

WEBVTT

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00:00:00.000 --> 00:00:01.360

HVCC - BTC Auditorium: New York.

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00:00:03.090 --> 00:00:05.170

HVCC - BTC Auditorium: I guess so. All right.

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00:00:05.340 --> 00:00:13.000

HVCC - BTC Auditorium: Well, good morning and welcome everyone. I'm Tremaine Wright, the chair of the Cannabis Control board, and it's a pleasure to be with you here today.

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00:00:13.502 --> 00:00:21.159

HVCC - BTC Auditorium: Recognizing that we have a majority of board members present, I'm pleased to call to order another meeting of the cannabis control board

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00:00:21.300 --> 00:00:27.719

HVCC - BTC Auditorium: and to welcome all of you who are participating in person or via our real time live streams.

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00:00:27.990 --> 00:00:40.669

HVCC - BTC Auditorium: We are going to begin with the agenda and the agenda, for this meeting was provided to you all of the board members with your board materials. Is there any objection to adopting the agenda as distributed.

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00:00:42.940 --> 00:00:46.479

HVCC - BTC Auditorium: hearing none, we'll move forward. So today's

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00:00:46.580 --> 00:00:56.110

HVCC - BTC Auditorium: agenda includes welcome and opening remarks. Approval of the meeting minutes from the January 9, th 2025 Board meeting

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00:00:56.400 --> 00:01:06.580

HVCC - BTC Auditorium: consideration of a delegation of certain subpoena powers from the Cannabis Control Board to the office of general Counsel at the office of Cannabis management.

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00:01:07.580 --> 00:01:11.000

HVCC - BTC Auditorium: consideration of adult use, applications for approval.

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00:01:11.410 --> 00:01:19.410

HVCC - BTC Auditorium: consideration of location, change and chair tier change, amendments, consideration of research, licenses.

12

00:01:19.630 --> 00:01:24.099

HVCC - BTC Auditorium: consideration of registered organization, applications for approval.

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00:01:24.910 --> 00:01:28.869

HVCC - BTC Auditorium: consideration of registered organization, dispensary location.

14

00:01:29.620 --> 00:01:38.090

HVCC - BTC Auditorium: consideration of amendments to the proposed public convenience and advantage. Regulations, consideration of municipal opinions.

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00:01:38.870 --> 00:01:42.210

HVCC - BTC Auditorium: consideration of administrative law, hearing appeals.

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00:01:43.692 --> 00:01:48.799

HVCC - BTC Auditorium: then we'll have public comment, and then we will. The Board will adjourn.

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00:01:49.580 --> 00:01:52.490

HVCC - BTC Auditorium: I think it's important to note here

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00:01:52.660 --> 00:02:01.979

HVCC - BTC Auditorium: that the Cannabis Control Board members have heard and reviewed the public comments surrounding the public convenience and advantage regulation.

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00:02:02.280 --> 00:02:12.730

HVCC - BTC Auditorium: While we do not have any Pca requests for determination before us today, we are working to move forward and

continue the review of these requests.

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00:02:12.930 --> 00:02:18.289

HVCC – BTC Auditorium: More information will be provided in advance of the March Board meeting.

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00:02:20.270 --> 00:02:23.940

HVCC – BTC Auditorium: So everyone welcome again.

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00:02:24.130 --> 00:02:41.150

HVCC – BTC Auditorium: I want to start by taking a moment to acknowledge all of the hard work and dedication that's gotten us to this point. We ended 2024 with incredible momentum, and that energy continues to propel us forward in our work. In 2025

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00:02:41.320 --> 00:02:48.599

HVCC – BTC Auditorium: we remain focused on our mission to build a thriving and equitable cannabis industry for New York State.

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00:02:49.210 --> 00:02:54.020

HVCC – BTC Auditorium: In January we had the privilege of marking a historic achievement.

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00:02:54.170 --> 00:03:01.370

HVCC – BTC Auditorium: New York's legal cannabis industry officially surpassed 1 billion dollars in retail sales.

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00:03:01.520 --> 00:03:08.520

HVCC – BTC Auditorium: and we just passed the milestone of opening over 300 retail dispensaries throughout the State

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00:03:09.000 --> 00:03:16.470

HVCC – BTC Auditorium: to celebrate. We gathered for a press conference at the State Capitol that highlighted the strength and resilience of our market.

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00:03:16.870 --> 00:03:26.950

HVCC – BTC Auditorium: and in a moment of pride for our community we illuminated the Empire State Plaza Green, symbolizing both our progress and the future we are shaping together.

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00:03:27.880 --> 00:03:28.820

HVCC – BTC Auditorium: Thank you.

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00:03:30.370 --> 00:03:52.120

HVCC – BTC Auditorium: Also, it's just the beginning. 2025 is shaping up to be a year of growth and action, we remain committed to expanding opportunities, strengthening enforcement, to ensure a fair market, renewing and expanding our commitment to equity and continuing to invest in communities most impacted by past cannabis prohibition.

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00:03:52.350 --> 00:03:58.700

HVCC – BTC Auditorium: New York has set a national example for what a regulated cannabis market can achieve.

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00:03:58.870 --> 00:04:06.079

HVCC – BTC Auditorium: and together we will keep pushing forward. So thank you all for being a part of this journey. Let's continue to do the good work.

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00:04:07.200 --> 00:04:13.409

HVCC – BTC Auditorium: Additionally, I also want to take a moment to recognize that we have a new member of the Cannabis Control board with us today.

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00:04:13.710 --> 00:04:21.810

HVCC – BTC Auditorium: Please join us in welcoming Board Member Brad Usher to the Cannabis Control Board and to his 1st Cannabis Control Board meeting.

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00:04:22.640 --> 00:04:23.854

HVCC – BTC Auditorium: I can drive.

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00:04:26.680 --> 00:04:31.440

HVCC – BTC Auditorium: Brad has been appointed to the Cannabis Control Board by the New York State Senate.

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00:04:31.600 --> 00:04:38.969

HVCC – BTC Auditorium: Brad served as chief of staff to Senators Liz Krueger from 2,002 to 2022,

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00:04:39.000 --> 00:05:08.129

HVCC - BTC Auditorium: and he worked on, developing a wide range of policy and legislation, and he was deeply involved in drafting and developing the Marijuana Regulation and Taxation Act, which legalized cannabis here in New York and helped to establish our office here of cannabis management as well as this cannabis control board. So Member Usher joins us today from our New York office. Mr. Usher, do you have anything you'd like to say before we move into today's agenda.

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00:05:08.480 --> 00:05:20.430

OCMNYCBoardroom@ocm.ny.gov: Thank you. Chair Wright. I look forward to working with you and the other Board members in the coming months and years. I hope to draw on your experience and the spirits of other board members. As I grow into this role.

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00:05:20.570 --> 00:05:35.209

OCMNYCBoardroom@ocm.ny.gov: I know I have a lot to learn, but based on my past work in this area there are some key issues. I want to focus on building on the successes of the growing program while keeping the focus on the spirit of the law ensuring real opportunities for those impacted by the drug war.

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00:05:35.430 --> 00:05:37.789

OCMNYCBoardroom@ocm.ny.gov: growing the market with deliberation.

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00:05:37.950 --> 00:05:50.100

OCMNYCBoardroom@ocm.ny.gov: That means, as we move forward with the rollout of more licenses. We do it in a way that recognizes the role of thoughtful regulation and creating a sustainable market. I look forward to working with all of you as we move forward.

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00:05:51.000 --> 00:05:52.010

OCMNYCBoardroom@ocm.ny.gov: Thank you.

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00:05:52.870 --> 00:05:53.730

HVCC - BTC Auditorium: Thank you.

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00:05:56.050 --> 00:06:04.110

HVCC - BTC Auditorium: And now I'd like to take a moment and thank Dr. Gilbert Jenkins for all of her work. During her time as a member of the Cannabis Control Board.

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00:06:04.290 --> 00:06:28.030

HVCC – BTC Auditorium: Dr. Jenkins has been a member of this board since January of 2023, and over the past 2 years has been a valued voice helping shape this emerging cannabis market. We wish her the very best in all her future endeavors, and appreciate her steadfast support for small business expertise in agriculture and overall dedication and insight, she contributed to this body.

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00:06:28.800 --> 00:06:38.520

HVCC – BTC Auditorium: I will now pass it over to our acting executive director, Felicia Reed, for a quick announcement on a couple of staff who are moving on to new exciting opportunities.

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00:06:38.760 --> 00:06:49.099

HVCC – BTC Auditorium: Thank you. Chair Wright. Good morning. New York Cannabis and Happy black history month, and happy Valentine's, Galentine's, and alone with a 96 box of truffles to all who celebrate.

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00:06:49.300 --> 00:07:03.999

HVCC – BTC Auditorium: It's been a whirlwind year so far, full of growth and progress for the agency. I thank Governor Hochul for her critical supports for cannabis as proposed in this year's executive budget. The agency is moving through 300 plus applications for the Cgrf.

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00:07:04.000 --> 00:07:21.309

HVCC – BTC Auditorium: The C team recently released the Cannabis Banking Directory, and later this month I'll be testifying at Ocm's 1st ever budget hearing on February 26.th Before I continue today, I do want to apologize to the room. I do have to leave this meeting early. There's been a death in my family, and this afternoon is a funeral. So pardon that.

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00:07:21.320 --> 00:07:36.380

HVCC – BTC Auditorium: moving on, I want to say a couple of things relative to staff changes. So I want to take a moment to express. Actually, I have a script here, but I'm going to go off script. I want to take a moment to thank Tabitha Robinson, who is currently our acting chief.

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00:07:39.830 --> 00:08:02.289

HVCC – BTC Auditorium: our Acting Chief Equity Officer and executive Deputy Director of Economic Development. She's embarking on her next chapter as lead director of the Maryland Cannabis Administration. When

I 1st came to this agency, Tabitha was one of those folks who I have been, I was so excited to work with her talent, her passion, her commitment to equity, her analysis

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00:08:02.290 --> 00:08:26.929

HVCC – BTC Auditorium: of things on the ground and things future has been instrumental in shaping the C team and its trajectory through a very tumultuous period. And so I'm so grateful for her presence, for her guidance, for her steadfastness. And honestly, I'm going to miss her terribly. She's been, you know. I always view leadership as the opportunity to teach, but also the opportunity to learn. And Tabitha has been one of those folks who has been a teacher for me, and so thank you. Thank you so much.

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00:08:26.930 --> 00:08:56.379

HVCC – BTC Auditorium: I know she's not in the room yet, but I do have something for her, so I'll be giving that to her later. She's part well, there's ice, so tell her not to run too fast, because I wiped out this morning. So what I do want to mention as to our chief equity officer position is that we're still currently in interviews. We're going to be finishing that out through this month, and I'm hopeful to have an announcement early next month. We are not wasting any time, and being really pointed and diligent about getting through those paces. There she is. Hi, Tabitha!

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00:09:02.180 --> 00:09:10.339

HVCC – BTC Auditorium: Truncated version. Thank you. Thank you. Appreciate you. We'll miss you terribly. Have something for you

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00:09:10.850 --> 00:09:23.440

HVCC – BTC Auditorium: next slide. So I also want to extend really deep appreciation to Dr. Nicole Rosa, executive deputy Director of Health and Scientific Affairs, and our chief medical officer. Yes, yes.

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00:09:25.550 --> 00:09:35.890

HVCC – BTC Auditorium: Nicole has been an instrumental part of developing Ocm. And New York State's Medical cannabis program, and she's now going to serve as a pharmacy consultant back at the Department of Health.

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00:09:35.890 --> 00:09:57.249

HVCC – BTC Auditorium: Her expertise and commitment have been vital to Ocm's work, and I will say, just as a leader and as a manager, the way

in which she cares for her team, the way she's deeply thoughtful about the things that we do as an agency, the meticulousness. I always think I'm a little verbose in terms of answering emails that does not match Nicole, who's so detailed and present in everything that she writes.

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00:09:57.250 --> 00:10:09.669

HVCC - BTC Auditorium: And so I will also miss her as she is moving on, but I'm so happy and thrilled for her new transition. So thank you, Nicole, we will miss you, miss you already, and but your work and your legacy will live on at the agency

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00:10:10.250 --> 00:10:11.500

HVCC - BTC Auditorium: next slide.

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00:10:12.570 --> 00:10:36.559

HVCC - BTC Auditorium: Cannabis history is black history. So this black History month 0cm. Joins its sibling agencies in celebrating as an agency black history month. This is the 1st time the agency has done that. One of the things that I'm so excited about is some of you I see around the room have pins and stickers designed by Laura Providence over there on our public affairs. Team. Incredible work! Incredible vision.

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00:10:36.560 --> 00:11:01.350

HVCC - BTC Auditorium: One of the things that was really important to highlight as a matter of black history, month and cannabis is how long that history has existed, and how much black communities have shaped cannabis, both internationally and in this country. So look toward our social media. We've been posting since Monday, and we'll go through next Thursday, with history and information on the intersection of black history and cannabis, and please share on, because that story is incredibly important

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00:11:01.350 --> 00:11:02.090

HVCC - BTC Auditorium: to towel

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00:11:02.940 --> 00:11:30.469

HVCC - BTC Auditorium: with that madam, chair back to you. Thank you, Felicia, and on behalf of the board I just want to extend a thanks, and well wishes to Tabitha Robinson and to Dr. Nicole. Rosa, we appreciate your contributions, and as much as we hate to see you leaving, we looked forward to following your progress and watching how the work, your work will continue to enhance the lives of all the people we serve. So congratulations and thank you.

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00:11:33.860 --> 00:11:48.379

HVCC - BTC Auditorium: Now, for our 1st order of business. We're going to approve the meeting minutes from the January 9, th 2025. Board meeting. May I please have a motion to consider and approve? The January 9, th 2025 board meeting minutes

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00:11:48.550 --> 00:11:50.600

HVCC - BTC Auditorium: so moved. May I have a second.

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00:11:51.750 --> 00:11:52.490

OCMNYCBoardroom@ocm.ny.gov: Second.

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00:11:53.350 --> 00:11:55.320

HVCC - BTC Auditorium: Thank you. Is that Brad.

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00:11:55.780 --> 00:11:56.500

OCMNYCBoardroom@ocm.ny.gov: Yeah.

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00:11:56.710 --> 00:12:01.450

HVCC - BTC Auditorium: Okay, thank you. Is there any discussion on this motion by any board? Members

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00:12:03.820 --> 00:12:07.860

HVCC - BTC Auditorium: hearing none, I'll call for the vote all in favor. Aye.

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00:12:08.240 --> 00:12:09.640

OCMNYCBoardroom@ocm.ny.gov: Aye, aye.

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00:12:11.270 --> 00:12:16.690

HVCC - BTC Auditorium: The motion to approve. January 9, th 2025 board meeting minutes carries

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00:12:16.980 --> 00:12:21.650

HVCC - BTC Auditorium: next. We'll move on to some of our resolutions for the day

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00:12:22.650 --> 00:12:40.280

HVCC – BTC Auditorium: next, may I have a motion to consider and approve. Resolution number 2025 to 0. 3. Consideration of delegation of certain subpoena powers from the Cannabis Control board to the office of general counsel at the office of Cannabis management.

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00:12:41.720 --> 00:12:42.599

OCMNYCBoardroom@ocm.ny.gov: So I moved.

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00:12:43.070 --> 00:12:44.250

HVCC – BTC Auditorium: May I have a second.

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00:12:45.520 --> 00:12:46.000

OCMNYCBoardroom@ocm.ny.gov: Second.

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00:12:47.470 --> 00:12:53.250

HVCC – BTC Auditorium: I'll now ask the office of cannabis management to provide a brief overview of this resolution.

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00:12:53.430 --> 00:13:08.750

HVCC – BTC Auditorium: Thank you, madam. Chair, as the market matures, threats to the integrity of our market and the value of small equity. Business licenses become more and more complex and more frequent. As an agency. We are well aware of the issues out there, and I've also heard the alarm bells across the industry.

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00:13:08.830 --> 00:13:28.649

HVCC – BTC Auditorium: Certainly we're at a critical place in time, as the New York industry moves from a jog to a sprint on several occasions I've called the role of regulation an iron fist and a velvet glove, which means that as much as it is the role of Ocm. To foster opportunities and build capacities in cannabis as regulators. We must be aggressive, if not downright dogged about the integrity of our market.

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00:13:28.850 --> 00:13:52.840

HVCC – BTC Auditorium: Examples of violations of the cannabis, law and regulations that threaten market integrity are many, but inversion of product into the New York marketplace, predatory lending and predatory service and management agreements, impermissible license aggregation, also known as license stacking, and anything that compromises the ownership or control of small and equity businesses. Often these violations are hidden from oversight and buried in complex agreements.

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00:13:52.910 --> 00:14:15.700

HVCC - BTC Auditorium: but we have a response to that in response to the rise in these types of violations in the cannabis marketplace. I've installed a new unit in Ocm. In the office of general counsel called the Trade Practice Bureau. The Trade Practice Bureau will be responsible for conducting these types of reviews, and we are building a team staffed with attorneys, field auditors, and analysts. I'm glad to announce that Jim Rogers sitting right over there

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00:14:16.060 --> 00:14:26.740

HVCC - BTC Auditorium: is currently a member of our C team leading small business development and has substantial experience in these types of investigations will be leading this new team. Thank you. Thank you. Thank you, Jim.

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00:14:27.100 --> 00:14:47.550

HVCC - BTC Auditorium: This leads us back to the resolution before the board. Today the office has a need to expand its available tools, to pursue complex investigations, to reveal violations of the cannabis law and regulations that impact the integrity of the market. One of the tools that would greatly increase our ability to pursue these investigations is the issuance of subpoenas for testimony and the administration of oaths.

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00:14:47.690 --> 00:15:05.750

HVCC - BTC Auditorium: The resolution before you pertains to the Cannabis Control Board's power, pursuant to subdivision. 6 of section 10 of the cannabis law to hold hearings. Subpoena witnesses compel their attendance, administer oaths examine any person under oath, and in connection therewith, to require the production of any books, and records.

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00:15:05.810 --> 00:15:20.030

HVCC - BTC Auditorium: The resolution delegates that power to the office pursuant to subdivision 23 of section 10 of the cannabis law which grants the Ccb. The authority to delegate any function, power, or duty in Section 10 to the office. Now

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00:15:20.400 --> 00:15:36.340

HVCC - BTC Auditorium: for folks who've worked with me. This won't come as a surprise, but I always like to ensure that the work I lead stands on solid policy and process grounds before moving the resolution before you. Delegate subdivision 6, section 10. Authority from the Ccb. To certain attorneys in Ocm's office of general counsel.

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00:15:36.520 --> 00:15:52.260

HVCC - BTC Auditorium: While this authority is needed for the Office's new Trade practice Bureau. Ocm's office of general counsel also requires its authority for other enforcement investigations. This type of delegation is typical for enforcement powers for an agency that is conducting such regulatory investigations.

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00:15:52.500 --> 00:15:57.959

HVCC - BTC Auditorium: Thank you. And I'm glad to any questions. Answer any questions that the Board may have. Thank you.

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00:15:58.560 --> 00:16:00.619

HVCC - BTC Auditorium: Are there any questions from the board?

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00:16:02.389 --> 00:16:27.490

HVCC - BTC Auditorium: I am glad I'm I'm gonna jump in. I'm glad that you addressed that this resolution does extend beyond the trade practices, because I think a large part of the conversation for board members was that this was a power that was being specifically requested because of this one new group that was going to be looking into enforcement and essentially, just over the trade practices.

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00:16:27.490 --> 00:16:39.460

HVCC - BTC Auditorium: And I did notice that it says that this can be exercised by any attorney assigned to the office. And I did have a discussion with our general counsel about this about

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00:16:39.720 --> 00:16:42.869

HVCC - BTC Auditorium: rephrasing this and limiting it to

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00:16:43.790 --> 00:16:48.250

HVCC - BTC Auditorium: any attorney at the level at the deputy counsel, level

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00:16:48.560 --> 00:17:04.352

HVCC - BTC Auditorium: or higher, assigned to the office of general counsel within the office of cannabis management. That would thereafter limited to about maybe about 8 or 9 lawyers in the department, maybe the most senior in Ogc. Yes, and it would capture the

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00:17:04.990 --> 00:17:08.761

HVCC - BTC Auditorium: lead attorney in the Trade Bureau practice

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00:17:09.480 --> 00:17:17.890

HVCC - BTC Auditorium: and so I did want to present that to the other board members, and I would like to ask them if they would amend our resolution to put that caveat in it.

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00:17:19.730 --> 00:17:21.329

OCMNYCBoardroom@ocm.ny.gov: Do we have clarity from the?

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00:17:21.800 --> 00:17:27.590

OCMNYCBoardroom@ocm.ny.gov: Could we have clarity from the office, how that amendment would impact the the flow of work and your ability to do the work.

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00:17:28.429 --> 00:17:58.269

HVCC - BTC Auditorium: So ordinarily when it comes to investigations, though, you know, when we're thinking about a structure within an office, we're always ensuring that those who are leading the office have the ability to navigate certain issues and complexities within the market and within the work. So even though attorneys and I don't like to sort of talk bureaucratically and say, attorneys lower down. But attorneys who are in the office of general counsel will do some of the review work and legal analysis. All of that sort of investigatory power will funnel up through the leads in office of general counsel.

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00:17:58.574 --> 00:18:03.459

HVCC - BTC Auditorium: So that would limit it to those few attorneys who are at the top of Ogc, yeah.

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00:18:05.400 --> 00:18:12.199

OCMNYCBoardroom@ocm.ny.gov: So I just wanna I'm sorry, Clarity. So you're you're saying, Felicia, that the chair's proposed amendment would not impact

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00:18:12.450 --> 00:18:20.150

OCMNYCBoardroom@ocm.ny.gov: how you're envisioning the OP. This office working or operating correct? Correct?

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00:18:22.350 --> 00:18:23.200

OCMNYCBoardroom@ocm.ny.gov: Thank you.

106

00:18:25.890 --> 00:18:27.399

OCMNYCBoardroom@ocm.ny.gov: So I'm firing the amendment.

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00:18:27.960 --> 00:18:28.790

HVCC - BTC Auditorium: Okay.

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00:18:29.620 --> 00:18:31.170

OCMNYCBoardroom@ocm.ny.gov: If I was wrong.

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00:18:33.360 --> 00:18:51.550

HVCC - BTC Auditorium: So then, if I'm not hearing any other questions, what I'd like to ask is, if we can. I would like to amend our previous motion, and ask if I can get a motion to approve our resolution, as amended with the language, to read in the 1st resolved paragraph.

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00:18:53.120 --> 00:19:22.820

HVCC - BTC Auditorium: Resolved, that the Cannabis Control Board delegates, the power set forth in subdivision 6 of Section 10 of the Cannabis law to the Executive Director of the Office of cannabis management to be exercised by any attorney at the level of deputy counsel, level or higher, assigned to the office of general counsel within the office of cannabis management in connection with inquiries, inspections, and investigations conducted by the office of cannabis management. And it is further that would be the entire paragraph.

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00:19:23.190 --> 00:19:27.439

HVCC - BTC Auditorium: May I have a motion for that, please, so moved, and I have a second.

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00:19:28.170 --> 00:19:29.090

OCMNYCBoardroom@ocm.ny.gov: Second.

113

00:19:29.540 --> 00:19:30.250

HVCC - BTC Auditorium: Okay?

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00:19:32.440 --> 00:19:38.910

HVCC - BTC Auditorium: And if there isn't any more discussion, questions or comments, I'll call for the vote. Mr. Usher.

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00:19:39.750 --> 00:19:40.510
OCMNYCBoardroom@ocm.ny.gov: Yes.

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00:19:41.330 --> 00:19:44.029
HVCC - BTC Auditorium: Ms. Knight. Yes, Ms. Garcia.

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00:19:44.850 --> 00:19:45.640
OCMNYCBoardroom@ocm.ny.gov: I.

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00:19:46.320 --> 00:19:59.210
HVCC - BTC Auditorium: And I vote in the affirmative as well. The motion to approve resolution number 2025 to 0. 3. Consideration of delegation of certain subpoena powers from the Cannabis Control Board to the office of cannabis management carries

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00:20:00.910 --> 00:20:11.120
HVCC - BTC Auditorium: next, may I have a motion to consider and approve resolution number 2025 to 0 4. Consideration of adult use, cannabis, licenses.

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00:20:13.340 --> 00:20:14.660
OCMNYCBoardroom@ocm.ny.gov: So so moved.

121

00:20:15.170 --> 00:20:16.319
HVCC - BTC Auditorium: Have a second.

122

00:20:17.370 --> 00:20:18.270
OCMNYCBoardroom@ocm.ny.gov: Second.

123

00:20:18.840 --> 00:20:24.260
HVCC - BTC Auditorium: Thank you. I'll now ask Patrick Mckeach to please come and provide an overview.

