

PUBLIC SAFETY

Tuesday, July 20, 2021 – 5:30 p.m.

Council Chambers – Olean Municipal Building

Present: Members: Chairman Robinson, Vice Chairman Barnard, Alderman Witte, Alderman Panus, Alderman Gonzalez, Alderman Crawford, and Alderman Anastasia (arrived late). Others: Mayor William Aiello; Fred Saradin, City Auditor; Bob Ring, Director of Public Works; Tim Richardson, Fire Chief; Ron Richardson, Police Chief, and Tiffany Taylor, Managerial Confidential Administrative Secretary.

1. Roll Call

Alderman Robinson called the meeting to order at 5:30 p.m. and asked that the record show that all committee members were present except Alderman Anastasia, who arrived late.

2. Approval of Minutes of the Previous Committee Meetings (Tuesday, June 1, 2021)

A motion to approve the minutes of the June 1, 2021 meeting was made by Alderman Robinson, seconded by Alderman Witte. Voice vote, ayes all. Motion carried.

3. Unfinished Business

None

4. New Referrals for Consideration

a. Discussion Items

i. City of Olean Recreational Cannabis Opt-Out

Alderman Robinson explained that this was briefly mentioned during last week's meeting. He explained that he took the liberty of looking up some things which he found to be very interesting. He explained that the January 2021 issue of Forbes indicated that there were \$4.4 billion in sales of cannabis in California last year, and Oregon and Illinois surpassed \$1 billion. He explained that the March 2021 issue indicated total sales for the past year of cannabis were \$70.5 billion. He explained that this is an astronomical amount of money, and he thinks that this is an opportunity for Olean and the rest of the state to jump on the wagon and capitalize. He noted that sales were up 40 to 50 percent during COVID as well.

At this time, Alderman Anastasia entered the meeting.

Alderman Gonzalez explained that California tobacco sales for last year were \$1.7 billion, to give some perspective on the marijuana industry. He explained that this just might be the shiny new toy, but this is a lot of money. Alderman Robinson explained that sales are going up each year as well.

Alderman Crawford explained that he would like to preface what this discussion is about for the public. He explained that as New York State is legalizing the use of cannabis, it is up to the local municipality to determine whether they want to opt out, so we are included unless we opt out. He explained that the Council had a small conversation and determined that this is probably something that we should talk about in a formalized process although most of the Aldermen see the opportunities that are coming from this. He explained that we have seen what is coming down the pipeline, which has until now been all speculation.

Mayor Aiello explained that we have been provided with several pieces of information, one from NYCOM and one from the Office of Cannabis Management, as well as one from NYSAC and an article which was in the NYS Legislative Commission on Rural Resources' publication. He explained that we have also been provided with only one letter, to date, in his office that is in opposition of this. Mayor Aiello explained that if the City were to opt out, there would be no place in Olean where cannabis could be produced or sold. He explained that there is a 9 percent sales tax and an additional 4 percent tax on marijuana sales here, and the City would receive three percent of the sales. He explained that this would potentially give the City a very good windfall for the City. If the City does not opt out, then people would be able to become licensed to produce, manufacturer, and sell cannabis within the City.

Mayor Aiello explained that the Council would be able to determine what areas it is sold in, and can also look at the use of marijuana in a nuisance setting such as in an apartment building where smoking marijuana in one unit can directly affect another. He explained that there is currently no tobacco, smoking or vaping in parks and Hornell just instituted no marijuana in parks so this is something that the City can consider. He explained that the windfall is here, and we have to face that marijuana is going to be here. He explained that he knows that a couple of years ago he explained that he was not in favor of this, but it is here so we should get the benefit from the sales.

Alderman Crawford explained that for classification's sake, when he discusses opting out, he is not talking about opting out of marijuana use. He explained that we can't do that. Opting out would be of retail dispensaries or on site consumption, as well as production and manufacturing facilities within the City. He explained that the City cannot prohibit the overall use of marijuana by adults. Alderman Crawford explained that no new opportunity comes without challenges and pros and cons should be weighed. He explained that we should remain opted in and overcome challenges that come before us as they do, such as the issue of nuisance

smoke. He explained that these are local issues which will have to be addressed as they arise. We need to opt for this in our City not only from a revenue standpoint, but for jobs. Olean is changing and this is a potential avenue for us to explore and develop further.

Alderman Witte explained that she is not arguing against this but she sees a lot of questions that she would like to speak with the City Attorney about. She explained that when she was a County Legislator, she spoke with a gentleman from Buffalo who said he comes to Olean because it's like a candy store with different drugs that people are selling. She explained that she wants to hear from the Police Department and know what will happen when people who are as high as a kite are caught driving. She explained that it would be silly to turn the revenue away, but she still has a lot of questions. She is not against this, but she feels that we need to be realistic. She explained that we aren't California and we don't have their population or their money, She thinks that sometimes we have to go into things with our eyes open.

Alderman Witte explained that she would like to hear the input from the Police Chief. Chief Ron Richardson explained that his department has been dealing with people smoking for as long and he can remember. He explained that it is just a different test that is run. He explained that whether we opt out or not, it is still here and it is still going to be here.

Alderman Gonzalez explained that these questions are irrelevant. He explained that the laws surrounding marijuana use while driving are handled at a State level, not a local level. He explained that the matter at hand is whether or not we want to make money from it. Chief Ron Richardson explained that this is not anything new for his department. They dealt with marijuana when it was illegal and now they will deal with it when it is legal.

Alderman Robinson explained that California is the largest populated state in the United States, and New York is the 4th or 5th. If you look at how many years California has been doing this, we can look at how they worked out the kinks and did things to sort of set a precedence in working out those kinks and rules here. He sees the potential and explained that there are some negatives, but he wants to focus on the positives. He explained that he thinks for the most part that this is going to be a good thing for Olean and the whole State, and he is hoping that we opt in so we can make the best of it.

Alderman Crawford asked if the City needs to do anything if we choose not to opt out. Mayor Aiello explained that we do not have to do anything unless we decide to opt out. Alderman Crawford explained that if anyone on the Council wants to bring forth legislation about opting out, they will need to do so by December 31, 2021.

5. Approval of Committee Reports

None

6. Adjournment

A motion to adjourn was made by Alderman Robinson, seconded by Alderman Gonzalez. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 5:50 p.m.