

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2018

COMMITTEE OF ORIGIN: BY-LAWS

COMMITTEE VOTE:       7 In Favor   0 Opposed   0 Abstained   0 Recused  
BOARD VOTE:           34 In Favor   0 Opposed   0 Abstained   0 Recused

RE:                   Revision of current by-laws

WHEREAS: The Manhattan Borough President asked all community boards to revise their by-laws, and

WHEREAS: The Manhattan Borough President's Office came up with model by-laws dated October 19, 2017, and asked community boards to adopt any relevant provisions which they deem necessary or useful to improve their existing by-laws, and

WHEREAS: The CB1 By-laws Taskforce was established in December 2017 and met four times to edit and revise CB1's by-laws in accordance with the Manhattan Borough President's Office's recommendations and CB1's updated policies and practices, and

WHEREAS: CB1's existing by-laws were already fairly thorough and mostly accurate, requiring minimal editing, however, the Taskforce determined that the existing by-laws could be improved by adopting language from the Manhattan Borough President's model by-laws on certain topics as well as making other revisions and reorganizing the existing CB1 by-laws, and

WHEREAS: Much of the existing CB1 by-laws remains unchanged, and

WHEREAS: The Taskforce did not change the sections concerning officers' duties and responsibilities (Section III.B), District Manager's duties and responsibilities (Section V.B), and the process for amending the by-laws (Section VI.A), and

WHEREAS: The Taskforce's major points of discussion and areas of revision concern the following:

1. Added a public members section, which clarifies the role of public members and includes additional requirements for public members (Section II.D)
  - a. One major point in this section clarifies that public members are counted for quorum purposes at committee meetings and therefore their attendance at committee meetings is essential

- b. Originally, the language regarding public members was included as a minor point in the section on committee meetings; the revised by-laws creates a separate and more detailed section
2. Added a requirement that a CB1 staff member observe the tabulation of votes at elections (Section III.A.5)
3. Added a section on decorum at meetings (Section IV.A)
4. Added a provision that committee co-chairs can attend and vote in Executive Committee meetings in the absence of committee chairs (Section IV.B.1)
5. Expanded excused absences to include any other reason approved by the Board Chair (Section IV.C.5)
6. Reorganized and expanded sections on executive session (Section IV.E) and open meetings (Section IV.I)
  - a. Originally, executive session and open meetings language was repeated in each section concerning meetings (Board meetings, committee meetings, etc.)
  - b. Added the more detailed language on executive sessions and open meetings from the Manhattan Borough President's model by-laws
7. Changed and expanded the agenda section (Section IV.F)
  - a. Changed the number of draft days from 10 to 5 days prior to a meeting
  - b. Added that committee agendas may be drafted by committee chairs, committee co-chairs and the Board Chair in consultation with committee members
  - c. Allowed the Board Chair additional discretion with respect to setting and revising the Board agenda
  - d. Added the requirement of a roll call vote at the first resolution and the last resolution, consistent with long-standing practice
8. Expanded and strengthened the section on conflict of interest to clarify what constitutes a conflict of interest for Board members and how to proceed in the event of a conflict of interest (Section IV.H)
  - a. Added additional requirements beyond financial interest, such as professional interest and policy-making interest
  - b. Explained the procedure in the event of a conflict of interest, including disclosure and recusal
  - c. Added the more detailed language from the Manhattan Borough President's model by-laws
9. Added a section on annual reporting (Section VI.B) per the Manhattan Borough President's model by-laws and in keeping with ongoing CB1 practice

THEREFORE

BE IT

RESOLVED

THAT: CB 1 adopted the proposed revised by-laws as described in this resolution and set forth in more detail in the distributed materials



**The City of New York**  
**Manhattan Community Board 1**  
**Anthony Notaro, Jr. CHAIRPERSON | Lucian Reynolds DISTRICT MANAGER**

**THE BY-LAWS OF MANHATTAN COMMUNITY BOARD 1**

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## **I. CONFORMITY AND APPLICABILITY**

1. The by-laws of Community Board 1 shall conform to all relevant provisions of federal, state and city laws and rules including, but not limited to, Chapter 70, Section 2800 of the New York City Charter; the New York State Public Officers Law (Chapter 47, Article 2 of New York State Law); the New York State Freedom of Information Law (Chapter 47, Article 6); and the New York State Open Meetings Law (Chapter 47, Article 7).
2. Nothing in these by-laws shall be construed to contradict the New York City Charter or any law of the City of New York or any law of the State of New York.