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00:20:38.430 --> 00:20:40.169
HVCC - BTC Auditorium: Good morning. Yes, of course.

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00:20:40.660 --> 00:20:41.530
HVCC - BTC Auditorium: Testing.

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00:20:42.480 --> 00:20:46.959

HVCC - BTC Auditorium: Hold on. Oh, there you go there we go. Sorry about that.

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00:20:48.290 --> 00:20:48.970

HVCC - BTC Auditorium: Okay.

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00:20:50.230 --> 00:20:53.569

HVCC - BTC Auditorium: Oh, thank you, Matt.

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00:21:01.580 --> 00:21:02.930

HVCC - BTC Auditorium: Sorry. Sorry. Sorry.

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00:21:03.390 --> 00:21:10.639

HVCC - BTC Auditorium: Well, I I can just go for it. The the board packet in front of you today. Includes 74 applications

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00:21:11.102 --> 00:21:25.720

HVCC - BTC Auditorium: recommending for approval. They've all made it through the multifaceted review process, including the eligibility check background. Check, Tpi check location review and the general eligibility review and being recommended for approval.

132

00:21:25.720 --> 00:21:55.680

HVCC - BTC Auditorium: The board packet includes 16 retail dispensaries, 10 micro businesses, 6 distributors and 39 processors. We also have 3 conditional adult use retail dispensary applications that have finalized the retail location and are being recommended for approval by the board. The reason that they're included in this because typically the card licenses, if they got their provisional license from the board, can get their final license from the office is due to the municipal opinions, which is why they're back in front of the board for consideration

133

00:21:55.970 --> 00:22:15.390

HVCC - BTC Auditorium: as a quick side note on the card licenses issued today, we are very excited to announce that over 240 final card licenses have been issued that leaves roughly 300 card provisional licensees that are still working through the process of finding a viable retail dispensary location and submitting their post selection application materials

134

00:22:16.048 --> 00:22:26.450

HVCC - BTC Auditorium: additionally, as for an update on the review through the November queue, which, is the retail and micro business applications that applied with a with a location.

135

00:22:26.470 --> 00:22:49.270

HVCC - BTC Auditorium: We are now up to number 2,000 in the queue, in terms of applications that have been assigned that leaves roughly about 150 applications from the November queue that have not been assigned and gone through that initial review. So we're very excited to be finally reaching the end of that queue and look forward to updating the board at future board meetings as we get closer to closing those out.

136

00:22:51.000 --> 00:23:13.729

HVCC - BTC Auditorium: Before I turned up for questions. Just want to do a shout out to the licensing team for all their hard work in prepping these applications, and thank you from our deepest of our hearts for all the work that goes into these. So thank you, and happy to answer any questions you might have. Yes, are there any questions? Or thank you, Pat? Are there any questions or comments from the board.

137

00:23:17.080 --> 00:23:19.271

HVCC - BTC Auditorium: I guess I'll begin here.

138

00:23:20.890 --> 00:23:24.889

HVCC - BTC Auditorium: strikingly. There are no cultivation licenses included in this

139

00:23:25.340 --> 00:23:30.010

HVCC - BTC Auditorium: packet of applications. What is happening with our cultivation licenses.

140

00:23:32.320 --> 00:23:55.329

HVCC - BTC Auditorium: Great question. Yep. So that leads into kind of our our conversation we've been having for the the past several months related to how far down the December queue the board wants the office to go in terms of reviewing the cultivation, processing, and distribution queues in the December queue, as well as the retail and micro business queue in in the December queue.

141

00:23:55.330 --> 00:24:05.189

HVCC - BTC Auditorium: and so the offices kind of reached the licensing targets that were initially communicated to the public at the time of the I'm sorry we've never. The Board has never communicated any

142

00:24:05.190 --> 00:24:09.360

HVCC - BTC Auditorium: licensing targets. We agreed that we would review

143

00:24:09.800 --> 00:24:13.279

HVCC - BTC Auditorium: the rollout and make determinations. So

144

00:24:14.170 --> 00:24:18.680

HVCC - BTC Auditorium: I guess again, what I'm going to say is what's happening with the cultivation Review.

145

00:24:19.470 --> 00:24:40.919

HVCC - BTC Auditorium: Exactly. We're we're at that point where we need further direction from the Board based on that resolution we passed at the the May Board meeting it. It set up a process where the Board would come back in essentially instruct the office in terms of the number of applications to review in in the December queue, based on supply and demand factors, and the general

146

00:24:41.540 --> 00:25:00.700

HVCC - BTC Auditorium: progress in terms of getting through the November queue, and also December queue in terms of openings, etc, so hoping that that can be an agenda item for our next Board meeting in March. So we haven't actually asked for a slowdown, have we the board? We haven't asked for that, or requested that in any of this.

147

00:25:01.070 --> 00:25:16.079

HVCC - BTC Auditorium: Well, through that May resolution. No, we just said we would consider what's happening in the marketplace. Correct exactly, and we do not want to make a mistake and go farther than the Board may intend before getting more clarity in terms of the number of applications to review and process.

148

00:25:16.510 --> 00:25:32.079

HVCC - BTC Auditorium: I think we also have to be. You know, we've done a few analysis over the last several months around, looking at the across the entire supply chain. One thing we do want to make sure

that we are avoiding are some of the pitfalls we saw early on in the rollout of the market, that is to say.

149

00:25:32.080 --> 00:25:47.090

HVCC - BTC Auditorium: cultivators cultivating, and nowhere for the product to go. So we're taking a look that is incredibly balanced across where the industry is at right now, and ensuring that we're working in a way that is balanced and that is calculated. So we're putting before the board recognizes that level of analysis.

150

00:25:51.580 --> 00:25:56.860

HVCC - BTC Auditorium: Well, I guess I'm leaning into this just because it's

151

00:25:57.200 --> 00:26:04.330

HVCC - BTC Auditorium: it's stark that there is no cultivation. We've given out licenses to people that have not yet put a seed in dirt.

152

00:26:04.710 --> 00:26:09.190

HVCC - BTC Auditorium: and it's hard to make an assessment.

153

00:26:09.550 --> 00:26:22.178

HVCC - BTC Auditorium: From what I'm understanding, it's hard to make an assessment by projecting what we anticipate, these people may be able to grow, and if they ever grow versus using real numbers and or real

154

00:26:22.850 --> 00:26:33.256

HVCC - BTC Auditorium: real production records. So I'm I just want to share that I am very concerned that this, that we are not processing cultivation applications

155

00:26:34.610 --> 00:26:48.620

HVCC - BTC Auditorium: similar to everybody else in all of our application queues. They're waiting for word from us. So I'm just. I want to raise that and make sure that we bring. We keep it at the front of our minds here.

156

00:26:48.810 --> 00:27:03.569

HVCC - BTC Auditorium: And then I also wanted to ask about the number of type 3 processing licenses. I think that there are almost 40 of the 74 are type 3, processing licenses.

157

00:27:04.560 --> 00:27:06.080

HVCC - BTC Auditorium: 19

158

00:27:08.020 --> 00:27:21.450

HVCC - BTC Auditorium: of the 39 processors that are in the packet today. 19 are the branding license, and then 20 are either type, one or type 2. Well, in my review of the documents provided to me, I counted

159

00:27:26.110 --> 00:27:27.750

HVCC - BTC Auditorium: an additional.

160

00:27:28.870 --> 00:27:37.419

HVCC - BTC Auditorium: I counted 29, so I have 30 because I have 13. I have 19 pro branding, and then an additional 10 that are processing licenses

161

00:27:37.630 --> 00:27:39.150

HVCC - BTC Auditorium: that are type threes.

162

00:27:40.700 --> 00:27:46.010

HVCC - BTC Auditorium: Oh, yes. So there's, there's there's 19 branding licenses correct.

163

00:27:46.838 --> 00:27:59.379

HVCC - BTC Auditorium: And then there is this other category of type 3. But those have a slightly different authorization depending on what they selected in the initial processing application. So those are from the October window.

164

00:27:59.924 --> 00:28:13.689

HVCC - BTC Auditorium: Before we essentially broke out the branding license separate. So those type. 3 licenses. Have the ability to process cannabis flower products. So whole flower pre-rolls not infused pre-rolls.

165

00:28:13.690 --> 00:28:33.430

HVCC - BTC Auditorium: but those type of products. And it it was a primarily a processor type that we included to account for the conditional cultivators who previously had that processing authority

to be able to essentially process flower products to be able to continue to do so. So that's that's what those processor license are authorized to do.

166

00:28:34.480 --> 00:28:40.520

HVCC - BTC Auditorium: And then I noticed that most of our branding applicants have not yet identified

167

00:28:40.880 --> 00:28:49.939

HVCC - BTC Auditorium: with whom they intend to work, or who they're going to have a goods and services agreement with. What are we putting in place to capture that, and then to refer back that information.

168

00:28:50.830 --> 00:28:56.791

HVCC - BTC Auditorium: That is correct, and and we plan to collect that information after the license has been issued. And also

169

00:28:57.190 --> 00:29:05.109

HVCC - BTC Auditorium: once, you know, our amendments process, they'll be able to submit those type of agreements via the amendment, and we can review them at that time.

170

00:29:08.670 --> 00:29:12.585

HVCC - BTC Auditorium: and a number of these

171

00:29:14.760 --> 00:29:17.590

HVCC - BTC Auditorium: adult use dispensaries that have come in before us

172

00:29:18.020 --> 00:29:23.770

HVCC - BTC Auditorium: have agreed to stipulations with their municipal municipalities.

173

00:29:23.880 --> 00:29:26.279

HVCC - BTC Auditorium: I just want to be clear, is it?

174

00:29:26.930 --> 00:29:38.839

HVCC - BTC Auditorium: Are we capturing that information and keeping that and keeping in a record of that as we move forward with licensing, because it seems as though we are agreeing to, or passing there.

175

00:29:39.750 --> 00:29:42.330

HVCC - BTC Auditorium: light or approving a license, I should say.

176

00:29:42.730 --> 00:29:49.819

HVCC - BTC Auditorium: but the understanding that they are incorporate, that there will be compliance and good faith to agree to maintain those agreements.

177

00:29:51.170 --> 00:30:10.900

HVCC - BTC Auditorium: Yes, and the agreements between the retail dispensary and the community boards are agreements between them. We're not enforcing the stipulations between agreements with community boards and licensees, that is, between the Community Board and the licensee. So we're not considering those factors

178

00:30:11.930 --> 00:30:25.350

HVCC - BTC Auditorium: in the compliance and good faith of their execution, of their license. Is that what we're saying? Correct? Yeah, we would use our regulations that are in place in terms of whether or not the licensees adhering to all those compliance measures.

179

00:30:27.540 --> 00:30:31.489

HVCC - BTC Auditorium: and we also have approvals here for

180

00:30:32.559 --> 00:30:41.140

HVCC - BTC Auditorium: licensees that do not yet have their towns approvals for permits or approvals that are required by local planning boards.

181

00:30:43.880 --> 00:30:47.219

HVCC - BTC Auditorium: Are their licenses fully approved

182

00:30:47.400 --> 00:30:51.200

HVCC - BTC Auditorium: without those special permits and or agreements being in place.

183

00:30:52.720 --> 00:31:10.550

HVCC - BTC Auditorium: Yes, but it's on the licensee to work with their local municipality. If there's any additional local authorizations to obtain to open their license. For instance, I know

there's a couple of municipalities we've we've encountered. They will not issue a certificate of occupancy to a particular retail dispensary unless they have a license from us.

184

00:31:10.610 --> 00:31:32.250

HVCC - BTC Auditorium: and of course they can't open unless they get their certificate of occupancy from their local municipality. So we have run into that situation. It kind of becomes a chicken and the egg a little bit, but it would be on that licensee to then work with their local municipality to get those final checks, and that'll be part of our pre operational inspection from the compliance team before they get the green light to open their doors.

185

00:31:33.690 --> 00:31:36.390

HVCC - BTC Auditorium: And I just also want to get clarity

186

00:31:36.600 --> 00:31:43.789

HVCC - BTC Auditorium: if we are processing applicant applications from applicants who have other existing

187

00:31:43.890 --> 00:31:48.920

HVCC - BTC Auditorium: licenses, and our process is to award a license, and then to have them

188

00:31:51.280 --> 00:31:57.519

HVCC - BTC Auditorium: submit or return, or to waive, return the existing licenses. Is that our practice?

189

00:32:00.580 --> 00:32:06.279

HVCC - BTC Auditorium: Sorry? So someone has. So someone that has licenses already that's being put forth for an approval

190

00:32:06.830 --> 00:32:09.550

HVCC - BTC Auditorium: that already has existing licenses. Okay?

191

00:32:12.080 --> 00:32:30.630

HVCC - BTC Auditorium: yeah. So are they surrendering them. And then we give them. A license is that when the license become a practice, that the practice is that how we're moving forward with this, I'm trying to understand the process. There's certain license types where you can obtain another license. So if you're a cultivator, you are allowed to obtain a processor license.

192

00:32:30.630 --> 00:32:47.690

HVCC - BTC Auditorium: and then, if you are a processor. You're allowed to obtain a distributor license, but only for the distribution of your own product. So those kind of 3 supply side licenses we are seeing a lot of cultivators who want to then process their own product and then potentially distribute their own product. And so that that's the most common

193

00:32:48.030 --> 00:32:57.220

HVCC - BTC Auditorium: situation where someone would have multiple licenses in in the way the Mrta and our regulations are structured is that they reach a separate license from cultivation, processing and distribution.

194

00:32:59.760 --> 00:33:06.100

HVCC - BTC Auditorium: and a number of our community boards have written letters that

195

00:33:07.100 --> 00:33:28.159

HVCC - BTC Auditorium: complain that our proposed licensees, particular dispensaries are too close to public youth facilities, and usually they are identifying community facilities. Can you explain what is a youth, a public youth, facility versus a a school or just a community facility

196

00:33:28.810 --> 00:33:56.899

HVCC - BTC Auditorium: absolutely so. Public youth facilities are defined in part 119 of our regulations, and they are an option available to local municipalities to pass a local law or ordinance to designate an area as a public youth facility, and then depending on how their local law or ordinance is structured. They can then put a essentially lack of a better term, a buffer zone between that public youth facility, and a proposed dispensary locations up to 500 feet.

197

00:33:57.000 --> 00:34:10.850

HVCC - BTC Auditorium: So it does take some proactive work from a local municipality to designate a public use facility, but once designated, they'll be treated similar to the reviews related to schools and houses of worship in terms of proximity requirements.

198

00:34:11.110 --> 00:34:24.370

HVCC - BTC Auditorium: And while we're talking about locations, I just

wanna ask for clarity. If we have a dispensary applicant that needs to submit a new location? Because their initial location is deemed ineligible.

199

00:34:25.120 --> 00:34:31.889

HVCC – BTC Auditorium: Are they required to utilize the amendment survey, to submit those new locations?

200

00:34:32.400 --> 00:34:37.749

HVCC – BTC Auditorium: Yep. So if they've already received their license, the Amendment survey is the way for them to submit that.

201

00:34:37.860 --> 00:34:41.509

HVCC – BTC Auditorium: Yep, okay. I just wanted to make sure, clarifying that?

202

00:34:42.989 --> 00:34:45.949

HVCC – BTC Auditorium: Are there any other questions or comments from board members?

203

00:34:46.139 --> 00:34:46.870

HVCC – BTC Auditorium: Yes,

204

00:34:48.190 --> 00:34:54.600

HVCC – BTC Auditorium: Could I ask if Staff could look at cultivation capacity.

205

00:34:54.880 --> 00:34:57.059

HVCC – BTC Auditorium: give us a sense of what that looks like?

206

00:34:58.330 --> 00:34:59.780

HVCC – BTC Auditorium: Absolutely yes.

207

00:35:04.564 --> 00:35:25.965

OCMNYCBoardroom@ocm.ny.gov: Yeah, just a couple of comments. One, I do think that's exactly what we need to know in terms of. If we're as a board going to either, if we're if it's necessary for the Board to make decisions about more more cultivator licenses. We really need to have information about how that would impact the market in terms of cost existing existing

208

00:35:26.800 --> 00:35:40.309

OCMNYCBoardroom@ocm.ny.gov: growers, and whether we're at what the capacity is, what we need. The other thing on a different topic, that the chair brought up the stipulations that you're getting from community boards and others

209

00:35:41.190 --> 00:36:11.080

OCMNYCBoardroom@ocm.ny.gov: as from my previous life. I know that they will. That community boards don't have a lot of enforcement power on their own. So they are. I think it is worth us as a board looking at are there things we can? And Ocm, what can we do if if a if somebody agreed to a stipulation with the Community board but is not following through the Community Board is going to expect something from us, and I think that that's a reasonable expectation.

210

00:36:17.310 --> 00:36:22.770

HVCC - BTC Auditorium: Thank you. Our any other comments concerns from board members.

211

00:36:24.960 --> 00:36:29.130

HVCC - BTC Auditorium: Okay. Hearing none, I will call for the vote.

212

00:36:29.760 --> 00:36:31.229

HVCC - BTC Auditorium: Mr. Usher.

213

00:36:32.070 --> 00:36:32.790

OCMNYCBoardroom@ocm.ny.gov: I.

214

00:36:33.950 --> 00:36:36.679

HVCC - BTC Auditorium: Ms. Knight. Aye, Ms. Garcia.

215

00:36:36.920 --> 00:36:37.780

OCMNYCBoardroom@ocm.ny.gov: I've.

216

00:36:38.240 --> 00:36:48.169

HVCC - BTC Auditorium: And I vote in the affirmative as well. The motion to approve resolution number 2025, 4. Consideration of adult use, cannabis licenses carries

217

00:36:48.770 --> 00:36:59.410

HVCC – BTC Auditorium: next, may I please have a motion to consider resolution number 2025, 0, 5. Consideration of adult use, license, location, change, amendment requests.

218

00:37:02.320 --> 00:37:02.890

OCMNYCBoardroom@ocm.ny.gov: So moving.

219

00:37:02.890 --> 00:37:03.620

HVCC – BTC Auditorium: Moved.

220

00:37:04.190 --> 00:37:14.450

HVCC – BTC Auditorium: I'll take one as the motion, and if you don't mind as the second, and I'll now ask Ms. Mckeach to please provide a brief overview of this resolution.

221

00:37:15.410 --> 00:37:39.020

HVCC – BTC Auditorium: Thank you, madam. Chair, the cannabis law and regulations. Actually, we're just talking about this. The cannabis law and regulations allow the Board to authorize amendments to cannabis licenses. The office launched that amendment survey which is available on the office's website under the licensing tab which allows adult use cannabis licensees to request certain amendments, including location changes which, in accordance with our regulations, require board approval.

222

00:37:39.581 --> 00:37:51.530

HVCC – BTC Auditorium: The amendment requests before the Board today include both supply side licensees and retail licensees. In total there are 49 licensees who are requesting a location or cultivation method change in some form.

223

00:37:51.700 --> 00:38:20.799

HVCC – BTC Auditorium: I will comment that the number of amendments is slightly higher than our normal number of amendments at our monthly board meetings, and this is partly due to not having clarity at our previous board meeting in terms of if we could process amendments thankfully, we did get some clarity as a result of a pending injunction that amendments are fair game, and we can continue processing those. Which is why we have a slightly higher number of amendments at this February board meeting than than past

224

00:38:21.504 --> 00:38:25.630

HVCC – BTC Auditorium: and thank you. I'm happy to answer any

additional questions the Board may have

225

00:38:25.760 --> 00:38:29.760

HVCC – BTC Auditorium: you. Are there any questions? Comments from the Board members?

226

00:38:36.270 --> 00:38:45.459

HVCC – BTC Auditorium: And just for clarity. There are 49 licensees in this group that are being impacted with other relocations or adding new locations.

227

00:38:45.710 --> 00:38:47.160

HVCC – BTC Auditorium: Correct. Okay.

228

00:38:49.690 --> 00:38:57.439

HVCC – BTC Auditorium: And all are being processed through the amendment survey. Yes. Okay. So track that for everybody.

229

00:38:57.940 --> 00:39:03.280

HVCC – BTC Auditorium: If there aren't any other questions or comments from the Board, I will call for the vote.

230

00:39:03.920 --> 00:39:05.309

HVCC – BTC Auditorium: Mr. Usher.

231

00:39:06.290 --> 00:39:07.080

OCMNYCBoardroom@ocm.ny.gov: Hi.

232

00:39:07.580 --> 00:39:10.219

HVCC – BTC Auditorium: Ms. Knight. Aye, Ms. Garcia.

233

00:39:10.560 --> 00:39:11.105

OCMNYCBoardroom@ocm.ny.gov: Hi.

234

00:39:11.650 --> 00:39:22.320

HVCC – BTC Auditorium: And I vote in the affirmative as well. The motion to approve resolution number 2025, 0, 5. Consideration of adult use, licensee location change amendments carries

235

00:39:24.070 --> 00:39:26.899

HVCC – BTC Auditorium: next, may I please have a motion to consider

236

00:39:28.440 --> 00:39:35.989

HVCC – BTC Auditorium: and approve resolution? Number 2025, 0, 6.
Consideration of cannabis research, licenses.

237

00:39:38.530 --> 00:39:39.540

OCMNYCBoardroom@ocm.ny.gov: So moved.

238

00:39:40.250 --> 00:39:43.620

HVCC – BTC Auditorium: Now the second back in yeah.

239

00:39:43.810 --> 00:39:49.969

HVCC – BTC Auditorium: I'll ask Mr. Mckeach to please provide an
overview of these research license and applications before us today.

240

00:39:51.030 --> 00:40:03.030

HVCC – BTC Auditorium: Thank you, madam Chair. Today, we're presenting
2 applications for cannabis research license. Both applicants are
small businesses whose studies focus on developing new cannabis
cultivation methodologies and techniques.

241

00:40:03.030 --> 00:40:24.270

HVCC – BTC Auditorium: They actually have some pretty cool research
proposals. One's looking at kind of the best way to extract terpenes
from steam distillation. Another is looking at certain fungi to see if
they could better help deal with pests and control. And then another
is looking at the effect of UV light on cultivation, growth and
output.

242

00:40:24.510 --> 00:40:47.599

HVCC – BTC Auditorium: The office has assessed the applications based
on the requirements outlined in Section 38 of the cannabis law, and
are satisfied that they have been met if approved today these
applications will be the 1st cannabis research licenses issued in
2025, which will hopefully pave the way for a great year for cannabis
research in New York State, and I'm happy to answer any additional
questions the Board may have. Thank you

243

00:40:48.290 --> 00:40:51.360

HVCC – BTC Auditorium: there. Any questions from board members.

244

00:40:52.870 --> 00:40:54.700

OCMNYCBoardroom@ocm.ny.gov: And we've got any results.

245

00:40:55.020 --> 00:41:02.760

OCMNYCBoardroom@ocm.ny.gov: Have we gotten any preliminary results from the research licenses we've already approved? In the last year or so.

246

00:41:04.234 --> 00:41:17.590

HVCC - BTC Auditorium: Yeah, that that's a great question. And I know, actually, our our 1st research licenses are coming up on their renewal period. So we'll we'll be seeing them again soon. But the office can follow up with more information there. Once we talk to

247

00:41:17.945 --> 00:41:21.000

HVCC - BTC Auditorium: a couple of folks on our side to get. Get you that detail.

248

00:41:21.520 --> 00:41:22.350

OCMNYCBoardroom@ocm.ny.gov: Great.

249

00:41:35.140 --> 00:41:38.830

HVCC - BTC Auditorium: If there aren't any other questions or comments, I will

250

00:41:40.170 --> 00:41:43.310

HVCC - BTC Auditorium: call for the vote. Mr. Usher.

251

00:41:43.920 --> 00:41:44.740

OCMNYCBoardroom@ocm.ny.gov: Bye.

252

00:41:45.190 --> 00:41:47.960

HVCC - BTC Auditorium: Ms. Knight. Aye, Ms. Garcia.

253

00:41:48.330 --> 00:41:49.050

OCMNYCBoardroom@ocm.ny.gov: I.

254

00:41:49.410 --> 00:42:00.170

HVCC – BTC Auditorium: And I've owned the affirmative as well. The motion to approve resolution number 2025 to 0 6. Consideration of cannabis research licenses carries

255

00:42:00.310 --> 00:42:04.599

HVCC – BTC Auditorium: as we move on to our next item before us. May I please have a motion to consider

256

00:42:04.740 --> 00:42:12.710

HVCC – BTC Auditorium: resolution number 2025, 0, 7. Consideration of registered organization applications for approval.

257

00:42:14.940 --> 00:42:15.970

HVCC – BTC Auditorium: So move.

258

00:42:16.860 --> 00:42:24.039

HVCC – BTC Auditorium: So I'm going to take what Ms. Garcia, as I'll second the motion by Ms. Knight, if you don't mind, Ms. Garcia.

