



# Office of Cannabis Management

**KATHY HOCHUL**  
Governor

**JOE BELLUCK**  
Cannabis Advisory Board Chair

**JUNELLA CHIN**  
Cannabis Advisory Board Vice Chair

**EBRO DARDEN**  
Subcommittee Chair

**PETE SHAFER**  
Subcommittee Chair

**FELICIA A. B. REID**  
Acting Executive Director

## Meeting Minutes

<b>Title:</b>	New York State Cannabis Advisory Board Meeting
<b>Time &amp; Date:</b>	September 24, 2024 at 11:00 AM
<b>Location:</b>	SUNY Global, 116 East 55 <sup>th</sup> St., Global Classroom, New York, NY 10022 and Virtual via Webcast

## Attendance

<b>Board Chair:</b>	Joe Belluck, Esq.
<b>Board Members Present:</b>	<p><b>Voting Members:</b> Joe Belluck, Esq., Dr. Junella Chin, MD, Nikki Kateman, Armando Rosado</p> <p>*Attending virtually from a private location due to extraordinary circumstances: Alejandro Alvarez, Ebro Darden, Allan Gandelman, Garry Johnson, Sarah Ravenhall, Peter Shafer</p> <p>Ex Officio Members: Brooke Davis (designee of HCR), Kathleen DeCataldo (virtual), Daniel Kaufman-Berson (designee of DOL), J’Aimee Louis (designee of Health), Emma Muirhead (designee of OCFS-virtual), Henry Rosen (designee of OASAS-virtual), Scott Wyner, Esq. (virtual)</p>
<b>Board Members Absent:</b>	TheArthur A. Duncan II, Esq., Patrick Foster, Marc Ramirez, Chandra Redfern
<b>Others Present:</b>	John Kagia, Patrick McKeage, Jim Rogers, Matt Wilson
<b>Others Present (virtually):</b>	Ricky Bunnicelli

## Agenda

- I. Welcome and Opening Remarks – Joe Belluck, Esq., CAB Chair
- II. Approval of Meeting Minutes from August 20, 2024 – Joe Belluck, Esq., CAB Chair
- III. Office of Cannabis Management Updates (Market Update, Social and Economic Equity Update, Community Reinvestment Program Request for Application Update, Seed-to-Sale Update) – OCM Staff
- IV. Legal Online Cannabis Activities Locator (LOCAL) Map Launch



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- V. Other OCM Announcements
- VI. Advisory Board Member Discussion – All
- VII. Thank you and Adjourn – Joe Belluck, Esq., CAB Chair

## Notes & Comments

- Chair Joe Belluck commented that the Cannabis Advisory Board (“CAB”) serves an important role in the regulatory process of cannabis in New York. He noted that they have been very pleased to being given the opportunity to weigh in on the marketing and proximity regulations in advance and provide some feedback on those to the Cannabis Control Board (“CCB”) and they did that both at their last meeting and then later on in writing. He stated that you are going to hear later today an update on their Community Grant Reinvestment Fund (CGRF), which is very exciting and moving ahead quickly, and working on getting engagement from communities and groups across the state so they get a robust applicant pool. He further stated that they are very excited to be moving this along and be in the position to start handing out the money from cannabis sales in New York.
- Upon a motion from CAB Members, and a second from CAB Members, the Minutes of the August 20, 2024 CAB Meeting were approved unanimously.

