



CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD FOUR

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JESSICA CHAIT
Chair

JESSE R. BODINE
District Manager

January 10, 2023

Chris Alexander
Executive Director
New York State of Cannabis Management
Harriman State Office Building Campus 1220
Washington Ave.
Albany, NY 12207

Tremaine Wright
Chairwoman
Cannabis Control Board
Harriman State Office Building Campus 1220
Washington Ave.
Albany, NY 12207

RE: Actualize Dispensary Inc. (Dispensary Application for 102 7th Avenue, New York, NY, 10011)

Dear Mr. Alexander and Ms. Wright,

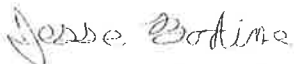
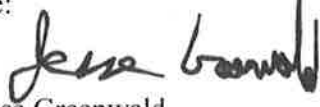

On the recommendation of its Cannabis Task Force, Manhattan Community Board 4 (MCB4) at its regular Board meeting on January 3rd 2024, by a vote of 33 in favor, 6 opposed, 2 abstaining and 0 present but not eligible to vote, voted to recommend approval of the application of Social & Economic Equity applicant Actualize Dispensary Inc (the "Applicant") for an Adult-Use Retail Dispensary at 102 7th Avenue. Actualize is majority-owned by Dan Morena, and minority owned by Housing Works Inc. MCB4 is encouraged by the Applicant's prior business experience, and the minority ownership of Housing Works, who will ensure the business complies with all relevant regulations. Likewise, the Applicant's proposed method of operations regarding security, ID checks, signage, storage, and delivery are responsibly considered and detailed. Accordingly, MCB4 is optimistic that the proposed location is not incompatible with the immediate surrounding neighborhood, and that the granting of this applicant's full dispensary license would not negatively impact the community.

MCB4 recommends approval if and only if the Applicant agrees to the following stipulations:¹

¹ Applicant agrees to these stipulations as the basis for the community support of this application and acknowledges that all of these stipulations are essential prerequisites to the MCB4 recommendation regarding this application. Applicant agrees to have these stipulations incorporated in the method of operation of its dispensary license. The stipulations in this application constitute the entire agreement between MCB4 and applicant and may only be altered in writing signed by MCB4 and applicant. These stipulations supersede any oral statements or representations in connection with this application.

- The Applicant will conduct additional outreach to the relevant block associations and neighbors of the proposed location, including local schools such as the Winston Preparatory School; and
- The Applicant will operate the dispensary in accordance with the methods outlined in the applicant's MCB4 Cannabis Task Force application (annexed hereto as Exhibit A) and its supplementary reports (annexed hereto as Exhibit B).

MCB4 anticipates that if State and City agencies significantly improve their enforcement efforts against illegal enterprises, a cannabis dispensary, when operated in a legal, responsible, and neighborly way, can: (a) compete with, and displace, illicit and dangerous dispensaries and smoke-shops; (b) create jobs within our district; (c) contribute to New York's tax revenue.

MCB4 District Office	MCB4 Cannabis Task Force
Signature:  Print: Jesse Bodine, District Manager Date: 1/10/24	Signature:  Print: Jesse Greenwald
Applicant	
Signature:  Print: Dan Morena Date: 01 / 10 / 2024	

CB4 Cannabis Licensing Applicant Questionnaire

Email *

dan@redemptive.nyc

Corporation Name *

Actualize Dispensary inc

*Doing Business As *

Actualize

Address (or intended address) *

102 7th Ave, New York, NY 10011

Attorney/Representative

Eric Leander

Owner *

Dan Morena

Please list all individuals and entities with financial interest in this business and percentage of ownership: *

Dan Morena - 79%, Praveen - 9.95, Housing Works Inc - 9.95

Phone Number/Email Address *

6313007456

Property Owner Information: Name, Phone Number, Business Address & Email Address *

name: 201 West 16 Owners Corp., manager@201west16.org, FirstService Residential New York, Inc.
575 Fifth Ave. | 9th Floor | New York, NY 10017
Tel 212.634.8900 | Fax 212.634.3946

Does the Applicant have a fully executed lease? *

Yes

No

Application Type *

- Adult-Use Retail Dispensary
- Adult-Use Retail Dispensary & Consumption Facility
- Microbusiness
- Registered organization (ROD)
- Other:

Applicant Priority

- Social & Economic Equity Applicant
- CAURD Licensee
- CAURD Applicant
- N/A

Has the owner filed with the Cannabis Control Board/OCM? *

- Yes
- No

If no, when does the owner plan on filing?

