

**HORICON TOWN BOARD  
SPECIAL MEETING**

**DECEMBER 21, 2021  
6:00 PM**

Present at meeting:	Sylvia Smith	Supervisor
	Michael Geraci	Councilperson
	Peter Palmer	Councilperson
	Robert Olson	Councilperson
Krista Wood	Town Clerk	
Absent:	Frank Hill	Councilperson

Also: Poul Carstensen, Roger Daby, Rich Blum, Bob Smith, and Matt Simpson.

Supervisor Smith opened the meeting at 6:00 pm and welcomed guests. Supervisor Smith took a moment to recognize Fred Monroe, former Chestertown Supervisor, who passed away recently.

***Public Hearing:***

Supervisor Smith opened the Public Hearing at 6:00 pm for proposed Local Law #2 of 2021 opting out of licensure and establishment of cannabis dispensaries and/or cannabis on-site consumption establishments within the Town of Horicon.

-Councilperson Geraci explained the new cannabis law regarding dispensaries and on-site consumption establishments and how it affects the community. He said the discussion here is whether the Town wants to opt out of allowing cannabis dispensaries and whether or not the Town wants to opt out of cannabis on-site consumption establishments. Supervisor Smith added that if the Town opts out now they have the option to opt in later on, however, if the Town opts in now they will not have the option to opt out later on.

-Poul Carstensen asked how the process would work if the Town wanted to opt back in at a later date. Councilperson Geraci said the public can sign a petition, for which there is a certain number of signatures required, requesting the Town opt in at which point it would have to go to a referendum.

-Rich Blum asked if it was really worthwhile to have the dispensaries in the Town. Councilperson Geraci said one benefit would be the possible revenue. He said so far no one has expressed an interest in opening one of these businesses. He further explained that if someone wanted to do this, the revenue to the Town would be 3% of the total sales made by the business. He said that in large urban areas the revenue generated would be much greater than in Horicon. Councilperson Geraci noted that many communities in the County have chosen to opt out.

-Roger Daby said he feels it does not matter with respect to the cannabis users. He feels the only person the opt out would hurt would be the small business owner that wants to open a dispensary or on-site consumption establishment. This opt-out would eliminate that opportunity for them.

-Matt Simpson said the licenses to operate these establishments are going to be very expensive, in the tens of thousands, so it will make it hard for a small business to obtain the licenses. He does not see this impacting the businesses in Horicon due to the investment.

-Poul Carstensen asked if a business owner would be allowed to add on to their existing business or if it would have to be a stand-alone business. Matt Simpson said the regulations are still being written right now. Mr. Carstensen asked if the Town could opt in at any point in time or is there a certain amount of time the Town would have to wait. Councilperson Olson said he believes the Town can opt in at any time as this is a Local Law.

There being no further comments, Motion was made by Councilperson Olson, seconded by Councilperson Geraci, to close the Public Hearing. Public Hearing was closed at 6:13 PM.

**RESOLUTION #178-2021**

Councilperson Palmer and Councilperson Olson introduced Res. No. 178 and moved its adoption:

**RESOLUTION ADOPTING A LOCAL LAW OPTING OUT OF LICENSURE AND ESTABLISHMENT OF CANNABIS RETAIL DISPENSARIES AND/OR CANNABIS ON-SITE CONSUMPTION ESTABLISHMENTS WITHIN THE TOWN OF HORICON**

WHEREAS, the Town Board held a public hearing regarding opting-out of licensure and establishment of cannabis retail dispensaries and/or cannabis on-site consumption establishments within the Town of Horicon, and

WHEREAS, the Town Board has heard all interested parties who attended the public hearing, now, therefore be it

RESOLVED, that the Town Board of the Town of Horicon does hereby adopt Local Law #2 of 2021 Opting Out of Licensure and Establishment of Cannabis Retail Dispensaries and/or Cannabis On-Site Consumption Establishments within the Town of Horicon, and be it

FURTHER RESOLVED, that the Local Law is subject to permissive referendum pursuant to Cannabis Law Section 131 and Municipal Home Rule Law Section 24 and shall not take effect until such time as provided therein. The Town Clerk is hereby authorized and directed to post and publish the notice required for Resolutions subject to permissive referendum, and be it

FURTHER RESOLVED, that the Board hereby authorizes and directs the Town Clerk to file the Local Law with the New York Secretary of State in accordance with the provisions of the Municipal Home Rule Law not less than 45 days after its adoption, or not until approved by the affirmative vote of a majority of the qualified electors of the Town voting on a proposition for its approval if a protest petition is properly filed with the Town Clerk within 45 days after its adoption, and acknowledges that the Local Law will take effect immediately upon being placed on file by the Secretary of State.

Ayes: 4 (Palmer, Olson, Geraci, Smith) Absent: 1 (Hill) Nays: 0

***Other Business:***

***-CSEA Contract:***

**RESOLUTION #179-2021**

Councilperson Geraci and Councilperson Olson introduced Res. No. 179 and moved its adoption:

**RESOLUTION TO APPROVE THE CSEA CONTRACT AS PROPOSED**

RESOLVED, that the Town Board of the Town of Horicon does hereby approve the new CSEA contract as proposed for a three-year term which will take effect January 1, 2022.

Ayes: 4 (Geraci, Olson, Palmer, Smith) Absent: 1 (Hill) Nays: 0

***-Town Justice resignation:***

**RESOLUTION #180-2021**

Councilperson Geraci and Councilperson Palmer introduced Res. No. 180 and moved its adoption:

**RESOLUTION TO ACCEPT THE RESIGNATION OF JUSTICE BRIAN TARIO**

WHEREAS, Brian Tario has submitted a letter of resignation from the position of Horicon Town Justice on December 21, 2021, and, now, therefore be it

RESOLVED, that the Town Board of the Town of Horicon does hereby regretfully accept the resignation of Brian Tario from the position of Town Justice effective December 21, 2021.

Ayes: 4 Geraci, Palmer, Olson, Smith) Absent: 1 (Hill) Nays: 0

***Bottle Pickup:***

**RESOLUTION #181-2021**

Councilperson Olson and Councilperson Geraci introduced Res. No. 181 and moved its adoption:

**RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN AGREEMENT WITH ALL BRANDS REDEMPTION CENTER**

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RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Supervisor Smith to sign the agreement with All Brands Redemption Center for pickup of the bottles at the Landfill for the calendar year 2022.

Ayes: 4 (Olson, Geraci, Palmer, Smith) Absent: 1 (Hill) Nays: 0

**Adjourn...** There being no further business to attend to the meeting was adjourned at 6:17 PM by MOTION of Councilperson Olson and Councilperson Geraci, all in favor.

Respectfully Submitted:

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Town Clerk