force, but certainly I believe they are eagerly awaiting this task force's report and recommendations and I thank all of you for helping the better informed that those sets of recommendations are on the report that will be issued.

Thank you all very much. Have a

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great evening. (Whereupon, at 7:38 p.m., the proceedings were concluded.)

STATE OF NEW YORK)

SS.

COUNTY OF NEW YORK)

I, ALEXIARA PIERCE, a Shorthand
(Stenotype) Reporter, do hereby certify that the
foregoing pages 1 through 74, taken at the time and
place aforesaid, is a true and correct transcription
of my shorthand notes.

IN WITNESS WHEREOF, I have hereunto
set my name this 30th of October, 2021.

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Rachel Brinn

From: Judi Bosworth
Sent: Friday, December 10, 2021 12:29 PM
To: rnladydi@aol.com
Cc: Cannabis Task Force
Subject: Re: [EXTERNAL]Medical Marijuana

Dear Ms. Klen,

I hope all is well. Thank you also for sharing your thoughts and concerns regarding decisions the Cannabis Task Force and Town Board have been considering. We will be having a hearing and voting at our upcoming December 16th Town Board meeting.

You can also find more information in this press release by clicking <https://northhempsteadny.gov/news/?FeedID=3051>. The information in this link also includes an email address for the Cannabis Task Force (CTF@northhempsteadny.gov) for those who wish to submit written comments. I have cc'd them on this response.

Sincerely,
Judi Bosworth

From: rnladydi@aol.com <rnladydi@aol.com>
Sent: Friday, December 10, 2021 7:35 AM
To: Judi Bosworth <bosworthj@northhempsteadny.gov>
Subject: [EXTERNAL]Medical Marijuana

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Town of North Hempstead Town Board
c/o Judi Bosworth, Supervisor
220 Plandome Road, Manhasset, NY 11030

Dear Supervisor Bosworth and Members of the Town Board:

I strongly encourage the Town of North Hempstead Town Board to OPT OUT of the NYS Marijuana Regulation and Taxation Act (MRTA) provisions that would allow retail cannabis dispensaries and on-site cannabis consumption establishments within the Town of North Hempstead. I consider the long-term detriments of such facilities to our Town of North Hempstead residents currently far outweigh the presumed financial benefits. The Town Board action is required prior to the MRTA deadline of December 31, 2021 and I look forward to the Town Board's timely action to Opt Out.

Sincerely,
Diane Klen'
170 Falcon Court
Manhasset, NY 11030

Rachel Brinn

From: christine roberts <cgr22565@yahoo.com>
Sent: Thursday, December 9, 2021 8:30 AM
To: Cannabis Task Force; Judi Bosworth; Veronica Lurvey; Mariann Dalimonte; Viviana Russell; Angelo Ferrara; Lee Seeman; Peter Zuckerman
Cc: Richard Bentley; Greater Council
Subject: [EXTERNAL]Opting out

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Good morning,

On behalf of the Council of Greater Manhasset Civic Associations, I respectfully request that the Town Board vote to opt out of allowing retail cannabis dispensaries and on-site cannabis consumption establishments within the Town of North Hempstead. The Greater Council unanimously agreed that the detriments to our communities outweigh the presumed financial benefits.

Thank you for your consideration.

Christine Roberts

Sent from [Mail](#) for Windows

Rachel Brinn

From: Richard Bentley <RBentley@downstate.edu>
Sent: Thursday, December 9, 2021 9:51 AM
To: Cannabis Task Force; Judi Bosworth; Veronica Lurvey; Mariann Dalimonte; Viviana Russell; Angelo Ferrara; Lee Seeman; Peter Zuckerman
Cc: info@manhassetcivic.org
Subject: [EXTERNAL]Council of Greater Manhasset Civic Associations Unanimously Urges Town Board to Opt Out on NYS MRTA (Cannabis Dispensaries and Consumption Establishments)
Attachments: GC TNH Cannabis Opt Out 2021-12-08.pdf

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See attached letter unanimously urging TNH Town Board to **Opt Out** on NYS MRTA.

Rich

bcc: addressed individually to Greater Council eList [for wide distribution](#)
also posted on [GC webpage "news" tab \(link\)](#)



Please consider the environment before printing this e-mail

Rich Bentley, President
Council of Greater Manhasset Civic Associations, Inc. (*Greater Council*)

info@manhassetcivic.org

Cell: 917-751-1399

www.manhassetcivic.org

"A civic's job is never done"

From: christine roberts <cgr22565@yahoo.com>
Sent: Thursday, December 09, 2021 8:30 AM
To: ctf@northhempsteadny.gov; bosworthj@northhempsteadny.gov; Veronica Lurvey <lurvey@northhempsteadny.gov>; Mariann Dalimonte <Dalimontem@northhempsteadny.gov>; russellv@northhempsteadny.gov; ferraraa@northhempsteadny.gov; seemanl@northhempsteadny.gov; zuckermanp@northhempsteadny.gov
Cc: Richard Bentley <RBentley@downstate.edu>; Greater Council <info@manhassetcivic.org>
Subject: Opting out

Good morning,

On behalf of the Council of Greater Manhasset Civic Associations, I respectfully request that the Town Board vote to opt out of allowing retail cannabis dispensaries and on-site cannabis consumption establishments within the Town of North Hempstead. The Greater Council unanimously agreed that the detriments to our communities outweigh the presumed financial benefits.

Thank you for your consideration.

Christine Roberts, Secretary
Council of Greater Manhasset Civic Associations



*Council of Greater Manhasset Civic Associations, Inc.
(Greater Council)*

PO Box 600, Manhasset, New York 11030-0600

www.manhassetcivic.org

eMail: info@manhassetcivic.org

Executive Board & Officers 2021/22:

*President: Richard Bentley
1st Vice Pres: Andrew Schwenk
2nd Vice Pres: Susan Auremma
Secretary: Christine Roberts
Treasurer: Donald O'Brien
Past President: Ann Marie (Curd) Fruhauf*

Member Civic Associations:

*Bayview Civic Association
Flower Hill Civic Association
Manhasset Park Civic Association
Norgate Civic Association
North Strathmore Civic Association
Plandome Civic Association
Plandome Heights Civic Association
Plandome Mills Homeowners Association
Shorehaven Civic Association
South Strathmore Civic Association
Strathmore Vanderbilt Civic Assoc.
Strathmore Village Civic Association
Terrace Manor Civic Association*

Liaisons to Incorporated Villages:

*Flower Hill
Munsey Park
North Hills
Plandome
Plandome Heights
Plandome Manor*

Other Liaisons:

*Chamber of Commerce
Coalition Against Substance Abuse
Coalition for Safer Manhasset
Manhasset Park District
Manhasset Preservation Society*

December 9, 2021

Town of North Hempstead Town Board
c/o Judi Bosworth, Supervisor
220 Plandome Road,
Manhasset, NY 11030

Dear Supervisor Bosworth and Members of the Town Board:

The Council of Greater Manhasset Civic Associations (aka Greater Council) has unanimously voted at its December 8, 2021 meeting to strongly encourage the Town of North Hempstead Town Board to OPT OUT of the NYS the Marijuana Regulation and Taxation Act (MRTA) provisions that would otherwise allow retail cannabis dispensaries and on-site cannabis consumption establishments within the Town of North Hempstead.

The Greater Council has unanimously agreed that the long-term detriments to our Town of North Hempstead residents within our communities of such facilities currently far outweigh the presumed financial benefits. The Town Board action is required prior to MRTA deadline of December 31, 2021 and we look forward to the Town Board's timely action to Opt Out.

Sincerely on behalf of the Greater Council members,

Richard Bentley, President
Council of Greater Manhasset Civic Associations

Rachel Brinn

From: Judi Bosworth
Sent: Thursday, December 9, 2021 10:19 AM
To: christine roberts; Cannabis Task Force; Veronica Lurvey; Mariann Dalimonte; Viviana Russell; Angelo Ferrara; Lee Seeman; Peter Zuckerman
Cc: Richard Bentley; Greater Council
Subject: Re: [EXTERNAL]Opting out

Dear Christine,

I hope all is well. Thank you for sharing the Greater Council's thoughts about whether the Town of North Hempstead should opt-out of the sale and on-site consumption of recreational cannabis.. I appreciate your sharing this in advance of the hearing and vote at the December 16th Town Board meeting.

Best,
Judi

From: christine roberts <cgr22565@yahoo.com>
Sent: Thursday, December 9, 2021 8:30 AM
To: Cannabis Task Force <ctf@northhempsteadny.gov>; Judi Bosworth <bosworthj@northhempsteadny.gov>; Veronica Lurvey <lurvey@northhempsteadny.gov>; Mariann Dalimonte <Dalimontem@northhempsteadny.gov>; Viviana Russell <russellv@northhempsteadny.gov>; Angelo Ferrara <FerraraA@northhempsteadny.gov>; Lee Seeman <seeman@northhempsteadny.gov>; Peter Zuckerman <zuckermanp@northhempsteadny.gov>
Cc: Richard Bentley <RBentley@downstate.edu>; Greater Council <info@manhassetcivic.org>
Subject: [EXTERNAL]Opting out

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Good morning,

On behalf of the Council of Greater Manhasset Civic Associations, I respectfully request that the Town Board vote to opt out of allowing retail cannabis dispensaries and on-site cannabis consumption establishments within the Town of North Hempstead. The Greater Council unanimously agreed that the detriments to our communities outweigh the presumed financial benefits.

Thank you for your consideration.

Christine Roberts

Sent from Mail for Windows

Rachel Brinn

From: Judi Bosworth
Sent: Friday, December 10, 2021 8:55 AM
To: Patricia O'Brien; Veronica Lurvey; Mariann Dalimonte; Viviana Russell; Angelo Ferrara; Lee Seeman; Peter Zuckerman
Cc: Cannabis Task Force
Subject: Re: Please OPT OUT of NYS MRTA

Dear Pat,

I hope all is well. Thank you also for sharing your thoughts and concerns regarding decisions the Cannabis Task Force and Town Board have been considering. We will be having a hearing and voting at our upcoming December 16th Town Board meeting.

You can also find more information in this press release by clicking <https://northhempsteadny.gov/news/?FeedID=3051>. The information in this link also includes an email address for the Cannabis Task Force (CTF@northhempsteadny.gov) for those who wish to submit written comments. I have cc'd them on this response.

Sincerely,
Judi Bosworth

From: Patricia O'Brien <patobrien17@msn.com>
Sent: Thursday, December 9, 2021 10:50 PM
To: Judi Bosworth <bosworthj@northhempsteadny.gov>; Veronica Lurvey <lurvey@northhempsteadny.gov>; Mariann Dalimonte <Dalimontem@northhempsteadny.gov>; Viviana Russell <russellv@northhempsteadny.gov>; Angelo Ferrara <FerraraA@northhempsteadny.gov>; Lee Seeman <seeman@northhempsteadny.gov>; Peter Zuckerman <zuckermanp@northhempsteadny.gov>
Subject: [EXTERNAL]Please OPT OUT of NYS MRTA

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Town of North Hempstead Town Board
c/o Judi Bosworth, Supervisor
220 Plandome Road, Manhasset, NY 11030

Dear Supervisor Bosworth and Members of the Town Board:
I strongly encourage the Town of North Hempstead Town Board to OPT OUT of the NYS Marijuana Regulation and Taxation Act (MRTA) provisions that would allow retail cannabis dispensaries and on-site cannabis consumption establishments within the Town of North Hempstead. I consider the long-term detriments of such facilities to our Town of North Hempstead residents currently far outweigh the presumed financial benefits. The Town Board action is required prior to the MRTA deadline of December 31, 2021 and I look forward to the Town Board's timely action to Opt Out.

Sincerely,
Patricia M. O'Brien

158 Webster Avenue
Manhasset, NY 11030

Rachel Brinn

From: Judi Bosworth
Sent: Friday, December 10, 2021 12:29 PM
To: rnladydi@aol.com
Cc: Cannabis Task Force
Subject: Re: [EXTERNAL]Medical Marijuana

Dear Ms. Klen,

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You can also find more information in this press release by clicking <https://northhempsteadny.gov/news/?FeedID=3051>. The information in this link also includes an email address for the Cannabis Task Force (CTF@northhempsteadny.gov) for those who wish to submit written comments. I have cc'd them on this response.

Sincerely,
Judi Bosworth

From: rnladydi@aol.com <rnladydi@aol.com>
Sent: Friday, December 10, 2021 7:35 AM
To: Judi Bosworth <bosworthj@northhempsteadny.gov>
Subject: [EXTERNAL]Medical Marijuana

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Town of North Hempstead Town Board
c/o Judi Bosworth, Supervisor
220 Plandome Road, Manhasset, NY 11030

Dear Supervisor Bosworth and Members of the Town Board:
I strongly encourage the Town of North Hempstead Town Board to OPT OUT of the NYS Marijuana Regulation and Taxation Act (MRTA) provisions that would allow retail cannabis dispensaries and on-site cannabis consumption establishments within the Town of North Hempstead. I consider the long-term detriments of such facilities to our Town of North Hempstead residents currently far outweigh the presumed financial benefits. The Town Board action is required prior to the MRTA deadline of December 31, 2021 and I look forward to the Town Board's timely action to Opt Out.