259

00:42:24.350 --> 00:42:29.130

HVCC – BTC Auditorium: I'll make you the second on that one. Okay, thank you.

260

00:42:29.480 --> 00:42:34.380

HVCC – BTC Auditorium: And now we'll ask Ms. Robinson to please provide us with an overview of this resolution.

261

00:42:34.610 --> 00:42:37.369

HVCC – BTC Auditorium: Good morning to the Board and thank you, madam. Chair

262

00:42:37.520 --> 00:42:57.939

HVCC – BTC Auditorium: section 35, 9 of the cannabis law states that the Board shall register additional registered organizations in the medical cannabis program with the goal of providing services to unserved and underserved areas of the State, shall actively promote racial, ethnic and gender diversity when registering those additional registered organizations.

263

00:42:58.560 --> 00:43:14.209

HVCC – BTC Auditorium: The Board passed a resolution in September of

2023 approving application forms, and allowing 0cm. To open new application period. This again marks the 1st time the application period had been open in New York State since 2015,

264

00:43:14.400 --> 00:43:42.059

HVCC – BTC Auditorium: and today the office is recommending approval of a new registered organization. This applicant has provided all necessary information in accordance with the cannabis regulations, and the office is recommending approval of this application. This will just leave one more applicant from this application window that is still working through the deficiency process, and the office hopes to bring forth that application for consideration next month.

265

00:43:42.490 --> 00:43:49.490

HVCC – BTC Auditorium: I'm happy to answer any additional questions the Board may have you, Tabitha? Are there any questions, comments from board members

266

00:43:53.300 --> 00:43:58.169

HVCC – BTC Auditorium: at this point? Do we know where in the State. This business

267

00:43:58.580 --> 00:44:05.370

HVCC – BTC Auditorium: may land and open and operate. And are there any other medical facilities in that region?

268

00:44:06.530 --> 00:44:15.210

HVCC – BTC Auditorium: Applicants were given 2 options. They could either provide proof of site control, or they could submit a 2 million dollars bond.

269

00:44:15.400 --> 00:44:44.579

HVCC – BTC Auditorium: So some applicants differed based on what their resources look like at this point in time. We do not have verified proof from this applicant of location, but before they are to begin any dispensing operations, we would have to bring them back to the board, and the Board would approve that location based upon proximity rules and based upon geographic distribution in the State as required by the Cannabis law.

270

00:44:48.140 --> 00:44:51.079

HVCC – BTC Auditorium: Are there any other questions or comments from board members

271

00:44:51.780 --> 00:44:55.269

HVCC - BTC Auditorium: hearing none. All for the vote? Mr. Usher.

272

00:44:55.920 --> 00:44:56.305

OCMNYCBoardroom@ocm.ny.gov: I.

273

00:44:57.180 --> 00:44:59.750

HVCC - BTC Auditorium: Ms. Knight. Aye, Ms. Garcia.

274

00:45:00.100 --> 00:45:00.609

OCMNYCBoardroom@ocm.ny.gov: Fine.

275

00:45:01.310 --> 00:45:12.830

HVCC - BTC Auditorium: And I vote in the affirmative as well. The motion to approve resolution number 2025 to 27. Consideration of registered organization applications for approval carries

276

00:45:14.200 --> 00:45:23.210

HVCC - BTC Auditorium: next, may I have a motion to consider resolution number 2025, 0, 8. Consideration of registered organization, dispensary location.

277

00:45:24.440 --> 00:45:25.020

OCMNYCBoardroom@ocm.ny.gov: So moved.

278

00:45:25.020 --> 00:45:25.580

HVCC - BTC Auditorium: Guys.

279

00:45:25.710 --> 00:45:27.649

HVCC - BTC Auditorium: Thank you. And may I have a second.

280

00:45:29.600 --> 00:45:31.480

OCMNYCBoardroom@ocm.ny.gov: Second, second.

281

00:45:32.290 --> 00:45:39.980

HVCC - BTC Auditorium: It's been properly seconded. I will now ask Ms. Mckeach. Please provide a brief overview of this resolution before us.

282

00:45:40.760 --> 00:46:04.719

HVCC - BTC Auditorium: Thank you, madam. Chair. Resolution would approve the second medical dispensary location for registered organization. Hudson health Extracts. The proposed location is in the Hudson Valley. The location has been reviewed for all proximity requirements in the cannabis law and regulations as it pertains to medical dispensary locations, and the registered organization has submitted the required documentation for proof of control over the proposed location.

283

00:46:04.720 --> 00:46:26.339

HVCC - BTC Auditorium: If approved, the Ro will work with the office for the final clearance to commence operations after a pre-operational inspection is completed. As a side note. We are happy to see additional medical dispensaries open. We know patient access is such a big issue, and seeing more dispensaries open on that front is always very, very exciting. I'm happy to answer any questions you may have.

284

00:46:27.110 --> 00:46:29.870

HVCC - BTC Auditorium: Thank you and any questions from the Board members.

285

00:46:32.691 --> 00:46:43.389

HVCC - BTC Auditorium: One of the things I wanted to ask you. Pat is, I know you said this is gonna be in the Hudson Re, the Hudson Valley region. Are there any other medical stores in that region already

286

00:46:43.560 --> 00:46:44.600

HVCC - BTC Auditorium: there. We know

287

00:46:45.960 --> 00:47:03.399

HVCC - BTC Auditorium: there are, but not too many. I believe there are 31 medical dispensaries operating right now. I can follow up with some more specifics in terms of what's the closest dispensary near there, and I know that this location will be able to open

288

00:47:03.810 --> 00:47:10.269

HVCC - BTC Auditorium: right after it's pre-operational inspection takes place approximately. How long should we estimate for that?

289

00:47:10.720 --> 00:47:28.190

HVCC - BTC Auditorium: Yeah, I mean, it really, comes down to the

operator in terms of how, how ready to go. They are in terms of their build out, having their security in place, training their staff, getting their point of sale system in in place. It it can be as quick as you know. A week versus a a month or 2.

290

00:47:30.510 --> 00:47:31.650

HVCC - BTC Auditorium: Thank you. Yep.

291

00:47:33.000 --> 00:47:41.010

HVCC - BTC Auditorium: Any additional questions, comments, hearing none, I will call for the vote.

292

00:47:42.980 --> 00:47:44.530

HVCC - BTC Auditorium: Mr. Usher.

293

00:47:45.030 --> 00:47:45.405

OCMNYCBoardroom@ocm.ny.gov: I.

294

00:47:46.230 --> 00:47:48.849

HVCC - BTC Auditorium: Ms. Knight. Aye, Ms. Garcia.

295

00:47:49.240 --> 00:47:50.010

OCMNYCBoardroom@ocm.ny.gov: Bye.

296

00:47:50.500 --> 00:47:59.560

HVCC - BTC Auditorium: And I vote in the affirmative as well. The resolution number 2025 to 0 8. Consideration of registered organization dispensary location carries

297

00:48:00.150 --> 00:48:01.840

HVCC - BTC Auditorium: for our next item.

298

00:48:03.840 --> 00:48:11.989

HVCC - BTC Auditorium: May I please have a motion to open the discussion on resolution number 2025 to 0 9. Consideration of

299

00:48:12.210 --> 00:48:16.590

HVCC - BTC Auditorium: amendments to the proposed public convenience and advantage. Regulations.

300

00:48:16.990 --> 00:48:19.120

HVCC – BTC Auditorium: No moves. May I have a second.

301

00:48:19.520 --> 00:48:20.410

OCMNYCBoardroom@ocm.ny.gov: Second.

302

00:48:21.090 --> 00:48:21.969

HVCC – BTC Auditorium: Thank you.

303

00:48:23.260 --> 00:48:28.663

HVCC – BTC Auditorium: I'll now ask Mr. John to please provide an overview of this of the

304

00:48:30.470 --> 00:48:32.170

HVCC – BTC Auditorium: documents in front of us.

305

00:48:36.890 --> 00:48:47.850

HVCC – BTC Auditorium: Thank you very much, madam, Chair and Board members. The proposed amendments to Part 118.1 and 119.4 were published in the State register on October 23, rd 2024

306

00:48:48.050 --> 00:49:03.659

HVCC – BTC Auditorium: per board. Resolution and see resolution number 2024 to 96. These amendments address the process for applicants to seek public convenience and advantage reviews because of our location, proximity, restrictions between retail dispensaries.

307

00:49:03.850 --> 00:49:10.350

HVCC – BTC Auditorium: The public comment for the public comment for the initial proposed regulations concluded on December 3, rd 2024,

308

00:49:10.890 --> 00:49:32.289

HVCC – BTC Auditorium: the office received overwhelmingly negative feedback from the public, arguing that the proposed regulations required more specific criteria to prevent the oversaturation of retail dispensary locations, commenters included applicants and licensees, elected officials, public health organizations, local municipalities and community boards.

309

00:49:32.880 --> 00:49:44.389

HVCC – BTC Auditorium: some commenters asked for more opportunities for municipalities and the affected licensees to speak their piece as part of this process, and there, and and as they are impacted by another licensee.

310

00:49:44.920 --> 00:49:47.460

HVCC – BTC Auditorium: another licensee's Pca request.

311

00:49:47.780 --> 00:50:00.919

HVCC – BTC Auditorium: several commenters were also concerned about the impact of increased retail density on public health, with particularly concerns for youth and adolescents with commenters pointing to similar evidence of negative health outcomes.

312

00:50:01.180 --> 00:50:06.979

HVCC – BTC Auditorium: While studying the retail density of tobacco and alcohol retail establishments.

313

00:50:09.430 --> 00:50:15.420

HVCC – BTC Auditorium: the office received one comment expressing the belief that more stores would help in reducing the reach of the illicit market.

314

00:50:15.730 --> 00:50:30.910

HVCC – BTC Auditorium: and after reviewing all of these comments, the office is proposing substantial changes which will require that a notice of revised Municipal Rulemaking or Revised Rulemaking be published in the State Register. Allowing for an additional round of public comment.

315

00:50:31.640 --> 00:50:37.330

HVCC – BTC Auditorium: please note in response to the public comment and feedback received the proposed

316

00:50:37.940 --> 00:50:48.729

HVCC – BTC Auditorium: revisions to the public convenience and advantage. Regulations are intended to make public convenience and advantage requests more restrictive than the current and proposed regulations.

317

00:50:49.460 --> 00:50:51.870

HVCC – BTC Auditorium: The proposed revisions include

318

00:50:52.290 --> 00:51:10.339

HVCC - BTC Auditorium: removing the ability to request a public convenience and advantage request. If the proposed location is closer than 500 feet for a municipality of 2,000 residents, or more, or is closer than 1,000 feet in a municipality that has a population of less than 20,000 residents.

319

00:51:10.480 --> 00:51:29.959

HVCC - BTC Auditorium: This means, for example, that an applicant or licensee could only request public convenience and advantage waiver if the proposed location was within 501,000 feet for municipality, with over 20,000 residents, and between 1,000 feet and 2,000 feet for a municipality with over 20,000 residents.

320

00:51:30.720 --> 00:51:52.989

HVCC - BTC Auditorium: Currently the effective Pca. Regulations and proposed regulations that just went out for public comment period would allow for a Pca request for any distance between dispensaries. So this change creates a line in the sand where the Pca. Could not be considered for those thresholds below 500 feet in more populous jurisdictions, and below 1,000 feet in less densely populated jurisdictions.

321

00:51:54.710 --> 00:51:56.750

HVCC - BTC Auditorium: I must stress that

322

00:51:57.380 --> 00:52:07.560

HVCC - BTC Auditorium: the current, the proposed rules, would retain the general proximity. Distances in the current regulations as they are requiring that dispensaries be 1,000 feet

323

00:52:07.690 --> 00:52:15.949

HVCC - BTC Auditorium: in high population, density markets, and 2,000 feet away from each other in lower population density markets.

324

00:52:16.740 --> 00:52:28.890

HVCC - BTC Auditorium: If proposing a location that is within 500 feet to a thousand feet of another dispensary. The only way for that location to be approved is, if it goes through the Board's public convenience and advantage approval process.

325

00:52:29.490 --> 00:52:47.530

HVCC - BTC Auditorium: The proposed revisions also require that a Pca. Request can only be made if the retail dispensary location in conflict has been in operation for at least 9 months. This means that if I submit a proposed location, and the dispensary in conflict has not been operational for at least 9 months.

326

00:52:48.324 --> 00:52:51.960

HVCC - BTC Auditorium: A Pca. Request cannot be submitted at the time.

327

00:52:52.790 --> 00:53:20.859

HVCC - BTC Auditorium: This proposal is to try and make sure that the new businesses that have the opportunity. This sorry this proposal is to try and make sure that new businesses have the opportunity to begin operations, to set their roots and allow additional time for dispensaries in the area, since it's quite difficult to determine questions like market saturation. If nobody has been operational before you start allowing these public convenience and advantage approvals

328

00:53:21.720 --> 00:53:35.789

HVCC - BTC Auditorium: the proposed revisions also outline that a Pca. Request cannot be made if the proposed location conflicts with 2 or more licensees of the same type. So if the proposed retail dispensary location conflicts with a micro business and a retailer.

329

00:53:36.140 --> 00:53:52.759

HVCC - BTC Auditorium: the applicant can request a Pca. Waiver if it's within the allowed distances, if it conflicts with 2 retail dispensaries, the applicant would not be able to request a Pca waiver, or, similarly, if it conflicts with 2 micro businesses, the applicant would not be able to

330

00:53:53.260 --> 00:53:54.720

HVCC - BTC Auditorium: request that waiver

331

00:53:55.340 --> 00:54:03.040

HVCC - BTC Auditorium: the proposed revisions also clarify that the burden to prove it is in the public convenience and advantage

332

00:54:03.630 --> 00:54:19.690

HVCC - BTC Auditorium: to prove the location would be placed upon the applicant or licensee who is making the Pca. Request, and it is on

that applicant to demonstrate that the State of the New York has an economic interest in that additional location being granted.

333

00:54:20.130 --> 00:54:27.959

HVCC – BTC Auditorium: and particularly that that the addition of that location would minimize collateral consequences related to the pace of the market's growth.

334

00:54:28.150 --> 00:54:42.139

HVCC – BTC Auditorium: Lastly, the proposed regulations seek to create a notification process that requires the applicant or licensee who is seeking the Pca request to notify the existing licensees in the proximity radius.

335

00:54:42.310 --> 00:54:46.549

HVCC – BTC Auditorium: and allows those licensees to submit a response to the Board for consideration.

336

00:54:47.140 --> 00:55:04.059

HVCC – BTC Auditorium: as the Board is making that Pca decision. It also allows them to be heard in the board meeting, where the Pca waiver is being considered. This is all in an effort to make sure that the parties impacted by the Pca waiver requests

337

00:55:04.830 --> 00:55:11.830

HVCC – BTC Auditorium: the ability to share information to the board, as the Board considers the waiver request.

338

00:55:11.960 --> 00:55:30.379

HVCC – BTC Auditorium: Additionally, the amended version retains the provision to require that the notification be sent to the municipality or community board of the applicant or the licensee, and to ensure that the Municipality or Community Board has time to respond, has time to provide an opinion. In response to that request.

339

00:55:30.680 --> 00:55:49.080

HVCC – BTC Auditorium: In summary, the proposed revisions to the Pca. Regulations would add additional structure and notification requirements to the Pca process and make it more difficult to have a Pca request approved than the current regulations, and this is based on the feedback that we see from the comment. So with that happy to answer any questions that you might have.

340

00:55:49.560 --> 00:55:57.899

HVCC - BTC Auditorium: Thank you, John. I guess we'll open the discussion for board members. Any questions, comments, discussion

341

00:55:58.660 --> 00:55:59.830

HVCC - BTC Auditorium: board members.

342

00:56:01.880 --> 00:56:04.200

OCMNYCBoardroom@ocm.ny.gov: I I just. I think that this is

343

00:56:04.400 --> 00:56:24.730

OCMNYCBoardroom@ocm.ny.gov: a real strong step in the right direction. It fits what I consider important, which is delivered deliberative regulation. I believe that this establishes much clearer standards than exists now, and the development of this was very responsive to the comments that we've received. So I think this is a big step forward.

344

00:56:32.440 --> 00:56:33.390

HVCC - BTC Auditorium: This.

345

00:56:34.050 --> 00:56:41.619

HVCC - BTC Auditorium: This proposal before us seems to identify the impacted parties as licensees.

346

00:56:41.840 --> 00:56:43.250

HVCC - BTC Auditorium: Would that be correct?

347

00:56:43.580 --> 00:56:54.180

HVCC - BTC Auditorium: Okay, I have a real problem with our interpretation that the public convenience and accommodation rules are designed to

348

00:56:55.455 --> 00:56:59.100

HVCC - BTC Auditorium: with the concern of licensees at the heart.

349

00:56:59.240 --> 00:57:07.850

HVCC - BTC Auditorium: public accommodate public access and accommodations, and that's supposed to be focused on community, not

350

00:57:07.990 --> 00:57:25.610

HVCC - BTC Auditorium: on licensees. And so when we interpret it, and then try to put into regulation what I think is the wrong emphasis. I. It makes me pause so I'm not comfortable with this draft that has been proposed to us. I think that some of the process

351

00:57:25.720 --> 00:57:29.920

HVCC - BTC Auditorium: that are is outlined in this proposal makes sense.

352

00:57:30.340 --> 00:57:33.340

HVCC - BTC Auditorium: and that is where I think that we needed more.

353

00:57:33.490 --> 00:57:47.300

HVCC - BTC Auditorium: We needed to lean in more, however, the expansion and the inclusion of some of these much more sweeping policy decisions are where I have paused, and I think that that's where we have stepped.

354

00:57:47.800 --> 00:57:53.330

HVCC - BTC Auditorium: Well beyond what we were supposed to be thinking of, and even some of the

355

00:57:54.470 --> 00:58:04.229

HVCC - BTC Auditorium: assumptions that we're leaning into. So, for example, that a community that has, I think you said less than 20,000

356

00:58:04.490 --> 00:58:12.419

HVCC - BTC Auditorium: could not have 2 facilities within a thousand feet of one another. Is that what the proposal within

357

00:58:12.570 --> 00:58:41.350

HVCC - BTC Auditorium: so and that would fly in the face of one of the Pcas, in which we've already considered, where not only both of the impacted licensees, but also the impacted city made a determination that because of the layout of their city, and where economic activity occurred, that community was able to speak to the board and give us feedback and lead us in the direction to make a decision that was specific, which was extremely fact, specific

358

00:58:41.350 --> 00:58:46.144

HVCC – BTC Auditorium: to that entity to those entities and to that locale. So

359

00:58:47.170 --> 00:58:58.180

HVCC – BTC Auditorium: I would really like to hear and see the comments from other board members, members as they have a chance to truly review and circulate comments related to this, but

360

00:58:59.180 --> 00:59:09.869

HVCC – BTC Auditorium: I do think that we need more work on this. I just think that we need to be looking more at the the procedure. And I don't know that we want to

361

00:59:10.530 --> 00:59:24.240

HVCC – BTC Auditorium: close the door to a community telling us what it is that they need for their own convenience and advantage. I think that we're going a little bit further than we should be thinking about it.

362

00:59:24.580 --> 00:59:37.200

HVCC – BTC Auditorium: And I also have another question, how many of our dispensaries that have already have eligible locations identified, and have been determined to be eligible locations by the office.

363

00:59:37.330 --> 00:59:42.660

HVCC – BTC Auditorium: How many of them have been sitting on their properties for more than 9 months at this point, and are not operational.

364

00:59:45.020 --> 01:00:08.130

HVCC – BTC Auditorium: Chair. Wright, if I might address the 1st part of your comment. So I actually view this a little bit differently, I think, as a board and as a State agency. I'll speak to the State agency side because I can't speak for the board, but I think it's in our overall best interest, especially given the feedback. And I want to hammer home the fact that a lot of these changes are based on the feedback that we've gotten from communities.

365

01:00:08.130 --> 01:00:32.620

HVCC – BTC Auditorium: from members, from folks who are on the ground, living in this industry every single day. And so this process sort of recognizes that fact that as licensure proceeds as folks make their community impacts, it's for us to be able to hear that feedback from

interested parties in order to make a best decision. Because I think my concern is that we don't want to be too divorced

366

01:00:32.620 --> 01:00:57.260

HVCC - BTC Auditorium: from what is happening on the ground, and I think this offers an opportunity to recognize that businesses in the locality know that story better than we do, and can tell that story better than we do, and of course, ultimately it is for the Board to determine where that lands. But I think the opportunities born here are in line with what we've been hearing throughout, and also recognizing that we are in a rapidly developing market. You know, one of the things I'm conscious of is that

367

01:00:57.260 --> 01:01:23.710

HVCC - BTC Auditorium: the things on paper mean something very different in real life, and when real life has an impact and real life sort of manifest, it is our responsibility to sort of recognize that and tailor our approaches in a way that is conscious and that is respectful of those various opinions. And so I sort of view this structure a little bit differently, that is, in saying it is encouraging community feedback. It is encouraging sort of

368

01:01:24.710 --> 01:01:41.940

HVCC - BTC Auditorium: proof in the pudding around the public convenience and advantage. So, even though it is incumbent upon the licensees to make those arguments, those are also matters in which we are under hearing and understanding what's happening in the local community. So that's something I very pointedly want to stress around the procedure around.

369

01:01:43.380 --> 01:01:44.490

HVCC - BTC Auditorium: And

370

01:01:45.400 --> 01:01:55.259

HVCC - BTC Auditorium: can I get an answer to how many have been sitting waiting for more than 9 months? Yeah, I would need to get that number for you. And would you be able to guesstimate that it's more than 10 or 20.

371

01:01:56.710 --> 01:02:00.682

HVCC - BTC Auditorium: So of the folks who have received the final licenses.

372

01:02:01.520 --> 01:02:13.009

HVCC - BTC Auditorium: given that we issued the bulk of our licenses in the second half of 2024. It's likely going to be a small number, since bulk of our rollout was in the second half of the year, but it's so.

373

01:02:14.980 --> 01:02:18.270

HVCC - BTC Auditorium: We have not the bulk, but

374

01:02:18.530 --> 01:02:29.720

HVCC - BTC Auditorium: a subset. We have a subset that has been sitting for more than 9 months, and of those people who received licensing and approval of their locations more than a year ago.

375

01:02:30.740 --> 01:02:35.180

HVCC - BTC Auditorium: How many of them are? That's what I'm that's what I'm trying to get to. So we're making.

376

01:02:35.350 --> 01:02:38.480

HVCC - BTC Auditorium: I guess. What I'm trying to understand is

377

01:02:39.190 --> 01:02:41.520

HVCC - BTC Auditorium: this idea that we're going to

378

01:02:41.970 --> 01:02:56.469

HVCC - BTC Auditorium: not make decisions while we wait for other people's readiness. But instead of leaving that to a moment of discretion, and being able to look at each the facts of each case that comes before the board for an appeal. That's the reason why this

379

01:02:56.840 --> 01:03:05.499

HVCC - BTC Auditorium: process is an appeal, so that we can have a fact. Specific conversation in that moment about something versus a blanket

380

01:03:06.040 --> 01:03:08.200

HVCC - BTC Auditorium: statement that may or may not

381

01:03:08.540 --> 01:03:26.549

HVCC - BTC Auditorium: actually address the real concerns. So I'm just. I'm wary of it. I'm glad that we're beginning the conversation.

I'm looking forward to seeing more of the comments of board members and their edits and or comments to the draft.

382

01:03:27.100 --> 01:03:32.059

HVCC – BTC Auditorium: And so, yeah, I, those are the kind of concerns, though, that I think that we

383

01:03:33.390 --> 01:03:41.220

HVCC – BTC Auditorium: we need. And as a part of this conversation. That's right, Madam Chair, maybe I would just say, in response to that, that the initial

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01:03:41.360 --> 01:03:44.539

HVCC – BTC Auditorium: proposed Pca. Regulations were quite expansive.

385

01:03:44.810 --> 01:04:04.860

HVCC – BTC Auditorium: What the amendments we're proposing here are literally just in response to the very robust public feedback that we received that was asking for more structure. And so the areas in which we we established kind of these criteria were based on the feedback that we had received from the overwhelming majority of the comments that we received, that we're requesting

386

01:04:04.880 --> 01:04:21.389

HVCC – BTC Auditorium: more rigid kind of boundaries on how these would be. And I'm with you. I didn't like that draft either, and I was clear at the time, and I was willing to move forward, and I think that the responses helped to identify many of the things that I found problematic.

387

01:04:21.420 --> 01:04:42.269

HVCC – BTC Auditorium: But I don't think that this draft gets us to the goal is the only thing that I'm saying so I guess I wouldn't say I was going to ask that there are any other comments from other board members. I just make a quick comment. And so, and I've heard this in other industries. But one of the things that's incredibly important for business and for applicants is to know what to expect.