## **II. MEMBERSHIP**

### **II.A. Appointments and Requirements**

1. Community Board 1 shall consist of not more than 50 persons who shall be appointed by the Borough President, half of which shall be nominees of the Community Board's City Council Member(s). The Borough President and Council Member(s) shall give due regard to representation from the different geographic sections and neighborhoods within the community district and shall ensure, when possible, diversity of interests represented within that community. Not more than twenty-five percent of such appointments shall be New York City employees.
2. Members of the Community Board shall be appointed for staggered terms of two years, with half of the membership being renewed each year. There shall be no limit to the number of terms a member may serve.
3. Board members must have a residence, business, professional or other significant interest in the District and must be New York City residents to be appointed or remain a member of the Board.
4. Publicly-elected officials representing any part of the Community Board 1 district shall be ex-officio non-voting members of Community Board 1.
5. All members shall serve on the Board in their capacity as private citizens only. Their actions shall not be instructed by, or responsible to, any other organization with which they may be affiliated. Unless expressly designated to do so by the Board Chair, any member appearing before a governmental body, or otherwise making a public statement, shall not appear or speak in his or her capacity as a member of the Board. However, without express authorization, if the member states that he or she is a member of the Board, the member must also state that he or she is doing so for identification purposes only.

### **II.B. Compensation and Public Officers Law**

1. Members of the Board shall not receive any compensation for their service.
2. Members of the Board are public officers under the New York State Public Officers Law (Chapter 47, Article 2 of New York State Law).

3. As public officers, Board members' positions shall be vacant upon the occurrence of any of the events set forth in New York State Public Officers Law Article 3, Section 30, including a member being convicted of a felony or a crime specified in such section.

### **II. C. Vacancies and Removal Language**

1. Members may be removed for cause by the Borough President or by a majority vote of Community Board 1. Grounds for removal include:
  - a. Three consecutive unexcused absences from regular meetings of the Board or from more than four of the regular monthly meetings of the Board called in any one year (July 1 - June 30). (See Section IV. C.5)
  - b. Three consecutive unexcused absences from one particular committee's meetings or from more than twenty-five percent of assigned committee meetings in any one year (July 1 - June 30). (See Section IV. C.5)
2. If a vacancy occurs either due to retirement, resignation, removal, or any other cause, the Borough President shall fill the vacancy in the same manner as regular appointments to fill the remainder of the term.
3. If a member's eligibility as a Board member changes, the member shall inform the Board Chair, District Manager, and the Borough President's office immediately.
4. A Board member may be removed only after the member has been afforded due process. In case of a motion for removal, the Board should consult with the New York City Law Department for further guidance.

### **II. D. Public Members**

1. Members of the public, who are otherwise eligible to be Board members through residence, business, professional or other significant interest, may be appointed by the Board Chair to serve on (but not chair) committees, sub-committees, and task forces, for one year renewable terms subject to Section 2800(i) of the New York City Charter. If a public member's eligibility changes, the member shall inform the Board Chair and District Manager immediately.
2. Public members shall be governed by the same rules as full Board members, except as otherwise provided in these by-laws.
3. Public members of committees, sub-committees, and task forces are counted towards the quorum of that committee, sub-committee or task force and may vote upon items before the committee, sub-committee or task force but may not vote at the full Board meeting. A separate vote of public members at committee, sub-committee or task force meetings may be reported to the Board for informational purposes.
4. A public member, appointed by the Board Chair to serve on a committee, sub-committee or task force, does not have the rights and privileges of a full Board member.