Sincerely,
Diane Klen'
170 Falcon Court
Manhasset, NY 11030

Rachel Brinn

From: Judi Bosworth
Sent: Friday, December 10, 2021 8:55 AM
To: Patricia O'Brien; Veronica Lurvey; Mariann Dalimonte; Viviana Russell; Angelo Ferrara; Lee Seeman; Peter Zuckerman
Cc: Cannabis Task Force
Subject: Re: Please OPT OUT of NYS MRTA

Dear Pat,

I hope all is well. Thank you also for sharing your thoughts and concerns regarding decisions the Cannabis Task Force and Town Board have been considering. We will be having a hearing and voting at our upcoming December 16th Town Board meeting.

You can also find more information in this press release by clicking <https://northhempsteadny.gov/news/?FeedID=3051>. The information in this link also includes an email address for the Cannabis Task Force (CTF@northhempsteadny.gov) for those who wish to submit written comments. I have cc'd them on this response.

Sincerely,
Judi Bosworth

From: Patricia O'Brien <patobrien17@msn.com>
Sent: Thursday, December 9, 2021 10:50 PM
To: Judi Bosworth <bosworthj@northhempsteadny.gov>; Veronica Lurvey <lurvey@northhempsteadny.gov>; Mariann Dalimonte <Dalimontem@northhempsteadny.gov>; Viviana Russell <russellv@northhempsteadny.gov>; Angelo Ferrara <FerraraA@northhempsteadny.gov>; Lee Seeman <seeman@northhempsteadny.gov>; Peter Zuckerman <zuckermanp@northhempsteadny.gov>
Subject: [EXTERNAL]Please OPT OUT of NYS MRTA

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Town of North Hempstead Town Board
c/o Judi Bosworth, Supervisor
220 Plandome Road, Manhasset, NY 11030

Dear Supervisor Bosworth and Members of the Town Board:
I strongly encourage the Town of North Hempstead Town Board to OPT OUT of the NYS Marijuana Regulation and Taxation Act (MRTA) provisions that would allow retail cannabis dispensaries and on-site cannabis consumption establishments within the Town of North Hempstead. I consider the long-term detriments of such facilities to our Town of North Hempstead residents currently far outweigh the presumed financial benefits. The Town Board action is required prior to the MRTA deadline of December 31, 2021 and I look forward to the Town Board's timely action to Opt Out.

Sincerely,
Patricia M. O'Brien

158 Webster Avenue
Manhasset, NY 11030

Rachel Brinn

From: Judi Bosworth
Sent: Thursday, December 9, 2021 10:19 AM
To: christine roberts; Cannabis Task Force; Veronica Lurvey; Mariann Dalimonte; Viviana Russell; Angelo Ferrara; Lee Seeman; Peter Zuckerman
Cc: Richard Bentley; Greater Council
Subject: Re: [EXTERNAL]Opting out

Dear Christine,

I hope all is well. Thank you for sharing the Greater Council's thoughts about whether the Town of North Hempstead should opt-out of the sale and on-site consumption of recreational cannabis.. I appreciate your sharing this in advance of the hearing and vote at the December 16th Town Board meeting.

Best,
Judi

From: christine roberts <cgr22565@yahoo.com>
Sent: Thursday, December 9, 2021 8:30 AM
To: Cannabis Task Force <ctf@northhempsteadny.gov>; Judi Bosworth <bosworthj@northhempsteadny.gov>; Veronica Lurvey <lurvey@northhempsteadny.gov>; Mariann Dalimonte <Dalimontem@northhempsteadny.gov>; Viviana Russell <russellv@northhempsteadny.gov>; Angelo Ferrara <FerraraA@northhempsteadny.gov>; Lee Seeman <seeman@northhempsteadny.gov>; Peter Zuckerman <zuckermanp@northhempsteadny.gov>
Cc: Richard Bentley <RBentley@downstate.edu>; Greater Council <info@manhassetcivic.org>
Subject: [EXTERNAL]Opting out

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Good morning,

On behalf of the Council of Greater Manhasset Civic Associations, I respectfully request that the Town Board vote to opt out of allowing retail cannabis dispensaries and on-site cannabis consumption establishments within the Town of North Hempstead. The Greater Council unanimously agreed that the detriments to our communities outweigh the presumed financial benefits.

Thank you for your consideration.

Christine Roberts

Sent from Mail for Windows

Rachel Brinn

From: Richard Bentley <RBentley@downstate.edu>
Sent: Thursday, December 9, 2021 9:51 AM
To: Cannabis Task Force; Judi Bosworth; Veronica Lurvey; Mariann Dalimonte; Viviana Russell; Angelo Ferrara; Lee Seeman; Peter Zuckerman
Cc: info@manhassetcivic.org
Subject: [EXTERNAL]Council of Greater Manhasset Civic Associations Unanimously Urges Town Board to Opt Out on NYS MRTA (Cannabis Dispensaries and Consumption Establishments)
Attachments: GC TNH Cannabis Opt Out 2021-12-08.pdf

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

See attached letter unanimously urging TNH Town Board to **Opt Out** on NYS MRTA.

Rich

bcc: addressed individually to Greater Council eList [for wide distribution](#)
also posted on [GC webpage "news" tab \(link\)](#)



Please consider the environment before printing this e-mail

Rich Bentley, President
Council of Greater Manhasset Civic Associations, Inc. (*Greater Council*)
info@manhassetcivic.org
Cell: 917-751-1399
www.manhassetcivic.org
"A civic's job is never done"

From: christine roberts <cgr22565@yahoo.com>
Sent: Thursday, December 09, 2021 8:30 AM
To: ctf@northhempsteadny.gov; bosworthj@northhempsteadny.gov; Veronica Lurvey <lurvey@northhempsteadny.gov>; Mariann Dalimonte <Dalimontem@northhempsteadny.gov>; russellv@northhempsteadny.gov; ferraraa@northhempsteadny.gov; seemanl@northhempsteadny.gov; zuckermanp@northhempsteadny.gov
Cc: Richard Bentley <RBentley@downstate.edu>; Greater Council <info@manhassetcivic.org>
Subject: Opting out

Good morning,

On behalf of the Council of Greater Manhasset Civic Associations, I respectfully request that the Town Board vote to opt out of allowing retail cannabis dispensaries and on-site cannabis consumption establishments within the Town of North Hempstead. The Greater Council unanimously agreed that the detriments to our communities outweigh the presumed financial benefits.

Thank you for your consideration.

Christine Roberts, Secretary
Council of Greater Manhasset Civic Associations

Sent from Mail for Windows

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Rachel Brinn

From: christine roberts <cgr22565@yahoo.com>
Sent: Thursday, December 9, 2021 8:30 AM
To: Cannabis Task Force; Judi Bosworth; Veronica Lurvey; Mariann Dalimonte; Viviana Russell; Angelo Ferrara; Lee Seeman; Peter Zuckerman
Cc: Richard Bentley; Greater Council
Subject: [EXTERNAL]Opting out

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Good morning,

On behalf of the Council of Greater Manhasset Civic Associations, I respectfully request that the Town Board vote to opt out of allowing retail cannabis dispensaries and on-site cannabis consumption establishments within the Town of North Hempstead. The Greater Council unanimously agreed that the detriments to our communities outweigh the presumed financial benefits.

Thank you for your consideration.

Christine Roberts

Sent from [Mail](#) for Windows

Rachel Brinn

From: Stephen Mazza
Sent: Wednesday, November 24, 2021 5:38 PM
To: Cannabis Task Force
Subject: FW: [EXTERNAL]Cannabis meeting

The Supervisor is responding to these emails, but I am also forwarding them to the CTF mailbox so you have them.

Begin forwarded message:

From: Bob Teetz <rdteetz@outlook.com>
Date: November 24, 2021 at 1:47:26 PM EST
To: Judi Bosworth <bosworthj@northhempsteadny.gov>
Subject: [EXTERNAL]Cannabis meeting

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Good afternoon and Happy Thanksgiving. According to today's Newsday I understand that there is a citizen virtual meeting scheduled for December 16 to provide opportunity for North Hempstead citizens to voice their opinion about allowing cannabis dispensaries to set up in the Town. A few questions:

How does one register or join and participate in the meeting scheduled for December 16?

Since a municipality must decide by December 31 if it wishes to Opt Out, are you planning to direct that the Town Opt Out by the required date and allow any decision to opt back in be made by the next administration? I believe that you and the current Town Council have an ethical obligation to allow the new Supervisor and Council decide this issue because the voters have spoken when they elected Ms. DeSena who ran on a promise to oppose cannabis sales in the Town while Mr. Wink took no position either way. Please advise, will the Town Opt Out and leave any decision to Opt back in be made by the new Supervisor and Council after appropriate deliberation, review of the Task Force report and public input? Or, do you plan to do nothing, which will automatically bar the town, and the new Supervisor (elected by the people largely because of her opposition to cannabis sales in the Town) from opting out after December 31?

Thanks in advance for your reply.

Robert D Teetz
New Hyde Park
516 840-8441

Sent from my iPad

Rachel Brinn

From: Stephen Mazza
Sent: Wednesday, November 24, 2021 10:16 AM
To: Cannabis Task Force
Subject: FW: [EXTERNAL]Cannabis - Chapter 70 of the Town Code entitled "Zoning"

From: matthew@wilkoff.org <matthew@wilkoff.org>
Sent: Friday, November 19, 2021 4:44 PM
To: Judi Bosworth <bosworthj@northhempsteadny.gov>
Subject: [EXTERNAL]Cannabis - Chapter 70 of the Town Code entitled "Zoning"

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Supervisor Bosworth,

I am disappointed to learn that our Town seems to have decided to opt out of allowing cannabis retail dispensaries within our town. I understand that many people are against cannabis and they don't want it in their backyard. Many believe that it is a gateway drug. I am voicing my opinion to you with the hope that you will support the establishment of cannabis retail dispensaries within our town.

If we have legal cannabis retail dispensaries within our town, we create control, just like we have control over retail liquor stores. We will save lives and I truly believe that by having legal cannabis retail dispensaries we remove the "gateway" to so many users of cannabis.

Why is cannabis considered a gateway by so many? It is likely because cannabis is bought on the street. The dealer's entrepreneurial incentive is not to maintain their customer on an inexpensive non-addicting drug, but to escalate the customer to a highly addictive drug.

Won't legalization also assure the cannabis user that the cannabis is "clean" or free from addicting additives or worse? Too often we have heard about an adult dying from cannabis laced with a deadly chemical. Having legal dispensaries will eliminate this.

People that want cannabis have and will continue to obtain cannabis. Why shouldn't our Town help protect our citizens by assuring the safe sale and consumption. I'm sure the same debates were being had in local, state, and federal offices 100 years ago concerning alcohol. Alcohol is here to stay. Cannabis will too. It is imperative that we understand cannabis, learn how to best educate our children, learn how to protect our general population and for those that want to enjoy their cannabis let them fund our addiction and abuse programs through the taxes they will pay.

I thank you for listening and hope that you consider supporting cannabis retail dispensaries within our town.

Matthew Wilkoff
matthew@wilkoff.org

Rachel Brinn

From: Stephen Mazza
Sent: Wednesday, November 24, 2021 10:14 AM
To: Cannabis Task Force
Subject: FW: [EXTERNAL]Opt out

-----Original Message-----

From: Zhang Li <happy125us@yahoo.com>
Sent: Sunday, November 21, 2021 9:14 AM
To: Judi Bosworth <bosworthj@northhempsteadny.gov>
Subject: [EXTERNAL]Opt out

[EXTERNAL EMAIL] This email came from an external source. DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Bosworthj,

My name is Li Zhang and I'm a resident at South Strathmore Manhasset. We don't want our kids exposed to marijuana or smell it down the block when we are walking in our neighborhoods. Please help us to Opt out on allowing retail marijuana stores. We have heard and seen too many sad stories about what drugs can do to harm us.

The percentage of 12- to 17-year-olds using marijuana is higher in every legal marijuana state than the national average. Marijuana-related traffic deaths rose 62% following the legalization of marijuana in Colorado. Law enforcement says that legal marijuana has actually enhanced opportunities for the black market. Prices charged by state-licensed sellers can easily be undercut by cartels. After retail marijuana stores opened in Colorado, emergency room visits related to marijuana shot up nearly 30% and hospitalizations related to marijuana rose 200%.

It is our responsibility and duty to protect our community!

So please vote OPT OUT on allowing retail Marijuana store!

Sent from my iPhone

Rachel Brinn

From: Judi Bosworth
Sent: Sunday, November 21, 2021 6:56 AM
To: matthew@wilkoff.org
Cc: Cannabis Task Force
Subject: Re: [EXTERNAL]Cannabis - Chapter 70 of the Town Code entitled "Zoning"

Dear Mr. Wilkoff,

I hope all is well. Thank you also for sharing your thoughts and concerns regarding decisions the Cannabis Task Force has been considering. The Town Board has not made a decision yet and we will be having a hearing and voting at the December 16th Town Board meeting.

