

CHAIR WRIGHT: Good morning and welcome, everyone. I'm Tremaine Wright, the Chair of the Cannabis Control Board. It's great to be here with all of you today. Recognizing that we have a majority of the Board members present, I'm pleased to call to order another meeting of the Cannabis Control Board, and to welcome all of you who are participating in person or via real live stream.

I would like to note that Board Member Adam Perry is participating from a publicly accessible location in Buffalo. Board Member Jennifer Gilbert Jenkins is participating from a publicly accessible location in SUNY Morrisville, and that Board Member Hope Knight is participating from a private location.

As always, this meeting will be recorded, and the transcript will be available to the public on the Office of Cannabis Management's website, cannabis.ny.gov. Additional information on the Cannabis Control Board meetings is available on the OCM website, as well.

And please be advised, as a result of an incident that took place at the last Cannabis Control Board meeting in September, the Office of Cannabis Management and the Cannabis Control Board will be advising everyone present in this and future Board meetings, to adhere to a standard of behavior that reflects the Board's and the Office's values of inclusivity and equity. The Board and Office expect all present at today's meeting, including those who wish to provide comments, and members of the audience, to be mindful at all times to conduct themselves with courtesy and respect for others. This includes adhering to time limits with regard to comments, and avoiding behaviors that are disrespectful or disruptive, or reflect racial or other biases in any way. Members of the audience should remember to listen and contain their reactions to any speakers, so that anyone speaking can be heard without need to raise their voice. Anyone who chooses not to follow these basic standards of conduct will be asked to leave the meeting.

Today's agenda includes brief opening remarks from myself, a review and approval of the meeting minutes from the Cannabis Control Board meeting held on September 12th, consideration of a resolution to extend certain adult-use cannabis application windows, consideration of Emergency Part 133: Violations, Hearings, and Enforcement Regulations, consideration of laboratory permit application denials, consideration of registered organization dispensary relocation, a report from the Office of Cannabis Management's executive director, Chris Alexander, public comment on the items considered during today's Board meeting, and then the Board will adjourn.

Well, a lot has taken place in New York State, despite challenges and hurdles. From Saranac Lake to Astoria, New York cannabis market is growing. We've had opportunity to celebrate store openings across the State, and I want to acknowledge and congratulate everyone opening their doors to customers for the first time this week in Harlem, Astoria, and the Lower East Side.

The New York cannabis market is expanded and being led by entrepreneurs who imbue the values of the MRTA. And for those who are just starting their general adult-use applications, I want to remind you that OCM is here to answer your questions, provide guidance, and support you on your journey.

Applications are open, and we encourage you to attend a Roadmap to Adult-Use Applications event, either virtually, or in your community over the next few weeks.

It's taken a lot of hard work, and persistence, and commitment to get us to this moment, and we know the work continues. We are up to the challenge, and we want to thank New Yorkers for putting their trust in this effort to build a fair and successful cannabis market.

Now let's get to the work at hand. Our first order of business will be the review and approval of the meeting minutes from the September 12, 2023 Cannabis Control Board meeting.

May I please have a motion to consider and approve the September 12, 2023 Board meeting minutes?

MR. PERRY: So moved.

CHAIR WRIGHT: May I have a second?

MS. GILBERT JENKINS: Second.

CHAIR WRIGHT: Thank you. Is there any discussion on this motion by any Board member?

Hearing none, I'll call for the vote. All in favor. Aye.

MR. PERRY: Aye.

MS. GARCIA: Aye.

MS. KNIGHT: Aye.

MS. GILBERT JENKINS: Aye.

CHAIR WRIGHT: Thanks. I believe we've heard from everyone. Thank you. Therefore, the motion carries. It's approved. The September 12, 2023 Board meeting minutes carries.

For our first resolution today, may I please have a motion to consider Resolution No. 2023-38: Resolution to Consider the Extension of Certain Adult-Use Application Windows?

MS. GARCIA: So moved.

CHAIR WRIGHT: May I have a --

MR. PERRY: Second.

CHAIR WRIGHT: Thank you. So properly moved. And second. At this time, I'd like to ask our Executive Director to provide a brief overview of the resolution before us.

MR. ALEXANDER: Thank you, Madam Chair. Over the last two weeks, since we've opened the application window, we've received significant amount of interest from New Yorkers and from interested applicants across the country who are trying to get into New York's market. We have, and I'll talk much more about the tour that we are on, making sure that everybody has all the information that they need to prepare to apply. But just ensuring that we're listening to the comments from applicants and making sure that folks are prepared, and to be responsive to those requests, we're looking at an extension that would basically add two weeks to the end of the application windows. Which means for the retail and micro-business window for applicants applying with proof of control over location, that

extension will be from November 3rd to November 17, and other applicants will be moved. That final deadline we moved from December 4th to December 18th. All deadlines will keep the 5 p.m. clock, expiration clock, but this two-week extension will just give more folks opportunity to apply.

CHAIR WRIGHT: Thank you, Chris. Are there any comments, or discussion, or questions by any Board members regarding the application window?

Okay. Well, before we call the motion, I am going to just add that I'm very happy with this extension. I think that a lot of the community came out and spoke at our last meeting, and that we heard it. Additionally, the Board has been prepared and is ready to consider what our additional or new application windows look like, and that we are ready, and we look forward to being able to establish a series of -- or a schedule that people can rely upon so that they will have the ability to plan for their businesses. So I believe this is one of the steps in our right direction, and I look forward to us being able to take steps in the next meeting to make sure that people know what the schedule is that they can rely upon. If there's no other discussion, I'd like to call for the vote.