388

01:04:42.270 --> 01:05:04.850

HVCC – BTC Auditorium: I think, in this particular market. Things move so quickly. I think the conversations we're having today are not going to be the conversations we're having in a year or 2 from now, and that's a good thing. But I think for businesses who are caught in this

space of navigating this industry. They have to have an understanding of what is going on around them and what they can expect. And so I think the effort to bring more transparency to that process

389

01:05:04.850 --> 01:05:20.869

HVCC – BTC Auditorium: is always welcome, I think, and I think it's for you know us in relationship to the Board to get a sense of where is the best and which way and which ways are the best in which to move around. Pca. Yes, and I'm sorry I heard Member Garcia. Oh, I'm sorry.

390

01:05:20.870 --> 01:05:49.210

OCMNYCBoardroom@ocm.ny.gov: Yeah, I just wanted to to add that I I would like us to move these regulations forward, because I do want to hear what the public has to say about this version, and to see if we correct corrected in the right direction, and listened to also the community, and whether we did so, and I would love to hear from John more about how the agency is looking to

391

01:05:49.210 --> 01:06:08.159

OCMNYCBoardroom@ocm.ny.gov: inform the community, particularly community boards and municipalities, who will be notified inform them of this process so they can look out for, for you know these letters from licensees who are seeking their support, but also, so that they understand what the parameters are for them to support or oppose.

392

01:06:08.483 --> 01:06:19.479

OCMNYCBoardroom@ocm.ny.gov: You know the a change in location or a change in an additional dispensary in their location and and allow them to have some power in this process by having that information.

393

01:06:21.340 --> 01:06:37.639

HVCC – BTC Auditorium: Yes, thank you. Board Member Garcia. I think the I'd say a couple of things in response to that public. The public communication piece of this is going to be absolutely critical one to help people understand what these rules are proposing. We've already seen some incorrect interpretations that Ocm is, you know.

394

01:06:37.640 --> 01:07:01.089

HVCC – BTC Auditorium: doing away with the existing distance rules as they stand with this proposal, and we want to make it clear that that's not the case. What this is doing is keep the current rules distance requirements in place, and provides a process by which folks can make a request for a waiver that would allow them to be in distances closer than what is currently stipulated in the Regs.

395

01:07:01.440 --> 01:07:07.209

HVCC - BTC Auditorium: We think it's going to be critical to ensure that the municipalities understand the distinction between the initial

396

01:07:08.710 --> 01:07:32.199

HVCC - BTC Auditorium: municipal notification for a cannabis dispensary versus one, which is requesting that the location be granted or be considered under the Pca process. So we're certainly going to have some work to do here to ensure that our communities and the licensees, both pending and operational, understand how this process is going to work. We'll build a robust rubric around that.

397

01:07:32.340 --> 01:07:41.889

HVCC - BTC Auditorium: But we we hear you loud and clear that it's going to be critical for all our stakeholders to understand both what this process does and how it works. If it's going to be effective.

398

01:07:47.640 --> 01:07:49.210

HVCC - BTC Auditorium: Any other comments.

399

01:07:51.520 --> 01:07:53.369

HVCC - BTC Auditorium: I think it's important to

400

01:07:53.690 --> 01:08:12.109

HVCC - BTC Auditorium: put this back out to the public. So we can get this feedback. And and so we actually do have we have existing regulations, and we are not prohibited from as we said at the top of the meeting, the thing that was missing in our original

401

01:08:14.380 --> 01:08:33.809

HVCC - BTC Auditorium: I guess iteration of Pcas where some of the process stuff. And so we actually have existing Regs, which we've actually, we've utilized already. And we were supposed to be building out the process of how people communicate to us. That they would like to do it.

402

01:08:34.880 --> 01:08:35.620

HVCC - BTC Auditorium: So

403

01:08:36.359 --> 01:08:43.600

HVCC - BTC Auditorium: this will not us, coming up with a better draft, will not stop us from moving forward and developing

404

01:08:45.357 --> 01:08:55.409

HVCC - BTC Auditorium: us, developing a better draft of these regulations and getting more comments on a draft that actually speaks to some of the concerns.

405

01:08:56.970 --> 01:08:59.690

HVCC - BTC Auditorium: Does not stop us from moving forward with Pcas.

406

01:08:59.970 --> 01:09:06.190

HVCC - BTC Auditorium: And I guess that's where I feel like we're constantly racing to do something. And I would really

407

01:09:06.580 --> 01:09:22.070

HVCC - BTC Auditorium: ask the Board members to consider pausing so that we can have a real draft that we are submitting back to the public. That reflects one at least the draft that we've seen of each other's comments that looks and allows us to

408

01:09:22.569 --> 01:09:30.119

HVCC - BTC Auditorium: have a little bit more deliberation and exchange. Because that is not what has happened with the draft that

409

01:09:30.240 --> 01:09:34.189

HVCC - BTC Auditorium: we got you honestly just went maybe 5, 6 days ago.

410

01:09:35.479 --> 01:09:39.580

HVCC - BTC Auditorium: And so I'm just concerned with that.

411

01:09:40.130 --> 01:09:47.179

OCMNYCBoardroom@ocm.ny.gov: We. We did have an opportunity to review this, though, and I I do recall giving my comments to to the staff. Earlier.

412

01:09:47.189 --> 01:09:48.159

HVCC - BTC Auditorium: But I guess

413

01:09:48.329 --> 01:09:54.579

HVCC - BTC Auditorium: you've reviewed them. But none of the Board members heard your comments is what I'm saying, and so what you've done

414

01:09:54.580 --> 01:09:54.900

HVCC - BTC Auditorium: the next.

415

01:09:54.900 --> 01:09:58.570

HVCC - BTC Auditorium: I just want us to hear it, and that's what I'm asking about.

416

01:09:59.640 --> 01:10:20.849

OCMNYCBoardroom@ocm.ny.gov: I I think, though, that if we're going to be amending this document, I would rather do so with comments on the record, and therefore I would like to see these Regs be published to receive public comment, and allow us then, to review those comments and take the pen to paper at that time with

417

01:10:21.170 --> 01:10:28.750

OCMNYCBoardroom@ocm.ny.gov: comments on the record again I got I don't wanna you know, burn that record there. But I think that's really important for us to have.

418

01:10:29.960 --> 01:10:41.350

OCMNYCBoardroom@ocm.ny.gov: Yeah. And I still think that moving this forward is the way to advance this process. We're not approving a final document. We're starting up. We're starting another review process, and we should be starting that review process.

419

01:10:43.630 --> 01:10:45.200

HVCC - BTC Auditorium: Definitely can.

420

01:10:46.143 --> 01:10:48.210

HVCC - BTC Auditorium: And then we'll have another.

421

01:10:50.000 --> 01:10:57.960

HVCC - BTC Auditorium: I'm just instead of before me misspeaking. What would be the process of us? What would be the timeline of us.

422

01:10:58.140 --> 01:11:08.470

HVCC – BTC Auditorium: resubmitting these, getting comments on them again, and then reviewing them, and they becoming.

423

01:11:08.690 --> 01:11:15.370

HVCC – BTC Auditorium: And if we have to make more comments on them what will be so essentially, I want to know. What is that, timeline.

424

01:11:16.860 --> 01:11:21.129

HVCC – BTC Auditorium: while we continue to use the existing regs as they exist?

425

01:11:21.480 --> 01:11:40.769

HVCC – BTC Auditorium: Sure, madam, Chair, so roughly it would be. It would take maybe a week or 2 to get this if the Board were to vote, to advance these, to get them published to the State Register, there would be a 45 day public comment period that follows that. So we've already done the 1st 60 day comment period. So a subsequent one would be 45 days

426

01:11:41.249 --> 01:11:49.920

HVCC – BTC Auditorium: and thereafter we would be immediately begin to review the comments. And so we're looking at about probably another 60 before it comes before the board again.

427

01:11:50.429 --> 01:11:54.029

HVCC – BTC Auditorium: For us to make more comments. And then, okay.

428

01:11:54.540 --> 01:11:58.240

HVCC – BTC Auditorium: that is, I'm I'm comfortable that we have an existing process

429

01:11:58.450 --> 01:12:04.629

HVCC – BTC Auditorium: that we can lean into. But I really would have liked to have seen a more.

430

01:12:07.590 --> 01:12:14.079

HVCC – BTC Auditorium: I've already said it. I just would have liked to have seen us actually exchange comments so that we know what the others are thinking here. So

431

01:12:14.692 --> 01:12:23.069

HVCC – BTC Auditorium: we don't have a motion on the floor to pass this resolution or to move this forward. So someone, if someone would like to make that.

432

01:12:23.550 --> 01:12:24.500

OCMNYCBoardroom@ocm.ny.gov: So moved.

433

01:12:25.690 --> 01:12:27.270

HVCC – BTC Auditorium: Oh, no! You have to make the motion.

434

01:12:28.050 --> 01:12:33.490

OCMNYCBoardroom@ocm.ny.gov: Okay. She made a motion to discuss it, not to. Oh, motion to advance, please.

435

01:12:34.230 --> 01:12:35.090

OCMNYCBoardroom@ocm.ny.gov: Right.

436

01:12:35.090 --> 01:12:36.279

HVCC – BTC Auditorium: Is there a second.

437

01:12:37.120 --> 01:12:38.110

OCMNYCBoardroom@ocm.ny.gov: Second.

438

01:12:38.910 --> 01:12:41.259

HVCC – BTC Auditorium: Okay, any more discussion.

439

01:12:42.680 --> 01:12:46.760

HVCC – BTC Auditorium: Hearing none, I'll call the vote, Mr. Usher.

440

01:12:47.160 --> 01:12:47.605

OCMNYCBoardroom@ocm.ny.gov: I.

441

01:12:48.320 --> 01:12:51.039

HVCC – BTC Auditorium: Ms. Knight. Aye, Ms. Garcia.

442

01:12:51.350 --> 01:12:51.785

OCMNYCBoardroom@ocm.ny.gov: I.

443

01:12:52.820 --> 01:13:06.680

HVCC – BTC Auditorium: And I vote against it. So the motion passes the motion to direct the office of cannabis management to file for proposed rulemaking. Certain adult use. Cannabis, license regulations, passes. Thank you, John

444

01:13:07.160 --> 01:13:09.739

HVCC – BTC Auditorium: alrighty. And now on to our next.

445

01:13:11.690 --> 01:13:20.709

HVCC – BTC Auditorium: May I please have a motion to consider and approve resolution number 2025 to 10. Consideration of municipal opinion responses.

446

01:13:21.570 --> 01:13:21.910

OCMNYCBoardroom@ocm.ny.gov: Okay.

447

01:13:25.980 --> 01:13:26.920

OCMNYCBoardroom@ocm.ny.gov: so move.

448

01:13:27.710 --> 01:13:32.680

HVCC – BTC Auditorium: Okay, can I get a second second.

449

01:13:32.680 --> 01:13:33.240

OCMNYCBoardroom@ocm.ny.gov: Check, in.

450

01:13:33.240 --> 01:13:37.379

HVCC – BTC Auditorium: All right. I'll please ask Mr. Beach to please provide an overview of this resolution.

451

01:13:38.280 --> 01:13:59.989

HVCC – BTC Auditorium: Thank you, madam. Chair section 76, 4 of the cannabis law provides that when a city, town or village within New York State, or a community board within New York City expresses an opinion either for or against the Board's issuance of a license authorizing retail cannabis sale within their geographic boundaries. The Board shall respond in writing with an explanation as to how they consider the opinion.

452

01:14:00.240 --> 01:14:14.099

HVCC – BTC Auditorium: At the July 2024 Board meeting the Board

delegated to the office the ability to respond to municipalities that issued a positive or neutral opinion, and the Board retained the authority to issue letters from to municipalities that provided a negative opinion.

453

01:14:14.320 --> 01:14:34.980

HVCC - BTC Auditorium: The letters attached to this resolution are responses from the Board to respond to municipalities that have issued a negative opinion from licenses that have already been issued. Please know that the office anticipates there will be one or 2 more of these type of resolutions, as we work through the backlog, from licenses that have already been issued, and happy to answer any questions the Board may have.

454

01:14:35.950 --> 01:14:38.579

HVCC - BTC Auditorium: Are there any questions, comments from the board?

455

01:14:40.610 --> 01:14:42.079

OCMNYCBoardroom@ocm.ny.gov: And go ahead.

456

01:14:42.250 --> 01:14:43.430

HVCC - BTC Auditorium: Mr. Usher.

457

01:14:44.706 --> 01:14:49.870

OCMNYCBoardroom@ocm.ny.gov: So there's there's a set of responses, and then there's a set of additional letters in the back.

458

01:14:51.290 --> 01:15:02.079

OCMNYCBoardroom@ocm.ny.gov: that don't, I'm not sure are related to those responses is that can you explain? Like the letters from the town of Babylon and Kingston?

459

01:15:02.220 --> 01:15:03.350

OCMNYCBoardroom@ocm.ny.gov: Are those

460

01:15:06.970 --> 01:15:07.670

OCMNYCBoardroom@ocm.ny.gov: bye.

461

01:15:07.920 --> 01:15:12.840

HVCC - BTC Auditorium: Let me just the the letter should correspond to

the municipal opinion.

462

01:15:12.980 --> 01:15:14.160

HVCC - BTC Auditorium: Opinion. Okay.

463

01:15:14.160 --> 01:15:17.310

OCMNYCBoardroom@ocm.ny.gov: I think this may be additional material, but it's not related. I'm sorry.

464

01:15:17.870 --> 01:15:27.607

HVCC - BTC Auditorium: Okay. Sorry. Sorry. So, just for clarification. They should correspond to the city of Hornell, Manhattan Community Board 5. Related to

465

01:15:28.500 --> 01:15:31.980

HVCC - BTC Auditorium: card licensee 0 0 77.

466

01:15:31.980 --> 01:15:32.529

OCMNYCBoardroom@ocm.ny.gov: Got it.

467

01:15:33.252 --> 01:15:58.800

HVCC - BTC Auditorium: Manhattan Community Board, 5 license. Ocm card 3, 93. Bronx Community Board, 6 Ocm. 6. I'm sorry. Card 6, 52. Manhattan Community Board, 2. Card 1, 44, Bronx Community Board, 9 ocm. Retail, 1197, and then Staten Island Community Board, Ocm. Retail, 1,001

468

01:15:59.755 --> 01:16:00.350

HVCC - BTC Auditorium: however.

469

01:16:00.350 --> 01:16:00.703

OCMNYCBoardroom@ocm.ny.gov: Thank you.

470

01:16:00.880 --> 01:16:06.420

HVCC - BTC Auditorium: Okay. However, we did ask for redrafts of letters to Cb. 2

471

01:16:06.540 --> 01:16:11.790

HVCC - BTC Auditorium: Manhattan, Cb. 2, as well as Bronx, cb. 9. Do we have those letters

472

01:16:11.990 --> 01:16:14.510

HVCC - BTC Auditorium: correct? Yep, there's is it 2? I'm sorry.

473

01:16:14.790 --> 01:16:23.130

HVCC - BTC Auditorium: Yes, it was Cb. 2, and Cb. And Cb. 9, and had in Bronx 2. Yep. Both of those letters were updated this morning and have been updated on the website

474

01:16:24.220 --> 01:16:32.150

HVCC - BTC Auditorium: and sent sent to you, I believe, was that 8 Am. Email.

475

01:16:36.750 --> 01:16:37.657

HVCC - BTC Auditorium: Hope it sent.

476

01:16:44.410 --> 01:16:55.470

HVCC - BTC Auditorium: Oh, gosh! So I was. Gonna say, I didn't see an email either. Apologies. I I scheduled it to go last night, and it must not have woke up this morning and keep your computer open.

477

01:16:55.810 --> 01:16:59.080

HVCC - BTC Auditorium: Can we amend the resolution to pull.

478

01:17:00.600 --> 01:17:01.250

OCMNYCBoardroom@ocm.ny.gov: Madam, chair.

479

01:17:01.250 --> 01:17:02.580

HVCC - BTC Auditorium: I did receive.

480

01:17:02.580 --> 01:17:05.249

OCMNYCBoardroom@ocm.ny.gov: I received the email from Pat this morning.

481

01:17:05.250 --> 01:17:05.660

HVCC - BTC Auditorium: Okay.

482

01:17:07.030 --> 01:17:07.759

HVCC - BTC Auditorium: What did you go through.

483

01:17:09.690 --> 01:17:10.940

OCMNYCBoardroom@ocm.ny.gov: That went to the group.

484

01:17:12.010 --> 01:17:12.780

HVCC - BTC Auditorium: Yeah.

485

01:17:13.190 --> 01:17:14.680

HVCC - BTC Auditorium: Haven't seen it either.

486

01:17:15.100 --> 01:17:19.620

HVCC - BTC Auditorium: So I'm gonna ask if we can amend this resolution to remove

487

01:17:19.810 --> 01:17:35.089

HVCC - BTC Auditorium: the letters in response to Ocm card 2022, dash 0, 0, 1, 4, 4, and the letter related to Ocm Retl, dash 2023, dash 0, 0, 1, 1, 9, 7.

488

01:17:36.660 --> 01:17:46.040

OCMNYCBoardroom@ocm.ny.gov: Chair. Would you be open to amending the resolution to remove, but to delegate you with the power to send those? Once you reviewed the new drafts.

489

01:17:46.570 --> 01:17:48.539

OCMNYCBoardroom@ocm.ny.gov: so that we don't have to wait another month.

490

01:17:49.450 --> 01:17:51.580

HVCC - BTC Auditorium: Yes, yes.

491

01:17:52.250 --> 01:17:57.790

HVCC - BTC Auditorium: So the I'm just gonna restate the whole amendment. So the

492

01:17:57.860 --> 01:18:22.710

HVCC - BTC Auditorium: we have moved to amend Resolution number 2025 to 11, to remove 2 letters which are related to the application numbers ending 0, 0, 1, 4, 4, and 0 0 1, 1, 9, 7, both of which are to be submitted and reviewed by the chair, and then authorized to send

out thereafter.

493

01:18:23.880 --> 01:18:27.299

HVCC – BTC Auditorium: Are there any other questions or comments by the board?

494

01:18:29.990 --> 01:18:33.489

HVCC – BTC Auditorium: Hearing none, I'll call for the vote. Mr. Asher.

495

01:18:34.090 --> 01:18:34.520

OCMNYCBoardroom@ocm.ny.gov: Bye.

496

01:18:35.440 --> 01:18:37.999

HVCC – BTC Auditorium: Ms. Knight. Aye, Ms. Garcia.

497

01:18:38.170 --> 01:18:38.525

OCMNYCBoardroom@ocm.ny.gov: Bye.

498

01:18:40.310 --> 01:18:42.779

HVCC – BTC Auditorium: And I've owned the affirmative as well. The motion

499

01:18:43.743 --> 01:18:48.109

HVCC – BTC Auditorium: approved resolution. Number 2025. Dash!

500

01:18:48.290 --> 01:18:50.529

HVCC – BTC Auditorium: Is it? 10 or 11? I'm sorry.

501

01:18:50.640 --> 01:18:56.830

HVCC – BTC Auditorium: What's the right one? I have. It is 10. Sorry, 2025. Dash, 10.

502

01:18:57.200 --> 01:19:00.939

HVCC – BTC Auditorium: Consideration of municipal opinion responses carries.

503

01:19:04.120 --> 01:19:17.620

HVCC – BTC Auditorium: and for the next order of business may I please

have a motion to consider resolution number 2025 to 11, a consideration to render a decision in the appeal. Matter of Zsnacks, Inc. Bocm.

504

01:19:22.730 --> 01:19:31.300

HVCC – BTC Auditorium: Good morning, Board members, and good morning, madam. Chair, morning, Executive Director Reed, please.

505

01:19:31.450 --> 01:19:43.939

HVCC – BTC Auditorium: Pursuant to Cannabis law article 2 sections 10 and 17. The Cannabis Control Board is charged with the responsibility of issuing a final determination when an administrative decision is appealed by the office

506

01:19:44.610 --> 01:19:55.210

HVCC – BTC Auditorium: today, collectively, there are 3 administrative appeals before the board that were submitted pursuant to Title IX. Of the New York Code, Rules and Regulations. Section 1, 33, 20,

507

01:19:55.410 --> 01:20:01.989

HVCC – BTC Auditorium: 25, subdivision K. They will be heard separately as individual resolutions.

508

01:20:02.370 --> 01:20:08.660

HVCC – BTC Auditorium: Each of the proposed decisions shared was shared in advance of today's meeting with the Board and publicly posted

509

01:20:10.320 --> 01:20:11.660

HVCC – BTC Auditorium: next slide, please.

510

01:20:12.200 --> 01:20:19.209

HVCC – BTC Auditorium: In regards to the matter before the board. Now, resolution 2025, 11 z. Snacks. V. Ocm.

511

01:20:19.420 --> 01:20:32.970

HVCC – BTC Auditorium: This appeal matter is a resolution to consider and render a decision for the Administrative Appeal. Matter of Zsnacks, Ocm. Inspection 102, 2024, 0 6, 0 5 0 0 2.

512

01:20:33.580 --> 01:20:35.590

HVCC – BTC Auditorium: The appellant Z snacks.

513

01:20:35.770 --> 01:20:40.579

HVCC – BTC Auditorium: Their business was subject to a regulatory inspection that was conducted by Ocm.

514

01:20:40.760 --> 01:20:48.200

HVCC – BTC Auditorium: Following the inspection, a notice of violation, a cease order, and an order to seal were issued for the premises based on unlicensed activity.

515

01:20:48.660 --> 01:20:52.390

HVCC – BTC Auditorium: The appellant requested a hearing with the office of administrative hearings.

516

01:20:52.750 --> 01:21:05.050

HVCC – BTC Auditorium: After the hearing, the presiding Alj issued a decision, and an order extending that order to seal, based on a finding that the provisions of Cannabis law, Article 6, section 1, 38, were met by a preponderance of the evidence.

517

01:21:05.350 --> 01:21:17.970

HVCC – BTC Auditorium: The appellant submitted the instant appeal, and has asserted that the order to seal was erroneously extended because Ocm. Failed to establish proper and sufficient service in accordance with the jurisdictional requirements of the cannabis law.

518

01:21:18.690 --> 01:21:29.660

HVCC – BTC Auditorium: Today the recommendation is for the Board to approve the Alj's decision or to approve the proposed decision which is confirming the hearing, determination, and denying the appellant's appeal.

519

01:21:30.170 --> 01:21:40.360

HVCC – BTC Auditorium: The recommendation is based on the review of the record, and there being substantial evidence in the record establishing that the service on appellant was effectuated.

520

01:21:40.670 --> 01:21:46.650

HVCC – BTC Auditorium: The defense, additionally, the defense of lack of jurisdiction based on improper service is personal in nature.

521

01:21:46.750 --> 01:21:49.410

HVCC - BTC Auditorium: and the appellant may not raise it on behalf of another.

522

01:21:50.240 --> 01:21:57.240

HVCC - BTC Auditorium: I'm happy to answer any questions the Board may have. Thank you. Are there any questions from the board members

523

01:21:57.340 --> 01:21:58.400

HVCC - BTC Auditorium: comments.

524

01:22:01.160 --> 01:22:29.109

HVCC - BTC Auditorium: and I just want to get a little clarification. The appellant here alleged that we did not serve the landlord. Is that correct? Yes, the specific issue or claim to their appeal was that the real estate owner, or at least evidence at the hearing, was not provided to establish that the real estate owner was served. The real estate owner was not a party to the action, nor were they a party to the ceiling of appellant's business.

525

01:22:30.290 --> 01:22:31.300

HVCC - BTC Auditorium: Thank you.

526

01:22:31.560 --> 01:22:33.799

HVCC - BTC Auditorium: Are there any other questions? Comments

527

01:22:35.190 --> 01:22:37.870

HVCC - BTC Auditorium: hearing none. I'll call for the vote, Mr. Usher.

528

01:22:38.190 --> 01:22:38.970

OCMNYCBoardroom@ocm.ny.gov: I.

529

01:22:39.460 --> 01:22:41.909

HVCC - BTC Auditorium: Ms. Knight. Aye, Ms. Garcia.

530

01:22:42.350 --> 01:22:43.060

OCMNYCBoardroom@ocm.ny.gov: I.

531

01:22:43.490 --> 01:22:45.380

HVCC - BTC Auditorium: Now vote in the affirmative as well.

532

01:22:45.680 --> 01:22:55.959

HVCC - BTC Auditorium: The motion to approve resolution number 2025 to 11. Consideration, to render decision in the matter of Z. Snacks, Inc. V. Ocm. Carries

533

01:22:56.520 --> 01:23:08.060

HVCC - BTC Auditorium: next, may I have a motion to consider resolution number 2025 to 12. Consideration to render decision in the appeal. Matter of zen zone one Corp. V. Ocm.

