

Special meeting of the Town of Chester Town Board was held on **March 2, 2015** at 7:00 pm at the Town Hall, 6307 State Route 9, Chestertown, NY.

Roll Call:

Mike Packer, Edna Wells, Karen DuRose, Frederick H. Monroe, and Steve Durkish.

The purpose of the Special meeting was to discuss a tentative plan to pursue a Medical Marijuana growing and processing license in the Town of Chester by the Peckham Family.

Peter Simoneau, Vice President of Peckham Industries, began the presentation by stating that Peckham had been striving to grow its business, located on the west side of Route 9 in the Town of Chester, but due to limitations of the APA regulatory and permit issues, the quarry operations have been restricted. A few years ago, Peckham had acquired property across Route 9, the former Ross Farm, which was designated during Zoning changes to the Town, as an Industrial Zone. It is currently occupied by a log storage operation. Mr. Simoneau continued that a marijuana operation would involve erection of a new structure (warehouse), located in front of the former horse barn. Other ventures proposed for the property are a wood pellet processing plant, and possible solar farm. Mr. Simoneau explained that the Marijuana project could not be a subsidiary of another group. The project would need to be up and running by January 1st of 2016, so they want to begin the regulatory process now.

In attendance for the presentation of the Medical Marijuana project were Amy Peckham, and daughter Hillary Peckham, along with Joe Stevens, a project consultant. Amy Peckham, along with daughters Hillary and Keeley, are partners in a business that is separate from Peckham Industries, known as "Etain, LLC". With Amy Peckham having Gaelic roots, the new company is named for a legendary Gaelic woman, who embodied multiple roles at the same time. (A true multi-tasker!)

"Etain" is vying for one of five licenses to be issued in this State sometime later in the year. The project would require Planning and Zoning approval.

Hillary Peckham did an outstanding job offering a Power Point presentation to the Board and attending guests. She began by explaining that "Etain" is a totally Women owned business. Her mother Amy wanted to pursue this venture due to family histories of life threatening illnesses. Hillary explained that her grandmother had ALS, (also known as Lou Gehrig's Disease), and

she had suffered for about two years, losing her motor skills by degrees. Her family had tried to entice her into using medical marijuana to alleviate her pain, but she refused. She was a law abiding citizen, Hillary explained, with her worst offense being speeding. When laughter from the audience erupted, Hillary was quick to explain that she would sometimes exceed the speed limit.

She continued that she has a cousin who suffers from Rett Syndrome, a genetic, postnatal, neurologic disorder that can cause up to 120 seizures per day. Medical marijuana cannot cure such a disease, or any other, but it could go a long way in controlling some of the symptoms for a better quality of life. Benefits of Medical Cannabis, with support from the NE Journal of Medicine, The American Nurses Association, and the American Academy of Family Physicians, and others, prove it relieves muscle spasms from neurological disorders, alleviates nausea from Chemotherapy, and aids patients with chronic and debilitating pain associated with Cancer, AIDS, and MS, to name a few. Some of the other diseases which would benefit are ALS, Parkinson's, Spinal Cord injuries with spasticity, Epilepsy, Neuropathy, Huntington's Disease, and Inflammatory Bowel Disease.

Any patient seeking to use Medical Cannabis must have one of these diseases with symptoms, such as wasting syndrome (because they cannot eat), pain resulting in limitation of function, severe nausea, seizures, or severe muscle spasms. Doctor's must be licensed to prescribe Medical Cannabis, having to complete a 4 hour certification course, and are restricted to prescribing only a 30 day supply. State Law mandates that Medical Cannabis cannot be produced in a smokeable form, but will be extracted as an oil for use in a pill form, or tincture. The State is granting only five licenses, but each can be affiliated with 4 dispensaries, which gives a total of 20 dispensaries within the State. Each dispensary must be staffed with a State licensed Pharmacist and must be in a location separate from the processing plant.

Extraction is regulated. Some in the current industry rely on use of dangerous organic solvents like Butane, which extract unwanted materials, and leave trace amounts of toxins in the finished product. It is also highly explosive, and NY State regulations prohibit the use of Butane for extraction. Instead, a complicated CO₂ system will be utilized. Every plant is tracked and accounted for. The processing plant would have security guards and surveillance cameras for protection. Distribution would be done by armored vehicles.

There are also tax advantages for the regions where Medical Marijuana is processed and dispensed. 7% excise tax goes to the Commissioner of Taxation and Finance. Of that 7% revenue, .22.5% goes to the counties in NY State where Medical Marijuana is manufactured. .22.5% goes to the counties in NY State where Medical Marijuana is dispensed, .5% goes to the Division of Criminal Justice Services, and .5% goes to the Office of Alcoholism and Substance Abuse Services for prevention, counseling and treatment. The rest goes to the State. "Etain" would also qualify for tax breaks on improvements made to the property. Initially, the new construction would be assessed at 50% for the first five years, and then increase at a rate of 5% per year until it reaches 100%.

There is an initial expectation of between 20 and 30 jobs, with approximately 1,900 patients being served. These highly skilled, living wage jobs would include construction, security, transportation, property management, horticultural, culinary, chemical engineering, pharmaceutical, and administrative.