You can also find more information in this press release by clicking <https://northhempsteadny.gov/news/?FeedID=3051>. The information in this link also includes an email address (CTF@northhempsteadny.gov) for those who wish to submit written comments. I have cc'd them on this response.

Sincerely,
Judi Bosworth

From: matthew@wilkoff.org <matthew@wilkoff.org>
Sent: Friday, November 19, 2021 4:44 PM
To: Judi Bosworth <bosworthj@northhempsteadny.gov>
Subject: [EXTERNAL]Cannabis - Chapter 70 of the Town Code entitled "Zoning"

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Supervisor Bosworth,

I am disappointed to learn that our Town seems to have decided to opt out of allowing cannabis retail dispensaries within our town. I understand that many people are against cannabis and they don't want it in their backyard. Many believe that it is a gateway drug. I am voicing my opinion to you with the hope that you will support the establishment of cannabis retail dispensaries within our town.

If we have legal cannabis retail dispensaries within our town, we create control, just like we have control over retail liquor stores. We will save lives and I truly believe that by having legal cannabis retail dispensaries we remove the "gateway" to so many users of cannabis.

Why is cannabis considered a gateway by so many? It is likely because cannabis is bought on the street. The dealer's entrepreneurial incentive is not to maintain their customer on an inexpensive non-addicting drug, but to escalate the customer to a highly addictive drug.

Won't legalization also assure the cannabis user that the cannabis is "clean" or free from addicting additives or worse? Too often we have heard about an adult dying from cannabis laced with a deadly chemical. Having legal dispensaries will eliminate this.

People that want cannabis have and will continue to obtain cannabis. Why shouldn't our Town help protect our citizens by assuring the safe sale and consumption. I'm sure the same debates were being had in local, state,

and federal offices 100 years ago concerning alcohol. Alcohol is here to stay. Cannabis will too. It is imperative that we understand cannabis, learn how to best educate our children, learn how to protect our general population and for those that want to enjoy their cannabis let them fund our addiction and abuse programs through the taxes they will pay.

I thank you for listening and hope that you consider supporting cannabis retail dispensaries within our town.

Matthew Wilkoff
matthew@wilkoff.org

Rachel Brinn

From: support@northhempsteadny.gov
Sent: Saturday, November 6, 2021 3:00 AM
To: Cannabis Task Force
Subject: Important: Password Expiration Notification

Hi Cannabis,

Your password for account "ctf" expires in 3 day(s). Please change the password as soon as possible to prevent further logon problems.

Thank you!

This is an automatically generated message from NetWrix Password Expiration Notifier.

Rachel Brinn

From: support@northhempsteadny.gov
Sent: Tuesday, November 2, 2021 3:00 AM
To: Cannabis Task Force
Subject: Important: Password Expiration Notification

Hi Cannabis,

Your password for account "ctf" expires in 7 day(s). Please change the password as soon as possible to prevent further logon problems.

Thank you!

This is an automatically generated message from NetWrix Password Expiration Notifier.

Rachel Brinn

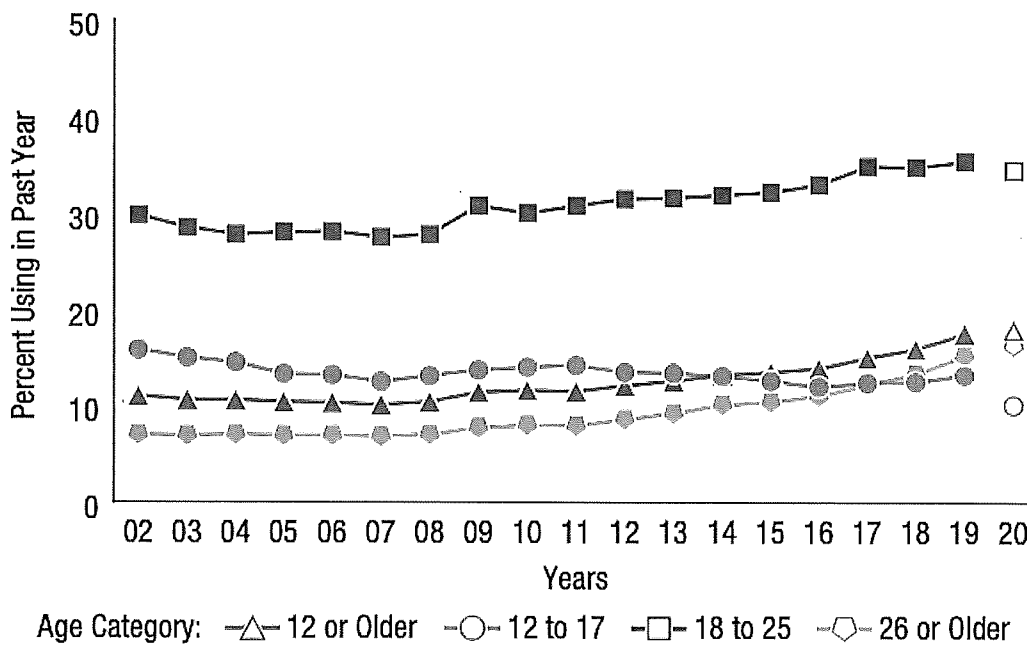
From: Nina Gordon <ninagordon@gmail.com>
Sent: Friday, October 29, 2021 7:40 AM
To: Cannabis Task Force; clerk@villageofthomaston.org
Subject: [EXTERNAL]FYI - facts re: cannabis usage among teens after legalizatoin

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

The latest annual survey from the federal Substance Abuse and Mental Health Services Administration shows yet again that the spread of marijuana legalization for adults to more states is not driving an increase in youth use. Teen cannabis consumption actually dropped in 2020.

<https://www.marijuanamoment.net/teen-marijuana-use-is-not-increasing-as-more-states-legalize-another-federal-study-shows/>

Figure 11. Past Year Marijuana Use: Among People Aged 12 or Older; 2002-2020



Nina

Rachel Brinn

From: Anthony Molinaro <ant.molinaro@gmail.com>
Sent: Tuesday, October 26, 2021 11:08 AM
To: Cannabis Task Force
Subject: [EXTERNAL]Regarding cannabis opt-out

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Hello,

My wife and I recently moved to Manhasset from Brooklyn. We strongly oppose allowing the sale of marijuana in the town of North Hempstead. We have many family members and friends who have moved to LI from Brooklyn and Queens who feel the same way. We will not support any candidate who seeks to normalize marijuana use or its sale.

Thank you,
Anthony Molinaro

Rachel Brinn

From: support@northhempsteadny.gov
Sent: Tuesday, October 26, 2021 3:00 AM
To: Cannabis Task Force
Subject: Important: Password Expiration Notification

Hi Cannabis,

Your password for account "ctf" expires in 14 day(s). Please change the password as soon as possible to prevent further logon problems.

Thank you!

This is an automatically generated message from NetWrix Password Expiration Notifier.

Rachel Brinn

From: Dennis@DMIadvisors.com
Sent: Thursday, October 7, 2021 3:32 PM
To: Cannabis Task Force
Subject: [EXTERNAL]Re: Marijuana committee

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Hi Wayne,

I was just in task force zoom meeting with Rene Fiechter's group.

If you need any input, assistance materials sent out to Chambers etc. on Marijuana discussions please let me know.

I was on last State /County task force few years ago.

Best regards,

Dennis Grossman, Pres.

GNCC/NCCC

Rachel Brinn

From: Melissa Golden <mgolden14781@gmail.com>
Sent: Monday, October 4, 2021 10:02 PM
To: Judi Bosworth
Cc: Wayne Wink; Cannabis Task Force
Subject: Re: [EXTERNAL]Cannabis Listening Session

Dear Supervisor Bosworth,

Thank you for the prompt response. I am looking forward to hearing back from Town Clerk Wink as well. Hopefully the upcoming listening session can be held in the same fashion as the upcoming board meetings.

Sincerely,
Melissa

On Mon, Oct 4, 2021 at 10:48 AM Judi Bosworth <bosworthj@northhempsteadny.gov> wrote:
Dear Ms. Golden,

I hope all is well. Thank you for your kind words. These last 18 months have been such challenging and unprecedented times, and I am pleased to hear that you and your family have felt a bit safer being able to participate in some outdoor and virtual Town programming.

Thank you also for sharing your thoughts and concerns regarding the Cannabis Task Force. This is being led by Town Clerk Wayne Wink, so he will be best equipped to answer your questions about the structure of this upcoming listening session.

You can also find more information in the Town's recent press release by clicking <https://northhempsteadny.gov/news/?FeedID=3051>. The information in this press release includes an email address (CTF@northhempsteadny.gov) for those who wish to submit written comments.

Sincerely,
Judi Bosworth

From: Melissa Golden <mgolden14781@gmail.com>
Sent: Sunday, October 3, 2021 10:59 PM
To: Judi Bosworth <bosworthj@northhempsteadny.gov>; Wayne Wink <winkw@northhempsteadny.gov>
Subject: [EXTERNAL]Cannabis Listening Session

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Dear Supervisor Bosworth and Town Clerk Wink,

First off, I would like to applaud you for all the work you have done to keep residents of North Hempstead safe during the COVID pandemic. From virtual programs to outdoor dining initiatives, these have certainly made my family and I feel a lot safer when out and about. I recently read and saw that all Town Board meetings and budget hearings will be held remotely as well. I appreciate how cognizant you are to the ever-changing guidelines that are associated with this

pandemic. However, when looking at the Town's website I saw that the upcoming cannabis listening session to be held in Westbury is still planning to be held in-person. I urge you to reconsider having this meeting in-person and change this to be held remotely. Does it really make sense given the COVID numbers are still relatively high? Why create a super spreader scenario when it can be completely avoidable? Thank you for taking the time to read my email.

Sincerely,
Melissa

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Rachel Brinn

From: Denise Polis <coral97@optonline.net>
Sent: Friday, October 1, 2021 5:02 PM
To: Cannabis Task Force
Subject: [EXTERNAL]marijuana

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

MARIJUANA.

THERE IS NO GOOD REASON FOR HAVING DOPE SHOPS IN NORTH HEMPSTEAD.

THERE IS NO GOOD REASON FOR MARIJUANA IN OUR COMMUNITIES.

MARIJUANA HAS NO BENEFIT TO OUR CHILDREN OR OUR CITIZENS.

THIS IS ALL ABOUT MONEY MONEY MONEY.

WHAT ARE YOU RECEIVING IN RETURN FOR GRANTING PERMITS FOR THESE SHOPS?

WE DO NOT WANT DOPE SHOPS IN OUR COMMUNITIES!!!!

IT'S DOPE, BECAUSE THAT IS WHAT IT TURNS OUR KIDS INTO: DOPES!

Rachel Brinn

From: Paul Rosen <paulievision@mac.com>
Sent: Thursday, September 30, 2021 5:42 PM
To: Cannabis Task Force
Subject: [EXTERNAL]Marijuana Regulation and Teen Use Rates - NORML

[EXTERNAL EMAIL] This email came from an external source. DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

<https://norml.org/marijuana/fact-sheets/marijuana-regulation-and-teen-use-rates/>

Sent from my iPhone

Rachel Brinn

From: Paul Rosen <paulievision@mac.com>
Sent: Thursday, September 30, 2021 5:40 PM
To: Cannabis Task Force
Subject: [EXTERNAL]Twin Study: Adolescent Cannabis Exposure Not an Independent Cause of Psychosis in Adulthood - NORML

[EXTERNAL EMAIL] This email came from an external source. DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

<https://norml.org/news/2021/09/30/twin-study-adolescent-cannabis-exposure-not-an-independent-cause-of-psychosis-in-adulthood/>

Sent from my iPhone

Rachel Brinn

From: Paul Rosen <paullevision@mac.com>
Sent: Wednesday, September 29, 2021 7:03 PM
To: Cannabis Task Force
Subject: [EXTERNAL]Marijuana and the 'Gateway Theory' - NORML

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

<https://norml.org/marijuana/fact-sheets/marijuana-and-the-gateway-theory/>

Rachel Brinn

From: Marianne Buzzitta <marebuzz16@gmail.com>
Sent: Tuesday, September 28, 2021 10:11 PM
To: Cannabis Task Force
Subject: [EXTERNAL]recreational marijuana sales

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

As long time residents of Manhasset and the Town of North Hempstead, we urge you to vote against any laws that would allow the sale of recreational marijuana in the town. The consequences of driving while impaired with marijuana are just as dangerous as driving under the influence of alcohol. Surely, many of us have noticed a major increase of erratic drivers on our roads since marijuana use has become legal. Please take into consideration the safety and welfare of all the residents of the Town of North Hempstead and ban the sale of recreational marijuana.

Thank you for your consideration.