MR. ALEXANDER: Hope's hand –

CHAIR WRIGHT: Oh, Hope has a hand up. Please. Sorry I missed you.

MS. KNIGHT: I didn't have my hand up, but I will make the point that I'm very pleased that we extended the application deadline.

CHAIR WRIGHT: Yes. Thank you. I guess I will call for the vote. Dr. Gilbert Jenkins?

MS. GILBERT JENKINS: Aye.

CHAIR WRIGHT: Ms. Garcia?

MS. GARCIA: Aye.

CHAIR WRIGHT: Mr. Perry?

MR. PERRY: Aye.

CHAIR WRIGHT: Ms. Knight?

MS. KNIGHT: Aye.

CHAIR WRIGHT: And I vote in the affirmative as well. The motion to approve Resolution No. 2023-38: Resolution to Consider the Extension of Certain Adult-Use Application Windows carries.

For our next order of business, may I please have a motion to consider Resolution No. 2023-39: Resolution to Consider Emergency Violations, Hearings, and Enforcement Regulations?

MS. GARCIA: So moved.

CHAIR WRIGHT: May I have a second?

MS. KNIGHT: Second.

CHAIR WRIGHT: Thank you. I'll now ask OCM's General Counsel, Linda Baldwin, if she'll please join us and provide a brief overview of the Emergency Violations, Hearings, and Enforcement Regulations.

MS. BALDWIN: Thank you. Good morning, Chair.

CHAIR WRIGHT: Good morning.

MS. BALDWIN: Good morning. Today, we're seeking approval to file emergency regulations that will provide additional authority to the Department to ensure that we're able to appropriately enforce unlicensed business activity. The two main changes to the emergency regulations are one: requiring businesses who receive a notice of violation in order to cease activity to submit within five days a certificate of compliance, noting that they have ceased the unlicensed activity that they were issued a violation for. If they do not submit that certificate of compliance, which will be provided to them in blank form at the time of the inspection, within five days, when we have a hearing, we are able to infer that they have not ceased the unlicensed activity. So it's important that they return that, and they will be so instructed at the time of the inspection. In the event that they actually submit the certificate of compliance, but then we find later that they have continued to remain noncompliant, they will also lose the benefit of the submission of the certificate of compliance, and the inference will be that they have continued to remain noncompliant from the date of the inspection. The reason why this is important is because the statute permits us a 20,000 dollar per day fine, up to 20,000 dollars per day for every day after issuance of the order to cease. And the burden on us to go back every single day in order to prove noncompliance is far too great. And so the certificate of noncompliance allows the businesses to inform us that they have, in fact, complied with the order.

CHAIR WRIGHT: Okay. But just to be clear, it in no way means that they will not have a surprise inspection in the case that they end up on our enforcement team's calendar for that week.

MS. BALDWIN: Any business --

CHAIR WRIGHT: Right.

MS. BALDWIN: -- could actually be subject to an inspection at any time. That's our regulatory role --

CHAIR WRIGHT: Um-hum.

MS. BALDWIN: -- but it's just impossible for us to be everywhere all the time, and this allows us an opportunity.

CHAIR WRIGHT: Are there any questions, comments from Board members regarding this resolution?
Okay. So thank you very much, Linda.

MS. BALDWIN: I forgot to mention the second one.

CHAIR WRIGHT: Oh, sorry.

MS. BALDWIN: I apologize. The changes also permit both the Agency and the unlicensed businesses the opportunity to appeal a decision by the administrative law judge directly to the Board, prior to seeking an Article 78 appeal.

CHAIR WRIGHT: Thank you. So I just want to say thank you for making those changes. I think that that's going to help us so that -- one, I think people were waiting for more force. They did see some of our unlicensed businesses reopening, and I'm glad that we managed to figure out how we can address that possibility, and that it relies upon a self-attestation. I think that's a big part of it. I'm thankful for that. And hopefully, we'll be able to attack some of our unlicensed players with this at this moment. So thank you.

MS. BALDWIN: You're welcome.

CHAIR WRIGHT: I'm hearing no additional -- are there any other comments before I call the vote?
Hearing -- Hope? Or is your hand just -- I think the hand is just up on your screen.

MS. KNIGHT: All right. I'll try to fix that. Thank you.

CHAIR WRIGHT: All right. No problem. Therefore, I'll call for the motion to approve Resolution No. 2023-39, Resolution -- I'm sorry. I'm going to call for the vote to approve this resolution.

Dr. Gilbert Jenkins?

MS. GILBERT JENKINS: Aye.

CHAIR WRIGHT: Ms. Garcia?

MS. GARCIA: Aye.

CHAIR WRIGHT: Mr. Perry?

MR. PERRY: Aye.

CHAIR WRIGHT: Ms. Knight?

MS. KNIGHT: Aye.

CHAIR WRIGHT: And I vote in the affirmative as well. The motion to approve Resolution Number 2023-39: Resolution to Consider Emergency Violations, Hearings, and Enforcement Regulations carries.

Concerning the next order of business, may I please have a motion to consider Resolution No. 2023-40: Resolution Denying Cannabis Laboratory Testing Permits? May I please have a motion?

MS. GARCIA: So moved.

CHAIR WRIGHT: And may I have a second?

MS. GILBERT JENKINS: Second.

CHAIR WRIGHT: Okay. And I just want to make sure that everyone has seen the revised resolution, which only includes -- Hope, I'm sorry, what is the name of the --

MR. ALEXANDER: Highgrade Labs.