534

01:23:09.150 --> 01:23:15.179

HVCC - BTC Auditorium: Thank you, Madam Chair, we have to get a motion. May can I get him?

535

01:23:15.180 --> 01:23:15.640

HVCC - BTC Auditorium: Ocean?

536

01:23:16.920 --> 01:23:17.400

HVCC - BTC Auditorium: Mr. Ashley?

537

01:23:17.400 --> 01:23:17.730

OCMNYCBoardroom@ocm.ny.gov: Tell me.

538

01:23:17.730 --> 01:23:20.100

HVCC - BTC Auditorium: And we have a second with Ms. Knight. Thank you.

539

01:23:20.900 --> 01:23:36.399

HVCC - BTC Auditorium: please, Celine, if you will. Yes, thank you. This matter is a resolution to consider and render a decision for the administrative appeal. Zen zone, vocm, inspection 1, 1520, 24, 0, 6, 0 4, 0 0 5.

540

01:23:36.580 --> 01:23:50.500

HVCC - BTC Auditorium: The appellant zen zone. One for up their business premises was the subject of a regulatory inspection conducted by Ocm. Following the inspection, a notice of violation, cease, order, and order to seal were issued for the premises based on unlicensed

activity.

541

01:23:50.780 --> 01:23:54.329

HVCC – BTC Auditorium: The appellant requested a hearing with the office of administrative hearings.

542

01:23:54.430 --> 01:24:04.950

HVCC – BTC Auditorium: Following the hearing, the presiding Alj issued a decision that extended the order to seal for one year. Finding that the provisions of the Cannabis law were met by a preponderance of the evidence.

543

01:24:05.290 --> 01:24:22.350

HVCC – BTC Auditorium: the appellant submitted the appeal, and asserts that the order to seal was erroneously extended because Ocm failed to establish proper and sufficient service in accordance with jurisdictional mandates, and because there was insufficient evidence in the record to establish that Zen Zone was the business that was, in fact, inspected

544

01:24:22.850 --> 01:24:26.099

HVCC – BTC Auditorium: today. The recommendation is for the Board to approve the

545

01:24:26.250 --> 01:24:31.919

HVCC – BTC Auditorium: proposed decision, which is confirming the hearing, determination, and denying the appellant's appeal.

546

01:24:32.130 --> 01:24:54.799

HVCC – BTC Auditorium: The recommendation is based on there being substantial evidence in the record to support that service was effectuated on appellant. Additionally, appellant's argument is similar to the argument previously made, wherein they are raising an objection to service based on lack of evidence at the hearing that the real estate owner, a nonparty, was not served.

547

01:24:56.220 --> 01:25:02.709

HVCC – BTC Auditorium: The record also contains substantial evidence that Zen Zone, one Corp was, in fact, the business that was inspected.

548

01:25:04.260 --> 01:25:08.147

HVCC – BTC Auditorium: Are there any questions regarding this matter?

Thank you.

549

01:25:10.170 --> 01:25:14.699

HVCC - BTC Auditorium: Are there any questions? Comments from the Board

550

01:25:19.680 --> 01:25:22.799

HVCC - BTC Auditorium: hearing none. I will call for the vote, Mr. Usher.

551

01:25:23.310 --> 01:25:23.760

OCMNYCBoardroom@ocm.ny.gov: I.

552

01:25:24.750 --> 01:25:27.250

HVCC - BTC Auditorium: Ms. Knight. Aye, Ms. Garcia.

553

01:25:27.940 --> 01:25:28.309

OCMNYCBoardroom@ocm.ny.gov: Bye.

554

01:25:29.180 --> 01:25:31.079

HVCC - BTC Auditorium: And I've owned the affirmative as well.

555

01:25:31.560 --> 01:25:38.040

HVCC - BTC Auditorium: Next may please have a motion to consider resolution number 2025, dash 13.

556

01:25:38.500 --> 01:25:46.020

HVCC - BTC Auditorium: Consideration, to render decision in the appeal matter of the jerk shack. Llcvm.

557

01:25:49.100 --> 01:25:49.980

OCMNYCBoardroom@ocm.ny.gov: So moved.

558

01:25:50.840 --> 01:25:52.520

HVCC - BTC Auditorium: It's been moved. May I get a second

559

01:25:53.240 --> 01:25:55.669

HVCC - BTC Auditorium: second? And it's been properly seconded?

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01:25:56.680 --> 01:26:02.279

HVCC - BTC Auditorium: Mr. Chip, will you please provide an overview of this resolution. Yes.

561

01:26:02.550 --> 01:26:16.090

HVCC - BTC Auditorium: this resolution is also an appeal matter, that is, before the board. The matter of jerk, shack, Llc. Vocm inspection 1, 1520, 24, 0, 6, 26, 0 0 2 0.

562

01:26:16.520 --> 01:26:22.669

HVCC - BTC Auditorium: The appellant, the jerk shack, Llc. Was the subject of a regulatory inspection conducted by Ocm.

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01:26:23.220 --> 01:26:29.959

HVCC - BTC Auditorium: After the inspection and notice of violation cease, order in order to seal, were issued, based on unlicensed activity.

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01:26:30.670 --> 01:26:38.109

HVCC - BTC Auditorium: The appellant requested a hearing, following the hearing, the presiding Alj issued a decision in order extending the order to seal.

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01:26:38.210 --> 01:26:39.860

HVCC - BTC Auditorium: Finding that the

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01:26:40.620 --> 01:26:58.819

HVCC - BTC Auditorium: provisions of the cannabis law were met by a preponderance of the evidence, the appellant submitted this appeal, and asserts that the order to seal was erroneously extended because Ocm failed to establish proper and sufficient service, and because the Nov. The cease order, and the order to seal were facially insufficient, lacking essential elements.

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01:27:00.080 --> 01:27:10.800

HVCC - BTC Auditorium: Here the recommendation is for the Board not to confirm the hearing determination, and to issue the proposed superseding decision, granting the appellant's appeal and the relief requested.

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01:27:11.260 --> 01:27:13.790

HVCC - BTC Auditorium: Recommendation is based on the following.

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01:27:14.130 --> 01:27:18.260

OCMNYCBoardroom@ocm.ny.gov: The notice of violation, the cease order, and the order to seal.

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01:27:18.390 --> 01:27:21.740

HVCC - BTC Auditorium: Do not include relevant essential information.

571

01:27:22.220 --> 01:27:28.850

HVCC - BTC Auditorium: including the city, the state, or the Zip code of the business that was inspected and subsequently sealed.

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01:27:30.040 --> 01:27:36.660

HVCC - BTC Auditorium: There was also no date or time inserted into the statement of charges contained in the Nov.

573

01:27:37.300 --> 01:27:41.880

HVCC - BTC Auditorium: The appellant made a timely objection before and during the hearing

574

01:27:42.500 --> 01:27:53.979

HVCC - BTC Auditorium: appellant was not provided. If based on the above, the appellant was not provided. Fair notice of the charges due to the substantive nature of the elements omitted from the Nov. Cease order in order to seal

575

01:27:54.620 --> 01:28:07.300

HVCC - BTC Auditorium: the information contained on the face of the document omitted, necessary jurisdictional information establishing the authority of Ocm and the Oah, namely, the city state and Zip code.

576

01:28:07.930 --> 01:28:14.270

HVCC - BTC Auditorium: Due process is applicable to administrative proceedings, and here it necessitates a departure from the Alj's determination.

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01:28:14.480 --> 01:28:18.560

HVCC - BTC Auditorium: This was a fact-specific analysis and determination.

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01:28:18.990 --> 01:28:21.099

HVCC - BTC Auditorium: Please let me know if you have any questions.

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01:28:21.260 --> 01:28:24.890

HVCC - BTC Auditorium: Are there any questions, comments, discussions from the board members.

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01:28:26.600 --> 01:28:29.910

OCMNYCBoardroom@ocm.ny.gov: Can you elaborate on what? The oh, sorry! Go ahead.

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01:28:31.110 --> 01:28:32.610

HVCC - BTC Auditorium: Ask your question.

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01:28:33.370 --> 01:28:43.349

OCMNYCBoardroom@ocm.ny.gov: Oh, I just wanted to, if you could, please, elaborate how the Alj justified ruling in the way that they did, given the the facts and the evidence.

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01:28:44.370 --> 01:28:52.189

HVCC - BTC Auditorium: Yes, the Alj's decision reasons that the testimony of the witnesses

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01:28:52.640 --> 01:28:56.429

HVCC - BTC Auditorium: referenced the date of the inspection.

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01:28:57.300 --> 01:29:02.550

HVCC - BTC Auditorium: However, on review of the record, neither witness provides the date.

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01:29:02.910 --> 01:29:09.270

HVCC - BTC Auditorium: The date is inserted into the questions that are asked of the witness, and they respond in the affirmative.

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01:29:09.650 --> 01:29:18.970

HVCC - BTC Auditorium: Additionally, the Alj look to the date at the bottom of the Nov. Where the investigator signed the document.

588

01:29:20.110 --> 01:29:22.690

HVCC - BTC Auditorium: However, no one had

589

01:29:23.440 --> 01:29:35.140

HVCC - BTC Auditorium: clarified that to the appellant at the time of service, but, most importantly, is the lack of a location in this document, and the decision does not address the lack of a location.

590

01:29:37.010 --> 01:29:45.430

HVCC - BTC Auditorium: and when you review the record in its entirety. The only testimony that comes out is that the inspection occurred somewhere north of Bay Ridge in Brooklyn.

591

01:29:45.730 --> 01:29:47.480

HVCC - BTC Auditorium: on St. John's Place.

592

01:29:53.560 --> 01:30:00.112

HVCC - BTC Auditorium: Any other questions. No, I was gonna make a comment. You know, I know that. It's very serious to

593

01:30:02.030 --> 01:30:11.340

HVCC - BTC Auditorium: issue, you know, superseding decision for granting the appellate appeal. But I did look at the Nov. It was.

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01:30:12.050 --> 01:30:20.670

HVCC - BTC Auditorium: And and I just think it's this is a good learning lesson and incorporate in further activity.

595

01:30:24.250 --> 01:30:48.449

HVCC - BTC Auditorium: Yeah, I think I agree, this is right. Now, in this moment we're perfecting all of our processes. And so here we get to make it clear that process due process are important. When we looked at this instance, it made me think of Dmv, instances where, if it doesn't say where you are parked, or how far from the

596

01:30:48.610 --> 01:30:58.239

HVCC - BTC Auditorium: hydrant, or there's a substantial information that's missing. We have to throw it out, and that's exactly where my mind went. Because this is a ticket writing process here.

597

01:30:58.828 --> 01:31:04.799

HVCC - BTC Auditorium: So I agree. I think we're committed to the

diligent exercise of our powers, and

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01:31:05.510 --> 01:31:09.970

HVCC - BTC Auditorium: I think they will just be more. We'll be more careful as we

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01:31:10.130 --> 01:31:19.009

HVCC - BTC Auditorium: forward with this. Yes, and if I may just to return to board Member Garcia's question, the decision does go into further analysis

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01:31:19.120 --> 01:31:43.690

HVCC - BTC Auditorium: in terms of the Alj's reasoning and the proposed decision. In addition to the case law. And as I mentioned, this is very fact specific, and something that is important to note that is mentioned in the decision is that during the course of the hearing there was no amendment, no request to amend the charges. There was no request to conform the charges to the evidence.

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01:31:44.400 --> 01:31:52.230

HVCC - BTC Auditorium: There was just the record, as is was insufficient to even address the omissions in the Nov. Itself.

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01:31:56.250 --> 01:31:56.969

HVCC - BTC Auditorium: and I guess.

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01:31:56.970 --> 01:31:57.360

OCMNYCBoardroom@ocm.ny.gov: Thank you.

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01:31:57.360 --> 01:32:10.110

HVCC - BTC Auditorium: Bring home. This is really specific to these facts. This is not something that we can just use unilaterally and think that suddenly we're going to be seeing many other stores reopened.

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01:32:10.430 --> 01:32:34.369

HVCC - BTC Auditorium: Because of this. We know that there's a way in which this could be addressed during the hearing. We know that there's some other learning lessons for us exactly in the event that there was another Nov. To be considered that did not include a full address. It could absolutely be addressed at the hearing, which is why I thought it was important to have that included in the decision before the

Board that that was not done in this instance.

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01:32:36.670 --> 01:32:39.660

HVCC - BTC Auditorium: Are there any other questions or comments from the Board members?

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01:32:41.810 --> 01:32:44.890

HVCC - BTC Auditorium: Hearing none? I'll call for the vote, Mr. Usher.

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01:32:45.460 --> 01:32:45.844

OCMNYCBoardroom@ocm.ny.gov: I.

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01:32:46.770 --> 01:32:49.100

HVCC - BTC Auditorium: Knight. Aye, Ms. Garcia.

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01:32:49.530 --> 01:32:50.300

OCMNYCBoardroom@ocm.ny.gov: Bye.

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01:32:51.010 --> 01:33:01.769

HVCC - BTC Auditorium: And I vote in the affirmative as well. The motion to approve resolution number 2,025 to 13. Consideration to render decision in the matter of the jerk shack Llc. Vocm carries.

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01:33:01.820 --> 01:33:27.030

HVCC - BTC Auditorium: and that concludes the resolutions before the Board today I know that we have a couple of people that must leave. So I want to say thank you to you all. Oh, no, all right. I wasn't sure if you had to leave, too, but I think I thought you had to leave. I think you both had to go. I'm sorry again, so we're going to be able to keep company for a little while longer. All right, but at this time I would like to ask if our

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01:33:27.190 --> 01:33:42.219

HVCC - BTC Auditorium: executive director will please give us the office report. Sure. Thank you, Madam Chair, before we get to our office update. I do want to acknowledge that in the House is Assembly majority Leader Krista people, Stokes and her staff. Thank you for being here.

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01:33:45.720 --> 01:34:08.829

HVCC – BTC Auditorium: Thank you for being here, and your support and vision have been keystones, for while we're all here today, now, turning to our office report. Today, we have key updates across several programs, including the latest market development progress on the social and economic equity program, an overview of the community grant reinvestment grant, and an update on the sea to sale system to start. I turn things back to Mr. Kagu.

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01:34:09.390 --> 01:34:11.695

HVCC – BTC Auditorium: Thank you very much, Director Reid.

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01:34:12.500 --> 01:34:15.219

HVCC – BTC Auditorium: we're going to begin with a high level view of the

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01:34:15.440 --> 01:34:27.619

HVCC – BTC Auditorium: sales trends in the market and and provide some signals of some of the data. We're going to be very excited to be presenting as the year progresses. So first, st as you have seen

618

01:34:27.670 --> 01:34:48.039

HVCC – BTC Auditorium: over the last few weeks, we have been celebrating crossing the 1 billion dollar threshold for legal sales in New York State. That's across the sales from 2023, through 2024, but an extraordinary milestone that reflects the very strong demand we're seeing for legal cannabis products in the dispensaries that have opened up in the State.

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01:34:49.300 --> 01:35:07.570

HVCC – BTC Auditorium: and we continue to kind of see the momentum that we had coming out of 2024 in the part of 2025, a slight downtake in January's reported sales numbers. We were roughly on par with one of the 1st months where we didn't see much of a change month over month

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01:35:07.570 --> 01:35:31.479

HVCC – BTC Auditorium: between December and January, and based on the analysis we've been doing so far. It's actually not. That unexpected December was a blockbuster month. We had really strong sales, particularly due to the holidays. Towards the end of the year, and we've been seeing a lot of chatter about dry January. That seems to be implicating a lot of the kind of intoxicating sectors. The economy. Certainly there's

621

01:35:31.570 --> 01:35:59.909

HVCC - BTC Auditorium: been some impact on alcohol side. We were looking at some studies over the last few days that sees a correspondence with consumer behavior in cannabis as well, so not unexpected that the 1st month of the year would be a little bit slow, but with the number of new stores that we're opening, and the trend in demand that we've been seeing. I fully expect that this is going to be a slight dip, and we will resume the very strong velocity we have been seeing toward the latter half of 2024.

622

01:36:00.540 --> 01:36:07.259

HVCC - BTC Auditorium: So bullish on that, and nearly 1.1 billion dollars in sales so far this year

623

01:36:07.620 --> 01:36:09.140

HVCC - BTC Auditorium: on the next slide.

624

01:36:13.220 --> 01:36:20.170

HVCC - BTC Auditorium: real real kudos to all of the licensees that have made this policy possible. Incredible work by our retailers.

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01:36:21.121 --> 01:36:23.849

HVCC - BTC Auditorium: So so far in 2025

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01:36:23.890 --> 01:36:51.430

HVCC - BTC Auditorium: through the 1st week in February. We've already done 110 million dollars in sales. A very, very strong start to the year if we just replicated that for the next 12 months would be well over a billion dollars just for this year. I think we're going to end up this year? Well, above that, because that only accounts for the stores that are currently open. It doesn't account for all of the new stores that we will be opening as this year progresses. And so we we remain really bullish about the outlook for this market.

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01:36:52.748 --> 01:36:59.210

HVCC - BTC Auditorium: On the next slide. It's a bit of an eye chart, and yes, I guess you can see it better on the screen behind me.

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01:37:00.780 --> 01:37:01.660

HVCC - BTC Auditorium: The

629

01:37:01.890 --> 01:37:28.379

HVCC - BTC Auditorium: we do continue to see the average sales per dispensary decline, and this is again not at all unexpected. As you increase retail density, the average retail sales per dispensary has continued to trend downward just as a reminder. When we were at the beginning of 2023, we were seeing average dispensary sales of roughly \$900,000,

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01:37:28.400 --> 01:37:34.409

HVCC - BTC Auditorium: and we're down to by about 2 thirds to roughly \$330,000

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01:37:35.100 --> 01:37:37.959

HVCC - BTC Auditorium: coming into the 1st quarter of 2024.

632

01:37:38.500 --> 01:37:58.860

HVCC - BTC Auditorium: This is as I've said, it's not unexpected a reflection of both more dispensaries opening up in more parts of the State. 2. It's also a reflection of more dispensaries opening up closer to each other. I've said this in other contexts, but I'll reiterate part of what we are starting to see, and our licensees are affirming. This is

633

01:37:59.150 --> 01:38:15.410

HVCC - BTC Auditorium: you know, if you had a town or municipality that had only one or 2 operating retailers, and that's where most of the licensees were most of the consumers were purchasing from, and you open 3, 4, 5. Then that total demand from that community is now being split across 5 operators not just across 2.

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01:38:15.410 --> 01:38:16.842

HVCC - BTC Auditorium: There are still,

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01:38:17.370 --> 01:38:46.629

HVCC - BTC Auditorium: millions of New York consumers yet to transition to the legal market. So the market base, the number of consumers who are purchasing from legal stores continues to grow. But the goal here is to continue to increase retail access, allowing more dispensaries to open, but also recognizing that competition is going to intensify. So to all of our licensees, we continue to remind you, plan for where the market is going, not where it currently is this is going to be a competitive market.

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01:38:47.010 --> 01:38:48.330
HVCC - BTC Auditorium: You know the the

637
01:38:48.928 --> 01:38:54.019
HVCC - BTC Auditorium: we. We believe that the market is going to be most effective if it is competitive.

638
01:38:54.020 --> 01:39:21.050
HVCC - BTC Auditorium: and the folks are really having to earn the consumers that they're serving, and so kind of look ahead and understand that there's a lot more dispensaries that are going to be opening competition, a lot more brands that are going to be launching a lot more businesses that are going to be launching across the supply chain, and that competition, I think, makes for a healthier market. But it also forces businesses to need to be kind of more strategic in how they ensure that they're maintaining the competitive positioning in the market.

639
01:39:23.060 --> 01:39:41.369
HVCC - BTC Auditorium: Last year we spoke a lot about kind of waiting for on the next slide waiting for more data before we were able to provide more detailed regional splits. And I'm pleased to say that I think we're now at the point where we will be able to provide fairly detailed regional breakdowns on a

640
01:39:41.510 --> 01:39:44.519
HVCC - BTC Auditorium: licensee performance basis, moving forward.

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01:39:45.479 --> 01:39:58.050
HVCC - BTC Auditorium: So we are starting to see some regional variability. And maybe I'll actually start with kind of the update downstate. Split downstate being Manhattan and the bars and Long Island

642
01:39:59.346 --> 01:40:26.710
HVCC - BTC Auditorium: and the the pie chart is kind of color coded. So the blues are downstate, the the reds are upstate. And we're noting here that downstate accounts for about 55% of sales, even if it has fewer stores. A few regions have stood out as our top performing revenue regions. Manhattan queens Long Island, the capital district, and mid Hudson. Folks in Albany have been buying a lot of

643
01:40:27.552 --> 01:40:30.689

HVCC - BTC Auditorium: which has been good to see.

644

01:40:30.720 --> 01:40:58.549

HVCC - BTC Auditorium: And you know one of the things that just kind of flag about these when you're thinking about these as raw numbers. Yes, there's been some regional distribution, and where the highest revenues have been accumulated. But that's also partly a function of where some of these dispensaries opened first. So Manhattan has some of our longest operational dispensaries, so it kind of makes sense that that's where you'd see higher revenue accumulation than say in the southern tier, where it was. It took us longer to get our 1st dispensaries open.

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01:40:58.720 --> 01:41:12.120

HVCC - BTC Auditorium: I'm very bullish to see how this regional kind of performance is going to trend over time. But these regional metrics are going to be really important, as we think about ensuring consumer access across the State of New York.

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01:41:14.367 --> 01:41:18.652

HVCC - BTC Auditorium: A couple of more just quick regional views on the next slide.

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01:41:19.530 --> 01:41:45.990

HVCC - BTC Auditorium: Calling out that Long Island has more sales per store than any other region. Long Island is a very high population jurisdiction, nearly 3 million residents, but it only has a handful of stores operational, so that kind of the challenge that folks have had finding qualifying locations in Long Island has enabled the operational dispensaries to really capitalize on that

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01:41:46.370 --> 01:41:47.380

HVCC - BTC Auditorium: on that

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01:41:48.292 --> 01:42:17.250

HVCC - BTC Auditorium: and and so, you know, Long Island really continues to stand out as as the one anomalous region, part because of the combination of opt outs and and the challenge retailers have had accessing locations there. But, broadly speaking, most of the other jurisdictions are fall, are starting to fall in somewhat somewhat in line in terms of the average revenues per store ranging from about 200,000 per month to just under 500,000 per month.

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01:42:20.648 --> 01:42:48.049

HVCC - BTC Auditorium: We've talked a lot about public convenience and advantage and outlook for retail dispensary siting. But on the next slide I do want to stress that there are nearly a thousand locations that are currently under review by the office, and I'll note that in most jurisdictions, roughly, about a 3rd of the locations that have been submitted to the office are currently operational.

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01:42:48.647 --> 01:43:12.249

HVCC - BTC Auditorium: About a 3rd are licensed and not yet operational, and a 3rd are in the licensing process. And that seems to be fairly uniformly distributed across the the jurisdiction. We have a lot of, you know, some. Some of our currently anticipated highest retail density jurisdictions include mid Hudson very popular region, with 128 locations currently submitted to the office.

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01:43:12.720 --> 01:43:39.509

HVCC - BTC Auditorium: The capital district where we are now has 109 locations, and you know you have Manhattan queens, Brooklyn and Western New York, all with over 100 retail dispensaries that are currently in offices. Review. The point of this is even as we have over 300 doors now open. There's a lot more dispensaries that are already in process, and a lot more spaces that are going to be opening here in the months ahead, and we remain very bullish about the

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01:43:41.080 --> 01:43:48.600

HVCC - BTC Auditorium: consumer access that will be gained. As these licensees work through the process and get their doors open.

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01:43:50.580 --> 01:44:01.189

HVCC - BTC Auditorium: And then a final point on the next slide that I think is also worth thinking about, and and being cognizant of, as we think about retail dispensary siting in the State.

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01:44:01.530 --> 01:44:14.390

HVCC - BTC Auditorium: And this is a flag around municipal opt-outs in the State of New York, when the cannabis law 1st passed, municipalities were given the option to opt out of having retail dispensaries in their jurisdictions.

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01:44:15.990 --> 01:44:23.520

HVCC - BTC Auditorium: nearly half the State opted out 46% of the municipalities in the State opted out of having retail dispensaries specifically

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01:44:23.640 --> 01:44:45.789

HVCC - BTC Auditorium: in their boundaries, and 56% opted out of either having a retail dispensary, on-site consumption license. I think there's a couple of things just worth noting here, one for our applicants and licensees who are in process. Please refer to the local map on the Ocm's website, which has

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01:44:45.880 --> 01:45:09.059

HVCC - BTC Auditorium: great insights into both. This, like this, is literally a screenshot taken from the local map. It can tell you precisely which jurisdictions have opted, out of which cannabis licenses but 2. It allows you to also understand and measure distances between existing locations, schools, houses of worship, etc. So as you're evaluating where you might want to be located in the State.