Marianne & Anthony Buzzitta

Rachel Brinn

From: Paul Rosen <paulievision@mac.com>
Sent: Tuesday, September 28, 2021 11:06 AM
To: Cannabis Task Force
Subject: [EXTERNAL]DebunkingGatewayMyth_NY_0.pdf

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

https://drugpolicy.org/sites/default/files/DebunkingGatewayMyth_NY_0.pdf

Rachel Brinn

From: Nina Gordon <ninagordon@gmail.com>
Sent: Tuesday, September 28, 2021 11:03 AM
To: Cannabis Task Force
Cc: Wayne Wink
Subject: [EXTERNAL]Re: Opt in to recreational cannabis sales in TONH

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

An addendum to my previous email -

Please take the time to read this about the so-called "gateway effect." The science disproves the hysterical claims that were made by your speaker yesterday.

https://drugpolicy.org/sites/default/files/DebunkingGatewayMyth_NY_0.pdf

On Tue, Sep 28, 2021 at 9:48 AM Nina Gordon <ninagordon@gmail.com> wrote:

To the Task Force -

Yesterday I attended the second of three "Cannabis Listening Sessions" on the topic of whether the town should opt in or out of sales of recreational cannabis. Your task force presented 'expert speakers' from both sides of the argument.

Having a speaker from the addiction center didn't really make sense to me, since cannabis is not addictive*, but this speaker seemed to think it is an instant gateway to heroin (a complete fallacy which was disproved years ago). His speaking style was like Jerry Falwell, proselytizing at top volume against the evils of cannabis (which was not really up for discussion, since it's already been legalized). The pharmacist from MedMen was more soft-spoken, and full of facts about how the dispensary works, how secure it is, and why it really doesn't present a danger to neighborhood children. It really was not a balanced presentation of both sides of the issue - one speaker presented facts and the other was full of emotion and misinformation. I hope the Town will select a less inflammatory and more factual speaker for the next session, if possible.

The league of Prohibition-era mentality folks were there with their "NOT IN MY TOWN" signs, repeating over and over that cannabis is going to ruin our town and our children, ignoring the fact that it is now legal in the state of New York. I was disappointed to see that I was the only voice in favor of recreational sales in TONH, and I'm grateful for the opportunity to speak out in favor of opting in. I also stated that I wished people were as passionate about keeping alcohol away from their kids as they are about cannabis. The dangers of alcohol use in young people is documented and yet for decades, it's been far too easy for kids under 21 to buy and use alcohol, and nobody complains about the number of liquor stores in the town. Why is there no concern about enforcement of liquor sales? Where is the parental outrage about teenage alcohol use?

The question of who will advise consumers on what to buy in the dispensary also strikes me as absurd. Who advises consumers in liquor stores? Does anyone tell you whether you should buy a six-pack of beer

or a case of vodka? Does anyone advise you on how drunk you will get after consuming 3 shots of vodka or a few beers? No! The consumer goes into the store and purchases liquor, after providing proof of age. 21 year olds are allowed to enter a liquor store and purchase as much alcohol as they want. Why should it be any different in a cannabis dispensary? Consumers will show proof of age and purchase the product.

And, as one concerned parent affirmed yesterday, underage kids are getting cannabis in high school now. This is not new; kids had access to cannabis in high school when I was growing up here 60 years ago, too. And all of that cannabis is black market, unregulated, potentially contaminated with who knows what, and purchasing it contributes to a larger network of crime that reaches from the local seller to the trafficker to the grower, which may be a drug cartel in another country. Recreational cannabis in NY will now be regulated, inspected, grown legally in NY State, contributing to our state and local economy, and sold to adults over 21 just like alcohol is sold. We should be welcoming this new business opportunity in North Hempstead.

The reality is, if the Town does not approve recreational cannabis sales, people will go over the border to Queens, and TONH will lose out on business and tax revenue. And with recreational cannabis legal in NY State, young people buying homes are more likely to want to settle down where they can get the amenities and services they want and need... including cannabis. If the town opts out, we stand to lose a lot, in my opinion. We have downtown areas that are filled with empty storefronts in Great Neck, and in other areas of the town. This could be a huge boon to the local economy.

In fact, I was approached after yesterday's meeting by a man who lives in Melville, but attended the TONH meeting because he is looking to purchase property in the Town to open a dispensary if recreational sales are approved. I'm sure there will be many more like him, and they will go elsewhere if the town does not approve this. TONH will be left behind while others reap the profits. We have always been a forward-thinking, innovative town, and we should not allow the mass hysteria and misinformation being spread to steer us off course.

I hope some more people who support recreational cannabis sales in the Town of North Hempstead will come and speak out at the next meeting on October 19, and I hope that the Town has the clarity of vision to see that opting out will cost us dearly, both now and in the long run.

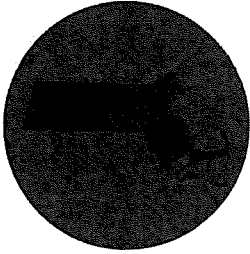
Sincerely,
Nina K. Gordon
Great Neck, NY

* <https://drugabuse.com/blog/marijuana-addiction/> "We have been terribly and systematically misled for nearly 70 years in the United States," said CNN's Dr. Sanjay Gupta. "It doesn't have a high potential for abuse and there are very legitimate medical applications...the science is there. This isn't anecdotal."

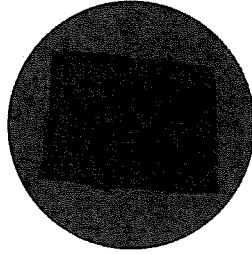
YEARLY TAX REVENUE

FROM

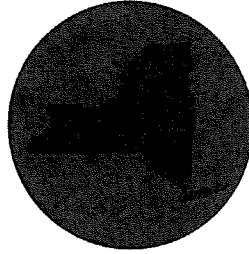
MARIJUANA



📍 MASSACHUSETTS
* \$100 MILLION



📍 COLORADO
* \$355 MILLION



📍 NEW YORK
* \$???

SOURCE: MASSACHUSETTS CANNABIS CONTROL COMMISSION; COLORADO DEPARTMENT OF REVENUE

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Nina

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Nina

Rachel Brinn

From: Nina Gordon <ninagordon@gmail.com>
Sent: Tuesday, September 28, 2021 9:48 AM
To: Cannabis Task Force
Cc: Wayne Wink
Subject: [EXTERNAL]Opt in to recreational cannabis sales in TONH

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

To the Task Force -

Yesterday I attended the second of three "Cannabis Listening Sessions" on the topic of whether the town should opt in or out of sales of recreational cannabis. Your task force presented 'expert speakers' from both sides of the argument.

Having a speaker from the addiction center didn't really make sense to me, since cannabis is not addictive*, but this speaker seemed to think it is an instant gateway to heroin (a complete fallacy which was disproved years ago). His speaking style was like Jerry Falwell, proselytizing at top volume against the evils of cannabis (which was not really up for discussion, since it's already been legalized). The pharmacist from MedMen was more soft-spoken, and full of facts about how the dispensary works, how secure it is, and why it really doesn't present a danger to neighborhood children. It really was not a balanced presentation of both sides of the issue - one speaker presented facts and the other was full of emotion and misinformation. I hope the Town will select a less inflammatory and more factual speaker for the next session, if possible.

The league of Prohibition-era mentality folks were there with their "NOT IN MY TOWN" signs, repeating over and over that cannabis is going to ruin our town and our children, ignoring the fact that it is now legal in the state of New York. I was disappointed to see that I was the only voice in favor of recreational sales in TONH, and I'm grateful for the opportunity to speak out in favor of opting in. I also stated that I wished people were as passionate about keeping alcohol away from their kids as they are about cannabis. The dangers of alcohol use in young people is documented and yet for decades, it's been far too easy for kids under 21 to buy and use alcohol, and nobody complains about the number of liquor stores in the town. Why is there no concern about enforcement of liquor sales? Where is the parental outrage about teenage alcohol use?

The question of who will advise consumers on what to buy in the dispensary also strikes me as absurd. Who advises consumers in liquor stores? Does anyone tell you whether you should buy a six-pack of beer or a case of vodka? Does anyone advise you on how drunk you will get after consuming 3 shots of vodka or a few beers? No! The consumer goes into the store and purchases liquor, after providing proof of age. 21 year olds are allowed to enter a liquor store and purchase as much alcohol as they want. Why should it be any different in a cannabis dispensary? Consumers will show proof of age and purchase the product.

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And all of that cannabis is black market, unregulated, potentially contaminated with who knows what, and purchasing it contributes to a larger network of crime that reaches from the local seller to the trafficker to the grower, which may be a drug cartel in another country. Recreational cannabis in NY will now be regulated, inspected, grown legally in NY State, contributing to our state and local economy, and sold to adults over 21 just like alcohol is sold. We should be welcoming this new business opportunity in North Hempstead.

The reality is, if the Town does not approve recreational cannabis sales, people will go over the border to Queens, and TONH will lose out on business and tax revenue. And with recreational cannabis legal in NY State, young people buying homes are more likely to want to settle down where they can get the amenities and services they want and need... including cannabis. If the town opts out, we stand to lose a lot, in my opinion. We have downtown areas that are filled with empty storefronts in Great Neck, and in other areas of the town. This could be a huge boon to the local economy.

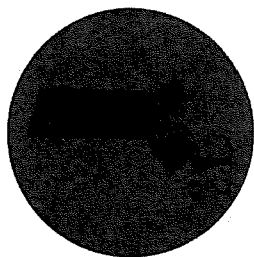
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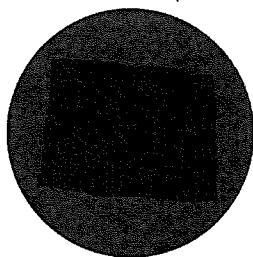
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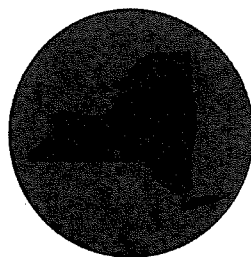
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📍 NEW YORK
* \$???

SOURCE: MASSACHUSETTS CANNABIS CONTROL COMMISSION; COLORADO DEPARTMENT OF REVENUE

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Nina

Rachel Brinn

From: Marilyn Sittner <msittner1@yahoo.com>
Sent: Monday, September 27, 2021 7:53 PM
To: Cannabis Task Force; C & L Mailloux
Subject: [EXTERNAL]Re: TNH CTF letter

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Thank you.

On Monday, September 27, 2021, 09:37:10 AM EDT, C & L Mailloux <lionel12161@gmail.com> wrote:

71 Dartmouth Rd
Manhasset, NY 11020
September 27, 2021

To: Town of North Hempstead Cannabis Task Force

As a physician, I ask you to ban the sales of any form of recreational marijuana within the Town of North Hempstead. Medical Marijuana is a totally different issue since there are clear cut indications for its use.

However, Recreational Marijuana is being used by the state and local governments as a source of revenue while ignoring its ill effects upon its citizens. Shouldn't the government be there to support and protect its people? It is well known that MVA's increase when recreational marijuana is legalized and it affects the younger populations. It would be noble if the state decided to revoke its laws legalizing marijuana but that won't happen. One only need to read the papers and note the number of recent MVA's where marijuana was involved, e.g. Newsday 9/23 and the Quogue crash that devastated Manhasset.

I feel badly I can't attend today's meeting in person. Perhaps you could read my comments.

Lionel U. Mailloux, MD, FACP
Clinical Professor of Medicine [Emeritus] - Donald and Barbara Zucker School of
Medicine at Hofstra/Northwell [ZSOM]

Manhasset, N.Y.

Rachel Brinn

From: Joe Domina <sjdomina@gmail.com>
Sent: Monday, September 27, 2021 4:19 PM
To: C & L Mailloux
Cc: Cannabis Task Force
Subject: [EXTERNAL]Re: TNH CTF letter

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Got it, thanks! Well done and agree fully.

Joe

On Mon, Sep 27, 2021 at 9:37 AM C & L Mailloux <lionel12161@gmail.com> wrote:

71 Dartmouth Rd

Manhasset, NY 11020

September 27, 2021

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Lionel U. Mailloux, MD, FACP
Clinical Professor of Medicine [Emeritus] - Donald and Barbara Zucker School of Medicine at
Hofstra/Northwell [ZSOM]

Manhasset, N.Y.

Rachel Brinn

From: Nina Gordon <ninagordon@gmail.com>
Sent: Monday, September 27, 2021 4:09 PM
To: Cannabis Task Force
Subject: [EXTERNAL]next listening session

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

The Town calendar shows the next listening session is listed on the website as 10/19 at 6:00 am - I'm assuming it is at 6:00 pm. Please update the website.

Thanks
Nina Gordon

--
Nina

Rachel Brinn

From: Nadia Giannopoulos <nadia@mpcny.org>
Sent: Monday, September 27, 2021 3:40 PM
To: Cannabis Task Force
Cc: jaxinn7212@gmail.com
Subject: [EXTERNAL]Do not want Cannabis in Town

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

As a Manhasset resident and parent of two young children (ages 11 & 9), I respectfully request that we do facilitate selling recreational Marijuana in this town. The reasons are limitless.