CHAIR WRIGHT: Oh, it's Highgrade. I'm sorry. Which only includes one entity, which is Highgrade Labs. That's the only one that's before us today.

MS. GILBERT JENKINS: It wasn't the second?

CHAIR WRIGHT: The second has been removed from the motion from the office, and I think we'll get an explanation at this time. So if you would, please?

MR. ALEXANDER: Sure. And just to speak about these denials, these are folks who applied for the laboratory testing permits before the deadline closed. The offices worked to secure information, required documentation. As long as the applicant has continued to maintain contact, we haven't issued the denial, but in this case, we've not gotten the appropriate responses. In the other case we did get a response and an update that the applicant was still working towards completing all required materials.

CHAIR WRIGHT: Are there any questions, comments?

MS. GILBERT JENKINS: So does this mean that we now -- that we still have now sixteen labs moving towards full operation?

MR. ALEXANDER: Yeah. Yes.

MS. GILBERT JENKINS: Okay. Right, because there's the -- it's just the one, the 17th that's been removed now.

MR. ALEXANDER: Well, sixteen that have been approved. This one would have counted as 17 but has not submitted requests.

MS. GILBERT JENKINS: Right.

MR. ALEXANDER: So. Yeah.

MS. GILBERT JENKINS: And how many have finished the final process and have doors open?

MR. ALEXANDER: I'm not sure exactly. All the sixteen that have been approved are operational to some extent.

MS. GILBERT JENKINS: Okay.

MR. ALEXANDER: They don't offer the entire testing profile, but they're all operational to some extent.

MS. GILBERT JENKINS: Okay. Thank you.

CHAIR WRIGHT: Okay. Are there any additional questions regarding our labs? I'm sorry, the motion before us for the labs? Okay. Hearing none, I'll call for the vote.

Dr. Gilbert Jenkins?

MS. GILBERT JENKINS: Aye.

CHAIR WRIGHT: Ms. Garcia?

MS. GARCIA: Aye.

CHAIR WRIGHT: Mr. Perry?

MR. PERRY: Aye.

CHAIR WRIGHT: Ms. Knight?

MS. KNIGHT: Aye.

CHAIR WRIGHT: And I vote in the affirmative as well. The motion to approve Resolution No. 2023-40: Resolution Denying Cannabis Laboratory Testing Permits carries.

And our next order before us is a -- I have to ask if we can please consider the motion -- sorry. Can I please get a motion to consider Resolution No. 2023-41: Resolution Approving Registered Organization Relocation Request?

MS. GILBERT JENKINS: So moved.

CHAIR WRIGHT: Can I get a second?

MS. KNIGHT: Second.

CHAIR WRIGHT: Thanks. If approved, this resolution would allow Fiorello Pharmaceuticals, Inc. to open their fourth medical dispensing facility. Fiorello currently has three facilities open in Monroe, New York, and Saratoga Counties. They are seeking to open a fourth location in Nassau County. In accordance with Section 113.7(h) of Title 9, Part 113, Medical Cannabis Regulations, the Board must consider whether to grant or deny an amendment to their registration.

MS. GARCIA: Madam Chair?

CHAIR WRIGHT: Yes?

MS. GARCIA: I'm going to need to recuse myself from this resolution.

CHAIR WRIGHT: Yes, ma'am.

MS. GARCIA: Thank you.

CHAIR WRIGHT: Thank you. So we have one recusal, and it's Mr. Garcia. The office has reviewed all of the information required to open a new registered organization dispensing facility and is recommending approval by the Board. Is there any questions or comments?

I have one basic question. Why are we referring to this as a relocation? If they do not have four open, this is an approval. Why is this not an approval of their fourth location?

MR. ALEXANDER: Yeah. It's because at the onset they had identified a separate -- a different location for their fourth dispensing area. That location didn't open, but in their registration, they had a fourth location identified. And so this is changing that over from that.

CHAIR WRIGHT: And where was their fourth location?

MR. ALEXANDER: Also in Nassau County. It's an in-county move.

CHAIR WRIGHT: It was an in-county.

MR. ALEXANDER: Yes.

CHAIR WRIGHT: Thank you.

MR. ALEXANDER: That's all that's allowed at this time.

CHAIR WRIGHT: I just wanted to make sure. Make it clear on the record. Are there any other questions? Comments? Okay. Hearing none, I will call for the vote.

Dr. Gilbert Jenkins?

MS. GILBERT JENKINS: Aye.

CHAIR WRIGHT: MR. PERRY?

MR. PERRY: Aye.

CHAIR WRIGHT: Ms. Knight?

MS. KNIGHT: Aye.

CHAIR WRIGHT: And I vote in the affirmative as well. The motion to approve Resolution No. 2023-41: Resolution Approving Registered Organization Relocation Request carries.

And now we'll go to the OCM Executive Director for an update, and we'll please ask if someone can please let Ms. Garcia know that the vote has completed. Thank you.

MR. ALEXANDER: Just holding for Jess to come back.

CHAIR WRIGHT: Um-hum.

MR. ALEXANDER: All right. Thank you, Chair Wright and to the Board members present and participating remotely, and to the members of the public who are participating today. As always, we remain committed to robust engagement with our cannabis community, both as we do our work, as we educate, as we undo stigma, and of course, as we create opportunity. I'm proud to say that OCM has met its goal of launching the adult-use application window on October 4th. That application period that we just extended will now be extended to December 17, so please get those applications going. This is, again, not a first come, first serve opportunity. So as long as you get your application in before the close of the window, you will be considered equally. Please be sure to visit cannabis.ny.gov, which contains multiple guidance and FAQ documents that can help assist applicants. We have also made sure that our email boxes, our phone lines, as well, are open to deal with inquiries as they come in. But if anything that is not including the FAQ, a question that comes up from an applicant, we make sure to update and get that FAQ back out to the public.