.....

Pursuant to § 119.1 of the Adult-Use Cannabis Regulations, has the applicant confirmed that the location is not: (a) on the same road and within 200 feet of a building occupied exclusively as a house of worship? *

Yes

No

(b) on the same road and within 500 feet of the entrance of a building occupied exclusively as a school? *

Yes

No

(c) on the same road and within 500 feet of a structure and its grounds occupied exclusively as a public youth facility? *

Yes

No

N/A (see § 119.1 (3))

Are there any drug treatment facilities, harm reduction facilities, playgrounds or parks within 1000 ft. of the proposed cannabis business location? If yes, please list: *

no

Background

Does the owner(s) have a connection to Community District 4? *

- Business Owner
- Resident
- Other
- None

Please provide a brief overview of the applicant's previous business experience. *

Dan Morena founded and currently runs Redemptive.nyc, a software company that helps early stage companies build minimum viable products, manage, and raise capital (11 years). He also cofounded and scaled upright.us (for 7 years), a proptech lending company that has had up to 300 employees.

If the applicant has previous experience in the cannabis industry, please explain.

I do not personally have experience in the legal cannabis industry. We are partnering with housing works with training and back office infrastructure support.

Is there any other information the applicant would like to provide the Board regarding work or life experience?

Operational Details

State the name and type of business previously located in this space. *

Pottery barn

What are the hours of operation M-F? *

11am - 9pm

What are the hours of operation Sat-Sun? *

11am - 9pm

Please provide the applicant's detailed security plan. *

Contacted security guards will be present at all times during operations. IDs will be checked at entry, security cameras will be operational 24 / 7 both inside and outside the store. Cash will be deposited via smart safe, and cash pickups will occur daily. All staff will be trained on the security and safety plan.

What is the anticipated increase in sidewalk traffic? How will you manage the sidewalk, crowd control, vehicular traffic? Will you use utilize stanchions and ropes? *

No significant increase anticipated but stations and ropes will be used to control crowd if necessary. We will use ropes and stations to move more people inside and keep sidewalk clear.

How many employees does the applicant expect to employ? How many full-time/part-time? *

30 full time 10 part time

Please provide the applicant's hiring plan; please explain if the applicant will take steps to hire from CB4. *

Housing works will provide support around recruitment to identify the best candidates, in alignment with housing works mission, actualize will focus on communities who have been disproportionately impacted by the war on drugs, including CB4.

What products does the applicant expect to carry? *

Flower, concentrates, prerolls, edibles etc, vapes.

Will the applicant accept online or telephone orders? If yes, how will the applicant verify the purchaser is over the age of 21? (See § 123.10 (d)(4)) *

Proof of ID required at pickup, online.

Does the applicant intend to operate a delivery service? *

As of 5/28/2023, the revised Adult-Use Regulations do now allow a business licensed to sell adult-use cannabis to simultaneously hold a delivery license/make deliveries. (See § 123.20 (c)(1))

Yes

No

If this dispensary includes or plans to include on-site consumption at any point, please describe how it will be managed. What is the capacity? What environmental monitoring and ventilation measures will be taken to protect shoppers and staff from second hand smoke and other potential hazards? If not, please write n/a. *

n/a

Do you use/plan to use any outdoor space? If so, please explain how you intend to use the space. *


n/a

Is the entrance of the store ADA compliant?

Yes

No

Please upload an Executed Lease or Landlord Letter of Intent (LOI) for your intended location.

 201 West 16 Ow...

Please upload the site/floor plan for your business.