- Patrick McKeage, Chief Operating Officer for the Office of Cannabis Management (“OCM” or the “Office”), John Kagia, Senior Director of Policy for OCM, Jim Rogers, Director of Business Development for OCM, Matt Wilson, Director of the Community Grant Reinvestment Fund, and Ricky Bunnicelli, Data and Systems Project Manager for OCM, provided the following OCM updates.
  - Market Update
    - New York has sold \$631.6 million in legal cannabis.
    - With five reporting weeks, August sales neared \$100 million. Early September recorded the first \$21 million plus in weekly sales, bringing the 2024 year-to-date total to \$470.8 million.
    - There are 197 legal adult-use retail dispensaries open in New York.
    - Sales are almost evenly split between flower and non-flower products.
    - Infused prerolls and gummies now dominate concentrate and edibles sales.
    - Product selection is growing quickly as over 500 brands now serve the market.
  - Social and Economic Equity (SEE) Update



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- To date, 53% of the adult-use licenses across the supply chain are SEE owned. The breakdown includes 36% Minority-Owned Business, 43% Women-Owned Business, 8% Service-Disabled Veteran-Owned Business (SDV), 8% Distressed Farmer, and 5% Communities Disproportionately Impacted (CDI).
- To date, 39% of Adult-Use Cultivators, 38% of Adult-Use Processors, 35% of Adult-Use Distributors, 55% of Microbusinesses, and 84% of Adult-Use Retail Dispensaries, are held by SEE licensees.
- CAURD Grant Program – The Office will partner with Empire State Development (ESD) to provide grants to eligible CAURD licensees to support business operations. CAURD licensees will be able to use program funding for point-of-sale hardware, renovations of licensed retail space, inventory tracking systems, security systems, secure product storage and transportation, and rent for licensed retail space. At this point in time, the Office is not accepting applications from CAURD licensees. ESD released an RFP seeking a grant administrator to oversee the CAURD Grant Program. Proposals were due on September 16<sup>th</sup> and are currently being verified for eligibility.
- Community Grants Reinvestment Program Request for Application (RFA) Update
  - OCM continues to work with the Office of Information Technology Services (ITS) and contractor, Agate, to build and complete user testing on a new online grant management software called “eGrants” slated to go-live in tandem with the upcoming grant opportunity.
  - OCM’s webpage dedicated to the Community Reinvestment Program is now live. For regular updates, visit [cannabis.ny.gov/reinvestment](https://cannabis.ny.gov/reinvestment).
  - OCM has continued to hold engagement sessions to get potential applicants ready for this upcoming opportunity.
  - The RFA is expected to become available in the coming weeks.
  - A bidder’s conference will be scheduled to provide technical assistance for potential applicants during the application period.
  - 501c3 Organizations serving young people 0-24 who may be interested in applying for funding (must be related to Mental Health, Housing, or Workforce Development) will be required to submit prequalification applications that can be started now in the Statewide Financial System (SFS) at [sfs.ny.gov](https://sfs.ny.gov).



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- Legal Online Cannabis Activities Locator (LOCAL) Map Launch
  - o LOCAL is a transformative mapping tool designed to make the application process for licensee hopefuls across NYS more efficient, transparent, and affordable. LOCAL is developed using data in the Cannabis Licensing System (CLS) and is available on the Office’s website. The LOCAL application comprises two essential tools:
    - The first is an industry-focused map tailored for applicants, licensees, and stakeholders, featuring advanced capabilities such as generating proximity reports, searching licenses, exporting data, and navigating multiple data layers.
    - The second tool, soon to be launched, is a consumer-focused dispensary map that will allow New Yorkers to easily locate the nearest legal dispensary, ensuring access to safe, regulated cannabis products.
- Single Point of Contact (SPOC)
  - o The Office is transitioning to a SPOC review model. This change is part of the recommendations from the Spring 2024 assessment from the NYS Office of General Services (OGS) report.
  - o The goal of the SPOC model is to help enable OCM’s licensing team to streamline and centralize its operations, enhances communication with applicants, and provides applicants with a better ability to navigate the licensure process.
  - o The SPOC model moves all license review functions to OCM’s licensing team. Previously, there were several OCM teams that handled different aspects of the application review including background checks, location and SEE. Moving to this model will help ensure that every applicant knows who their primary license examiner is and can reach out to them directly for questions on the application as the review progresses.
- Seed-To-Sale Fee Waiver
  - o Pursuant to Section 78 of the Cannabis Law, the OCM requires all licensees utilize an electronic system that tracks cannabis as it moves through the supply chain, a complex inventory management system called a seed to sale system.
  - o All licensees must report their data to OCM using the BioTrack seed to sale system Application Programming Interface (API). In order to ensure



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unique identification of inventory, licensees will purchase inventory tags from BioTrack in advance of operations. OCM will cover a total of \$250,000 in tag purchases across licensees, at the launch of the project.