In coordination with the opening of the window, we've also been out on the road conducting our Roadmap to Adult-Use Application tour. Similar to our Get Ready, Get Set tour that we did with the CAURD license application window, we've been meeting with the public, including prospective licensees, educating folks, and having great conversations on the application process. As well as, like, answering

questions as they come, real-time. We believe the Roadmap to Adult-Use Applications tour will assist folks in understanding the licensing process, as well as helping to provide an understanding of our regulations. Additionally, the tour meetings provide a helpful and dynamic venue for licensees and individuals interested in the cannabis space to connect with one another. We are so excited, and I've been happy to participate in a couple of these already. We've got, I believe, Long Island tonight and Queens tomorrow, so please join us at one of our tour stops. We also are hosting virtual sessions as well, to make sure that nobody is missed as we do this robust education effort.

As the chair noted, I am incredibly happy to report that more CAURD dispensaries have opened. Elevate ADK in Saranac Lake and Air City Cannabis, which will be a delivery-only dispensary in Rome, opened last Friday, and there are three more CAURDs opening this week. Terp Bros in Astoria opening right now, Gotham Bud's in Harlem, and ConBud in the Lower East Side. We were very excited for these business owners to get off the ground, and particularly for the CAURD program to continue to move forward. We continue to diligently work in seeking approval for provisionally licensed CAURD dispensaries that are caught up in the ongoing litigation to open their doors as soon as possible.

Additionally, OCM continues to see many applications that come in for cannabis grower showcases across New York, indicating consistent and strong demand for New York grown and produced cannabis products. These showcases are great events and have proven to be a model for the world. Please be sure to continue monitoring OCM's website for additional announcements for events, dispensary openings, and new and ongoing growers showcases. I'll now call John up to give our monthly market update.

MS. GILBERT JENKINS: Before John starts, Chris, can I ask you a couple of quick questions?

MR. ALEXANDER: Sure thing.

MS. GILBERT JENKINS: So I had brought to the attention of the Office a problem with one of the grower applications, and I've been contacted -- let know that that problem hasn't been fixed yet, all right? So it's been two weeks. So is there a way to make sure that all of the appropriate connections are being made? I'm not sure if there's a way. If you want to talk afterwards or something like that.

MR. ALEXANDER: Yeah, we can talk afterwards. But what I can say is that we've been working really closely with ITS, our state IT agency and partner, and have been correcting bugs in the application process as we find them. The delivery of the most recent application fix should be imminent, so I'll touch base with you. But if folks in the public, too, are seeing or having any issues with the applications, please flag them to us. This is a pretty significantly active system, and there definitely could be those small bugs that we're trying to fix as quickly as possible. So I'll follow up with you after.

MS. GILBERT JENKINS: Okay. And then my second question is, I know that we've talked about this before, that the number of licenses for the growers is being kept quite low. And so do you anticipate

that being a problem with the number of applications that we're going to see coming in? So how are we going to manage the number of applications versus the number of licenses that we want to give out right now?

MR. ALEXANDER: Yeah. This is not, you know, not everybody applying is going to get a license. There will be a random ordering to ensure that everybody has an opportunity. What I think the Chair pointed to earlier, and I think it's a great point to also bring up here, is the opening of subsequent license application windows that will provide additional opportunities for folks who don't get a license in this round. As we've stated previously, we're not trying to create scarcity, we're just trying to measure and grow the market responsibly. So we'll definitely be transitioning first, of course, our cultivators and our processors who've already been operating under the conditional license, and then creating some additional opportunity for new growers. But that will be measured at this initial window, and then we'll do a subsequent window quickly to get some additional licenses out there.

CHAIR WRIGHT: Do we have an understanding of what the current -- or how many applicants we've seen thus far, or is that unknown right now?

MR. ALEXANDER: It's known. We've -- in the thousands that have been received. I haven't put out the exact number because it just keeps changing. So I'll get you an exact number and a readout, by application type even, as well.

CHAIR WRIGHT: Okay.

MR. ALEXANDER: I can pull that for you. But publicly, we've definitely had a lot of interest, but the exact count just keeps moving. And of course, we know that, as we've seen in previous application windows, towards that last couple of days is when we get the real deluge of applications. So the count now is kind of waiting for that day.

MS. GILBERT JENKINS: Okay. I just want to say that I remain concerned about the low number of growers. I understand a want to have some control over supply in the market, but in most of our industries we have a free marketplace, and people are allowed to come in and some of them fail and some of them do well. And I'm just very concerned that when you get a thousand or many thousand applications, to only pick forty of them to get a license, how do you know that you're getting the best growers? How do you know that you're getting the strongest that are set to succeed? It is just really concerning to me that it's such a low number.

CHAIR WRIGHT: May I just also -- I just want to also, while that is a recommendation from the office, it does not mean that that has to be the limit, and the Board does retain the ability to make some decisions later on and ongoing and consultation. So if we find that there is still demand and need, and that we want to move forward with it, we definitely can. I think that we just use some guideposts for our determinations, and we have not limited to the public, and that is not a formal limitation. So I think

that while we're relying on it for some thought process, we don't need to build it into the expectations of people that they will not be able to. But it's really about us understanding what the market is demanding, and where they want to operate, and us making a decision thereafter. So these are recommendations. The Board does not have to stick with those recommendations. We're able to determine what the strategy might be, and so we can continue. That's why we are asking what is coming in, so that we can make some assessments too.