Community Notification/Relations

List all: block associations; tenant associations, co-op boards or condo boards of residential buildings; and community groups that applicant has notified regarding its application. For each please list both the organization and individual you contacted. *

N/A

Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? *

Yes

No

Will applicant inform the Community Board of its job openings and/or provide a hyperlink to applicants jobs webpage? *

Yes

No

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Google Forms

Actualize Dispensary INC (DBA TBD)

Policies & Procedures

Delivery

POLICY: Actualize Dispensary INC will provide online ordering and delivery of retail cannabis products to customers. At all times, Actualize Dispensary INC will remain in compliance with all Office of Cannabis Management (OCM) regulations governing delivery, including regulations governing payment, modes of transportation, delivery location, age verification, and staffing. All delivery customers must complete their order through prepayment before the product may be delivered.

Actualize Dispensary INC will leverage its Point of Sale (POS), E-Commerce, Order Management, and Tracking Systems to fulfill delivery orders and maintain 100% accurate records of all delivery orders. Access to system records will be provided to OCM at their request by way of data export, or should OCM request, creation of an additional user account to allow real-time access to the dashboard and data.

PROCEDURE:

Below is a detailed chronological breakdown of the order workflow from receipt of order to fulfillment and collection.

1. An order is received through the POS platform, from a customer that has been asked to provide proof of their age (over 21) for compliant cannabis products within the dispensary inventory.
2. The order is printed as a ticket.
3. A back-of-house fulfillment team picks and packs the various products, placing them into a compliant exit bag along with a receipt of their order.
4. A Delivery Quality Assurance lead reviews finished bags to confirm that the order matches the items contained in the bag exactly.
5. The bag is sealed and the order is marked as “out for delivery” (or similar status) in the POS system. This may trigger an email to the customer to inform them of the delivery window and prepare them to have a government-issued photo ID ready.
6. Orders may be grouped according to delivery routes using a third-party delivery route optimization tool. No user data or information about cannabis products are entered into the third-party tool.
7. A delivery person is assigned to the order.
8. The delivery person collects the order and the chain of custody is updated to record the delivery person’s name, badge ID number, and any other information required to handle the package. The approximate route is reviewed by the delivery person and archived.
9. The delivery person uses an approved mode of transportation (e.g., bicycle, subway) to follow the route and delivery schedule.
10. The delivery person confirms the customer’s identification and age and provides the customer with their sealed package.
11. The delivery person records successful delivery in the POS through mobile means.

SECURITY PLAN

Security Officer Operations

All security officers (SO) are required to be professional in their communication and appearance while on duty. Our customers should experience a seamless partnership between our staff and security officers. Security Officers working in the shop locations must be vaccinated and provide proof of vaccination.

PRIMARY AREAS OF RESPONSIBILITIES:

- Check customer IDs at point of entry; enforce minimum age requirements.
- Control all points of entry and access to back of house/storage areas
- Provide support for cash management and control
- **Exceptional Customer Service.**
- **Ensure the overall security of the store by protecting the staff and the company's assets.**
- **Monitor the sales floor to prevent losses due to external and/or internal theft.**
- **Maintain a professional relationship with store management, staff, and local law enforcement personnel.**

Basic Customer Service:

- Taking a 10/6 approach when customer enters the store. Make eye contact in 10 feet and greet the customer in 6 feet.
- Maintain a safe shop capacity through partnership with management and accurate headcounts.
- Answer customer questions or direct to a staff member who can.
- Alerting store personnel when a customer needs service.
- Thank the customer when they leave the store.
- Crowd control when needed

Ensure the overall security of the store by protecting the staff and the company's assets:

- Maintain a presence at the front entrance as a visual deterrent to external theft.
- SO may be asked, as part of daily duties, to check/scan customer IDs
- Alert management of potential shoplifting/theft situations, based on observation of suspicious behavior, at the store when witnessed and maintaining constant observation of the customer following all 5 steps.
- Supporting managers with customer Bag Checks if recovery is attempted.
- Assist management with escorting hostile customers out of the store.
- Communicate and document all suspicious behavior of an employee to the security company and they will contact the Loss Prevention Manager.

