

Community Board 7 Monthly Meeting Minutes
October 18, 2023

Opening of the Meeting Julio Peña III opened the meeting at 6:43 p.m.

First Roll Call

Adoption of the Agenda

Friendly Amendment - Move "Chairperson's Report" to before the first "Public Comment".

Amendment passed by unanimous consent.

Moved to Adopt the Agenda as Amended – *Julio Peña*

Passed by unanimous consent.

Adoption of Board Meeting Minutes from September 20, 2023

Cynthia Gonzalez motioned for a friendly Amendment to correct an error in the September 20th by replacing a mention of Cynthia Gonzalez with Cynthia Felix under Safety Committee Chair.

Amendment Passed by unanimous consent.

Moved to Adopt Minutes as Amended – *Damien Andrade*

Seconded – *Sam Sierra*

Adoption of Minutes Passed by unanimous consent.

Chairperson's Report- *Julio Peña III*

- Liannette Lopez has resigned from the community board.
- Changes to committees:
 - o Education Committee will merge with the Health & Human Services Committee. Cynthia Gonzalez will be chair, Rosy Mota will be new vice chair.
 - o Parks will merge with Sanitation/Environment, and will now be Parks & Environment.
 - o Economic Development/Waterfront Committee will be renamed Economic Development & Small Businesses Committee. New chair will be Damaris Santiago.
 - o Land Use/Landmarks Committee, new chair will be Diana Gonzalez, new vice chair will be John Fontillas.
 - o Finance & Bi-laws Committee new vice chair will be Nicholas Jackson
 - o Committee assignments will be finalized soon. For committees that are being combined, the members of both committees will be combined.
 - o Peña apologized for lack of communication regarding committee changes and will endeavor to do better in the future.
- Executive Committee will meet on November 13 to discuss committee meetings and quorum at these meetings.

Public Comment

None

Committee Reports

Housing Committee

Tabled due to chair not being in attendance.

Parks Committee, Victor Swinton

Discussion surrounding providing a letter of support for a redesign of Peña Herrera Playground and issues such as noise pollution, trees, restrooms, and ADA accessibility. (Quorum was not reached in committee, so motion needed to be moved and discussed).

- Victor Swinton made a motion to support the redesign of the Peña Herrera Playground
- Request to keep the elephant statue – *Jeremy Kaplan*
- Objection to replacing the handball court with pickleball/flex court – *Damien Andrade*
 - Many commenters wanted to keep the handball court.
 - Swinton reported that school representatives were adamant about removing the handball court as it obstructs the view of playground and creates a security problem.
- Motion to recommit back to Parks Committee – *John Fontillas*
 - Motion did not pass.
- Motion to send a letter of support with recommendation that they keep the elephant.
 - Motion Passed: 33 – Yes; 0 – Opposed.

Transportation Committee, John DeLooper

- Co-naming 36th Street & 5th Avenue “Doctora Antonia Pantoja Way”. Approved in committee.
 - Passed by unanimous consent.
- Taxi and Limousine Commission presented about regulations on For Hire Vehicles (FHVs). Many questions were posed at committee about fees and calculation of fares and answers were promptly sent. See minutes for details.
- Presentation by UPROSE and New York Environmental Justice Alliance on last mile trucking concerns.

Joint Sanitation/Environment and Transportation Committees, John DeLooper

- ConEd’s “Greenwood Project” will add a new feeder transmission line between substations to streamline transmission and reduce the need for peaker power plants.
- Fifth Ave Committee/Neighbors Helping Neighbors received a grant to map air quality using vehicles and reported on some preliminary results.
- UPROSE reported on Community Air Mapping Project for Environmental Justice, another effort to measure air quality around BQE.
- BQE Visioning event Nov 6 at PS 24 and November 8 online.
- Meeting about reconstruction of 5th Ave, bridge at 65th St. on Nov 9th at CB10.

Public Safety Committee, Cynthia Felix Jeffers

(Quorum was not reached in committee, so motions needed to be moved and debated).

Office of Cannabis Management (OCM) gives community boards 30 days to advise on dispensary applications.

- Application for adult-use cannabis dispensary “Puffing Brooklyn” at 251 47th Street.
 - Owners gave a detailed presentation in committee and were in attendance to answer questions.
 - Puffing will use a cloud-based security system to check ids.
 - They will discourage patrons from loitering.
 - All products are strictly controlled.
 - Buzzer entry will be used to prevent forced entry.
 - Puffing will work closely with 72nd precinct.
 - A motion was made to **recommend approval** of the new Adult-Use Retail Dispensary License for Puffin Brooklyn, LLC. 251 47th Street Brooklyn, NY 11220:

1. Whereas, Puffin Brooklyn LLC. was issued a provisional license under the Conditional Adult-Use Retail Dispensary (CAURD) program to sell retail cannabis, approved by the New York State Cannabis Control Board (OCM), and issued by the New York State Office of Cannabis Management (CCB) on September 16, 2023; and received by Community Board 7 Brooklyn on September 27