Hillary stated that this will create a new Industry and a new set of jobs in an undeveloped area. The family is hoping that in the next few years, the State will amend legislation to add other conditions for which the drug can be prescribed. Some of these would include posttraumatic stress disorder, rheumatoid arthritis, depression, anxiety and chronic pain. They also hope the state will allow for wholesale distribution throughout the state, and that the Federal Government will decriminalize marijuana which could expand the number of potential patients to 5,000. Obviously as the business grows, the more jobs can be added. The state has not yet finished drafting the regulations, so she is not sure when the review process will start. They are supposed to start producing plants by January 1st, of 2016, so they would need to begin planting in October of this year. The Governor and the Commissioner of Health will make the decision on who receives the licenses, based on points for quality of submission, and moral character of the applicant. They want to be sure that applicants are going into this venture for the right reasons, and giving back to the community.

The company is working with a Real Estate Agent to find suitable locations for dispensaries. Each dispensary has to be located at least 1,000 feet from schools, places of worship, and public parks. It should be stated that all product is sent to a laboratory for testing to be sure of the quality and that each patient is given a consistent dose of medication.

The audience was extremely receptive to the concept, and the Board reviewed and approved the draft resolution for a Medical Marijuana cultivation-manufacturing Facility.

RESOLUTION #27: APPROVE DRAFT RESOLUTION FOR VOTE FOR MEDICAL MARIJUANA CULTIVATION/MANUFACTURING FACILITY:

Introduced by Mr. Monroe, seconded by Mr. Packer, approve the draft resolution for vote for Medical Marijuana Cultivation-Manufacturing Facility: contingent on review by Attorney for the Town:

WHEREAS, on July 5, 2014, Governor Cuomo signed into law the New York Medical Marijuana Law; and

WHEREAS, the New York State Department of Health has established specific regulation under which businesses are licensed as Registered Organizations for medical marijuana cultivation, production and sale; and

WHEREAS, there is ample evidence that marijuana is beneficial to people suffering from the chronic and debilitating pain associated with cancer, AIDS and multiple sclerosis, and has also proven effective in alleviating nausea associated with chemotherapy, and muscle spasms from neurological disorders; and

WHEREAS, the American Nurses Association, American Academy of Family Physicians, Lymphoma Foundation of America, American Preventive Medical Association, American Public Health Association, Gray Panthers, and the New England Journal of Medicine have endorsed the medical use of marijuana; and

WHEREAS, a 2014 Quinnipiac University poll found that 88 percent of all New Yorkers think allowing medical marijuana at the recommendation of a doctor is a good idea - with strong support amongst all groups; and

WHEREAS, New York State Licensed Registered Organizations provide high skill and living wage jobs and operate under Labor Peace Agreements with labor unions; and

WHEREAS, Local innovators and entrepreneurs in the medical marijuana industry seek to drive local economic growth; and

WHEREAS, the Town Board has a vested interest in ensuring that Town of Chester residents have access to all viable medical options that could address symptoms associated with chronic, painful, or terminal diseases; and

NOW THEREFORE BE IT RESOLVED: In accordance with the request therefore, the Town Board supports New York Assembly Bill 6357 signed into law by Governor Andrew Cuomo on July 5, 2014; and it is further

RESOLVED that the Town of Chester welcomes and encourages appropriately licensed, registered and regulated medical marijuana businesses, including cultivation, processing facilities and dispensaries; and it is further

RESOLVED that the Town of Chester current laws and codes do not prohibit medical marijuana businesses, including cultivation, processing facilities and dispensaries.

ROLL CALL VOTE:

Steve Durkish	AYE
Edna Wells	AYE
Michael Packer	AYE
Frederick Monroe	AYE
Karen DuRose	AYE

Memorandum of Understanding.

A memorandum of understanding regarding aquatic invasive species prevention was brought to the Governor back in January, but was unsigned by municipalities and lake associations at that time, because they were waiting for input from DEC. Revisions were then made by DEC, and they will sign it, and get the Dept. of State to sign, along with APA and maybe Dept. of Transportation. Mr. Monroe brought it to Warren County this morning, where the committee for invasive species passed it. He then received an email this afternoon from the Deputy DEC Commissioner for Natural Resources who said that DEC Commissioner Joe Martens and this Executive Deputy Commissioner are encouraging the Governor to do a press conference saying that this is being done, and being signed by municipalities and lake associations all over the Adirondacks. We would like to have it signed as added ammunition when the press conference is given. It is a non-binding resolution and is an Adirondack wide prevention plan. Basically it states that we realize there is a problem, and we will work together to solve it.

RESOLUTION #28: APPROVE AND AUTHORIZE SIGNING OF MOU REGARDING AQUATIC INVASIVE SPECIES PREVENTION IN THE ADIRONDACK REGION.

Introduced by Mrs. Wells, seconded by Mr. Durkish, approve and authorize signing of the Memorandum of Understanding among public and private Organizations regarding aquatic invasive species prevention in the Adirondack Region.

Aye 5 NO 0

On a motion by Mr. Monroe, seconded by Mrs. DuRose, meeting adjourned at 8:55 pm.

Respectfully submitted,

Town Clerk