

TOWN OF CONSTANTIA  
**MINUTES –PUBLIC HEARING – September 21, 2021**  
7:00 pm Constantia Town Hall

Present: Kenneth Mosley - Supervisor  
Richard Colesante, Thomas Moran, Frank Tomaino – Council Members  
Clare Haynes – Town Clerk  
Warren Bader - Town Attorney  
Absent: John Metzger – Council Member

**CALL TO ORDER:**

At 7:00 pm Mr. Mosley called the town board meeting to order with the pledge of allegiance.

**PURPOSE:**

The purpose of this public hearing is to hear any comments on proposed Local Law B of 2021 “A Local Law Pursuant to Cannabis Law 131 Opting Out of Licensing and Establishing Retail Cannabis Dispensaries and On-Site Consumption Establishment Within the Town of Constantia.”

Mr. Bader read the proposed law into the minutes.

Be it enacted by the Town of Constantia Town Board, as follows:

**SECTION 1. AUTHORITY.**

This Local Law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10 and Cannabis Law § 131.

**SECTION 2. INTENT.**

It is the intent of the Town Board of the Town of Constantia to opt the Town out of hosting retail cannabis dispensaries and on-site cannabis consumption establishments within its boundaries.

**SECTION 3. LOCAL CANNABIS RETAIL DISPENSARY AND ON-SITE CONSUMPTION OUT-OUT.**

The Town Board of the Town of Constantia, County of Oswego, hereby opts-out of allowing retail cannabis dispensaries and on-site cannabis consumption establishments from locating and operating within the boundaries of the Town of Constantia.

**SECTION 4. VALIDITY & SEVERABILITY.**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**SECTION 5. EFFECTIVE DATE.**

This local law shall take effect immediately upon filing with the New York State Department of State. Pursuant to Cannabis Law § 131, this local law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition or a referendum has been conducted approving this local law.”

**CLOSE:**

With no public in attendance, at 7:21 pm Mr. Colesante made the motion to close the public hearing, seconded by Mr. Tomaino.

Carried: Moran – Yes    Tomaino – Yes    Colesante – Yes    Metzger – Absent    Mosley - Yes