Monitor sales floor to prevent losses due to external and/or internal theft:

- During peak business times, monitor traffic coming in and out of the store and consistently rotating within the store and will check with mgr. regarding rotating schedule for that day in the store.
- Guards can **never** approach a customer regarding a bag check to recover merchandise. All communication with a customer regarding bag check or recovery must be conducted by a manager and the guard is there to witness and assist management.

Maintain a professional relationship with customers, store management, staff, and local law enforcement personnel:

- Communication should always be professional. A kind and pleasant demeanor is a must. Disrespect and/or rudeness will not be tolerated.
- Cooperate with Management and/or Loss Prevention during an investigation of an incident.

- English is only language spoken on the sales floor unless a customer does not speak English.
- There is to be no fraternization with employees or customers.

Dress Code:

- Must be neat, clean, and well-groomed.
- Police Style Uniform.
- Shoes must be polished and well maintained.
- No brow, lip, chin, cheek, tongue, or nose piercings of any kind are allowed. Ear piercings must be conservative and professional.

Attendance:

- Arrive 15 minutes prior to the start of shift.
- SO will clock in when ready to begin their shift from company phone.
- At the start of shift guard is to discuss with the Manager on Duty what their duties are for the day and when their break is assigned.
- Must take a meal and/or break period according to schedule of management.
- Do not leave the store or sales floor without communicating with the Manager on Duty.
- Do not leave store early without Manager on Duty's permission.

Other Important Information:

- No cell phones or beepers are to be on or visible while on duty.
- No personal phone calls are allowed.
- Communicate any emergency situations to mgr. on duty.
- Do not lean on fixtures or walls.
- You may smoke on your break but never smoke in or in front of the store. Must be 50 Feet away from Store.
- No eating, drinking or gum chewing while on duty.
- Alcohol and/or drugs are not allowed on the premises. Guards can never be under the influence during a work shift.
- Handcuffs, firearms, or weapons of any kind are not permitted.
- All Security Officers are required to leave at the end of their scheduled tour, unless otherwise instructed by Dispatch.
- Breaks are not to be taken in the store's break room – no fraternization with store crew.

Any violation of the above procedures could result in being removed from the account and/or immediate dismissal.

Security Officer/Guard Coverage:

- All Security Officers working within the dispensary will be held accountable to the Security Officer Operations plan.
- A Security Officer will be scheduled and on post for all hours the location is open to the public.
- A Security Officer will be scheduled to exit the location with the closing employees.
- The security Officer will be responsible for checking/scanning customer IDs to meet state requirements

Retail Delivery Security Plan & Procedures

Introduction

This security plan and the associated procedures are designed to work together with the overall dispensary security plan, which can be found earlier in this document. The plan is built upon state regulations and best practices; however, the manager can adapt as needed given the security situation on the ground. Any significant deviation from the plan must be reported to the store manager and executives within 24 hours and/or submitted as part of the incident reporting process (see below).

The overall goal of the delivery security plan is to have delivery staff blend into the cityscape of NYC. Delivery staff should be unmarked, unnoticed and otherwise inconspicuous.

Before Leaving the Store

Before leaving the store, the staff must ensure that their bag is packed correctly with the required paperwork, correct product orders, required packaging, and smell-proofing. The delivery staff should also ensure their phone is fully charged and the delivery app is installed and working.

The delivery staff should have a specific departure plan developed by the manager that includes a mix of the following:

- a. Egress Location – As part of the security plan, the manager will rotate the departure door for the delivery staff. Departure doors can include: 1) the side door on 8th street; 2) the front door; and 3) 1 Astor Place doors, if the landlord can make available.
- b. Leave in Groups (if possible) – Delivery staff should leave the store in groups of two and access transportation per the randomized transport plan (see above).