5. Public members serve at the discretion of the Board Chair and may be removed by the Chair, for reasons including, but not limited to, three consecutive unexcused absences from one particular committee's meetings.
6. None of the provisions of Section II.C apply to public members.

### **III. OFFICERS**

#### **III.A. Election of Officers**

1. Election of offices will occur on even numbered years and officers will be elected to a two-year term. The election procedures outlined below apply to even-numbered years only. An officer may be reelected to the same position for a maximum of three consecutive terms.
2. Except as hereinafter set forth, at the Community Board's regular meeting in the month of March, the Board shall elect a Nominating Committee consisting of five members, which shall designate one of their numbers to be the chair of said committee.
  - a. At the February meeting of the Board, the Chair shall ask for nominations of members to serve on the Nominating Committee.
  - b. The Nominating Committee shall be elected at the March Board meeting from among those nominated either prior to or at the March Board meeting. All nominations from the floor must be confirmed at the meeting by the nominee, either orally or in writing.
  - c. The five nominees receiving the highest number of votes at the March Board meeting shall constitute the Nominating Committee. Should a member resign or be removed before the work of the Nominating Committee is finished, the person who had received the next highest number of votes shall automatically fill the resulting vacancy.
  - d. The members of the Nominating Committee shall vote to select the committee's chair.
3. The Nominating Committee shall meet as often as necessary in order to identify one or more candidates for each of the offices of Chair, Vice-Chair, Secretary, Assistant Secretary and Treasurer and such other offices as may be designated by the Board.
  - a. The Nominating Committee shall actively encourage Board members to become candidates.
  - b. No member of the Nominating Committee may be a candidate for any office unless no other candidate for a given office emerges, in which case a member of the Nominating Committee may be nominated from the floor for such office. In such case, the member shall be automatically removed as a member of the Nominating Committee.
4. The Nominating Committee shall make its report to the Community Board at the regular May meeting of the Board and shall put forward one or more members for each position. Members of the Board may offer additional nominees from the floor. All nominations from the floor must be confirmed either in writing by the nominee or by his or her oral confirmation at the meeting.
  - a. A written notice of all nominees suggested for Community Board offices as well as nominees offered from the floor at the May meeting shall be mailed or emailed to each

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- member of the Board prior to the election of officers at the June meeting along with written statements submitted by the candidates.
- b. Each candidate may submit a written statement of his or her qualifications for office, which shall be mailed or emailed with the Notice of Election to each Board member along with the announcement of the June Board meeting. Each candidate's statement shall also be posted on the website of the Community Board.
  - c. In the event that there are two or more candidates for at least one of the officer positions, there may be a separate meeting of the Board not more than three weeks prior to the election, with attendance optional, for the purpose of affording Board members an opportunity to hear the candidates for the various offices debate and/or make statements in support of their respective candidacies. This pre-election meeting shall also provide Board members an opportunity to direct questions to the candidates. The announcement of this meeting shall be mailed or emailed with the Notice of Election to each Board member.
  - d. There shall be no further nominations from the floor at the June meeting, unless there is no nominee for an office.
5. At the June meeting of the Board, there shall be a tabulation of votes for each of the offices of Chair, Vice-Chair, Secretary, Assistant Secretary, Treasurer, and such other officers as designated by the Board. A person receiving a majority of the votes cast for each office shall be elected.
- a. Whenever there is more than one candidate for an office, each candidate shall have five minutes at the June meeting to state why he or she wishes to serve.
  - b. Voting shall be by written paper ballot, which shall have inscribed on it the Board member's name and be signed by the Board member. Votes shall be tabulated only by members of the Nominating Committee under the observation of a Community Board staff member.
  - c. If no person receives a majority of the votes cast on the first ballot, the two candidates receiving the most votes shall have a runoff election at that time. In the event of a tie vote, further votes shall be taken until a candidate is elected at said election meeting. If there is only a single candidate for a given office, the Board Chair may direct the Board Secretary to cast one vote in favor of the candidate.
6. If, for any reason, an officer cannot fulfill his or her term, a special election will be held within three months of his or her departure to elect a replacement. A Nominating Committee will be selected in accordance with the procedures outlined above and all election procedures herein will be followed within this three-month timeframe.