- The unique identifiers tied to each tag are representative of one piece of inventory that stays with that inventory from the plant stage to final product.
- Additional details will be made available as the program is rolled out with the vendor and licensees. Additional information on the API integration for third party integrators to BioTrack are forthcoming and OCM will provide updates as soon as they are available to licensees.

– Regulatory Updates

- Part 128 & 129 – Packaging, Labeling, Marketing and Advertising regulations are out for public comment until October 28, 2024.
- Proposed Regulation of Part 133 – Violations, Hearings and Enforcement are out for public comment until November 11, 2024.
- Public Convenience and Advantage will be posted in the State Register soon.

– Medical Cannabis Symposium

- OCM, in collaboration with Roswell Park Comprehensive Cancer Center, hosted its first Medical Cannabis Symposium last Friday in Buffalo, NY.
- Leading clinicians and researchers in the field of medical cannabis presented on a wide array of topics related to the role of cannabinoids in clinical practice.
- Almost 200 individuals registered for in-person or virtual attendance.
- The symposium provided an opportunity for practitioners interested in certifying patients to complete the 2-hour course requirement to become a certifying practitioner. CE/CME credits were offered to all eligible physicians, nurses, and pharmacists who attended both virtually and in person.

- CAB Members had the following discussion regarding the Market update.
- Chair Belluck stated that he tries to visit as many as dispensaries as he can and that he happened to be at Big Gas at New Paltz a few weeks ago and it was like 5:30 on a weekday and the volume of people going in and out and coming in, and the bud tenders knew the customer's name and it was obvious there were a lot of repeat business, everybody was in a good mood, the place was being run, checking IDs, doing everything they were supposed to



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and many, many of the places that he goes to are just like that and it's a really good customer service, consumer experience.

- John Kagia stated that one of the things he has observed now at several dispensaries, and including a retailer they visited in Buffalo for their board meeting a couple of weeks ago, that they have seen in Brooklyn and Manhattan, is customers who come back and said, last time I was here I tried X, do you have something kind of like that but might be a slightly different experience, taste profile, flavor profile and that part of his takeaway from these observations is just how much consumers are still in the discovery period because every time they walk in, there is a new complement of products.
- Chair Belluck asked is the Long Island issue mainly the communities that have zoned dispensaries out.
- John Kagia stated that there is an incredible amount of demand on Long Island, but they are seeing a combination of two municipal rulemaking decisions that have materially impacted it. He stated that one is the number of municipalities that just opted out of cannabis, but two, even those that have opted in, they have seen in some cases zoning rules for cannabis business that have made it more difficult for folks to be able to find locations to get their permits to proceed. He further stated that they are certainly engaging very actively with stakeholders in the community to try and show the equitable access to legal regulated cannabis, particularly given the strength of demand that they see on the island, and it is going to be an ongoing process.
- Board Member Nikki Kateman asked is their data on who is manufacturing the brands.
- John Kagia stated that the number of new brands that have entered the market of the last three months were so high that they did not have a chance to finish all of the programming and coding to drill down to map that out. He further stated that they don't have 500 processors in this market and there are multiple brands per processor.

- CAB Members had the following discussion regarding the SEE update.
- Chair Belluck asked if they could add it to an agenda going forward how they are tracking the success of their licensees and what they might need to be adjusting to make them as successful as possible.
- Jim Rogers stated that later on during the SEE Subcommittee meeting they will go through where they have gone so far in terms of their supports.