2. Whereas, §119.2 10(b) Proposed Adult-Use Cannabis Regulations Authorizes municipalities to “have 30 days from the receipt of the notification from an applicant to express an opinion for or against the granting of such registration, license or permit application, and any such opinion shall be part of the record upon which the Office makes its recommendation to the Board to grant or deny an application”, and that this resolution shall serve as Community Board 7 Brooklyn, expression of that opinion regarding this license; and

4. Whereas, the Applicant, their representative, and security team appeared before Community Board 7, Brooklyn Public Safety Committee to present an application to the NYS OCM/CCB for a new Adult-Use Retail Dispensary license to operate a dispensary at 251 47th Street and

5. Whereas, this application, being subject to proximity rules, as defined by §119.4 of the Proposed Adult-Use Cannabis Regulations, the subject premises is not within 1000 feet of any licensed cannabis establishments, 500 feet of buildings exclusively used as schools, or within 200 feet of buildings used exclusively as houses of worship; and

6. Whereas, uniformed security will manage customer queues and steward the sidewalk in front of the premises to ensure pedestrian access; and

7. Whereas, listed below are the details of the establishment’s operations as presented to Community Board 7 Public Safety Committee in the Applicant’s presentation and live testimony concerning the premises, as follows:

a) The premises will operate as a dispensary selling cannabis products per state law.

b) The dispensary’s retail operating hours are 10:00AM-10:00PM (7 days a week).

No patrons will remain after the stated closing times.

c) Will use a buzzer system and keep doors closed other than entrance and egress.

d) Will use a security gate when business is closed.

e) Patron ingress/egress will be through the front doors at 251 47th Street and the dispensary security will prevent loitering and ensure that only individuals engaging in activity, expressly or by necessary implication, permitted by the Cannabis Law are allowed to remain on the premises of the licensee.

f) Will have uniformed security personnel managing the queue, checking the IDs of patrons upon entry, and again at the purchase point, and will utilize a cloud-based security system.

g) Increase frequency of armored truck cash pick-ups.

h) Puffin Brooklyn LLC shall prioritize hiring from within the district and the workforce shall reflect the diversity of the community, promoting inclusivity and empowerment fostering local employment opportunities.

i) Puffin Brooklyn LLC will meet regularly with and engage/work with 72nd Pct to establish safety and security plan for consumers and employees and to select a security firm, promoting diversity and inclusivity in their security measures.

j) Puffin LLC Brooklyn shall demonstrate social and cultural responsibility by providing a FAQ & Education Board to raise awareness of the legal guidelines and considerations for cannabis consumption.

k) Support local businesses and create partnerships with other institutions fostering collaboration for the betterment of the Sunset Park community.

l) Puffin Brooklyn LLC shall assure that the facilities are fully accessible to all, complying with ADA standards, ensuring equal access for every member of the community.

m) Will appear before CB7, Brooklyn before submitting any changes to the stipulations agreed to herein as they comply with State regulations.

Community Board 7 Brooklyn recommends approval of the new Adult-Use Retail Dispensary License for Puffin Brooklyn, LLC. 251 47th Street Brooklyn, NY 11220 provided that the above-stated conditions as agreed to by the Applicant be part of the record upon which the Office makes its recommendation to the Board to grant or deny an application per §119.2 10(b) of the Proposed Adult-Use Cannabis Regulations

- Moved – *Cynthia Felix*
- Seconded - *Pat Ruiz*.
- Approved by a vote of 29 – in favor, 3 – opposed, with one voting present.

- Application for adult-use cannabis dispensary “Cali Happy Realty Corp” at 6123 5th Avenue.
 - Owners committed to attending meeting, but did not and so did not present. They were not available to answer questions.
 - A motion was made to **recommend disapproval** of the new Adult-Use Retail Dispensary License for Cali Happy Realty Corp. at 6123 5th Avenue, Brooklyn, NY 11220:

1. Whereas, Cali Happy Realty Corp was issued a provisional license under the Conditional Adult-Use Retail Dispensary (CAURD) program to sell retail cannabis, approved by the New York State Cannabis Control Board (OCM), and issued by the New York State Office of Cannabis Management (CCB) on September 16, 2023; and received by Community Board 7 Brooklyn on September 28, 2023

2. Whereas, §119.2 10(b) Proposed Adult-Use Cannabis Regulations Authorizes municipalities to “have 30 days from the receipt of the notification from an applicant to express an opinion for or against the granting of such registration, license or permit application, and any such opinion shall be part of the record upon which the Office makes its recommendation to the Board to grant or deny an application”, and that this resolution shall serve as Community Board 7 Brooklyn, expression of that opinion regarding this license; and

3. Whereas, the Applicant, was invited to a Public Safety Meeting on October 12, 2023 and applicant confirmed appearance verbally and in writing but did not appear before Community Board 7, Brooklyn Public Safety Committee to present an the application to the NYS OCM/CCB for a new Adult-Use Retail Dispensary license to operate a dispensary at 6123 5th Avenue and did not contact the Community Board to inform of non-appearance or to reschedule.