Sincerely,
Nadia & Peter Giannopoulos
86 Dartmouth RD, Manhasset

--

Nadia Giannopoulos, MSED, SBL, SDL
Marie Pense Center

Executive Director
37 W 20th Street, Suite 909
New York, New York 10011
p. 212.362.7010
f. 212.362.7013
www.mpcny.org

CONFIDENTIALITY NOTE: This e-mail (including any attachments) is protected by the United States Electronic Communications Privacy Act, 18 U.S.C. §§2510-2521. See the Marie Pense Center's Legal Disclaimer at <http://www.mpcny.org/confidentiality.html>

Rachel Brinn

From: Kevin Ondrey <kondrey57@gmail.com>
Sent: Monday, September 27, 2021 10:29 AM
To: C & L Mailloux
Cc: Cannabis Task Force
Subject: [EXTERNAL]Re: TNH CTF letter

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Got it, thanks!

On Mon, Sep 27, 2021 at 9:37 AM C & L Mailloux <lionel12161@gmail.com> wrote:

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Manhasset, NY 11020

September 27, 2021

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Manhasset, N.Y.

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Lionel U. Mailloux, MD, FACP

Clinical Professor of Medicine [Emeritus] - Donald and Barbara Zucker School of Medicine at Hofstra/Northwell [ZSOM]

Manhasset, N.Y.

Rachel Brinn

From: Joey Yagoda <joseph.yagoda@gmail.com>
Sent: Monday, September 27, 2021 2:28 AM
To: Cannabis Task Force
Subject: [EXTERNAL]North Hempstead resident writing in support of cannabis sales

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

To the Cannabis Town Hall:

As a Town of North Hempstead resident, I write to encourage us to allow for cannabis permit sales.

Before getting into details on the benefits, I want to highlight that:

-Banning cannabis sales from our neighborhood will not ban cannabis from our neighborhood. Individuals can easily go into New York City or other local areas and buy cannabis there
-Banning cannabis sales will not ban psychoactive substances from our neighborhoods. Local gas stations and smoke shops already sell delta-8, a cannabis compound that has a similar effect

Now, there's several reasons why I support allowing cannabis stores in our area:

- 1. Tax revenue:** the 4% local excise tax is incredibly compelling. Our town would receive 75% of that tax (3% overall). This is an incredible amount of revenue that can fund local services - including health and education services for youth - without increasing our individual tax burdens. Not selling marijuana in our town won't prevent people in our town from buying marijuana - instead, they'll go to other localities and those localities will get tax revenue that could be ours.
- 2. Ensuring safety of marijuana supply:** Currently, delta-8, a cannabis compound, is legal and sold at stores in our neighborhood. However, these aren't regulated and don't have as much research as cannabis as a whole. Alternatively, individuals may be buying cannabis on the black market. Having marijuana stores in our town provides a place where we know the product is safe and regulated, meeting key safety standards
- 3. Potential health benefits:** Cannabis is known to have potential health benefits, including for pain reduction, nausea, and PTSD. While we already have a medical marijuana store in our neighborhood, accessing medical marijuana cards can be costly and time-consuming, with many individuals unable to access the help they need due to the many obstacles. Those in our neighborhood with relevant conditions deserve the chance to easily access this

For these reasons, I urge us to provide permits for cannabis sales in our area.

Thank you for your consideration. Please feel free to reach out if you have any questions.

Best,
Joseph Yagoda
22 Peter Lane
New Hyde Park, NY 11040

Joey Yagoda
516-851-3031
joseph.yagoda@gmail.com

Rachel Brinn

From: Judi Bosworth
Sent: Friday, September 10, 2021 3:22 PM
To: Bob Teetz; Cannabis Task Force
Cc: Mayor Devane
Subject: Re: Comment on Cannabis Options

Thank you for your comments. Your email will be shared with the members of the Task Force.

Sincerely,
Judi Bosworth

From: Bob Teetz <rdteetz@outlook.com>
Sent: Friday, September 10, 2021 2:19 PM
To: Cannabis Task Force <ctf@northhempsteadny.gov>
Cc: Judi Bosworth <bosworthj@northhempsteadny.gov>; Mayor Devane <mayor@vnhp.org>
Subject: [EXTERNAL]Comment on Cannabis Options

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Dear Task Force Members, thanks for the opportunity to formally comment on this critical issue.

Let me begin by asking each of you and your families a few simple questions:

- 1- did your first taste of alcohol occur when you were under age? Most likely. Age restrictions don't work.
- 2- is texting while driving legal? Yet how many times have you observed young people doing it? Kids believe they are invincible.
- 3- do teenagers from even the best of families take risks and do stupid things? Of course they do!

Now, if you delude yourselves into thinking that the sale of marijuana can be so firmly regulated that none of our children under 21 will be able to get their hands on it, then you are quite naive. Some always will. But why make it easy for the rest of them, who might not otherwise be tempted, by making it so readily and abundantly available in our town?

I strongly charge you to ban the sale of marijuana in North Hempstead. The mere presence of recreational marijuana retailers in North Hempstead will signal to our young people, your children, your grandchildren and mine, that using it is perfectly harmless. I've seen from personal experience through dear friends of mine in the '60s that it is not! I've seen them try it and then use it regularly. It rendered them more and more detached from school and work. They grew complacent and lacking in any motivation to excel academically and then they bounced from dead end job to dead end job because they were consumed by their desire to get that next high. Kids that were among the brightest in their early high school years dropped out or barely graduated and never attended college. Many of them went on to more potent illegal drugs and never recovered from the decades long haze.

Secondly, do you think that the current sellers of illegal pot will simply fold up their dealing business when it becomes legally available down the street? Of course not! They are not going to give up their profits without a fight. They will simply and aggressively target sales to kids under 21 and they'll push not just pot but hard addictive drugs that will keep their revenues robust. The fallout will be hooked loved ones, broken hearts, and death. Crime and gang violence will escalate.

So please, please, please reject the temptation for increased tax revenue. It comes with too heavy a price and you'll not be able to wash the blood from your hands or the guilt from your heart if even one kid OD's because he-she got their start on drugs in North Hempstead on your watch!

Robert D. Teetz
Retired
525 N. 12 St.
New Hyde Park, NY 11040
526 840-8441

Sent from my iPad

Rachel Brinn

From: Bob Teetz <rdteetz@outlook.com>
Sent: Friday, September 10, 2021 2:20 PM
To: Cannabis Task Force
Cc: Judi Bosworth; Mayor Devane
Subject: [EXTERNAL]Comment on Cannabis Options

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Robert D. Teetz
Retired
525 N. 12 St.
New Hyde Park, NY 11040
526 840-8441

Sent from my iPad

Rachel Brinn

From: Peter Gaffney <gaffneypeter1@gmail.com>
Sent: Friday, September 3, 2021 10:29 AM
To: Brandon Gimpelman
Cc: Cannabis Task Force; Hawa Bassett; Jeanine Dillon; Judi Bosworth; Rachel Brinn; Viviana Russell; Wayne Wink
Subject: Re: [EXTERNAL]Re: POT OPT OUT in North Hempstead

Thank you.

On Fri, Sep 3, 2021 at 9:09 AM Brandon Gimpelman <Gimpelmanb@northhempsteadny.gov> wrote:

Mr. Gaffney,

Your comments have been received and incorporated into the record. They will be shared with the taskforce. Thank you.

Brandon K Gimpelman

Assistant to the Town Clerk

Town of North Hempstead

200 Plandome Rd

Manhasset, NY 11030

(516) 869-7610

Office Hours:

Monday - Friday: 9AM – 5PM

From: Peter Gaffney <gaffneypeter1@gmail.com>

Sent: Thursday, September 2, 2021 11:35 AM

To: Cannabis Task Force <ctf@northhempsteadny.gov>; Wayne Wink <winkw@northhempsteadny.gov>
Cc: Hawa Bassett <bassetth@northhempsteadny.gov>; Jeanine Dillon <dillonj@northhempsteadny.gov>; Judi Bosworth <bosworthj@northhempsteadny.gov>; Viviana Russell <russellv@northhempsteadny.gov>
Subject: [EXTERNAL]Re: POT OPT OUT in North Hempstead

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Please confirm receipt of this and 2 other emails sent to the Cannabis Task Force.

Thank you,

Pete Gaffney

On Mon, Aug 23, 2021 at 1:52 PM Peter Gaffney <gaffnepeter1@gmail.com> wrote:

Dear Mr. Wink, Chair- Cannabis Task Force,

Please include my comments and attachment for opting out

North Hempstead opted out previously. I see no rational reason to change that decision.

Question everyone should be asking themselves: "Is a person's life and health worth the funds that would be generated?"

Please see attached below. It's includes previous comments that I submitted to the town board In 2018.

Thank you,

Pete Gaffney

--

Pete Gaffney
Email: gaffnepeter1@gmail.com
Phone: 516 320-5437

--

Pete Gaffney
Email: gaffneypeter1@gmail.com
Phone: 516 320-5437

"NOTICE: This e-mail and the attachments hereto, if any, may contain privileged and/or confidential information. It is intended only for use by the named addressee(s). If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution or copying of this e-mail and the attachments hereto, if any, is strictly prohibited. If you have received this transmission in error, please immediately notify the sender by telephone and permanently delete this e-mail and the attachments hereto, if any, and destroy any printout thereof".

--

Pete Gaffney
Email: gaffneypeter1@gmail.com
Phone: 516 320-5437

Rachel Brinn

From: Brandon Gimpelman
Sent: Friday, September 3, 2021 9:10 AM
To: Peter Gaffney; Cannabis Task Force; Wayne Wink
Cc: Hawa Bassett; Jeanine Dillon; Judi Bosworth; Viviana Russell; Rachel Brinn
Subject: RE: [EXTERNAL]Re: POT OPT OUT in North Hempstead

Mr. Gaffney,

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Assistant to the Town Clerk

Town of North Hempstead
200 Plandome Rd
Manhasset, NY 11030
(516) 869-7610
Office Hours:
Monday - Friday: 9AM – 5PM

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Sent: Thursday, September 2, 2021 11:35 AM
To: Cannabis Task Force <ctf@northhempsteadny.gov>; Wayne Wink <winkw@northhempsteadny.gov>
Cc: Hawa Bassett <bassetth@northhempsteadny.gov>; Jeanine Dillon <dillonj@northhempsteadny.gov>; Judi Bosworth <bosworthj@northhempsteadny.gov>; Viviana Russell <russellv@northhempsteadny.gov>
Subject: [EXTERNAL]Re: POT OPT OUT in North Hempstead

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Please confirm receipt of this and 2 other emails sent to the Cannabis Task Force.
Thank you,

Pete Gaffney

On Mon, Aug 23, 2021 at 1:52 PM Peter Gaffney <gaffnepeter1@gmail.com> wrote:

Dear Mr. Wink, Chair- Cannabis Task Force,

Please include my comments and attachment for opting out

North Hempstead opted out previously. I see no rational reason to change that decision.

Question everyone should be asking themselves: " Is a person's life and health worth the funds that would be generated?"

Please see attached below. It's includes previous comments that I submitted to the town board In 2018.

Thank you,

Pete Gaffney

--

Pete Gaffney

Email: gaffneypeter1@gmail.com

Phone: 516 320-5437

--

Pete Gaffney

Email: gaffneypeter1@gmail.com

Phone: 516 320-5437

Rachel Brinn

From: Peter Gaffney <gaffneypeter1@gmail.com>
Sent: Thursday, September 2, 2021 11:35 AM
To: Cannabis Task Force; Wayne Wink
Cc: Hawa Bassett; Jeanine Dillon; Judi Bosworth; Viviana Russell
Subject: [EXTERNAL]Re: POT OPT OUT in North Hempstead

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

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Pete Gaffney

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Pete Gaffney
Email: gaffneypeter1@gmail.com
Phone: 516 320-5437

--

Pete Gaffney
Email: gaffneypeter1@gmail.com
Phone: 516 320-5437

Rachel Brinn

From: Linda G Mail <lindatheoneclarke@gmail.com>
Sent: Saturday, August 28, 2021 12:07 PM
To: Cannabis Task Force
Cc: Dad Clarke
Subject: [EXTERNAL]Please Opt Out of Marijuana Sales in Manhasset/Plandome Zip Code 11030

[EXTERNAL EMAIL] This email came from an external source. DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

To Whom it May Concern,

Please opt out of Marijuana sales in my home area. I fear pedestrian deaths from stoned drivers. My family ranging from age 14-51 enjoys running, biking, and walking in our community. By allowing Marijuana sales in our neighborhood we risk giving up a form of exercise we enjoy. Please keep North Hempstead and Plandome free of Marijuana shops!