MR. ALEXANDER: Yeah. I fully echo. The estimates we've provided, it's kind of just based on if everything kind of works out perfectly. Of course, the Board has absolutely the authority to extend those numbers to issue more retail, more grow. The Office is just trying to make sure that we keep a balanced market that doesn't kind of crash prices or anything. I'll turn over to John.

CHAIR WRIGHT: I was going to say, it's a great segue now to hear what's actually happening in a burgeoning market.

MR. KAGIA: Right. That's right. Thank you, Madam Chair, thank you, Board members, and welcome to the public. Next slide. Next slide, please. So the retail sales continue to grow and continue to grow robustly. Starting in the first quarter where we did 8.7 million dollars, and the second quarter we rose up to 23 million, and by the third quarter we were up to 51. And while over the last three months we've maintained about a 17-million-dollar monthly sales rate, it's important to note that, particularly in August and much of September, we've had several of our retailers either completely closed or substantially closed for major renovations. So we're continuing to see strong sales, strong sell-through, even with some market constraints based on the operators that are renewing. Additionally, with five new retailers opening imminently, this is going to be a really important accelerant of supply chain capacity. And I think it's going to be a critical piece in creating some relief for growers because it's a good way to catalyze the supply chain. If some of these five retailers, we fully expect, are going to perform at least on par with ones who are currently open, and so that's going to generate quite a lot more capacity and demand. So 83 million dollars year-to-date puts us on pace for a very strong finish through the end of the year. And we'll continue to report this out. These data, as we say, are fresh off the presses. We're without our city sale system in place yet. Compiling this gets more complicated the larger the market grows. So we've just finished with this batch of data, and the preliminary indicators were at 83 million dollars, year-to-date.

CHAIR WRIGHT: May I ask, what is the percentage that's coming from our cannabis show -- the grower showcases?

MR. KAGIA: You may. In fact, a perfect segue to the next slide, please. So we've generated 1.5 million dollars from the CGSs that we have run, to date. And based on the number of CGS days that we have had open, it's been about the equivalent of having an additional two or three dispensaries operating in that period. So September was a big month. We saw 1.2 million dollars in retail sales. October has been off to a very strong start because that 33,000 dollars is literally just the first couple of days of October. And worth noting, given that they've been, you know, that part of the priority of this program was to support sales of our growers product, supplier products, between flower at 52 percent, pre-rolls

at 11 percent, our growers products are making up roughly 60 percent of the products being sold. Seeing very strong demand for edibles in the market. They're accounting for 20 percent of the product sales, and it's been -- I think it was a good decision to allow access to both of those products, as we're finding different consumers are coming into these showcases looking for a range of options. So just want to reiterate our thanks, our gratitude to all of the retailers, the growers, and the processors who have been stimulating these opportunities across the state. We've completed roughly 150 CGSs to date. We have 1,250 scheduled through the end of the year, and we're still getting two to three applications for a CGS a week. So it's turning into a very significant initiative. We are looking at a very strong end to the program through the final couple of months of the year. And the final slide, please? So of that 1.5 million dollars, I think it's worth kind of noting what that actually means for the number of units who are moving through. This is 40,000 units of product with our producers that have now been sold through. It translates to nearly 800,000 dollars in sales of flower products alone. And so as we think about the CGSs and the momentum that is building in this program through the end of the year, coupled with the five additional dispensaries that are going to be opening over the next few days, that combination, I think, just is going to bring much needed relief for our growers. And we're going to continue to petition for additional exemptions for our retailers, because this is a critical, critical, part of stimulating our supply chain.

CHAIR WRIGHT: Are we seeing a mixture of cultivators participating? Are we seeing more of them that might not otherwise be in the limited number of retailers?

MR. KAGIA: We have, and one of the things that has really been both interesting and exciting to see as the CGS program has evolved is, as folks have had more time, they're thinking more creatively about how to do the CGSs. So we've seen some CGSs with as many as fifteen growers being showcased, some who are regular participants in these, some who are doing these for the first time. I've had several growers reach out to me and say, but for the CGS program, I don't know what I'd have done. It's been a critical opportunity for us to sell through. There are going to be, always, limitations on programs like this on the totality of the people that can be supported, partly because of where the GCSs are being held.

CHAIR WRIGHT: Um-hum.

MR. KAGIA: You know, the product does have to be fully compliant. It has to be fully tested. But what we are seeing is, as we are seeing momentum in sales for the value-added products, that's even creating interest for more processing of raw biomass. So even for the growers who may not be selling flower at these events, the intent, the expectation, is that through the sale through the value-added products, that's going to generate more demand for biomass for extracts.

CHAIR WRIGHT: And are we seeing CSGs all across the State?

MR. KAGIA: We are.

CHAIR WRIGHT: Okay.

MR. KAGIA: We didn't present the updated map for this one, but this is -- it's been a great seeding of legal retail access across the state. We've seen the majority of these events happen Upstate. We're working with the City on some creative opportunities that -- they're looking for CGSs within the boroughs. But most of these have been Upstate. The communities have been very, very engaged. We look at everything from Saratoga Springs, Rensselaer, and New Paltz, who have -- the municipalities have worked really actively with this. For some of these, we've seen smaller events being proposed. You know, it's just the three growers who are taking advantage of a parking lot, or some modest venue that's been identified. And then in other cases, people are kind of exploring ideas for almost festival-scale events, getting CGSs into those. So great opportunity to get legal cannabis in front of consumers across the state. We think that as, kind of, awareness has grown, so has demand for these, and critically, for the exposure that it is providing for growers who otherwise weren't on storefront shelves. I think this has helped raise consumer awareness of the diversity of brands that New York State currently has.