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01:45:09.150 --> 01:45:19.339

HVCC - BTC Auditorium: ocm.ny.gov, you can track down to where we have a local map, legal online cannabis activities, locator

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01:45:20.145 --> 01:45:25.469

HVCC - BTC Auditorium: which will allow you to to navigate this map. And then 2, you know.

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01:45:25.970 --> 01:45:41.269

HVCC - BTC Auditorium: one of the things that that we look forward to working on in the season ahead is helping municipalities understand the value, the utility, the impact of having licensed cannabis businesses in their in their jurisdictions. Cannabis is a

662

01:45:41.860 --> 01:45:55.559

HVCC - BTC Auditorium: can be an economic engine. It's a hyper local industry, you know. All of the jobs are created here all of the products are being made here. And so there's, I think, statewide a real conversation to be had about the opportunities that.

663

01:45:55.830 --> 01:46:05.980

HVCC - BTC Auditorium: granting retail access could have in ensuring that consumers have access to legal regulated cannabis products made here in New York across the straight State of New York.

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01:46:10.060 --> 01:46:18.859

HVCC – BTC Auditorium: So that's the top level kind of market performance data. If I'll actually perhaps

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01:46:19.340 --> 01:46:26.819

HVCC – BTC Auditorium: present this final slide as well before we turn over to Maggie with the sea. Which is a round out of all of the licenses we've issued so far.

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01:46:29.036 --> 01:46:39.803

HVCC – BTC Auditorium: so we have 240 of our 500 card licenses now issued with their final license. We still have 2 who are operating delivery, only 9 registered organizations

667

01:46:41.130 --> 01:46:43.780

HVCC – BTC Auditorium: that that are currently serving our medical patients.

668

01:46:45.920 --> 01:47:14.200

HVCC – BTC Auditorium: with over 1,500 licenses now issued. We've got 200 growers, 329 processors, 186 businesses that have a distribution authorization 240 micro businesses. So that's going to be a very significant area for growth, both in terms of production. The micro businesses are authorized to cultivate as well as for retail distribution, so very excited about some of the the producers who are coming online that channel.

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01:47:14.200 --> 01:47:23.180

HVCC – BTC Auditorium: and 329 adult use retail dispensaries in the State of New York. Great progress so far, you know. If you think back to where we were

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01:47:24.080 --> 01:47:30.759

HVCC – BTC Auditorium: 1213 months ago, where we had roughly 2 dozen stores open. I just, I can't

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01:47:31.340 --> 01:47:50.100

HVCC – BTC Auditorium: say thank you enough to the licensees who have worked furiously over the last year to get the market to where it currently is, and we look forward to working with both applicants and licensees over the next year to make further progress in increasing these numbers and growing this incredible industry.

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01:47:53.460 --> 01:48:17.540

HVCC - BTC Auditorium: So any questions before? Yes, can I ask you? You said half of the New York municipalities opted out to allow retail dispensaries. Could you tell us what the population is in that over half municipalities? Because I think that that needs a little bit of clarification, please. I'd have to get that number for you, Madam Chair, but we would work. We can get that number for you, and maybe present it at the next board meeting.

673

01:48:18.716 --> 01:48:31.523

HVCC - BTC Auditorium: because we're talking about villages, towns, cities, all municipalities. So in some instances we have cities that said no, but villages and towns within them that said yes, and so,

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01:48:32.090 --> 01:48:39.680

HVCC - BTC Auditorium: Can you please give us the the number of people represented by that percentage of municipalities, because I think the

675

01:48:40.080 --> 01:49:04.799

HVCC - BTC Auditorium: just relying on the idea that it's 43% of municipalities does not give a full color to the small number of people that are actually represented by those spaces. Totally fair. Point. And, Madam Chair, I think you raise an important point, which is, you know, generally, and we've seen this as a pattern in other. In other markets it tends to be smaller, generally more conservative jurisdictions that tend to opt out of

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01:49:04.800 --> 01:49:10.359

HVCC - BTC Auditorium: of cannabis. Generally the urban centers tend to opt in, so the

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01:49:10.360 --> 01:49:15.269

HVCC - BTC Auditorium: footprint area may be large, but the populations impacted may be somewhat small.

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01:49:15.330 --> 01:49:24.539

HVCC - BTC Auditorium: 2, while the municipality itself may opt out. The jurisdiction itself may opt out. There would be nothing preventing a a

679

01:49:24.600 --> 01:49:38.989

HVCC - BTC Auditorium: licensee from opening adjacent municipality adjacent to one that has opted out and serving customers in, so you

can deliver into municipalities that have opted out. You just can't cite the businesses there. So there are still ways to serve customers in those markets that have opted out.

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01:49:38.990 --> 01:49:59.000

HVCC – BTC Auditorium: One thing I do also want to mention on, that is, especially for those areas of the State which are high tourist draws. We're also looking at folks coming into those jurisdictions from other States, other countries, and being served in those jurisdictions. So the footprint, even though the population is significant, doesn't necessarily speak to all of the consumers and customers that are patronizing these stores.

681

01:50:01.160 --> 01:50:07.919

HVCC – BTC Auditorium: Thank you. No other questions. I'll hand it over to my colleague, Maggie Coe, to talk about some of the very exciting sustainability work that we've been doing.

682

01:50:07.920 --> 01:50:15.519

OCMNYCBoardroom@ocm.ny.gov: Before you go, John. I have a question which I don't think. I don't know if you'll be able to answer right now, but I'm wondering if down the line, if there is a way of us

683

01:50:16.090 --> 01:50:28.349

OCMNYCBoardroom@ocm.ny.gov: comparing our dispensary revenue to other retail in the State, and how we're how it averages compared to the rest of retail in the State. I don't know if that data is available anywhere, but

684

01:50:28.520 --> 01:50:33.610

OCMNYCBoardroom@ocm.ny.gov: just just curious how how we're we're faring, or that the industry is faring generally.

685

01:50:34.780 --> 01:50:56.690

HVCC – BTC Auditorium: A great question, and let me see what we can find on that. I've said this in other context, and I think it's worth stressing here to do this correctly, I think we would want to both look at revenues as well as profitability, because I think one of the things that makes this industry different is how high the taxes are for cannabis businesses because of the continued Federal

686

01:50:56.800 --> 01:51:26.439

HVCC – BTC Auditorium: illegality or cannabis being a schedule, one

which means that cannabis businesses can't take the same deductions that every other business can in the economy. We have cannabis licensees paying anywhere from 60 to 85% taxes on gross profits, which is on gross revenue, which is dramatically higher than most other businesses in the economy. So we would want to see. We may find that, for example, the revenues may be higher, but the profitability is either on par or lower, because of that taxation, discrepancy.

687

01:51:27.070 --> 01:51:30.889

OCMNYCBoardroom@ocm.ny.gov: Yeah, that's a fair question. I I'm curious on the profitability question as well.

688

01:51:31.900 --> 01:51:33.579

HVCC - BTC Auditorium: So we'll see what we can pull up on that.

689

01:51:34.120 --> 01:51:55.089

OCMNYCBoardroom@ocm.ny.gov: Yeah, I know this isn't your area, either, but I I don't know where in the meeting, where I can plug this, so I'll just say it now. I love the map of dispensaries available that have opened up in the State, and I noticed that the medical webpage doesn't have similarly a map like that. It'd be great if we could incorporate a map for patients.

690

01:51:55.270 --> 01:51:59.369

OCMNYCBoardroom@ocm.ny.gov: I know the list is there, and there's not that many of them, but it'd be awesome to have them out.

691

01:52:00.100 --> 01:52:11.769

HVCC - BTC Auditorium: Well, the local map does include a toggle both for adult use and retail dispensaries. They're both on that one local map, but I'll also make sure that we have full access to it on both side. Both places on the website.

692

01:52:11.770 --> 01:52:19.490

OCMNYCBoardroom@ocm.ny.gov: Yeah. And I mean, I think we'd want to encourage patients to go to medical dispensaries and not go to recreational adult use site

693

01:52:20.170 --> 01:52:24.040

OCMNYCBoardroom@ocm.ny.gov: if what they need is medical grade, cannabis.

694

01:52:24.040 --> 01:52:28.610

HVCC - BTC Auditorium: Entirely fair. We'll raise that with our site design team.

695

01:52:29.260 --> 01:52:29.900

OCMNYCBoardroom@ocm.ny.gov: Thanks.

696

01:52:31.490 --> 01:52:34.729

HVCC - BTC Auditorium: Over to my colleague, Mikey Collins. Thank you. Thank you.

697

01:52:39.606 --> 01:52:40.219

HVCC - BTC Auditorium: Thank you.

698

01:52:46.140 --> 01:52:51.150

HVCC - BTC Auditorium: Thank you, John. Director Reid, Madam Chair, and members of the board. Thank you for having me today.

699

01:52:51.350 --> 01:52:53.079

HVCC - BTC Auditorium: Can we have the next slide, please?

700

01:52:53.960 --> 01:53:01.769

HVCC - BTC Auditorium: This was previously announced in our Monthly Newsletter, but late last year the office published a comprehensive guidance document for our energy and environmental plan.

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01:53:01.990 --> 01:53:10.300

HVCC - BTC Auditorium: This document outlines regulations, requirements and timelines for the elements of the Energy and Environmental plan which applies to various adult use cannabis.

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01:53:11.120 --> 01:53:16.899

HVCC - BTC Auditorium: It also includes a template that outlines the type of information that that can be used to meet these plan requirements

703

01:53:17.190 --> 01:53:27.349

HVCC - BTC Auditorium: at this time. Plans will not be submitted by licensees, but the requirements must be complied with at all times, and plans must be maintained and made available upon request by the office.

704

01:53:27.740 --> 01:53:36.430

HVCC – BTC Auditorium: The document can be found on the office's webpage@cannabis.ny.gov slash sustainability, or you can use the QR code on your screen to get there directly.

705

01:53:37.340 --> 01:53:49.880

HVCC – BTC Auditorium: Last month we had our 1st meeting of the Cannabis Advisory Board's Energy and Environmental Sustainability Subcommittee, where we elected Member Alejandro Alvarez as our subcommittee chair, and gave a report out of past and proposed projects.

706

01:53:50.210 --> 01:53:57.769

HVCC – BTC Auditorium: A recording and meeting minutes can be found on the office's website. If you navigate to the Cannabis Advisory or, Yeah cannabis Advisory Board Page.

707

01:53:58.270 --> 01:54:02.869

HVCC – BTC Auditorium: We look forward to capitalizing on the value of the relationships formed through this subcommittee in the future

708

01:54:03.890 --> 01:54:12.449

HVCC – BTC Auditorium: just a reminder to licensees authorized to cultivate medical and adult use cannabis. We are now 6 and a half months out from the recording deadline for your benchmark power score report.

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01:54:13.230 --> 01:54:19.710

HVCC – BTC Auditorium: The 1st report is due August 31, st 2025 for all licensees, and annually on August 31st thereafter

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01:54:20.200 --> 01:54:29.900

HVCC – BTC Auditorium: our partners at Resource Innovation Institute will be hosting a webinar tutorial on how to access your account and enter data into the platform on March 26, th 2025,

711

01:54:30.250 --> 01:54:35.210

HVCC – BTC Auditorium: we anticipate releasing a registration link in our March monthly newsletter. So please keep an eye out for that.

712

01:54:35.630 --> 01:54:47.279

HVCC – BTC Auditorium: We are also working with resource Innovation Institute or Rii on a series of video tutorials that will live on the Powerscore Landing page@powerscore.org slash new hyphen York, which is up on screen.

713

01:54:47.750 --> 01:55:00.889

HVCC – BTC Auditorium: More information about powerscore and cannabis efficiency can be found on that landing page, and guidance and educational tools about reporting requirements can be found on the office's sustainability webpage@cannabis.ny.gov slash sustainability.

714

01:55:01.230 --> 01:55:17.419

HVCC – BTC Auditorium: If you have questions about reporting requirements or timelines, you can reach out to the office at powerscore@ocm.ny.gov. And if you have questions about the Powerscore platform, or are having issues accessing your account, please reach out to Rii at Powerscore, at resourceinnovation.org.

715

01:55:18.730 --> 01:55:24.230

HVCC – BTC Auditorium: Finally, the office is pleased to announce we won a seal sustainability award for our powerscore initiative.

716

01:55:25.420 --> 01:55:30.630

HVCC – BTC Auditorium: I'm gonna clap so tired of it

717

01:55:31.210 --> 01:55:34.770

HVCC – BTC Auditorium: stands for sustainability, environmental achievement and leadership.

718

01:55:34.910 --> 01:55:51.560

HVCC – BTC Auditorium: Our Powerscore initiative won this award based on the educational tools. We've developed our outreach program our plans to use aggregated anonymized data to assess the industry's performance against the emissions, reductions, requirements of the climate, leadership and community Protection Act or Clcpa State climate law

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01:55:52.270 --> 01:56:00.610

HVCC – BTC Auditorium: and our plans to use this anonymized data to pinpoint area for future policy changes and to identify licensing needs for funding or other state support.

720

01:56:01.150 --> 01:56:14.229

HVCC – BTC Auditorium: the award highlights, the office's commitment to sustainability as required by the Mrta and underscores, the truly amazing work our licensees are undertaking to make this the most economically, environmentally and socially sustainable market in the world.

721

01:56:14.840 --> 01:56:19.870

HVCC – BTC Auditorium: We also hope that this will help to destigmatize cannabis as an environmentally unsound product.

722

01:56:19.990 --> 01:56:26.620

HVCC – BTC Auditorium: help to normalize it as an agricultural crop and lend legitimacy to cannabis as a career path and an industry.

723

01:56:27.810 --> 01:56:40.260

HVCC – BTC Auditorium: It's also worth noting that from now on the Ocm logo, with the word cannabis prominently in it, will be featured in all mentions of 2025 winners of the award, along with the other Logos, which I think that's pretty cool.

724

01:56:42.510 --> 01:56:47.660

HVCC – BTC Auditorium: Thank you for your time, and I'm happy to answer any questions, any questions from the board.

725

01:56:48.700 --> 01:56:54.780

HVCC – BTC Auditorium: Alright, man, thank you so much. Thank you. Thank you, Maggie and Tabitha.

726

01:57:13.620 --> 01:57:19.990

HVCC – BTC Auditorium: Now for the social and economic equity update next slide, please.

727

01:57:22.290 --> 01:57:23.990

HVCC – BTC Auditorium: Of all of the

728

01:57:24.360 --> 01:57:44.759

HVCC – BTC Auditorium: applicants presented before the today presented before the board today, 62% of them are sea owned. The numbers that you see before you today represent a new method of calculating representation. So, as you all know, in the past we've received

feedback that we were collecting data in a very

729

01:57:45.820 --> 01:58:14.199

HVCC – BTC Auditorium: limited fashion. Right? We were only allowing applicants to qualify for singular seat categories at a time. The team working very closely with our data group and our licensing group have worked to sort of recertify applicants. We're now allowing applicants and licensees to qualify under multiple categories and capture dynamics like intersectionality. So the numbers that you see before you today will total over 100%. That's by design.

730

01:58:14.310 --> 01:58:18.629

HVCC – BTC Auditorium: 65% of them are

731

01:58:19.330 --> 01:58:41.569

HVCC – BTC Auditorium: minority owned businesses that has remained one of the largest cohorts, 52% women owned businesses. We have a dual category of minority owned businesses and women owned businesses capturing those licensees who fall within both. That is, listed in Section 87 of the Mrta. So we're really happy to finally have that data. And that's at 13% today.

732

01:58:41.790 --> 01:58:49.919

HVCC – BTC Auditorium: service disabled veterans at 4% distress Pharma at 2%. And Cdis at 24% Cdis had

733

01:58:50.140 --> 01:59:00.810

HVCC – BTC Auditorium: historically been one of the lowest categories in terms of representation. So again, we're feeling really great that we're finally able to capture more of the data to actually reflect the reality.

734

01:59:09.650 --> 01:59:21.019

HVCC – BTC Auditorium: Now, looking at sea across the supply chain. So this gives a snapshot of where our sea licensees operate, whether they're in cultivation, processing or distribution.

735

01:59:21.200 --> 01:59:37.220

HVCC – BTC Auditorium: 80% in retail that continues to be the strongest number. And even though this number is just social and economic equity card is captured separately. Right? So this is just looking at our social and economic equity licensees, not including card

736

01:59:38.100 --> 01:59:45.590

HVCC - BTC Auditorium: micro business is at 60% that includes those micro business licensees who do have some retail operations and those who don't

737

01:59:45.980 --> 01:59:50.980

HVCC - BTC Auditorium: processing and distribution at 48 and 41%

738

01:59:51.370 --> 02:00:03.139

HVCC - BTC Auditorium: also going really strong cultivation at 38%. So we continue to be very pleased with representation across all activities in the supply chain from social and economic equity.

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02:00:08.210 --> 02:00:09.440

HVCC - BTC Auditorium: Next slide, please.

740

02:00:11.100 --> 02:00:40.500

HVCC - BTC Auditorium: I want to share a bit of information about some upcoming programs and events that we have. We are launching Chip Academy, part 4 later this year. In the early part of this year, Chip Academy, part 4 means that we're in our 4th iteration of it. It continues to be one of our longest standing programs. And it's an educational resource for our earliest supply chain activities. So focusing on cultivation, processing and distribution generally, this part 4 series.

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02:00:40.500 --> 02:00:55.840

HVCC - BTC Auditorium: we'll focus mostly on cultivation. And it's based upon a survey that we sent out to our cultivators so many of you who are cultivators might have received that survey, and we thank you for completing that and providing us with that information

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02:00:56.000 --> 02:01:21.629

HVCC - BTC Auditorium: trip. Academy includes direct information from the office regarding regulations regarding programs regarding how to run your business in a way that is compliant and also profitable. We also offer Q. And a. Sessions. Right? So this is an opportunity where you, as a licensee can bring some of those questions that you have and get direct answers. If you look at the

743

02:01:22.280 --> 02:01:43.290

HVCC – BTC Auditorium: chart on the right side, you'll see top requested topics for additional educational support. And so we're taking a very data driven approach to address the needs. Overwhelming majority of these survey results reveal that licensees want more information on reporting requirements. So we're happy to build that into our programming.

744

02:01:44.050 --> 02:02:07.049

HVCC – BTC Auditorium: Another upcoming event is that of our supply chain event, which we're hoping to launch sometime in the warmer months of this year the supply chain event will really seek to bring together folks across the supply chain, helping you all build those relationships, meet each other, exchange best practices, build those partnerships. We are

745

02:02:07.160 --> 02:02:25.440

HVCC – BTC Auditorium: planning to hold it in an area that is central to our licensees, and there'll be an opportunity for one-on-one training from key stakeholders. We're going to create a platform for our stakeholders to correct some of the misinformation that's out there and discuss state resources.

746

02:02:27.670 --> 02:02:28.780

HVCC – BTC Auditorium: slide, please.

747

02:02:31.580 --> 02:02:49.659

HVCC – BTC Auditorium: higher education and cannabis. So we are very fortunate that New York State has made tremendous investments, not only within Ocm. But also across the broader, higher education ecosystem. There are about 21 programs offered across the State between Suny and Cuny.

748

02:02:52.550 --> 02:03:18.250

HVCC – BTC Auditorium: and of those 21 different programs offered. They range across various specializations. So everything from retail cultivation, distribution, processing all parts of the supply chain. We have one of these schools, a Cuny medgar evers that offers a degree program specifically in cannabis right now, they're the only in the State. But we're really hoping to continue to build that work out.

749

02:03:18.960 --> 02:03:26.100

HVCC – BTC Auditorium: There are about 67 unique courses across these 21 schools. And these are courses not

750

02:03:26.170 --> 02:03:40.700

HVCC - BTC Auditorium: merely focused on license activity, not merely focused on the supply chain. But looking at other parts of what it means to have a license. So that's business and compliance. That's science and medicine that's looking at the social and cultural impact

751

02:03:40.700 --> 02:03:59.119

HVCC - BTC Auditorium: of cannabis in New York State. So really exciting material, we are hoping to continue partnering with Suny and Cuny and offer those resources. It's 1 of the things that we see as part of our responsibility as outlined in the Mrta. And we're generating programs to continue to do that work

752

02:04:01.060 --> 02:04:02.689

HVCC - BTC Auditorium: next slide, please. Yes.

753

02:04:02.910 --> 02:04:10.730

HVCC - BTC Auditorium: Cannabis banking directory launch. Very excited. For this. This is a banking directory.

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02:04:13.100 --> 02:04:42.889

HVCC - BTC Auditorium: This really helps us advance our vision of what cannabis in New York would look like. We want cannabis in New York State to be an equitable industry, built upon small businesses that are all largely, grossly profitable. In order to do that, we know that businesses need access to capital, and while many businesses in other industries have access to federal resources, we know that our operators in cannabis are disadvantaged in that way right? There is not

755

02:04:42.890 --> 02:05:05.809

HVCC - BTC Auditorium: access to Sba loans. For example, you don't have the same tax write-offs that John referenced earlier. And so we're thinking about ways. How can we stimulate the capital markets to support our licensees? To give these businesses the resources that they ultimately need. This is a banking directory that provides not only a list of the

756

02:05:06.877 --> 02:05:09.240

HVCC - BTC Auditorium: Banks financial institutions

757

02:05:09.370 --> 02:05:24.460

HVCC – BTC Auditorium: that support cannabis and do so openly right, which is a very key distinction here. But we also include key contact information. So if you are an operator and you want financial services, you can go onto this directory.

758

02:05:24.460 --> 02:05:44.699

HVCC – BTC Auditorium: Look at the institution to contact and find a name, an email, and a number for who, exactly to contact our goal here is to lower the barrier to entry in that way and help stimulate access to resources. We are also very specific in what type of resources that financial institution may provide. So, some

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02:05:44.700 --> 02:05:57.860

HVCC – BTC Auditorium: checking and savings account, others will provide loans, others will provide other forms of debt financing, and we list that out specifically for those who are interested.

760

02:05:57.970 --> 02:06:03.400

HVCC – BTC Auditorium: really congrats to the team for launching that, and I'm happy to take any questions.

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02:06:05.350 --> 02:06:07.340

HVCC – BTC Auditorium: Are there any questions from the board?

762

02:06:09.180 --> 02:06:18.730

HVCC – BTC Auditorium: Hearing? None? Thank you, thank you. And if it's okay with the board, may I return before public comment? I'd like to share some words. That's okay. Thank you.

763

02:06:18.730 --> 02:06:43.579

HVCC – BTC Auditorium: Tabitha, before you leave, because I have to leave. I want to give you something on behalf of the office. So I spoke earlier about the impact that Tabitha has had on Ocm. And on the team, and so in commemoration of her work, we got you. She was great with plaques and stuff, so I'll read it, and I want to present it to you. So Tabitha Robinson, office of social and economic

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02:06:43.580 --> 02:06:52.810

HVCC – BTC Auditorium: and sincere gratitude for your service to New York State office of Cannabis management and the guidance and leadership that you've provided. Hold them in. Hold them in.

765

02:06:52.990 --> 02:07:01.260

HVCC - BTC Auditorium: May you be proud and so proud of the work that you have done, the person you are and the difference you've made. Thank you. Thank you

766

02:07:10.226 --> 02:07:13.423

HVCC - BTC Auditorium: that we're traveling

767

02:07:17.420 --> 02:07:21.370

HVCC - BTC Auditorium: things. Probably. No, for you.

768

02:07:24.656 --> 02:07:25.873

HVCC - BTC Auditorium: Okay.

769

02:07:29.005 --> 02:07:30.040

HVCC - BTC Auditorium: Warranty.

770

02:07:33.070 --> 02:07:33.879

HVCC - BTC Auditorium: Okay.

771

02:07:37.410 --> 02:07:42.815

HVCC - BTC Auditorium: very sweet, I know.

772

02:07:44.370 --> 02:07:49.228

HVCC - BTC Auditorium: Give the box to you because you can't just carry that.

773

02:07:52.630 --> 02:07:56.939

HVCC - BTC Auditorium: I can't cry on live stream TV. So sit down.

774

02:08:04.910 --> 02:08:06.529

HVCC - BTC Auditorium: Now, Matt, we can't

775

02:08:06.740 --> 02:08:12.740

HVCC - BTC Auditorium: say that we're gonna give you as many gifts and hugs, but we welcome you to come and give.

776

02:08:13.510 --> 02:08:23.600

Matt Wilson (OCM): No, no problem. I'm always happy to be in Tabitha's

shadow. She she is gonna be dearly missed at the office. So all all her celebration is is well warranted.