Thank you,
Linda Clarke
51 South Drive
Plandome, NY 11030

Sent from my iPhone

Rachel Brinn

From: Judi Bosworth
Sent: Friday, August 27, 2021 9:42 AM
To: Nina Gordon
Cc: Cannabis Task Force; Wayne Wink
Subject: Re: [EXTERNAL]Re: Cannabis sales in North Hempstead

Thanks Nina.

Sent from my iPad

On Aug 27, 2021, at 9:41 AM, Nina Gordon <ninagordon@gmail.com> wrote:

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

More valuable info to consider:

<https://www.marijuanamoment.net/top-federal-drug-official-admits-legalizers-were-right-about-teen-marijuana-use-and-touts-psychedelics-therapeutic-potential/>

On Tue, Aug 24, 2021 at 1:49 PM Nina Gordon <ninagordon@gmail.com> wrote:

Hi

Since I am unable to attend the Listening Session this evening, I am writing to express my thoughts. I have been a North Hempstead resident for 60 years, and I am a medical marijuana patient since 2017. I was disappointed in the town's response to the proposed medical cannabis dispensary location in Manhasset, and I am hoping that you will not allow the hysterical outcries of a vocal minority to impede progress in deciding whether or not to approve cannabis sales in the Town.

Cannabis has been around as long as alcohol, if not longer. It is a lot less harmful than alcohol, in my opinion. Whether or not you approve of its use, it is here to stay and it is now legal, and there is a tremendous amount of tax revenue that could be a huge benefit to the town. If you vote to ban recreational cannabis sales in North Hempstead, you will be depriving the town of a great deal of money, and forcing North Hempstead residents to go elsewhere to purchase cannabis.

The fact is... A LOT OF PEOPLE CONSUME CANNABIS. The stigma of the "pothead" is an old trope. There are doctors, lawyers, accountants, and all sorts of professional people who consume cannabis. Cannabis is a big growth industry in America in 2021, and if we do not face that fact, we will be losing out in more ways than one.

We are just over the border from Queens County, where cannabis sales will be legal. Do you really want to encourage all the TONH residents to go spend their money in Queens? Let's be open minded and embrace the future, and let's use common sense. Just as we don't allow liquor stores near schools, don't allow dispensaries near schools. Require ID for purchase. All the things we do to monitor liquor sales can be implemented for cannabis... but let's not pass up a golden opportunity for North Hempstead.

Thank you for listening.

Nina K. Gordon

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Nina

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Nina

Rachel Brinn

From: Nina Gordon <ninagordon@gmail.com>
Sent: Friday, August 27, 2021 9:40 AM
To: Cannabis Task Force
Cc: Judi Bosworth; Wayne Wink
Subject: [EXTERNAL]Re: Cannabis sales in North Hempstead

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

More valuable info to consider:

<https://www.marijuanamoment.net/top-federal-drug-official-admits-legalizers-were-right-about-teen-marijuana-use-and-touts-psychedelics-therapeutic-potential/>

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Nina K. Gordon

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Nina

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Nina

Rachel Brinn

From: Nina Gordon <ninagordon@gmail.com>
Sent: Tuesday, August 24, 2021 1:49 PM
To: Cannabis Task Force
Cc: Judi Bosworth; Wayne Wink
Subject: [EXTERNAL]Cannabis sales in North Hempstead

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

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Since I am unable to attend the Listening Session this evening, I am writing to express my thoughts. I have been a North Hempstead resident for 60 years, and I am a medical marijuana patient since 2017. I was disappointed in the town's response to the proposed medical cannabis dispensary location in Manhasset, and I am hoping that you will not allow the hysterical outcries of a vocal minority to impede progress in deciding whether or not to approve cannabis sales in the Town.

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Thank you for listening.

Nina K. Gordon

--

Nina

Rachel Brinn

From: Peter Gaffney <gaffneypeter1@gmail.com>
Sent: Monday, August 23, 2021 1:59 PM
To: Cannabis Task Force; Wayne Wink
Cc: Hawa Bassett; Jeanine Dillon; Judi Bosworth; Viviana Russell
Subject: [EXTERNAL]Re: Chronic pot use may have serious effects

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Resending. Sorry email kicked back to me.

On Mon, Aug 23, 2021 at 1:52 PM Peter Gaffney <gaffneypeter1@gmail.com> wrote:

Dear Mr. Wink, Chair- Cannabis Task Force,

Very alarming article about chronic pot use. It was posted on NBC News.com in November of 2018. Please share with Task Force. Link is below.

No scientific information has disputed its findings.

North Hempstead previously voted NO and opted OUT. Town should continue to do so now.

Until there is a usable test to evaluate an impaired driver, I do not see any benefit now except for the money.

Is a person's life and health worth the funds that would be generated?

Opt out!

<https://www.nbcnews.com/health/mental-health/chronic-pot-use-may-have-serious-effects-brain-experts-say-n924441>

Sincerely,

Pete Gaffney

--

Pete Gaffney

Email: gaffneypeter1@gmail.com

Phone: 516 320-5437

--

Pete Gaffney

Email: gaffneypeter1@gmail.com

Phone: 516 320-5437

Rachel Brinn

From: Peter Gaffney <gaffneypeter1@gmail.com>
Sent: Monday, August 23, 2021 1:53 PM
To: Cannabis Task Force; Wayne Wink
Cc: Hawa Bassett; Jeanine Dillon; Judi Bosworth; Viviana Russell
Subject: [EXTERNAL]NJ Pot smell

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Dear Mr. Wink, Chair- Cannabis Task Force,

Interesting article to consider with your Task Force. Please see link below.

<https://longisland.news12.com/smell-from-new-jersey-marijuana-facility-at-former-walmart-building-driving-neighbors-crazy>
Thanks,

Pete Gaffney

--

Pete Gaffney

Email: gaffneypeter1@gmail.com

Phone: 516 320-5437

Rachel Brinn

From: Peter Gaffney <gaffnepeter1@gmail.com>
Sent: Monday, August 23, 2021 1:52 PM
To: Cannabis Task Force; Wayne Wink
Cc: Hawa Bassett; Jeanine Dillon; Judi Bosworth; Viviana Russell
Subject: [EXTERNAL]POT OPT OUT in North Hempstead
Attachments: POT OPT OUT in NH.docx

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Dear Mr. Wink, Chair- Cannabis Task Force,

Please include my comments and attachment for opting out

North Hempstead opted out previously. I see no rational reason to change that decision.

Question everyone should be asking themselves: " Is a person's life and health worth the funds that would be generated?

Please see attached below. It's includes previous comments that I submitted to the town board In 2018.

Thank you,

Pete Gaffney

--

Pete Gaffney
Email: gaffnepeter1@gmail.com
Phone: 516 320-5437

Let's be clear... This not about medical marijuana. This is about recreational pot.

Medical marijuana which by federal law cannot be covered by insurance. It's more expensive because of testing, development in processing. It's typically tailored to address a patient specific set of symptoms. The adult use of recreational market can grow tons of marijuana and put it on the market cheaper than medical programs. That doesn't make the best product for those who are using it for medicinal purposes. Pharmaceutical grade marijuana is grown, processed and created to deal with specific conditions. New York's medical program does not allow patients to smoke the drug they must've just by vaping, or using oil pills or edibles. It's not the same, as just smoking a joint.

Most states that have legalized marijuana has virtually destroyed the medical marijuana business.

In HealthDay News article Dec. 18, 2018. Researchers compared pot of the 1990s, to today's marijuana. It contains significantly higher levels of THC, the chemical compound that causes intoxication.

Legalized marijuana has essentially the same issues as smoking. American heart Association, American Cancer Society, American lung Association have grave concerns against legalized marijuana. Researchers estimate that 10% to 15% of the population have addictive tendencies. However, much more testing is needed.

Another problem is federal government classifies it as a schedule one drug. Schedule one drugs, substances or chemicals are defined as drugs with no currently excepted medical use and have a high potential for abuse.

Because of this banks and credit card companies are not permitting these businesses to open up accounts with them. It's forcing these legalize marijuana facilities to go to a cash business. Which creates other issues - safety, robberies and such.

Where are they going to smoke it? Home, car? That leads to another industry-vaping rooms or warehouses.

When NYS legalizes marijuana for people over 21, kids will think if it's legal, it must be okay. Marketers are going to have a field day, promoting weed chocolate bars, gummi bears, and marijuana laced candies etc., to our children. Just look at e-cigarette companies (Juil & others) and how they target children.

The biggest problem is youths who use marijuana regularly. They are more likely to have difficulty learning, memory issues, and lower math and reading scores. A young persons brain is not done developing until the age of 25. Which means that using marijuana a young age can get in the way of reaching their full potential. The part of the brain that is responsible for making decisions is also affected when under the influence of marijuana that can be harder for them to think clearly and avoid dangerous situations, like staying out of the car is being driven by someone who was stoned or drunk. They can get kicked off the team, or club, or other activities that can also get in trouble with the law - minor in possession (MIP)charge. It can mean less money for college.

Let's be clear... Legalized marijuana is all about the Benjamin's. Potentially, it's an industry worth billion's. That's with an S business.

New York State wants that revenue, but at what cost to us in North Hempstead and Nassau County?

There is NO current field test to easy to evaluate an impaired driver-young or old.

For a couple of dollars, North Hempstead and Nassau County does not need this expense. Ultimately this decision could cost our kids and grandkids their future. Please opt out.

Sincerely,

Pete Gaffney
215 Harvard Street
Westbury, NY 11590

Rachel Brinn

From: Marc Wiener <marcw54@gmail.com>
Sent: Sunday, August 22, 2021 3:28 PM
To: Cannabis Task Force
Subject: [EXTERNAL]Cannabis task force

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

If Marijuana sales and consumption sites are to be banned, will liquor stores, bars and restaurants that serve and sell liquor also be banned?

Marc Wiener
Great Neck Plaza

Rachel Brinn

From: GAIL NEUFELD <gaili@aol.com>
Sent: Saturday, August 21, 2021 2:59 PM
To: Cannabis Task Force
Subject: [EXTERNAL]Recreational Cannabis

[EXTERNAL EMAIL] This email came from an external source. DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

I wholly support the purchase and use of Cannabis in our towns and villages. Please vote to approve. thank you.

Gail J Neufeld

Rachel Brinn

From: Mike Skupp <mikes@skupp.com>
Sent: Friday, August 20, 2021 4:43 PM
To: Cannabis Task Force
Subject: [EXTERNAL]Marijuana sales

[EXTERNAL EMAIL] This email came from an external source. DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

I am opposed to Marijuana sales in North Hempstead especially in residential neighborhoods and near schools. This attracts criminal behavior into the neighborhood. Please do not pass allowing sale.

Michael Skupp
60 Netz Place
Albertson, NY 11507

CONFIDENTIALITY NOTICE: This electronic message is intended to be viewed only by the individual or entity to whom it is addressed. It may contain information that is privileged, confidential and exempt from disclosure under applicable law. Any dissemination, distribution or copying of this communication is strictly prohibited without our prior permission. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, or if you have received this communication in error, please notify us immediately by return e-mail and delete the original message and any copies of it from your computer system.

Rachel Brinn

From: David Abrams <cheapyd@gmail.com>
Sent: Friday, August 20, 2021 8:55 AM
To: Cannabis Task Force
Subject: [EXTERNAL]Question/comments for Listening session

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

1) I would like to hear from each of the task force members about their personal experiences purchasing legal adult-use or medical cannabis in NY or other states.

If a task force member has no experience, what are they doing to educate themselves?

2) What do they see are the major differences between having liquor stores and marijuana dispensaries in town?

Thanks,
David Abrams
Port Washington

Rachel Brinn

From: xindy333 <xindy333@gmail.com>
Sent: Thursday, August 19, 2021 11:44 PM
To: Cannabis Task Force
Subject: [EXTERNAL]FW: Opt out for marijuana sales

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

See email below. Thanks.

----- Original message -----

From: xindy333 <xindy333@gmail.com>
Date: 8/18/21 10:03 PM (GMT-05:00)
To: CTF@northhempstead.gov
Subject: Opt out for marijuana sales

Hi..i lived in north hempstead and i heard you were looking for input on whether NH should opt in or out of marijuana sales.

I would like to vote NO to marijuana sales in North Hempstead. This is a family neighborhood so we do not need these types of products in our town. They can easily get it in nyc if need to but we dont need to support sales of these unhealthy products in our neighborhood. Thank you for listening.