CHAIR WRIGHT: Thank you. Are there any additional questions from the Board? Comments? Okay, thank you.

MS. GILBERT JENKINS: I'm just really excited about how -- this really shows that the initiative worked. I'm very happy to see this. Thank you.

MR. KAGIA: Thank you.

CHAIR WRIGHT: Thank you, and thank you for the presentation, both of you. Yes.

For our next order of business, we'll be providing the public with an opportunity to address the Board. One, two, three, four, five, six, seven, eight, nine. We have nine people who will be speaking. Please, we won't be answering questions. This is really an opportunity for you to share your thoughts. And remember, each member of the public will be limited to two minutes to speak on agenda items. And please note, if you submitted comments electronically, those will be captured in the meeting minutes for today's meeting and posted on our website. So with that being said, our first comment, I'll search -- first speaker, C.J. Segal-Isaacson, followed by, it looks like, Peter Hornick (ph.). So Ms. Isaacson, how are you?

MS. ISSACSON: We're going to be presenting excerpts from a letter of presentation.

CHAIR WRIGHT: Thank you.

MS. ISSACSON: I'm making reference to the same incident that was mentioned at the beginning. I represent the Cannabis Farmers Alliance, and I'd like to address, essentially, the elephant in the room with respect to Ms. Jeanette Miller's comments at the September 12th meeting. In her comments to the CCB, Ms. Miller was clearly speaking about her own desperation as a cannabis farmer and having no market for her two crops. She made it abundantly clear that she was out of money and time. At the end of her comments, Ms. Miller took a string she had around her neck and presented it to the Board as evidence of what she perceived had been done to her. There was no suggestion the Board should also hang themselves. Because Ms. Miller chooses to speak quickly, it is possible that Ms. White of OCM misunderstood Ms. Miller on this count. Ms. White grabbed Ms. Miller when she exited the CCB meeting room and accused her of being a racist. This has spread through OCM to the New York -- NYS Legislature, where CFA first heard of the slander and disinformation campaign against Ms. Miller. As leaders in cannabis advocacy in New York State, we recognize our responsibility in this regard. CFA as an organization, and Ms. Miller as an individual, have a commitment to diversity and fairness. We recognize that suicidal ideation is very serious. It is something for which professional help ought to be offered. One of Ms. Miller's points, not something to be suppressed. Further, there is data to support that open conversations about suicidal ideation help to alleviate distress, not propel others towards self-harm. It has also been documented that farmers have a very high rate of suicide. Therefore, we ask the CCB to make financial resources available to those who are in crisis. How am I doing for time, folks? Oh, okay. My comments actually go on the letter. I tried the timing and I can see I don't have time to present concrete suggestions for things that I think that, despite the fact the (indiscernible) were voted in, that I think that things that both CCB and OCM together could do, and I think they were already doing some things -- okay, to alleviate -- to help balance market. Thank you very much.

CHAIR WRIGHT: Thank you. Peter, followed by Bruce Sterman.

MR. HORNICK: Hi. My name is Peter Hornick. I'm representing myself. I'm a long-time, tall Upper West Side resident. I thank the Board very much for its efforts. I thank the Board for voting and approving Section 133 this morning. And those are the basis of my comments today. Downstate is different from Upstate in a lot of ways. Obviously, there's a lot more room Upstate. Real estate's beautiful and cheaper Upstate. And on the Upper West Side, where I've lived for twenty-odd years with my family and I've raised my family, the problem we're facing is what New York City Counsel calls saturation and inundation of nonlicensed dispensaries. In a ten-block area of the Upper West Side, there are ten unlicensed dispensaries. It creates problems for small businesses, which is part of the charter that created in the MRTA that did create Cannabis Control Board. It creates problems for nail salons. It creates problems for dry cleaners. All these issues make it very, very difficult for the public to be supportive of licensed dispensaries. Fantastic. So all I'm imploring with the Board is to continue with its efforts to support licensing and the appropriate processes. And those appropriate processes also include considering the locations of such facilities. And those facilities need to adhere to the 200- and 500-foot rules, which makes it very, very difficult on the Upper West Side when there are churches, and synagogues, and community facilities very interspersed there across multiple parts of the Upper West Side. So I am asking the Board to do proper due diligence, and I'm assuming they will because they're enshrined to do that in law, to make sure that they adhere to such regulations and placement. Thank you.

CHAIR WRIGHT: Thank you. Bruce Sterman, followed by Shlomo Weinstock. It's Bruce. Thank you, Bruce.

MR. STERMAN: Good morning. Control -- I'm Sorry, Bruce Sterman, Unlicensed NYC. Control over a proposed retail dispensary is language that needs greater clarity. Landlords are perplexed by what they're agreeing to. I would like to ask the Board and the Office of Cannabis Management, the General Counsel, to please provide a very clear statement as to whether specific language can be included in a letter of intent that will provide or satisfy the requirement here. Thank you.

CHAIR WRIGHT: Thank you. Shlomo, followed by David Nicponski.

MR. WEINSTOCK: How are you doing? My name is Shlomo Weinstock. SAMJNY in New York, Staten Island, first round. The reason I'm here today is our business is requesting to be added to the exempt list. Our store boasts about a million-plus complete build-out, 4,700 square feet, ten parking spots, about fifteen-plus people hired, ready to serve. You know, we assure you that if we are added to the exempt list, the forgotten borough will not be forgotten. Furthermore, business actually represents a unique union between myself, a Jew, and my partner, Muhammad, a Muslim. We, from day one, have planned this together. We are both applicants. We've both been arrested and we both had the business. We could have applied separately, but we decided to do this together. So the success in this endeavor, really, is going to act as a symbol for the world in unity. So please, we ask you to consider, being from the first round, fully built out, ready to go, consider us for the exempt list. Thank you for your time.