777

02:08:24.503 --> 02:08:30.180

Matt Wilson (OCM): So Hello! I'm Matt Wilson, director of the Community grants reinvestment fund.

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02:08:31.063 --> 02:08:36.509

Matt Wilson (OCM): These are the slides still on the screen. They've disappeared for me.

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02:08:37.480 --> 02:08:41.590

Matt Wilson (OCM): I think the slides have disappeared, but they were. Gonna they can bring them back for you.

780

02:08:41.770 --> 02:08:44.320

HVCC - BTC Auditorium: One sec. They're up for us now.

781

02:08:44.890 --> 02:08:45.370

Matt Wilson (OCM): Okay.

782

02:08:45.370 --> 02:08:47.260

HVCC - BTC Auditorium: Where's your progress? To date? Okay?

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02:08:47.260 --> 02:08:56.389

Matt Wilson (OCM): Yep, we're I see it. We're good. So yeah, just a brief update from me about where we've come from, where we are at the moment, and and where we are going.

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02:08:57.200 --> 02:09:03.799

Matt Wilson (OCM): So the Rfa. Was issued back in mid October, and the deadline was December 18.th

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02:09:04.020 --> 02:09:13.989

Matt Wilson (OCM): The office of general services conducted a minimum eligibility assessment to see which of the applications met the basic requirements for full review.

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02:09:14.460 --> 02:09:16.480

Matt Wilson (OCM): The office has recruited

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02:09:16.670 --> 02:09:36.300

Matt Wilson (OCM): 40 evaluators from inside the agency we conducted a range of trainings to get the evaluators familiar with the Rfa. The scoring rubric, the best practices and evaluation, and had them complete a confidentiality and coi agreement.

788

02:09:37.071 --> 02:09:57.299

Matt Wilson (OCM): The evaluators, and vetted all the applications for any potential conflicts of interest, and they were then sorted into review teams. Every application is reviewed by 3 people independently, and then the scores are averaged to arrive at our final ranking list.

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02:09:57.986 --> 02:10:06.180

Matt Wilson (OCM): The applications became available for Ocm to begin our programmatic review on January 23, rd

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02:10:06.320 --> 02:10:13.439

Matt Wilson (OCM): and we are still very much in the middle of evaluating and scoring all of the applications.

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02:10:13.870 --> 02:10:15.370

Matt Wilson (OCM): Next slide, please.

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02:10:17.430 --> 02:10:26.949

Matt Wilson (OCM): So this is a snapshot of of where we are. We received a total of 451 applications

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02:10:27.440 --> 02:10:36.859

Matt Wilson (OCM): of those 81 of them were not pre-qualified in the statewide financial system at the time of the deadline.

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02:10:37.170 --> 02:10:47.439

Matt Wilson (OCM): and then 28 of them were ineligible for other reasons, and one application was duplicate and and canceled.

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02:10:47.720 --> 02:10:56.990

Matt Wilson (OCM): and that leaves the office with 341 applications that we are now reviewing in detail.

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02:10:57.565 --> 02:11:07.859

Matt Wilson (OCM): It is. It is a big effort for the office to review 341 applications. Each one is, you know, quite a few pages in length.

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02:11:08.050 --> 02:11:30.789

Matt Wilson (OCM): and evaluators are taking their role very seriously and and doing a very careful and considered job. So it will take us some time to get through all of these applications, but I am much more committed to making sure we do a quality evaluation than a rushed evaluation. So we we hope.

798

02:11:31.350 --> 02:11:43.179

Matt Wilson (OCM): and to get through them in a timely manner, but it it is still weeks out before we will be able to know. Yeah, how how long it's actually gonna take us to complete it. So next slide.

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02:11:44.680 --> 02:11:53.850

Matt Wilson (OCM): So here's where we are going. Ocm is completing the evaluations. Our our aim is to get them done in early March

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02:11:55.370 --> 02:12:05.339

Matt Wilson (OCM): Following all the evaluations. We will then rank the applications according to the methodology and the Rfa. And come up with the tentative award list.

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02:12:05.530 --> 02:12:11.209

Matt Wilson (OCM): Preliminary notifications will then be sent out to applicants.

802

02:12:11.880 --> 02:12:37.249

Matt Wilson (OCM): We then must sort of accommodate a 15 day debriefing period conducting debriefs, and then the possibility of any protests, but once we get through all that, then the entire procurement record can go to Osc for approval, and once we have that approval, the Cannabis Advisory Board will announce the awards.

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02:12:37.340 --> 02:12:45.360

Matt Wilson (OCM): And right now we are hoping to make public announcements about the awards in late spring or early summer.

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02:12:46.171 --> 02:12:55.060

Matt Wilson (OCM): So that's really it for my update. I'm happy to

take any questions from the board, otherwise I turn it back over to you. Chair Wright.

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02:12:56.230 --> 02:12:57.669

HVCC - BTC Auditorium: Thank you, Matt.

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02:12:59.280 --> 02:13:08.669

HVCC - BTC Auditorium: I don't know if we have a seat to sale update at this time. Prepared. Okay, therefore we will now move on to

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02:13:09.000 --> 02:13:11.760

HVCC - BTC Auditorium: the public Comments period.

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02:13:12.330 --> 02:13:20.400

HVCC - BTC Auditorium: and we have a total of 10 persons that are waiting. How we are going to begin with

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02:13:20.890 --> 02:13:26.249

HVCC - BTC Auditorium: Abatha Robinson. Thank you. Hi, everyone. Thanks for receiving me again.

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02:13:26.610 --> 02:13:31.340

HVCC - BTC Auditorium: I do have some remarks, some reflections, and some gratitude to share.

811

02:13:34.050 --> 02:13:39.120

HVCC - BTC Auditorium: I can't even believe that we're here. I'm going to try to keep my voice under control.

812

02:13:39.490 --> 02:13:41.930

HVCC - BTC Auditorium: I want to thank the Board for your service

813

02:13:42.110 --> 02:13:52.000

HVCC - BTC Auditorium: for receiving me as your acting Chief Equity officer. It has been a wild ride, and somehow I wouldn't change most of it.

814

02:13:54.570 --> 02:13:57.439

HVCC - BTC Auditorium: I've been at Ocm since the beginning.

815

02:13:59.080 --> 02:14:02.140

HVCC - BTC Auditorium: I was employee number 14,

816

02:14:02.480 --> 02:14:06.839

HVCC - BTC Auditorium: and that today is February 14, th feels very serendipitous.

817

02:14:07.320 --> 02:14:12.620

HVCC - BTC Auditorium: and it also feels new York is my 1st love, you know, and always will be so.

818

02:14:13.220 --> 02:14:18.720

HVCC - BTC Auditorium: I just have so much gratitude for everyone that I've met for everyone that I've worked with.

819

02:14:19.750 --> 02:14:33.610

HVCC - BTC Auditorium: I've been thinking a lot about what I've learned from New York cannabis. And there are 2 things that stand out. The 1st is that public service is really about listening first.st So, thanks to everyone who

820

02:14:34.450 --> 02:14:35.460

HVCC - BTC Auditorium: has

821

02:14:35.970 --> 02:14:47.940

HVCC - BTC Auditorium: done that work. Listen to our stakeholders, listen to each other in the agency, listen to the board, put our egos behind us, and really just heard what needed to be done.

822

02:14:48.200 --> 02:14:53.620

HVCC - BTC Auditorium: and the second is that as a regulator you should always focus on the metrics.

823

02:14:53.810 --> 02:14:56.820

HVCC - BTC Auditorium: There is a lot of noise in cannabis.

824

02:14:57.170 --> 02:15:02.779

HVCC - BTC Auditorium: as they say we age in not dog years, but cannabis years.

825

02:15:02.910 --> 02:15:17.640

HVCC - BTC Auditorium: and all of that noise, I think, can create a lot of distraction. So comments around New York is a success, or my favorite New York is a failure always makes me think back to. But what are our metrics?

826

02:15:18.280 --> 02:15:22.990

HVCC - BTC Auditorium: And we're really crushing it? Right? So I, I really just want to correct the record.

827

02:15:25.510 --> 02:15:33.349

HVCC - BTC Auditorium: I really just wanna correct the record. That New York cannabis, we're doing fantastically. We have

828

02:15:33.510 --> 02:15:39.330

HVCC - BTC Auditorium: 1.1 billion dollars in sales revenue. We have

829

02:15:40.260 --> 02:15:53.470

HVCC - BTC Auditorium: over 90% of our retailers come from an equity program, either card or social and economic equity. No State has even come close to that. We have distribution

830

02:15:53.640 --> 02:15:57.590

HVCC - BTC Auditorium: all around the State. We have hundreds of processors.

831

02:15:57.700 --> 02:16:05.170

HVCC - BTC Auditorium: We have launched so many dashboards and and are sharing that information publicly.

832

02:16:06.670 --> 02:16:18.770

HVCC - BTC Auditorium: in less than 4 years since launching this agency will soon be the largest on the East coast. Right? We're on track, I'd say by mid this year, maybe June. To

833

02:16:18.800 --> 02:16:37.759

HVCC - BTC Auditorium: reach that number one spot in terms of dispensaries open right now we're at Number 2. So again correcting the record. There's nothing failing about what we do here. We have challenges. We learn from those challenges. We make mistakes and we learn from them. But I wouldn't characterize New York as anything

other than a success.

834

02:16:38.280 --> 02:16:49.640

HVCC - BTC Auditorium: It is really hard to do this work. My colleagues know this. It's incredibly difficult, but it's really worth it. I want to thank Chris

835

02:16:49.760 --> 02:16:55.490

HVCC - BTC Auditorium: Alexander Damien Fagan for their leadership for helping us get here. I

836

02:16:56.209 --> 02:17:22.750

HVCC - BTC Auditorium: I feel so. It feels so warming to get my flowers today, and I know that there are people, Chris and Damien, as well as many others, who never got their flowers, but contributed so much to what we have here. I want to thank Felicia Reed for her direction, for her leadership. She has been a guiding light in terms of what equity is, and I'm so grateful for her for never questioning why equity matters.

837

02:17:22.799 --> 02:17:43.699

HVCC - BTC Auditorium: I think, Felicia, for understanding that when we talk about equity we're not talking about feelings we're not talking about do good. We're talking about resources. We're talking about businesses, economic development, small business development. We're talking about tangible things that we're putting into the hands of people who haven't had much

838

02:17:44.139 --> 02:17:45.799

HVCC - BTC Auditorium: to my team.

839

02:17:54.530 --> 02:17:55.030

HVCC - BTC Auditorium: Bye.

840

02:17:59.459 --> 02:18:03.490

HVCC - BTC Auditorium: team has been wonderful. I've watched you all have life.

841

02:18:03.730 --> 02:18:08.138

HVCC - BTC Auditorium: I go through life. Someone's here with a baby from my team.

842

02:18:09.680 --> 02:18:21.250

HVCC - BTC Auditorium: I've watched you all go through so much, and it's been really amazing working with you. Thank you for holding the details of our work as regulators. We live in the details, you know, even if we speak

843

02:18:21.430 --> 02:18:35.240

HVCC - BTC Auditorium: from 20,000 feet, we really live at sea level, and I thank you all for holding the details. I thank you all for coming to me and asking me what's bothering you? What's stressing you? What's concerning you, and then

844

02:18:35.440 --> 02:18:39.519

HVCC - BTC Auditorium: holding that and taking care of those things. So I don't have to think about them.

845

02:18:40.959 --> 02:18:44.569

HVCC - BTC Auditorium: To everyone else at the agency

846

02:18:45.840 --> 02:19:10.100

HVCC - BTC Auditorium: you all play such an important role in the work that equity does and the equity work coming out. You know, I come up here every month, and I share updates with the board, and I hope that the rest of the agency can see their work in it as well. All of the back end work that goes into what we do means so much all of the times that I've sent folks and other teams. Hey? Quick! Question!

847

02:19:10.299 --> 02:19:19.220

HVCC - BTC Auditorium: You do me a favor, and they've obliged and indulged me. I'm so grateful for all of that. One thing I love about Ocm is that we've never

848

02:19:19.420 --> 02:19:32.069

HVCC - BTC Auditorium: lost sight of the mission, despite all of the noise. We have always remained true to our mandate under the Mrta. We've always understood that priority means priority.

849

02:19:32.219 --> 02:19:34.510

HVCC - BTC Auditorium: and that service means service.

850

02:19:35.370 --> 02:19:36.510

HVCC - BTC Auditorium: I

851

02:19:36.639 --> 02:19:43.610

HVCC - BTC Auditorium: also want to thank our partners. They're numerous. I'll just name a few the Farm Bureau local, 338.

852

02:19:43.750 --> 02:19:45.169

HVCC - BTC Auditorium: Our Academy.

853

02:19:46.940 --> 02:19:50.049

HVCC - BTC Auditorium: Cuny Cuny, our sister agencies.

854

02:19:50.170 --> 02:20:07.479

HVCC - BTC Auditorium: Thank you. To all of the attorneys and consultants and our tap providers who are in the rooms we can't be in as regulators who are doing the education that we can't do. We just don't have the time and the human bodies

855

02:20:07.480 --> 02:20:21.080

HVCC - BTC Auditorium: to all of the advocacy groups we've partnered with. Thank you, too. Thank you for trusting us with your groups. Thank you for allowing us to hold roundtables and to build off of the relationships that you have.

856

02:20:21.220 --> 02:20:23.910

HVCC - BTC Auditorium: Thanks to all of the operators who have been patient

857

02:20:23.940 --> 02:20:39.910

HVCC - BTC Auditorium: with us, and with this industry that includes the operators who always knew they wanted to go legal, and those who might have been on the margins, the legacy operators as well, who took a risk on us frankly and have been coming online.

858

02:20:39.910 --> 02:20:57.750

HVCC - BTC Auditorium: Thanks for everyone who makes public comment. As a regulator. It is so painful to sit here and hear the public comment. But please continue to offer your public comments right, because, as you come with the fire, it makes it easier for us, as regulators, to go back to our desk with that same fire.

859

02:20:57.960 --> 02:21:02.129

HVCC - BTC Auditorium: I encourage everyone to continue to hold the agency accountable.

860

02:21:02.160 --> 02:21:15.029

HVCC - BTC Auditorium: A couple more notes. What's next for equity? As I mentioned today, we have Chip Academy, part 4 launching. Soon we have a supply chain event. We have a card, Grant.

861

02:21:15.030 --> 02:21:39.140

HVCC - BTC Auditorium: It's going to be launching very, very soon again, putting resources in the hands of those most disadvantaged. We're going to continue to drive our medical work here, as the agency's resident chemist likes to remind us. Don't forget about medical. It's all about the patients. It's all about access to medicine, and there's health equity work in that as well. So we'll continue to play a role in that.

862

02:21:39.500 --> 02:22:03.029

HVCC - BTC Auditorium: I also want to thank Senator Krueger, majority leader people, Stokes for pushing the State to never forget about cannabis. Despite whatever craziness is going on in other corners of this State, I want to thank them for their support for believing in me and for believing in the agency as a whole. And lastly, I just want to say

863

02:22:04.400 --> 02:22:12.999

HVCC - BTC Auditorium: I'm not leaving because I gave up on New York, or because I don't believe in what we're doing here. I'm leaving because I

864

02:22:13.310 --> 02:22:30.410

HVCC - BTC Auditorium: see that the work will continue without me, and I'm really excited for what New York has next. I'm really excited for everything that my colleagues are doing all the things that the public doesn't know about what we need about, and and just where this will go. I really believe in New York

865

02:22:30.520 --> 02:22:32.900

HVCC - BTC Auditorium: and thank you for having me.

866

02:22:44.590 --> 02:22:54.980

HVCC - BTC Auditorium: And now I'm going to move to our list. And I

just want to remind all of our public mem, the members of our public that each person will be given 2 mem. 2 min to speak.

867

02:22:55.270 --> 02:23:06.459

HVCC - BTC Auditorium: and we ask that you come to one of these mics here on the side. I'm just gonna go down the list we have New York as well as the college here. So we're gonna start with

868

02:23:08.860 --> 02:23:23.520

HVCC - BTC Auditorium: Nicola Geravel, Gerval Chilavalli. Sorry, followed by Scott Trefalo, and then Matthew Robinson, Nicola Scott, and Matthew

869

02:23:24.180 --> 02:23:27.649

HVCC - BTC Auditorium: Guy, please thank you. Good afternoon.

870

02:23:27.920 --> 02:23:31.510

HVCC - BTC Auditorium: Control Board members and Ocm. Leadership.

871

02:23:31.980 --> 02:23:38.799

HVCC - BTC Auditorium: My name is Nicola Chervalli, and I'm a proud licensee and an applicant in the New York cannabis industry.

872

02:23:39.290 --> 02:23:40.719

HVCC - BTC Auditorium: 1st and foremost.

873

02:23:40.930 --> 02:23:46.460

HVCC - BTC Auditorium: I want to take this moment to acknowledge the hard work and dedication to the office of cannabis management.

874

02:23:46.660 --> 02:23:52.089

HVCC - BTC Auditorium: Your commitment to fostering a thriving cannabis market in the New York State is truly commendable.

875

02:23:52.340 --> 02:23:55.980

HVCC - BTC Auditorium: and I sincerely appreciate everything you've done to make it possible

876

02:23:56.590 --> 02:24:00.019

HVCC - BTC Auditorium: as a Cctm. Certified member 8, 2, 1,

877

02:24:00.350 --> 02:24:04.349

HVCC - BTC Auditorium: 3, 1 0, and a legacy grower with a justice impacted

878

02:24:04.670 --> 02:24:08.469

HVCC - BTC Auditorium: in the past. I have invested my time and efforts in building my business

879

02:24:08.580 --> 02:24:13.420

HVCC - BTC Auditorium: primero with a vision of contributing positively to our community

880

02:24:13.540 --> 02:24:15.480

HVCC - BTC Auditorium: and to the industry. As a whole.

881

02:24:16.851 --> 02:24:22.470

HVCC - BTC Auditorium: I have submitted my application for indoor cultivation, and I am currently in the December queue.

882

02:24:22.760 --> 02:24:24.780

HVCC - BTC Auditorium: It is with hopeful heart.

883

02:24:24.970 --> 02:24:29.970

HVCC - BTC Auditorium: and that I reach out to you today asking for your support and reviewing my application.

884

02:24:30.620 --> 02:24:40.049

HVCC - BTC Auditorium: I was honored to participate in the recent gathering, celebrating the remarkable achievement of reaching 1 billion dollars in the cannabis sales for New York State.

885

02:24:40.760 --> 02:24:46.359

HVCC - BTC Auditorium: This milestone is a testament to the hard work of many, and I am proud to be part of the growing industry.

886

02:24:46.580 --> 02:24:58.690

HVCC - BTC Auditorium: However, I must express that while I am grateful for obtaining a distribution license to distribute to dispensaries and process tier 3 licenses for packaging, labeling.

887

02:24:58.940 --> 02:25:06.559

HVCC - BTC Auditorium: these achievements represent only a fraction of what my business truly aspires to be an entity focused on indoor cultivation.

888

02:25:07.380 --> 02:25:11.949

HVCC - BTC Auditorium: I plead with you to please, take time to review my application.

889

02:25:12.140 --> 02:25:16.600

HVCC - BTC Auditorium: The cultivation aspect, is crucial, not only for my business growth.

890

02:25:16.870 --> 02:25:20.300

HVCC - BTC Auditorium: but also for the contributing to the expanding market

891

02:25:20.810 --> 02:25:23.049

HVCC - BTC Auditorium: and supporting the committee at large.

892

02:25:23.280 --> 02:25:26.959

HVCC - BTC Auditorium: Your assistance in this matter would mean the world to me.

893

02:25:27.480 --> 02:25:31.490

HVCC - BTC Auditorium: and would help pave the way for my vision to flourish.

894

02:25:31.640 --> 02:25:35.950

HVCC - BTC Auditorium: Thank you for your time, your hard work and your unwavering support

895

02:25:36.080 --> 02:25:44.920

HVCC - BTC Auditorium: for all of us in the community, the cannabis community. Together we could build a vibrant, sustainable future for New York's cannabis industry.

896

02:25:45.170 --> 02:25:54.260

HVCC - BTC Auditorium: Thank you, thank you. And then we'll have

Scott, followed by Matthew, then Dario Rodriguez, that

897

02:25:55.250 --> 02:26:15.470

HVCC - BTC Auditorium: Hi, and thank you for allowing us these comments. My name is Scott tripo for those of you that don't know me. Aucc farmer transition to micro last year in the 1st offering of the licenses license number for Terrorist Corporation of New York. I have a simple ask.

898

02:26:16.126 --> 02:26:18.313

HVCC - BTC Auditorium: as a micro farmer.

899

02:26:19.140 --> 02:26:26.280

HVCC - BTC Auditorium: we're an integral part of this industry, but we're handcuffed in what we can do and regarding

900

02:26:27.120 --> 02:26:37.460

HVCC - BTC Auditorium: And we're also retail. Our our license is also retail. And and we're we're limited in what we can do in terms of cultivation. We're we're able to do

901

02:26:38.270 --> 02:26:41.469

HVCC - BTC Auditorium: outdoor cultivation up to 10,000 square feet.

902

02:26:41.770 --> 02:26:43.640

HVCC - BTC Auditorium: Indoor cultivation

903

02:26:44.230 --> 02:26:56.260

HVCC - BTC Auditorium: up to 3,500 square feet, and then mixed light cultivation at 5,000 square feet of canopy, and then we have a combination license of outdoor and mixed light.

904

02:26:56.390 --> 02:27:04.920

HVCC - BTC Auditorium: and the those canopies are determined by cutting the the canopies in half, which I believe I I think that's great. But

905

02:27:05.710 --> 02:27:14.950

HVCC - BTC Auditorium: not only myself as a micro license holder, but I'm I'm here to representing many other license holders. Requesting that

906

02:27:15.130 --> 02:27:22.099

HVCC - BTC Auditorium: you offer a license class, a combination license class of indoor and outdoor

907

02:27:22.330 --> 02:27:32.879

HVCC - BTC Auditorium: for us micro license holders. It would be just a 1 line addition to the Regs. And I'm asking for an emergency reg. It would be just a 1 line addition.

908

02:27:34.280 --> 02:27:42.329

HVCC - BTC Auditorium: Combination canopy not to exceed outdoor canopy of 5,000 square feet and indoor canopy

909

02:27:42.580 --> 02:27:58.709

HVCC - BTC Auditorium: of 1,750 square feet. That's the same formula that they use to do the combination for outdoor and mixed light. And and it's as as a micro license holder. We're limited in what we can sell at our retail. We have to sell our own products.

910

02:27:59.000 --> 02:28:19.819

HVCC - BTC Auditorium: and we love growing outdoor cannabis, and we have customers that love our outdoor cannabis. But we also have customers that won't buy our product. They don't want outdoor, delicious outdoor sun grown cannabis. It's a struggle. And and by by just adding that one combination tier to our license. It will open up so much

911

02:28:19.890 --> 02:28:32.985

HVCC - BTC Auditorium: more for us to be able to do and to diversify our our product line. And and I speak for many and and respectfully I request that you that you consider this in the near future. We're

912

02:28:33.500 --> 02:28:36.660

HVCC - BTC Auditorium: We're we're expanding our farm now.

913

02:28:36.760 --> 02:28:50.649

HVCC - BTC Auditorium: and you know we've heard some talk about this, possibly coming down the pike. We're in in the middle of, and we're self funded, and we're in the middle of of expanding our farm, and I'm kind of hanging in the balance. I don't know.

914

02:28:50.990 --> 02:28:58.020

HVCC - BTC Auditorium: You know how to do it, because we're kind of hearing that. Well, this may come, but when so

915

02:28:59.210 --> 02:29:17.240

HVCC - BTC Auditorium: At your earliest convenience, if you can make this happen, it would be greatly appreciated by myself, and I know by many other farmers, and I'm just here to to ask you to support Small Batch family owned and operated farms. We're going to be a strong force in this industry, and the consumers want us.

916

02:29:17.380 --> 02:29:24.420

HVCC - BTC Auditorium: Thank you. Thank you. Thank you for your time, Matthew, followed by Dario, then Cheryl, Murray Powell.

917

02:29:26.970 --> 02:29:46.650

HVCC - BTC Auditorium: Hello, everyone! My name is Matthew Robinson. 1st and foremost, I'd like to thank the Ccb. For all their hard work, everything they've done. Of course, as usual. We know you guys are working hard. Shout out to Tabitha. I don't know if she left or not, but congratulations to her, and happy Valentine's day to everybody. Thank you. With that being said.

918

02:29:46.860 --> 02:29:52.449

HVCC - BTC Auditorium: There's a few things that are sort of like Murky that I think everybody just needs more clarification for.

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02:29:52.620 --> 02:29:55.612

HVCC - BTC Auditorium: especially when it comes to the Pca.