Sincerely,
Cindy

Sent from my T-Mobile 4G LTE Device

Rachel Brinn

From: Kusalakumary Raveendran <kusalaraveendran@gmail.com>
Sent: Wednesday, August 18, 2021 5:05 PM
To: Cannabis Task Force
Subject: [EXTERNAL]Marijuana sales in TOH

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Hello,
I would like to sent my opinion in writing. I completely disagree with the sales and my answer is NO. We would like to have a peaceful life and this decision definitely affect our community. I hope that majority will answer NO to this question.
Thank you
Kusala Raveendran
New Hyde Park

Rachel Brinn

From: 11040Sally Hopkins <gshopkins@hotmail.com>
Sent: Wednesday, August 18, 2021 4:03 PM
To: Cannabis Task Force
Subject: [EXTERNAL]please opt out of recreational cannabis sales

[EXTERNAL EMAIL] This email came from an external source. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Hi

I have been a resident of Nassau County for over 25 years and as you are aware we pay extremely high taxes. I am urging you to opt out of the recreational sale of cannabis. It is already so disturbing that you smell it in passing cars, on the beach and outdoors at restaurants. I can't even imagine how much worse it will get if it is legalized. It isn't fair to the people who don't want to smell it! In addition, you say it will be legal only for adults; however, you know as well as I do that it will become more readily available to minors. Their older siblings, cousins, friends will just provide it for them and it does affect their brain cells. You can see adults who have smoked cannabis for years and they have diminished brain capacity. Our young adults will all be stoners by the time they are 30. It isn't right and should not be legal. It sends the wrong message. Instead of making it legal because too many get arrested for it - you should punish people who break the law. You don't change the law because they don't comply.

Then there is also the problem of driving while under the influence. The roads will be much more dangerous. I am begging you to please put this crazy insane notion to rest and protect your residents. I want my daughter to be safe on the roads, I'd like to be able to walk down the street without wanting to vomit from inconsiderate people who smoke that stuff. And I would think we would want to protect our children and their brain development.

As a resident of this county and a tax payer I am begging you to opt out of the sale of cannabis and instead please enforce the laws and prosecute those who break it!

Thank you for your time,

Sally Hopkins]

35 Dennis Street
Garden City Park, NY 11040

Rachel Brinn

From: William Delgado <wdelgado.fpcfc@gmail.com>
Sent: Tuesday, August 17, 2021 11:47 PM
To: Cannabis Task Force
Subject: [EXTERNAL]Approving marijuana sales points.

[EXTERNAL EMAIL] This email came from an external source. DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good day,

Since NYC seems to be going full stream into cannabis sales, this puts the Town of North Hempstead into a difficult position. Many North Hempstead communities, such as mine -Floral Park Centre, border NYC and in my speculation will result in a sales point near my neighborhood - Thus we need to examine this issue.

My fear is that this will draw in a clientele that is undesirable. Currently the NYC/NC border has become a field of criminal activity (burglaries, petit larcenies from autos, even robberies). I feel that opening sales points near the border will invite potential criminals and increase crimes of opportunities and degrade the quality of life for TONH residents.

If the TONH does not opt into the sale of cannabis shops, I'm sure they will open right on the NYC/NC border. However, near my neighborhood, there are several religious institutions near the border, and if ABC type laws will apply (1000' rule) it would be difficult to open a sales point.

My vote is that, and please exclude the potential monetary benefit of marijuana sales, the TONH vote NO and if NC persons who want to purchase this product can simply and quickly go into NYC to make their purchase thus eliminating the potential influx of criminal elements.

Thank you for your time.
Bill Delgado

North Hempstead Cannabis Task Force

Public Listening Session Presentation

August 24, 2021

By: Jeffrey Schultz, Esq.

Zooming Out: Where are we as a nation on cannabis policy?

- 37 have legalized medical cannabis.
- 19 states and Washington DC have legalized adult-use cannabis.
- The Cannabis Administration and Opportunity Act (“CAOA”) (a bill sponsored by Senators Schumer, Booker and Wyden) was recently introduced and would remove cannabis from the Controlled Substances Act entirely. It would decriminalize and regulate the cannabis industry at the Federal level.
- The Marijuana Regulation and Taxation Act (“MRTA”) was passed on March 31, 2021 in New York. The MRTA decriminalizes and regulates the cultivation, processing, distribution, sale and possession of cannabis for adult-use purposes.

What Is the MRTA?

- Marijuana Regulation and Taxation Act (the “MRTA”) was passed on **March 30, 2021**
- Removes marijuana and marijuana products from **NY Controlled Substances Act** and allows for the regulation of marijuana from the supervision of the Liquor Authority in NY State.
- State is going to award licenses that allow for growth, processing, distribution and sale of adult-use cannabis.
- **Social and Economic Equity Applicants** (definition): from a community disproportionately impacted by enforcement of prohibition, minority-owned business, woman-owned business, disadvantaged farmer, service-disabled veteran

MRTA GOALS AND OBJECTIVES

- Prioritizes social and economic equity applicants
- Advances social and restorative justice
- Seeks to achieve goal of 50% of licenses awarded to social and economic equity applicants
 - individuals from communities disproportionately impacted by the enforcement of cannabis prohibition
 - minority-owned businesses
 - women-owned businesses
 - minority and women-owned businesses
 - distressed farmers
 - service-disabled veterans
 - §87(2)
- Considers small business opportunities and concerns
- Avoids market dominance
- Promote diversity in commerce, ownership and employment
- *Rectify injustices and deficits in current medical program (implied)*

TIMELINE

- MRTA – Signed into Law – March 30, 2021
- Appointments to CCB – September-October 2021(?)
 - Delays in appointment – rumors of a special session for the Senate to approve CCB Director appointments
- Regulations released in October 2021(?)
 - 1st Comment period – 60 days after regulations filed with the Secretary of State and published in the State Register
 - If substantial changes or edit based on 1st comment period...
 - 2nd Comment period- 45 days for revised rule-making following publication of edited rules
 - Comment period governed by SAPA Section 202(1)(a)(ii) because not specified in statute
- RFP/RFA released: Q1-Q3 2022 (?)
- Doors Open = Q3 2022 (?)

License Types – Adult-Use

- **Cultivator** (Article 4 § 68): Authorizes the acquisition, possession, distribution, cultivation, and sale of cannabis **to processors** (*not to distributors*).
- **Processor** (Article 4 § 69): Authorizes processing and sale of cannabis from the licensed premises of the [*adult-use cultivator to duly licensed processors or distributors*].
- **Distributor** (Article 4 § 71): Authorizes distribution and sale of cannabis from cultivator, processor, cooperative, microbusiness, or RO to retail dispensaries, [delivery] and on-site consumption sites.
- **Retail Dispensary** (Article 4 § 72): Authorizes sale and delivery of cannabis.
- **Microbusiness** (Article 4 § 73): Authorizes the limited cultivation, processing, distribution, delivery, dispensing of own adult-use cannabis products.
- **Delivery** (Article 4 § 74): Authorizes the delivery of cannabis and cannabis products.
- **Nursery** (Article 4 § 75): Authorize the production, sale, and distribution of clones, immature plants, seeds, and other agricultural products for planting, propagation, and cultivation of cannabis by licensed adult-use cultivators.
- **On-Site Consumption [Lounge]** (Article 4 § 77): Applicant must be the owner or possession of said premises under a lease in writing but shall not apply to premises leased to government agencies.
- **Cooperative** (Article 4 § 70): Authorizes cultivation, processing, distribution, and sale to distributors, consumption lounges, RO's, and/or retail dispensaries-- but not directly to consumers.

Location & Opt-Out

- Municipality Opt-Out: **Applies only to Retail and On-Site Consumption**. There is no opt-out for other license types.
- Local Law: Town, City or Village must adopt a local law requesting the CCB to prohibit dispensaries or consumption lounges in such jurisdiction
 - Town law does not apply to any incorporated village within the town
 - Village has authority to make an independent decision
- Notice; Cooperation: Applicant must inform municipality at least 30 days, but no more than 270 days, in advance of applying (§76)

Zoning: Time, Place, Manner

- Municipal Zoning - §131 – Municipalities can regulate time, place, and manner of dispensaries and consumption lounges, provided law doesn't make "unreasonably impracticable"
 - Definition of "**unreasonably impracticable**" in 2017 version of MRTA -- measures necessary to comply with the Regulation require such a high investment of risk, money, time... that the operation of a marijuana establishment is not worthy of being carried out by a reasonably prudent businessperson.
 - Municipalities can specify distance of dispensaries/lounges from (i) residentially zoned areas where families and children congregate and from (ii) each other to mitigate impact of concentration (familiar principle from 1st amendment law
 - NYC DCP concluded adult-use establishment had "negative secondary impacts" and barred them from residential zones and mixed-use zones; confined to manufacturing and high-density commercial districts
 - Stringfellow v. City of New York, 91 N.Y.2d 382 (1998) (municipalities can constitutionally bar adult establishments from specified distance of residentially zoned areas where families and children congregate) (zoning ordinances also can prohibit adult business from operating within a specified distance of another to avoid the undesirable impact from clustering).
 - See also Keane & Beane website¹

¹<https://www.kblaw.com/2021/04/13/new-york-adult-use-cannabis-legislation-local-controls-for-local-governments/>

Sensitive Use

- “Sensitive Use Restrictions”
 - 500 ft. from school
 - 200 ft. from House of Worship (Church, Synagogue, etc.)
- Additional distance requirements/concentration limits (Los Angeles dispensaries)
- Public Park, Public Libraries, Day Care, Supportive Housing, Drug/Alcohol Treatment Centers???
 - Distance from Other Retail Dispensaries?
 - Concentration per neighborhood
- Consumption Lounge Restrictions -- §77(1)
 - Concentration of Other Cannabis License §77(5)(b)
 - Board can consider public convenience/public advantage; and
 - Board must consider community "public interest"
- Federal law – increases sentences if offense within 1,000 ft of school, public housing, playground.

The term "Sensitive Use" borrows parlance of LA municipal ordinance.

Common Opt-Out Arguments: Housing Prices: Up or Down?

Impact on Home Prices: “*Our homes will lose value*” ...

- Per a CATO Institute study*, homes close to retail dispensaries (within 0.1 miles) **increased** in value approximately **8.4%** compared to those further away.
- On average, in states where recreational cannabis is legal, cities with retail dispensaries saw home values **increase** \$22,888 more than cities where cannabis is illegal from 2014 to 2019.**
- Case Study: Redding, CA: saw an **initial increase** after legalization by 3.75% from November of 2015 to 2016, and then **another 7.35% increase** after the first sales took place between 2016 and 2017.***

* CATO Institute: *External Effects of Retail Marijuana on House Prices*: <https://www.cato.org/sites/cato.org/files/pubs/pdf/research-brief-122.pdf> (July 18, 2018).

** <https://listwithclever.com/research/marijuana-housing-market-study/> (August 3, 2021).

*** <https://www.cannabisbusinessexecutive.com/2020/12/legal-cannabis-affects-property-values/> (December 7, 2020).

Common Opt-Out Arguments: Increased Access/Usage Among Teens?

“We don’t want to make it easier for our kids to purchase and consume cannabis”...

- Dispensaries require the presentation of a valid ID (21+) to enter premises. Liquor stores only require ID at the point of sale. Studies show that dispensaries have been extremely strict about underage customers.* (*Drug dealers don’t ask for ID!*)
- Researchers at Colorado State University-Pueblo investigated whether reported student cannabis use has increased. Comparing cross-sectional data from CO high-schoolers in 2013, before commercial legalization went into effect, and subsequent data from 2015. Conclusion: **“The passage of adult use cannabis laws is not associated with any causal upticks in youth marijuana use in those jurisdictions that have enacted them”**.**
- “Laws that legalized recreational marijuana were associated with an 8% **drop** in the number of high schoolers who said they used marijuana in the last 30 days and 9% **drop** in the number who said they’d used at least 10 times in the last 30 days.”***
- No evidence that the prevalence of cannabis dispensaries is positively associated with increases in teen use.****
- **“Certainly the worst things that we had great fear about** (the legalization of marijuana for adults in Colorado) – spikes in consumption, kids, people driving while high – **we haven’t seen any of that**. We saw a little increase in teenagers and that came down within a couple years. ... We were very worried that by legalizing, we were making this more somehow more psychologically available to kids. We haven’t seen that. If anything, we’ve seen less drug dealers.” – *Colorado Governor John Hickenlooper, April 9, 2018*

* <https://norml.org/marijuana/fact-sheets/societal-impacts-of-cannabis-dispensaries-retailers/>

** https://townofbarnstable.us/boardscommittees/PlanningBoard/Additional_Materials/Societal-Impacts-of-Cannabis-Dispensaries-Retailers.pdf

*** <https://www.cnn.com/2019/07/08/health/recreational-marijuana-laws-teens-study/index.html>

**** <https://norml.org/marijuana/fact-sheets/societal-impacts-of-cannabis-dispensaries-retailers/>

Common Opt-Out Arguments: Increase in Crime?

“We don’t want increased criminal activity in our town...”

- “[W]e find no support for the idea that closing dispensaries reduces crime....An open dispensary provides over \$30,000 per year in social benefit in terms of larcenies prevented.”*
- Licensed dispensaries are **replacing drug dealers** in states that have legalized, reducing crime rates (and making it harder for teenagers to obtain cannabis).**
- “Contrary to popular wisdom, we find an immediate increase in crime around dispensaries ordered to close relative to those allowed to remain open”.*

* *Going to pot? The impact of dispensary closures on crime*, Chang and Jacobson, <https://www.sciencedirect.com/science/article/abs/pii/S0094119017300281> (July 2017).