CHAIR WRIGHT: Thank you. David, followed by Walter -- I'm going to mess up the last name, but Iwachiw.

MR. NICPONSKI: Thank you, members of the Control Board and OCM leaders. I appreciate the opportunity to speak to you again today. I remain David Nicponski, founder of Freshly Baked NYC, a CAURD retail licensee, number 652 in the Bronx region. Let me get straight to the point. Our industry remains in a precarious state, a situation that has rapidly deteriorated in recent months. There's plenty of blame to go around, but decisions made recently have worsened this crisis. You've heard from distressed farmers at the literal human limits in the September Albany meeting. Their absolute desperation now occurs across my fellow retail licensees. CAURD licensees, who have diligently followed OCM guidelines and advice, facing pending financial ruin, putting the entire supply chain at risk. We're bombarded with advice that is simultaneously conflicting and incomplete, causing feelings of abandonment and betrayal from the State. Worse still, recent court filings hinted that the State doesn't intend to uphold its commitments made privately to us licensees. The filing suggests that you can't or won't relicense many of the CAURD licensees who have followed advice and reapplied, and revealed an inability to follow the court-ordered instructions to file for injunction exemptions for the majority of licensees. This is vital information for CAURD licensees and was not communicated with us. Instead, we had to find it hidden in appellate court filings. We need clarity. Our essential questions necessary for making sound business decisions remain unanswered. The State appears to have shifted focus to program expansion at the expense of existing licensees, despite the private assurances we individually hear. We're on the brink of not just business failure, but devastating family impact. We trusted the

State's promises, we followed guidance, and we need your support and prioritization to prevent complete and widespread disaster. In conclusion, many of us survived and thrived despite the state's previously flawed prohibition enforcement. Yet the current trajectory threatens to undo the resilience. Don't let the State's legacy be one of disaster, trauma, and financial ruin for us. A categorical requirement, we licensees have previously been victimized by the State's misguided enforcement, yet we were resilient and went on to create successful businesses. Time is of the essence here. Don't let the destruction and disastrous outcome of repeated trauma to licensees and the vulnerable be the legacy of this program. Thank you.

CHAIR WRIGHT: Thank you. Walter, followed by Tosin Ajayi, I believe that says. So Walter, and then Tosin.

MR. IWACHIW: Good morning. My name is Walter Iwachiw. I just have some problems I'm trying to present to the Board. The EIN number contained within the Business Express is wrong, and it keeps populating the forms. I've tried to call Business Express, and I've been told by Business Express, oh, talk to OCM. And I get no answers from OCM except go back to Business Express. So I'm stuck in a cycle. The other thing is the regulations are getting deeper and deeper. I suggest that maybe an AI chat bot would help answer questions to people, since it's apparently hard to get in touch with people. Thank you very much.

CHAIR WRIGHT: Thank you. Tosin, I'm sorry.

MS. AJAYI: Tosin Ajayi.

CHAIR WRIGHT: Oh, sorry. I messed it up. Thank you. And Tosin will be followed by Zymia Lewis. Thank you.

MS. AJAYI: Hi. My name is Tosin Ajayi. I am a senior policy and research analyst with Cannabis NYC. I work with Dasheeda Dawson, founding director of Cannabis NYC. We are an interagency hub of city resources located within the New York City Department of Small Business Services. And we work -- we are organized intentionally to achieve our mission, which is to create an equitable, sustainable, and thriving cannabis industry in New York. I wanted to share some updates about what's happening at Cannabis NYC to support licensees and those interested in the legal industry. We are thrilled to have launched FastTrac for cannabis entrepreneurs, a ten-week virtual course to provide prospective cannabis entrepreneurs with the fundamentals of starting operating and scaling a cannabis-focused business in New York's emerging industry. Participants will learn how to navigate New York State's cannabis regulatory framework and explore different strategies to enter the market with one of the available operating licenses, or as an ancillary business. The deadline to apply is tomorrow, October 18th. So visit nyc.gov/cannabis and scroll to FastTrac for more information and to apply. Application is super easy. Only requirements are one, have a cannabis-related business idea, and two, commit to attending all ten sessions. We also now have a cannabis focus -- we also now have cannabis-focused

account managers on staff at business solutions centers throughout the five boroughs to assist cannabis businesses, specifically providing application assistance for the current cycle. They are also able to connect customers to other businesses, services, and resources available through the city. Cannabis NYC and SBS are also part of OCM's CHIP program, the Cannabis Hub and Incubator Program, to provide assistance to people applying for one of the five license types available. Remember, at least 50 percent of licenses are to go to social equity applicants, and we are here to help. That's the law. So take advantage of this opportunity. You can access these services through the hotline for NYC Small Business Services at 888-SBS-4NYC. That's 888-SBS-4NYC, or contact our team at cannabis@sbs.nyc.gov. Cannabis@sbs.nyc.gov. Thank you very much. I'm Tosin Ajayi. Thank you so much. Bye-bye.

CHAIR WRIGHT: Thank you. Zymia, followed by Chris Paez.