Leaving the Store

Before leaving the store, delivery staff should conduct a cross-check or checklist procedure. Staff must check to ensure that they have their phone, ID, manifest, etc. As part of the cross-check procedure, the staff will be reminded of the closest “safe space” on their route (see below). They should also cross-reference the manifest with the following lists: 1) banned customer list, 2) banned/blocked location list, and 3) unpaid/overdraft customer list.

On the Route

Delivery staff should not engage with the public while on their route. They can wear headphones, but it’s not recommended they listen to music or watch videos on their smartphone. Instead, delivery staff should stay aware of their surroundings. If at any time they feel unsafe on the route, the worker can return to the store or call 911.

Arriving at the Delivery Location

Before arriving at the location, the delivery staff person should familiarize themselves with the location. While the location should have been pre-vetted by the manager, they should ensure that the site is a legal residential or office location. The site/location should be safe to enter with a clear entry point and appropriate safety precautions. If the delivery location is at all questionable, the worker can choose not to deliver the product.

Identifying Yourself – To gain access to the delivery location, the employee should identify themselves as a delivery worker with the name of the business and offer the name of the customer.

Engaging the Customer – The delivery work should give the product to the customer. They can either ask the customer to come down to lobby or the worker can go to the individual apartment

door; however, the employee should not enter the customer's home. If the customer requires/demands the worker enter their apartment, the employ should leave without delay.

Checking the Customer ID – The delivery worker must check the ID (government issued) of the customer, and it must match the order name. If the individual who placed the order isn't the individual accepting the order, the delivery worker should check the alternative pick up contact in the system and the alternative pick-up contact shall provide verification of identity and age at the time of accepting the delivery. Both individuals' identities must be recorded in the point-of-sale system.

Closing the Order in Blaze – When the delivery is made and the ID is checked, the worker must complete the order in the Blaze application and delivery manifest. Missing data is the responsibility of the worker and repeated data omissions can result in progressive discipline.

Leaving the Delivery Location

Upon leaving the delivery location, the worker must check the manifest, delivery app, and contact the manager in accordance OCM regulations. They should complete the “departure check list,” that includes ensuring that the bag is closed and secured, the route to the next delivery is confirmed, and that the next delivery location isn't on any excluded list.

Seeking Safety

At any point during the delivery process, the worker can choose to “seek safety” upon assessing the current environment. By seeking safety, the worker won't be disciplined and will be paid for the entire duration of their safety process. To activate this process, the worker must do the following:

- a. Call/text the manager as soon as possible;
- b. Return to store; and/or,
- c. Go to the nearest police precinct/engage an officer.

An incident report must be submitted immediately following any “seeking safety” procedure.

Firearms or Other Weapons

Delivery staff are prohibited from carrying firearms or any other weapons – or any toys or replica firearms. These items cannot be brought to the store nor stored anywhere at the store, including lockers.

Incident Reports

All security-related incidents must be recorded using the online incident reporting system. Incidents are reported and investigated in accordance with the agency's overall safety and security protocols.

Submitting an Incident Report

The employee who was involved with the incident must submit the report. It cannot be assigned to a manager or another person (unless an accommodation has been submitted and approved by HR). All required fields must be completed. If the employee doesn't know the answer, they should make their best effort. Failure to submit an incident report or to promptly document a security incident is a serious offense and will result in progressive disciplinary action.

Investigating an Incident Report

Company policy requires that department managers investigate most incidents except those of the most serious nature. Managers will complete their investigations within 5 days of the incident.

Closing an Incident Report

Upon completion of the investigation and sharing of the results, the manager will close the incident in the system.

Quarterly Safety Audits

The Delivery Manager will participate in quarterly safety audits together with the store manager and loss prevention coordinator. All staff are expected to participate fully in any audit and any deficiencies will be shared with the appropriate staff and managers.

Participating in Safety and Security Meetings

The Delivery Manager and at least one co-manager must participate in the agencywide quarterly safety and security meetings.

Violations of Safety Protocols

Violations of any safety protocols are a serious offense and will result in progressive disciplinary action. Multiple/repeated violations can result in termination.