920

02:29:56.300 --> 02:30:18.509

HVCC - BTC Auditorium: I don't want to say it's a good thing or bad thing yet, because I don't completely understand it. I want to review it as well as a bunch of licensees. But I do think there do need to be some protections, especially when you're talking about putting Ros, next to adult uses that is going to be a consistent thing that I bring up. I'm not going to stop bringing it up, and I hope others bring it up as well.

921

02:30:19.320 --> 02:30:21.129

HVCC - BTC Auditorium: I'm also going to say that

922

02:30:21.300 --> 02:30:51.240

HVCC - BTC Auditorium: the dispensaries still should be allowed to waive that medical tax. Someone comes into my store with a medical license that has to change. It just doesn't make sense to allow an ro closer protection waiver. And then they got no tax on their product. It's already competition enough. The level of playing field is already uneven for us in Ros, and that's something that hurts us as dispensaries. That is a reality that we want to go over. I also wanted to just

923

02:30:51.370 --> 02:30:52.779

HVCC - BTC Auditorium: let everybody know

924

02:30:52.890 --> 02:31:03.630

HVCC - BTC Auditorium: that a few of us, a few gentlemen, Kaz Marte, Jeremy from Turp from Turp Road, Jeremy Rivera and myself. We are starting a group and organization

925

02:31:03.790 --> 02:31:08.070

HVCC - BTC Auditorium: called Cranny Cannabis Retail Alliance of New York.

926

02:31:08.210 --> 02:31:21.990

HVCC - BTC Auditorium: and this group is going to be focused on the open stores and the people that have licenses and their issues. Because we have no group like Nikra is great. They do a great job of what they do for everything they bring. But we need to take it to the next step.

927

02:31:22.280 --> 02:31:33.669

HVCC - BTC Auditorium: We need protection. I watch the cultivation portion, have a group. I watch everybody start their groups and fight together us as retail. We need to come together, and we need to start fighting together, too.

928

02:31:33.920 --> 02:31:41.059

HVCC - BTC Auditorium: because if we don't we will be left behind. Thank you very much. I do appreciate your time, and like I said, please do not.

929

02:31:41.330 --> 02:31:49.479

HVCC - BTC Auditorium: Please do not forget the December queue. They

are important. They matter. We listen. December queue. I will not

930

02:31:49.690 --> 02:31:51.689

HVCC - BTC Auditorium: let them squash you if I can.

931

02:31:51.850 --> 02:31:58.450

HVCC - BTC Auditorium: The summary queue needs to get pushed up. Thank you very much. Thank you, Dario, followed by Cheryl. Then Nubia Ashley.

932

02:32:03.670 --> 02:32:16.469

HVCC - BTC Auditorium: Hello! You doing? My name is Gary Rodriguez. A lot of you on the board know me because I'm I've been adopted by you guys. I've been coming to every single meeting, and if you have a meeting somewhere in Canada. I will be there. I'm just letting you know that

933

02:32:16.840 --> 02:32:19.758

HVCC - BTC Auditorium: the thing is, I'd like to 1st say is

934

02:32:20.550 --> 02:32:47.780

HVCC - BTC Auditorium: I felt a victory when I saw that the judge allowed certain stipulations, and one of them was the annulment which is something that I required, and inquired on in November 2024, and never got not even a sentence of email. So whoever you have, that's you know, in the office that's in the basement, you know the rat race that's answering the emails, please, nudge him a bit so he can wake up

935

02:32:47.900 --> 02:32:49.890

HVCC - BTC Auditorium: so he can respond to emails.

936

02:32:50.375 --> 02:33:00.389

HVCC - BTC Auditorium: I am unfortunately into December queue, although I submitted in October. So there's a whole thing when it comes to that. But yeah, I

937

02:33:00.590 --> 02:33:06.059

HVCC - BTC Auditorium: really am just imploring that you guys do check on annulment requests, because

938

02:33:06.680 --> 02:33:16.330

HVCC - BTC Auditorium: that's a stipulation that's allowing you to do that. And I'm just gonna patiently be here in every single meeting until everything straightened out. I know, like, you know.

939

02:33:16.630 --> 02:33:28.840

HVCC - BTC Auditorium: somewhat, you guys are like the back of the entertainment system, with all the wires tangled up so soon as y'all get that all strained out. We're gonna be perfectly fine. So I just wanted to come here and just tell you that.

940

02:33:29.010 --> 02:33:54.550

HVCC - BTC Auditorium: And I appreciate what you guys have been doing. I've been watching it like I said, it's a victory, and and I hope that the judge will allow you to go through the rest of the 150 applicants in November, so that we can get to December so that I can bring grown made from New York marijuana to you guys, and everything's good. Thank you very much for giving the time. Thank you, Cheryl, followed by Nubia Ashley. Then Jeff Hoffman.

941

02:33:56.300 --> 02:33:57.330

HVCC - BTC Auditorium: Hello.

942

02:34:00.230 --> 02:34:26.180

HVCC - BTC Auditorium: that's all right. Good. I'm good. Okay, thank you so much. Ocm. Board and and all the staff. My name is Cheryl Murray Powell, Esquire. I'm a cannabis attorney. Happy Frederick Douglass. Day cannabis! History is black history. I just want to acknowledge the Ocm for recognizing that and presenting materials about the fact that cannabis history is black history to Tabitha. You're just a

943

02:34:26.180 --> 02:34:41.909

HVCC - BTC Auditorium: dynamic, brilliant example of leadership, and we're so grateful for your service, and we're very excited about what's next. So congratulations on your new beginning today. The Rastafari community got their 1st micro business license.

944

02:34:43.910 --> 02:34:45.640

HVCC - BTC Auditorium: Rastafari.

945

02:34:46.374 --> 02:34:55.850

HVCC - BTC Auditorium: This will allow us to own the chain of custody for our cannabis, which is our holy sacrament. It will allow us to

present a pilot

946

02:34:55.850 --> 02:35:19.369

HVCC – BTC Auditorium: which will allow for other jurisdictions to recognize the importance of religious freedom and our sacramental right to consume cannabis. So thank you. New York. Thank you. Ocm. For the hours and hours you've spent with us talking through on faith-based conversations with Julian and Nev and everyone else trying to understand

947

02:35:19.370 --> 02:35:24.549

HVCC – BTC Auditorium: our experience of being harmed, not only because we're black and brown, but because

948

02:35:24.790 --> 02:35:49.300

HVCC – BTC Auditorium: we've been denied our culturally protected rights and our religious freedom. So I just think that there's been a significant amount of compassion and grace shown to our Rastafari community in this era of ending prohibition, and I want to see other jurisdictions follow in the footsteps of New York and thinking. Think about having a small vertical license available for faith-based users.

949

02:35:49.300 --> 02:35:56.930

HVCC – BTC Auditorium: including our indigenous community, our Rasfari community, our Hindu community and other faith-based users of cannabis.

950

02:35:56.930 --> 02:35:58.789

HVCC – BTC Auditorium: Thank you. Thank you. Thank you.

951

02:35:59.260 --> 02:36:06.080

HVCC – BTC Auditorium: Thank you, Nubia Ashley, followed by Jeff Hoffman. Then Kimberly Barrett.

952

02:36:09.550 --> 02:36:11.679

OCMNYCBoardroom@ocm.ny.gov: Hello! How you doing today?

953

02:36:11.840 --> 02:36:18.821

OCMNYCBoardroom@ocm.ny.gov: I came here to speak. I've been trying to speak with different officials and

954

02:36:19.420 --> 02:36:46.760

OCMNYCBoardroom@ocm.ny.gov: get my concerns heard. But the licensing team at Ocm. Is licensing illegal shops, and they have licenses on the map that's holding up proximity, and nothing is being done about it, and I would like to see with the Ocm. When a licensee is submitted for illegal activity. And then there's an investigation going on. How are they still allowed to get a license and hold proximity on a map. How does that

955

02:36:46.960 --> 02:37:01.080

OCMNYCBoardroom@ocm.ny.gov: timeline look? What are the steps that are being taken to ensure that illegal shops are not getting licenses, and how are they able to pass through the licenses system with so many steps in 60 days

956

02:37:01.210 --> 02:37:04.229

OCMNYCBoardroom@ocm.ny.gov: in 6? In less than 60 days get a license

957

02:37:04.970 --> 02:37:09.759

OCMNYCBoardroom@ocm.ny.gov: being illegal with so many different departments that they have to go through.

958

02:37:10.930 --> 02:37:18.110

OCMNYCBoardroom@ocm.ny.gov: Thank you. If someone can give us a guideline on that as well. How all these illegal shops are getting licensed by the Ocm.

959

02:37:19.670 --> 02:37:26.990

HVCC - BTC Auditorium: Thank you, Jeff Hoffman, followed by Kimberly Barrett. Then David Naposky.

960

02:37:30.460 --> 02:37:44.460

OCMNYCBoardroom@ocm.ny.gov: Good afternoon. Thank you very much. My name is Jeffrey Hoffman. I'm an attorney here in New York City. I want to thank the office on, and the board on behalf of a number of my clients that you issued licenses to today.

961

02:37:45.020 --> 02:37:51.640

OCMNYCBoardroom@ocm.ny.gov: In particular, I want to call out something that the Board is doing to address what I call the stigma.

962

02:37:51.640 --> 02:38:15.450

OCMNYCBoardroom@ocm.ny.gov: and it was apparent in one of the responses that you did to a denial letter today. And I want to contrast that with what other community boards are doing. You did a denial letter. You responded to a denial letter today to Community Board 11 in Queens. Their initial letter to you was simply full of nonsense. It was basically, we don't want cannabis here.

963

02:38:15.860 --> 02:38:21.710

OCMNYCBoardroom@ocm.ny.gov: and I I tremendously commend the board for the way you address that.

964

02:38:21.860 --> 02:38:25.770

OCMNYCBoardroom@ocm.ny.gov: and for the way you are trying to eliminate the stigma

965

02:38:25.970 --> 02:38:33.049

OCMNYCBoardroom@ocm.ny.gov: of cannabis here in the State of New York. I want to contrast that with Community Board 7. Here in Manhattan

966

02:38:33.050 --> 02:38:57.030

OCMNYCBoardroom@ocm.ny.gov: I was with one of my clients there earlier this week for their hearing, where the Board understands that the way that you eliminate the illicit stores is by opening legal stores. They understand the process, and I would commend Community Board 7 with what they did, and I would encourage other community boards to learn from Community Board 7 here in Manhattan as to how they are approaching the process.

967

02:38:57.220 --> 02:39:16.139

OCMNYCBoardroom@ocm.ny.gov: As has previously been noted. We have some comings and goings today. I'd like to welcome Mr. Usher to the board. Welcome, sir, come on in! The water is fine. I do think that your experience in Senator Krueger's office has prepared you well for your job here, and we welcome your expertise on the board.

968

02:39:16.450 --> 02:39:44.459

OCMNYCBoardroom@ocm.ny.gov: Ms. Robinson. Best of luck to you in Maryland. I'm sure you will do a phenomenal job. You and I have participated in several things here in cannabis. You will be missed. Ms. Robinson, I do want to repeat quickly 2 things that I think the office needs to look at. One is the voided applications. We have a number of folks that have been reached out to about this or that have reached out to you about it. We would appreciate you reaching out back to them.

969

02:39:44.460 --> 02:40:09.289

OCMNYCBoardroom@ocm.ny.gov: We know you have problems when you pull the pins from the proximity protection map. As far as what happens, we have numbers of people where landlords even say I don't have a lease on this space. We encourage you to look over those types of things, 2 dates coming in the future. We have our medical cannabis lobby day in Albany on March 11, th where we would be promoting 2 bills, one promoting education about medical

970

02:40:09.290 --> 02:40:18.469

OCMNYCBoardroom@ocm.ny.gov: cannabis in the State, and the second is requiring the State funded health insurance entities to cover medical cannabis, that is, on March 11, th

971

02:40:18.470 --> 02:40:41.499

OCMNYCBoardroom@ocm.ny.gov: and then next week, February 19, th as many of you know I host a show on LinkedIn called, ask me anything about cannabis legalization in New York every Wednesday at 4 20, next Wednesday's guest will be the majority leader of the Assembly here in New York, Miss People Stokes, and we will ask for many questions about what's going on in cannabis, as well as that health Insurance Bill. Thank you very much.

972

02:40:42.210 --> 02:40:46.070

HVCC - BTC Auditorium: Thank you, Kimberly Barrett. And then David Aposky.

973

02:40:48.710 --> 02:41:06.510

OCMNYCBoardroom@ocm.ny.gov: Good afternoon, Ocm. And the Ccb. Thank you for providing me with opportunity to speak. Today. My name is Kimberly Bear, and I'm the founder of Althena, Llc. Which applied for a type one au processor license in 202-30-0223, as well as an Au distributor. License

974

02:41:06.510 --> 02:41:16.680

OCMNYCBoardroom@ocm.ny.gov: in (202) 300-0282. Athena's processor applications ranked number 156 in your December queue. Since 2022

975

02:41:16.680 --> 02:41:39.919

OCMNYCBoardroom@ocm.ny.gov: Ocm. Has met with New Yorkers to promote a New York driven cannabis market, educating us on licensing and encouraging small businesses. Social equity applicants like me to

apply. They urge in participation in the mentorship program to learn the curriculum they established. Through all this Ocm. Laid a path towards licensure. I've followed it since day one. But it's been expensive, damaging, and frustrating.

976

02:41:39.950 --> 02:42:05.530

OCMNYCBoardroom@ocm.ny.gov: I have my every suggestion set by the Ocm. That could bring me closer to my dream of owning and operating a licensed cannabis processor. I completed the mentorship program. I forewent money and opportunities in other States to remain committed to the Ocm's goal of a New York dedicated cannabis market. I spend savings. I'll never recoup to secure real estate and licensing assistance to apply for a license.

977

02:42:05.530 --> 02:42:14.519

OCMNYCBoardroom@ocm.ny.gov: I've been extremely patient in telling myself, my time for licensure will come so you could be. Imagine how puzzled I was to see that I ate

978

02:42:14.520 --> 02:42:29.660

OCMNYCBoardroom@ocm.ny.gov: type. One processor licenses have been awarded to entities ranked later than my position of 156. My application has not even been reviewed, and folks after me are receiving their license. How is this possible?

979

02:42:29.890 --> 02:42:41.789

OCMNYCBoardroom@ocm.ny.gov: How do you expect a small business like mine to wait over 15 months without clarity, maintain real estate and operations with no revenue, raise funds without a license.

980

02:42:41.990 --> 02:42:58.750

OCMNYCBoardroom@ocm.ny.gov: I'm asking the Ocm to provide insight as to how it actually reviews applications in the queue because it doesn't seem to be based off the actual queue numbers. Please let me and others like me understand where we stand, so we can make informed decisions about the future of our businesses in New York State. Thank you.

981

02:42:59.850 --> 02:43:01.480

HVCC - BTC Auditorium: Thank you. David.

982

02:43:02.880 --> 02:43:32.630

OCMNYCBoardroom@ocm.ny.gov: Yes, good afternoon. Ocm. Execs and

members and control board members 1st off, Tabitha. Your work on equity is appreciated and will be missed. Best of luck in your next role. I'm sure you'll crush it there. Speaking of social equity, I just want to bump to people's attention the Loan Investment fund for car dispensary build outs. We haven't forgotten about this, still need a real accounting of this money where it was spent, how it was spent, and real accountability for the people involved. It was and remains a disaster, and we don't want it to be forgotten.

983

02:43:32.690 --> 02:43:52.769

OCMNYCBoardroom@ocm.ny.gov: I want to briefly touch on enforcement against unlicensed shops. Despite the celebratory toned announcements earlier this year, enforcement so far across the State, is woefully inadequate. For example, there are more unlicensed cannabis retailers within 5 blocks of our dispensary than there were when we opened for business 9 months ago.

984

02:43:52.770 --> 02:44:09.039

OCMNYCBoardroom@ocm.ny.gov: and there is another one that will be opening in the next week or so. This is not a success story for enforcement. It is a failure and will seriously damage retailers. Look at the economic data that John Tadia just presented the sales. Numbers for dispensaries are disastrous at average arithmetic mean not Median

985

02:44:09.040 --> 02:44:23.949

OCMNYCBoardroom@ocm.ny.gov: sales of 250 to \$300,000 per month. Many or most of these businesses will fail. It is not a cynical or pessimistic opinion, it is a simple math equation. Perhaps the easiest way to prevent this from happening is to eliminate the illegal competition and give these businesses a fighting chance.

986

02:44:23.950 --> 02:44:48.810

OCMNYCBoardroom@ocm.ny.gov: When this has been successfully done in pockets around the city and state nearby retailers saw a 50 to 300% increase in sales. This is the difference between choked to death in a slow, painful bankruptcy and a viable, perhaps even thriving business. Lastly, I want to touch on the proximity proposal, proximity, protection, regulation proposal. I applaud the intent of moving toward a more restrictive process and incorporating the public feedback on the 1st round of comments.

987

02:44:48.870 --> 02:45:01.620

OCMNYCBoardroom@ocm.ny.gov: I also welcome board Members Garcia and Usher's interest engaging public feedback on the current iteration. All and all along the process. Unfortunately, the current proposals

are still pretty inadequate as written.

988

02:45:01.690 --> 02:45:16.820

OCMNYCBoardroom@ocm.ny.gov: The public convenience is only served. If there's a viable and stable industry, destabilizing existing licenses is contrary to that requirement and ignoring or deprioritizing the impacting impact on existing licensees is both insane as policy and counterproductive to the immediate goal.

989

02:45:16.870 --> 02:45:41.270

OCMNYCBoardroom@ocm.ny.gov: Prior feedback given by the Cannabis Retailers Association, I'll repeat here, approvals should be rare in the process. Default outcome should be a No. 9 months of operation. Consideration for existing licensees is hardly sufficient to establish viability 500 feet. As the lower buffer length is probably too small determination. Criteria needs to be clearly established and transparent. It can't just be. They managed to convince the Board.

990

02:45:41.270 --> 02:45:47.080

OCMNYCBoardroom@ocm.ny.gov: It needs to be. That's not a reasonable standard for review introduces too much uncertainty to the industry and its per participants.

991

02:45:47.100 --> 02:46:00.450

OCMNYCBoardroom@ocm.ny.gov: No waiver should be granted if there are operating unlicensed businesses in the neighborhood, and a negative determination by the local municipality or community board should be immediately determinative. They know the local community situation far better than the Control board does, almost by definition.

992

02:46:01.720 --> 02:46:10.010

OCMNYCBoardroom@ocm.ny.gov: a good process and policy that benefits both the public and industry can can be crafted. But despite this being a positive step in that direction, this is not there yet, thank you.

993

02:46:10.580 --> 02:46:12.450

HVCC - BTC Auditorium: Okay, good. Thank you.

994

02:46:14.806 --> 02:46:17.430

HVCC - BTC Auditorium: Dodge. Can I have yet?

995

02:46:17.430 --> 02:46:29.999

HVCC - BTC Auditorium: I'm sorry. Thank you. What is your name? Floyd Guernsey? Iv. I'm with Squirrel Valley. Okay, I need you to spell your name into the mic, so that the person dictation will be able to get it. FLOY d

996

02:46:30.200 --> 02:46:36.039

HVCC - BTC Auditorium: GUER. NSEY. That's Floyd Guernsey. I'm the 4.th

997

02:46:36.630 --> 02:46:43.649

HVCC - BTC Auditorium: I'm the majority shareholder and owner and operator of Schohary Valley, Hemp. Llc Aucc. 220

998

02:46:44.452 --> 02:47:06.640

HVCC - BTC Auditorium: pending applicant 675. I'm here today to advocate for our cannabis license approval as well as shed light on how much loss. We've endured. Our family owned nursery. Guernsey Square nursery has been in business for 135 years, devastated by Hurricane Irene. In 2012. We lost everything from plant material to infrastructure and equipment.

999

02:47:06.830 --> 02:47:14.049

HVCC - BTC Auditorium: We want to recover. We spend many hundreds of thousands of dollars to keep producing cannabis, in hopes to gain traction in the market.

1000

02:47:14.240 --> 02:47:26.069

HVCC - BTC Auditorium: We have been watching non-licensed applicants gain approval. Meanwhile we sit on our investment from day one. This hurts from our family business to local consumers, to tax revenue for county and state.

1001

02:47:26.250 --> 02:47:40.430

HVCC - BTC Auditorium: Please give attention to these applicants who have been in the Auc program like myself. We are ready to invest in our micro license immediately and move as quickly as possible to set up our operational operation to full capacity. Thank you.

1002

02:47:40.620 --> 02:47:41.780

HVCC - BTC Auditorium: Thank you.

1003

02:47:42.770 --> 02:47:50.800

HVCC – BTC Auditorium: And I want to say, thank you to everyone for participating in today's meeting here. Please note the time location and the live stream link.

1004

02:47:52.200 --> 02:48:01.450

HVCC – BTC Auditorium: Yeah, I also preregistered and didn't show up on the sheet. Okay, I'm sorry about that. Can you please spell your name? Max freed MAXF. REED.

1005

02:48:01.990 --> 02:48:31.820

HVCC – BTC Auditorium: In December, Ocm. Proposed license caps, despite capturing less than a 5th of the illicit market, and he's using the Whitney report as evidence for a data-driven conversation. Who is Beau Whitney, the author. He's an economist who's personally invested in a vertically integrated cannabis company multi-state operator. He also works for as a director and senior advisor, while his report claims California and Michigan have some of the lowest rates of profitability because of oversaturation. His company is making new investments in those exact States today.

1006

02:48:32.100 --> 02:48:52.779

HVCC – BTC Auditorium: Numerous assumptions in the report inflate the cost of running a dispensary. It claims the average rent of a retail storefront is \$10,000 a month everywhere in New York State, and from 30 to \$50,000 a month. Downstate inflates labor costs, including claims. The average retail employee in Manhattan will make \$150,000 a year, not including their health insurance or payroll taxes.

1007

02:48:53.270 --> 02:49:19.129

HVCC – BTC Auditorium: Ocm's apparent conclusions from the Whitney Report aren't supported by the report itself, and important aspects are directly contradicted by it. For one, the report doesn't recommend a supply licensing moratorium or a cap of 150 tier one processors, or killing many of the micro businesses precisely the opposite. The report recommends luring more companies into manufacturing in New York. So I ask, what evidence is driving Ocm. To assert a supply license quota as a data-driven decision.

1008

02:49:19.680 --> 02:49:32.929

HVCC – BTC Auditorium: In March 2021 Assembly Leader people, Stokes said. This quote the goal of the program is to promote social equity in small business. The Board will be able to regulate big cannabis, to provide a fair playing field for New York businesses End quote

1009

02:49:33.030 --> 02:49:54.470

HVCC - BTC Auditorium: that raises another question. How can Ocm's proposed king making policies be reconciled with a clear legislative intent of the enabling statutes to support small businesses. Ocm's proposal would keep many startup extract processors out and leave most of the December microbusiness applicants empty handed, while Ros and a handful of chosen firms are protected from competition.

1010

02:49:54.490 --> 02:50:03.620

HVCC - BTC Auditorium: In the meantime, in the meantime, mine and many more of New York's homegrown Startup, small businesses will soon begin our 5th year of waiting to be allowed to get to work.

1011

02:50:03.650 --> 02:50:04.600

HVCC - BTC Auditorium: Thank you.

1012

02:50:05.080 --> 02:50:06.170

HVCC - BTC Auditorium: Thank you.

1013

02:50:10.540 --> 02:50:29.679

HVCC - BTC Auditorium: So I want to thank everybody for coming today. I want you to please note that the time location as well as a link, will be posted on cannabis.ny.gov. In advance of our next board meeting recording of today's meeting with including meeting minutes, and a transcript will be posted as well.

1014

02:50:30.260 --> 02:50:34.489

HVCC - BTC Auditorium: So this concludes our business, for today. May I please have a motion to adjourn

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02:50:34.800 --> 02:50:37.080

HVCC - BTC Auditorium: so moved. I have a second.

1016

02:50:41.480 --> 02:50:42.939

HVCC - BTC Auditorium: or give me a wave.

1017

02:50:43.080 --> 02:50:44.199

OCMNYCBoardroom@ocm.ny.gov: Second, sorry.

1018

02:50:44.760 --> 02:50:45.613

HVCC - BTC Auditorium: Thank you.

1019

02:50:46.040 --> 02:50:47.440

OCMNYCBoardroom@ocm.ny.gov: Sound sound issues here.

1020

02:50:47.790 --> 02:50:51.999

HVCC - BTC Auditorium: All right, the all in favor. Aye.

1021

02:50:52.000 --> 02:50:53.130

OCMNYCBoardroom@ocm.ny.gov: Bye.

1022

02:50:53.130 --> 02:50:57.100

HVCC - BTC Auditorium: All right motion to adjourn this meeting carries thank you all again.