MS. LEWIS: Good morning. Zymia from Big Gas. Just a few things. Oh, sorry. I'm still not open. You know, congratulations on the win that we have with the exemptions. But then we were hit with the denial of the stay. So -- oh, okay. Can you hear me? Okay. So again, I'm still not open, so we can make that clear. And I just want to say that in the Mid-Hudson region, there's no legal dispensaries open. You know, we're one of the only regions that do not have any dispensaries open. So trying to get dispensaries open in that area is very important. Also, I myself and other CAURD members, we would appreciate if there is some type of maybe online meeting that we can have. Some type of virtual meeting to explain where CAURD goes. I know we're under the injunction and there's not much that can be said, but I'm lost. It's in the dark. I just reapplied because I was told to reapply. I don't know under what structure. There's a lot of misinformation going on. So we've been under this injunction for two months. You know, that's a really long time to not have had a meeting at all for CAURD. For CAURD not to have heard anything. We send emails. I know you're tired of seeing my emails. Like, I know you are, but we need some type of -- whatever you guys can tell us. Just hold a meeting and tell us whatever information, clearing up the misconceptions of whatever you can say. Even if it's a non-question type of -- whatever meeting. You know, just give some type of information. We're all in the -- we're all lost and everyone's going hearsay. This is said. That is said. This is said. And that doesn't get us anywhere. If we have to move forward under the general process, I'm all for that. I'm all for doing it. I just want to hear from OCM what I'm supposed to be doing so that I understand how I'm supposed to be doing it. Okay. Sorry. You guys are very good with the general application, and you've been focusing on that. But please don't forget about CAURD. Remember that we're here and we do need a meeting at some point. So thank you.

CHAIR WRIGHT: Thank you. Chris Paez to close this out?

MR. PAEZ: Good morning, guys.

CHAIR WRIGHT: Good morning.

MR. PAEZ: My name is Chris Paez. I'm here with TLC Creative Solutions. I'm a CAURD member.

CHAIR WRIGHT: Step into the –

MR. PAEZ: Sorry. Hello? Can you hear me, everybody? Yeah, I'm lost. I'm here out of just pain. I'm tired of not having no -- no explanation of what we're going to do moving forward with CAURD. I'm losing all my money. I don't even live in New York anymore. It's like a sweet misery. I'm losing the passion out here. What are going to be the next steps for a CAURD? I've already applied, reapplied, and spoken to everybody possible. Emails are being ignored. I mean, what is the next step? What can we do? It's not fair. That's it. Bottom line. We got to step it up so CAURD can get full advantage of it. There's other loopholes that the MSOs are using to even get a part of the CAURD. I'm one of them. I'm one of the loopholes that one of the MSOs did. They're trying to literally buy me out, and a whole bunch of stuff, and I'm not having it. So I think we should just step on making sure that this marijuana taxation that goes to 50 percent of the social equity people. And that's about it. I ain't gonna sit here and bitch. If you -- please pardon my language, but I'm tired of it. I came from Miami. I left out of here. I'm from the Upper West Side. My region is Brooklyn. But yeah, it's tiring. Tired of this. We need to do something for the CAURD program. But thank you. Appreciate it.

CHAIR WRIGHT: Thank you. Thank you. And I want to say thank you to everyone who has come and taken time to speak to us and submit their comments in writing. It's always important for us to hear from you, for you to bring up a wide range of these concerns, and also to give us insight into some of the things that might be missing for us in the work that we are producing, so that we know what to go back for, and to -- how do we properly address concerns and interests for the people? So thank you very much. Please note that the time -- so we're actually coming to a close now. So please note that the time, location, and the livestream link will be shared on cannabis.ny.gov in advance of the next Cannabis Control Board meeting, and that a recording of today's meeting, the meeting minutes, and a transcript will be posted, as well. I don't think -- we did have the opportunity for a -- I'll just call for the vote, because I don't think that we actually need an executive session, but I would like to just call it. The Board is going to take a vote on a motion to enter into the executive session to discuss litigation. However -- so before we actually call it, I'm going to make one comment. We do have -- we have made a request that we get a written update. So before I call, I just wanted to let everybody know that that is in the works. So without further ado, I will call. May I have a motion to call this vote?

MS. GARCIA: Madam Chair, am I able to make a friendly amendment to that motion?

CHAIR WRIGHT: Yes.

MS. GARCIA: Rather than to vote to go into executive session, to vote to waive going into executive session for –

CHAIR WRIGHT: Are we going to vote no to this?

MS. GARCIA: Is that what you want?

CHAIR WRIGHT: Yeah.

MS. GARCIA: Okay. I'll make a motion then.

CHAIR WRIGHT: Can I get a second?

MS. KNIGHT: Second.

CHAIR WRIGHT: All right. All in favor of vote going into executive session? All opposed? Aye.

MS. GILBERT JENKINS: Aye.

CHAIR WRIGHT: There we go. Thank you. So we will not have to do it. I just wanted to make sure and let everybody know that although it was there, that we do have a plan for how we're going to circulate some information to the Board members. And so without further ado, I would like to adjourn this meeting. That concludes all of our business for today. So may I have a motion to adjourn this meeting?

MR. PERRY: So moved.

CHAIR WRIGHT: May I have a second?

MS. GARCIA: Second.

CHAIR WRIGHT: Any questions or comments before we close out?

UNIDENTIFIED SPEAKER: (Indiscernible).

CHAIR WRIGHT: I'm sorry. This is for the Board members only, ma'am. But hearing none from the Board, all in favor to adjourn. Aye.

MS. GILBERT JENKINS: Aye.

MR. PERRY: Aye.

CHAIR WRIGHT: Okay. I think we have that. The motion to adjourn this meeting carries, and I want to say thank you all for joining us today. Thank you.