- CAB Members had the following discussion regarding the Community Grant Reinvestment Program update.



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- Vice Chair Junella Chin asked as you are evaluating these grant proposals, what measures do you have in place to track the long-term impact of these grants on their community and the health development of their communities.
- Matt Wilson commented that at the moment, they are still setting up their evaluation systems and process. He stated that in this first cycle, they will be very keen to have a close partnership with these organizations as they learn who has applied the work they are doing, and figure out how their resources are contributing to their mission and in the coming weeks and months, he looks forward to trying to develop a sort of multi-year framework for the CGRF that might include some sort of baseline study or evaluation to figure out what is their starting point as they define objectives they want to achieve and then build a proper implementation and evaluation structure into the program.

- CAB Members had the following discussion regarding the LOCAL update.
- Vice Chair Junella Chin commented that it is a significant step towards creating transparency with the lay person, with the community, with licensees and it really ties the purse strings together and they have been waiting for this for a really long time, so kudos.
- Board Member Nikki Kateman stated that in terms of getting this out, one of the things she heard from folks on community boards was they were overwhelmed by knowing proximity because this is not their full-time job, reviewing applications. She asked is this tool going to be marketed towards municipalities and community board members so that they can access this. She stated that she knows this is going to be available to folks, but she does think it would be a good touch to specifically reach out to bps and local municipality just to say, hey, this is a tool you can and should be using and making sure your community boards members are seeing this.
- Ricky Bunniceilli stated that this pending layer is when the location information section was approved on the application and that includes the notification to municipality, so there should not be any retail applications that have not had an approved notification, approved proof of control that the location meets all the distance requirements if it is retail and that is just an important notion.
- Patrick McKeage stated that this platform that they've developed, they actually used the same vendor that developed the State Liquor Authorities' Mapping System so the whole look and feel and the way you search should be very familiar to the community boards.
- Board Member Garry Johnson asked what the rationale was with listing the LAT Long on this and what are the considerations about showing the actual individual license number versus just saying that they are licensed or not, what is the legal implications of both of those.



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- Ricky Bunnicelli stated that the LAT Long is generated by the report and your LAT Long is a field you have to enter as an applicant, so this generates those coordinates for you, and this is just for a location that you have searched and there is no LAT Long for the actual popups.
- Patrick McKeage stated that the importance of the license number, it is really the unique identifier for their licensed businesses, and having that universal unique identifier that you can show them your license certificate, show them that you are in fact licensed, go back to the board meeting where maybe you got your license, those things can really help just identify someone as a licensee versus an illicit dispensary.
- Board Member Garry Johnson asked is there any risk with someone misusing that information.
- Patrick McKeage stated no, in the contrary, it is really important information to get out there, especially if you are a distributor and you were looking to distribute your product, one of the first things you are going to ask for is, is this person licensed by OCM and to prove that is using the license number and the license certificate provided by the office.

- CAB Members had the following discussion regarding the Medical Cannabis Symposium.
- Vice Chair Junella Chin stated that it was a fantastic and successful symposium and that they had over 200 registered in-person and virtual, and throughout the day it was growing virtually, people tuning in, and they had researchers, PhDs, health providers from all across the country as well as the Northeast Corridor. She stated that the symposium really reinvigorated patient advocacy and the medical cannabis program. She noted that they had the Medical Cannabis Advisory Council attend, folks from the Ambassador program, and they are working on clinical guidance documents from GI specialty to mental health for pediatrics in use of medical cannabis, so they are really quietly working in the background. She stated that Deputy Director Dr. Nakesha Abel, she, and Dr. Nicole Rosa, have been working vigorously in the background trying to make sure that patient care is still the forefront of health safety research in the OCM, and the symposium reflected that. She further stated that they had so many presenters that the attendees didn't know which rooms they wanted to go to and, what the feedback was when they do this again next year, which they hoped, is that they could stream everything so that everyone could watch both at the same time.

- The CAB adjourned the meeting.