### **III.B. Duties and Responsibilities**

1. The officers of the Community Board shall be a Chair, Vice-Chair, Secretary, Assistant Secretary, Treasurer, and such other official positions as designated by the Board.
2. The term of each office shall begin on July 1, following the election, and terminate on June 30 of the following year.

3. Each officer shall perform such duties as are incident to the office in accordance with generally accepted rules of parliamentary procedure including, but not limited to:

- a. **Duties of the Chair:**

- 1) To perform all duties as prescribed in the City Charter and any other duties prescribed under law.
- 2) To receive calendars and notices of meetings of all City agencies required to refer matters to the Community Board pursuant to the City Charter and to inform the Board members of such calendars and notices.
- 3) To attend any meetings required by the Mayor and the Borough President pursuant to the City Charter or to designate his or her representative(s) to attend.
- 4) To open regular monthly meetings at the time and date at which the Community Board is to meet by taking the chair and calling members to order, and to adjourn meetings.
- 5) To announce all matters on the Board's agenda.
- 6) To state and put to a vote all questions or resolutions that are to be moved or that arise in the course of the Board's meeting and to announce the result of the vote.
- 7) To interpret and enforce Robert's Rules of Order except as superseded by the by-laws. The Chair may appoint a parliamentarian to assist in resolving any parliamentary issues.
- 8) To represent and stand for the Board and perform all necessary functions according to the decisions duly made by the Board, including communicating with government agencies and authorities. Such communications shall be sent directly to the appropriate government agency or authority with a copy of the same simultaneously forwarded to the Borough President's office.
- 9) To authenticate all acts, orders, and proceedings of the Board including the signing of all letters of whatever nature going out from the Board, except for correspondence and other actions specifically delegated by the Chair to other Board members or the District Manager, or matters routinely handled by the District Manager.
- 10) To be the sole spokesperson for the Board in relation to the news media, government agencies and authorities and the public at large, except as the Chair shall otherwise specifically authorize.
- 11) To create standing committees of the Board as needed for the effective operation of the Board, as well as such sub-committees and task forces as may from time to time be deemed necessary.
- 12) To appoint, suspend or remove chairs, co-chairs and all members of committees of the Board. In making committee assignments, consideration shall be given to the preferences of Board members, who shall be requested to express them in writing, and to the good of the committee and the Board. All committee chairs and co-chairs shall serve during the term of the Board Chair appointing such chair or co-chair and at the pleasure of the Board Chair. The Board Chair shall be an ex-officio member with voting privileges of each committee.
- 13) To prepare and deliver the Chair's report.
- 14) To keep the Vice-Chair adequately informed so that the Vice-Chair may effectively act in the absence of the Chair.
- 15) To provide direction to and oversight of the District Manager; perform annual review of the District Manager and recommend annual salary adjustments for Executive Committee approval followed by full Board approval; and recommend and oversee a process for recruiting and hiring a new District Manager should the position become vacant.
- 16) To recommend to the Board any changes in the number or category of staff positions.



**b. Duties of the Vice-Chair:**

- 1) To preside at the regular monthly meeting in the absence of the Chair.
- 2) To assist the Chair as requested or required.
- 3) To succeed the Chair until a special election is conducted if the Chair can no longer serve before his or her term has expired. If the Vice-Chair is unable to serve, the Executive Committee shall appoint a temporary Chair from the members of the Board to serve as Chair until the special election is conducted.

**c. Duties of the Secretary:**

- 1) To be the recording officer of the Board taking the minutes of the regular monthly meetings and special and emergency meetings. The Secretary shall be assisted in the compilation of such minutes by the Board staff. The minutes shall be distributed to the members of the Board at the following monthly meeting and shall be available for review at the Community Board office and posted on Community Board 1's website not less than three business days prior to the next monthly or special meeting.
- 2) To assume the duties of Chair if both the Chair and Vice-Chair are absent from a meeting.
- 3) To keep the Assistant Secretary adequately informed so that he or she may act effectively in the absence of the Secretary.
- 4) To assist the Chair with related matters as requested or required.