4. THEREFORE, BE IT RESOLVED that Community Board 7, Brooklyn. recommends disapproval of the new Adult-Use Retail Dispensary License for Cali Happy Realty Corp. at 6123 5th Avenue, Brooklyn, NY 11220 as members of the Sunset Park community did not have the opportunity to engage in public discourse with the Applicant on the proposed dispensary location.

- Moved – *Cynthia Felix*
 - Seconded – *Barbara Lee*
 - The motion was approved by a vote of 31 – in favor, 1 – opposed with one voting present.
- OCM gives only 30 days for Community Boards to approve or disapprove an application. This makes it very challenging to evaluate applications because the Board must have a Public Safety Committee meeting, invite the applicant to present, and conduct a full Board vote, all within 30 days.
 - A motion was made to request that the Office of Cannabis Management extend the review period from 30 to 90 days to give ample opportunity to engage the community and allow boards to make informed decisions:

1. Whereas, §119.2 10(b) Proposed Adult-Use Cannabis Regulations Authorizes municipalities to “have 30 days from the receipt of the notification from an applicant to express an opinion for or against the granting of such registration, license or permit application, and any such opinion shall be part of the record upon which the Office makes its recommendation to the Board to grant or deny an application”,
2. Whereas Community Board 7 recognizes the paramount importance of communities and community boards in the process of identifying locations for cannabis dispensaries by OCM
3. THEREFORE, BE IT RESOLVED that Community Board 7, Brooklyn. recommends that the time be extended to 90 days to ensure meaningful community involvement before locations are identified, fostering an environment that supports both community interests and responsible business growth.
 - Moved – *Cynthia Felix*
 - Seconded – *Hector Gonzalez*
 - The motion was approved by unanimous consent with one voting present.

Finance Committee, Christina Lem

Quorum was not met at the Finance Committee meeting. Another meeting must be announced two weeks ahead of time. The deadline to submit the Capital and Expense Budget priorities was in nine business days. Therefore, the following was proposed as an emergency measure:

- MOTION: Extend the public comment period for one week after the board meeting for members of the board and the public to comment on the capital and expense priorities and to empower the District Manager to update the priority list and remove items that had already been funded. -
 - Moved - *Julio Peña III*
 - Seconded - *Sam Sierra*
 - The motion was approved by a vote of 31 – in favor, 2 – opposed, with 0 – abstentions.

Second Roll Call

Elected Officials and Representatives

State Senator Iwen Chu - represented by *Zunera Ahmed*

- Halloween pumpkin and treat giveaway at our office.

Councilmember Alexa Avilés - represented by *Edward Cerna*

- Avilés introduced Intro 0647 which would require DSS and HCC to be informed when an eviction notice has been issued in order to help people access legal aid and other assistance
- Updated DOT Truck route bill expected to pass in November

- Helmet giveaway at PS 24 was postponed to Oct 28th due to rain
- Chinese-speaking office hours on 8th Ave Nov 18
- Council member provides funds for NY Legal Assistance Group to provide free legal counseling regarding immigration, housing, welfare benefits, advanced planning for seniors etc. Next date November 14th

U.S. Congressman Dan Goldman - *represented by Mayra Molina*

- Working to repatriate Americans citizens from Israel
- Fighting to remove barriers for work authorization for migrants and to establish a right to legal council
- Congressman wrote letter for support for Reconnecting Communities Grant to establish an engagement plan to reconnect communities impacted by BQE.

Councilmember Shahana Hanif - *represented by Mia Perez*

- Participatory budgeting process is on, submit ideas via website.

Borough President Antonio Reynoso - *represented by Jessica Kallo*

- Please read our Comprehensive Plan which contains useful data and analysis.

State Senator Gounardes - *represented by Francesca Lando*

- Announced office hours

District Manager's Report - *Jeremy Laufer*

- Upcoming BQE workshops flyers available on our tables
- Fourth Avenue and side streets will be closed for the NYC marathon
- There is a DEP rebate for customers who enroll in autopay
- Rainbow Playground renovation has been completed and park is open
- Sunset Park Rec Center is closed for upgrades
- Brown composting bin giveaway at Sunset Park November 14th
- EDC's Sunset Park Task Force meeting
 - o There will be a CB 10 meeting November 9th about the 5th Avenue Bridge reconstruction
 - o Brooklyn Army Terminal will be used as a Green Economy Business Hub
 - o There will be a public open house at pier 6 at South Brooklyn Marine Terminal in January, at which time the Made in NY Campus should be complete
- 9 liquor license applications and 3 cannabis license applications have been received since the last board meeting.

Old Business

- Pat Ruiz thanked the District Manager and Victor Swinton for cleaning the handrail outside Board Office.

New Business

- None

Public Comment (2nd Session)

- Cynthia Gonzalez noted concerns about reduction in participation and difficulty of committees to reach quorum since in-person meetings were re-instituted at the close of the pandemic. Gonzalez noted concerns about how voting will work now that virtual attendees cannot count towards quorum and the issues lack of quorum causes when conducting Board business.

Meeting Adjourned at 8:32 pm.

*Full recorded video of all CB7 meetings can be viewed on Brooklyn CB7 YouTube channel.
See Committee Minutes or Reports for additional committee details.*