** <https://www.barrons.com/articles/marijuana-dispensaries-drug-dealers-legalization-51562724565>

Common Opt-Out Arguments: Traffic Safety – A Mixed Bag

“We want to keep our roads safe”...“It’s extremely difficult to determine whether an operator is impaired”...

- Cognitive Studies: Alcohol at 0.75 g/kg (slightly less than 4 standard drinks) causes high levels of impairment in psychomotor performance and medium-to-high levels of impairment in such tasks as critical flicker fusion and short-term memory. However, **most cannabis-intoxicated drivers show only modest impairments on actual road tests.***
- Some reviewers have concluded that there is **no evidence that cannabis alone increases the risk of culpability for crashes, and may actually reduce risk.***
- “Three years after recreational marijuana legalization, changes in motor **vehicle crash fatality rates** for Washington and Colorado **were not statistically different** from those in similar states without recreational marijuana legalization. Future studies over a longer time remain warranted.”**
- **Injury and fatal crash rates jumped 6% and 4% respectively** in California, Colorado, Nevada, Oregon, and Washington from findings released from the Insurance Institute for Highway Safety***
- Insurance Institute for Highway Safety (IIHS) found that the number of injury and fatal crashes in California, Colorado, Nevada, Oregon, and Washington **rose considerably in the months following the relaxation of marijuana laws.** In those states combined, there was a **6% increase in injury crashes and a 4% increase in fatal crash rates** compared to other Western states where recreational marijuana use was illegal during the study period.****

* *THE EFFECT OF CANNABIS COMPARED WITH ALCOHOL ON DRIVING*, Sewell, Poling and Sofuoglu, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2722956/> (February 18, 2010).

** *Crash Fatality Rates After Recreational Marijuana Legalization in Washington and Colorado*, Various, <https://ajph.aphapublications.org/doi/abs/10.2105/AJPH.2017.303848> (April 11, 2017).

*** <https://www.forbes.com/sites/tanyamohn/2021/06/21/crash-rates-spike-after-recreational-marijuana-is-legalized-new-studies-show/?sh=67323d5339c7> (June 21, 2021)

**** <https://www.newsweek.com/iihs-car-accident-rates-rise-states-after-marijuana-sales-are-legalized-1601285> (June 17, 2021)

Tax Implications of Opting Out

- The MRTA establishes a 4 percent (**4%**) **local tax on retail sales**.
 - **Three percent (3%)** allocated to the Town (North Hempstead)
 - **One percent (1%)** to the County (Nassau)
- Projected Adult-Use Sales: At scale, the State and industry experts *expect* annual sales of **\$4-\$6 billion**.
- While we do not know how many retail licenses will be awarded, we anticipate **~750 retail licenses will be awarded**.
- *Assume* an attrition rate (how many license winners will never become operational) of ten percent (10%), which leaves **675 dispensaries**.
- *Assume* each dispensary evenly splits the overall state revenue, each store would generate **\$5.926m in annual sales** within a \$4b market, **3% of which is \$177,780 (per store)**.
- Conclusion:
 - If the Town of North Hempstead hosts just five (5) adult-use dispensaries, it should expect to generate **~\$889,000 in cannabis retail tax revenue (\$5.96m rev/store x 5 stores x 0.03 tax rate)**
 - Viewed differently, if North Hempstead dispensaries capture **1% of overall NY state retail sales of \$4b**, North Hempstead stands to collect **\$1,200,000 in tax revenue (\$40m revenues x 0.03 tax rate)**

(Note: this data is based on a various good-faith assumptions. The actual numbers could be materially higher or lower than presented herein, including but not limited to overall success of the NY state marketplace, success of local dispensaries, number of local dispensaries, etc).

Yesterday's "Head Shop"



TODAY'S DISPENSARIES

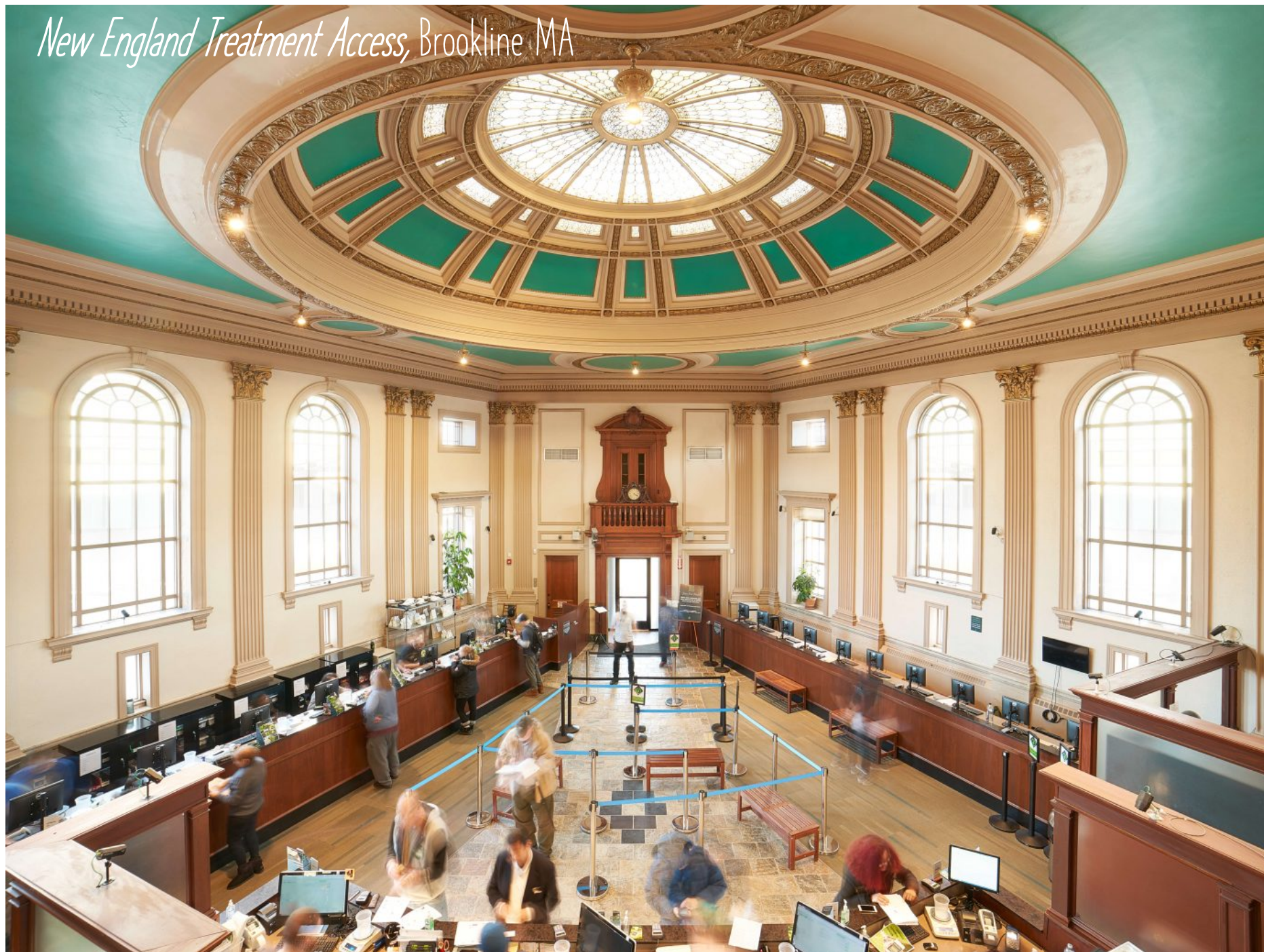


Farma, Portland OR



Good Chemistry, Aurora CO

New England Treatment Access, Brookline MA





The Marijuana Regulation and Taxation Act

Sarah Brancatella, *Counsel & Legislative Director*

MRT Overall

Legalizes adult use recreational cannabis

Creates entire new area of law – Cannabis Law – regulating

- **Adult Use Cannabis**
- Medical Cannabis
- Hemp / Cannabinoid Hemp (aka CBD)

Significant changes to the Penal Code

Significant changes to Tax Law

Changes to Public Health Law

State Structure

Cannabis Control Board (CCB)

- grant/revoke/limit licenses, draft regulations

Office of Cannabis Management (OCM)

- Basic function is to assist CCB, review applications, make recommendations to the CCB on license applications, maintain records and perform inspections

State Equity Officer

- Help CCB and OCM develop and implement social equity plan

State Cannabis Advisory Board

- Advise and issue recommendations on medical, adult use, and hemp; administer community grants

Adult Use Cannabis –Cannabis Law

Article 3

Multiple different types of adult use licenses

- Cultivator
- Processor
- Distributor
- **Retail dispensary (pot store)**
- Delivery
- Nursery
- **On-site consumption (pot bar)**
- And more!



On site consumption and retail sales

- Can only be sold to 21 and older
- Cannot sell to anyone visibly intoxicated or impaired
- May refuse to sell if belief cannabis will be distributed illegally



Retail Dispensary & On Site Consumption – Local Opt Out

- Town/village can adopt a local law (town law only applicable outside village) opting out of retail dispensaries and/or on-site consumption sites
- Must be adopted before 12/31/21
- Subject to a permissive referendum under Municipal Home Rule Law § 24 (CL § 131 [1])
 - Means that before law goes into effect, residents have an opportunity to submit a valid petition forcing a public vote on the issue
 - Village board does not have to wait for a petition and the board can decide to put the issue in front of the voters
 - Town must wait until a valid petition is filed
 - No petition or action from the Village board = no referendum

Retail Dispensary & On Site Consumption

What can the town/village with retail establishments and on-site consumption do if it does not opt out?

- adopt local laws placing time/place/manner restrictions dispensaries and on-site consumption
 - State rule - cannot be within 500 feet of school or 200 feet house of worship (CL §§ 76[6]; 77[3])
 - Local zoning laws would apply
- Local law can't make operation “unreasonably impracticable”
- Towns and villages are preempted from regulating any other type of license / establishment



Retail Dispensary & On Site Consumption

Notice to municipalities (CL § 76)

- Between 270 and 30 days before applying for a license, retail or on-site applicant must notify municipality of intention to file application
- Goes to town/village clerk (or village if in village)
- Done via certified mail, overnight delivery, or personal delivery
- Muni has the option to submit an opinion for or against a license
- Opinion becomes part of the official application record
- Board must respond to muni with explanation of how opinion was considered in granting or denying application



Personal Cultivation and Possession

- 21 and older can have 3oz of cannabis or up to 24g concentrated cannabis on person (Penal Law § 222.05)
- Individual can grow 3 mature plants and 3 immature plants
- Cannot have more than 12 plants per property
- Take reasonable steps to ensure under 21 does not have access (Penal Law § 222.15)



Personal Cultivation

- Town can enact laws to “reasonably regulate the actions and conduct of [personal cultivation]”
- Violation of local law cannot exceed \$200 civil penalty
- Cannot prohibit personal cultivation
- Home growth not authorized until 18 months after the opening of the first adult-use dispensaries
- OCM will also issue regulations on personal cultivation (Penal Law § 222.15[7])



Taxing Cannabis

- In addition to licensing fees etc. new series of taxes imposed
- Some taxes based on total amount of THC in a product that a distributor sells to a retail establishment (see e.g. Tax Law § 493[a][1])
- Towns & villages may receive portion of the 4% tax imposed on sales from retail dispensaries to consumer (Tax Law § 493 [c])



Taxing Cannabis

- Tax and Finance collects tax, distributes to comptroller, comptroller distributes to counties, counties distribute to towns/cities/villages (Tax Law § 496-b[b][2])
- 25% of funds stay with county; 75% remaining distributed to towns, cities, and villages in proportion to sales from retail dispensaries with jurisdiction

Taxing Cannabis

- If a town and village both allow retail sales within jurisdiction and the dispensary is in the village then the money will be distributed in accordance with an agreement between the town and village
- Default is 50/50 split if no agreement
- County must distribute money quarterly no later than 30 days after getting it from Comptroller

Tax Law § 496-b[b][2]



Where can you smoke?

- Can prohibit smoking cannabis where smoking is prohibited (CL § 2)
- Smoking allowed in accordance with Public Health Law Article 13-e
- Town/village can place more restrictive smoking requirements on municipally owned or controlled property (like parks)

Policing and Labor Issues

- Can no longer use smell of cannabis as basis for reasonable suspicion (unless suspected of driving while impaired)
- Employers barred from discriminating against cannabis users
 - Can be fired or disciplined for working while impaired
 - Still subject to federal requirements (e.g. CDL licenses)



Social Equity Programs

- Social equity program will be put together by Social Equity Officer / CCB / OCM
- Prioritize applications from applicants from communities disproportionately impacted by cannabis enforcement, women, minorities, distressed farmers etc. (CL § 87)
- After money taken out to run cannabis program 40% of remaining money goes to state lottery program for grants for school districts
- 20% to drug treatment and public education fund
- 40% to community grants reinvestment fund

State Finance Law § 99-kk



Questions?