**d. Duties of the Assistant Secretary:**

- 1) To act as Secretary in the absence of the Secretary.

**d. Duties of the Treasurer:**

- 1) To oversee use of Community Board 1 funds including, but not limited to, income from the City of New York and from fundraising activities and any related expenses, to ensure that funds are used in accordance with Board directives, OMB guidelines, and all applicable laws, regulations, and other requirements.
- 2) To verify and forward quarterly and year-end financial reports to the Board.
- 3) To assist the Chair with related matters as requested or required.

**IV. BOARD AND COMMITTEE MEETINGS**

**IV.A. Decorum at Meetings**

1. Members shall, whenever practicable, sit in seats adjacent to each other and apart from the general public so that they are identifiable as Board members.
2. Members shall not engage in private discourse or commit any other act tending to distract the attention of the Board from the business before it. When speaking or debating, members shall confine their remarks to the matters under discussion or debate, avoiding negative personal comments.

**IV.B. Executive Committee**

1. The Executive Committee shall consist of the officers of the Board and chairs of standing committees. In the event that a committee chair is unable to attend an Executive Committee meeting, the committee chair shall inform the committee co-chair, who shall then attend the Executive Committee meeting; the committee co-chair shall vote in the absence of the committee chair.
2. The Board Chair shall determine the agenda of the Executive Committee. Committee chairs may suggest agenda items.
3. Notice shall be given to all members of the Community Board of meetings of the Executive Committee.
4. The Executive Committee shall review and approve the Board Chair's recommendation for the District Manager's salary and annual adjustments in executive session, i.e., with only members of the Executive Committee present (see Section IV.E). The Executive Committee shall adopt a resolution incorporating the committee's approval for final action by the full Board.
5. The Executive Committee shall have the ability to recommend to the Chair that a standing or sub-committee or task force be created or disbanded.
6. During any month when the full Board does not meet, the Executive Committee may transact such business as necessary, provided that any such action shall be ratified by the Board at its next regular monthly meeting. If not so ratified, there shall be no further implementation of the action after such meeting and steps must be taken to withdraw the action.
7. An emergency meeting of the Executive Committee may be called when decisions are required immediately. Notice for an emergency meeting may include telephonic, electronic, or other rapid means of communication and notification of such meeting must be sent to all Board members and appropriate elected officials. Such meetings shall be governed by the same procedures as a regular Executive Committee meeting. When time is of the essence, the Executive Committee may act on behalf of the Board provided any such action shall be ratified by the Board at the next regular monthly meeting. If not so ratified, there shall be no further implementation of the action after such meeting, and steps must be taken to withdraw the action.
  - a. When time is of the essence and the Executive Committee must consider a resolution made by another committee, before ratification by the full Board, members of the originating committee shall be specifically invited to attend the Executive Committee's deliberations and be given an opportunity to speak at the Executive Committee.
  - b. If the Executive Committee revises another committee's resolution, any member of that committee may present the original committee resolution before the Board meeting during the Executive Committee's report.

**IV.C. Board Meetings**

1. There shall be at least one meeting of the Community Board per month, except that there shall be one meeting for July and August.

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2. Meetings shall be held in the district at such time (early evening) and place as shall be designated by the Chair in the meeting notice sent to the Community Board members as hereinafter provided.
  - a. A quorum shall be a majority of the membership of the Community Board.
  - b. All actions shall be decided by a majority vote of those members present and entitled to vote during the presence of a quorum.
  - c. A member who is recused because of a conflict of interest or other self-serving matter is counted for purposes of a quorum, but not for purposes of determining a majority, whenever any act is to be authorized or a determination or decision is to be made by the Community Board.
3. The Board shall hold hearings as required by the City Charter on the City budget or any other public matter, which may be in conjunction with the regular monthly Board meetings.
4. Special Meetings
  - a. A special meeting shall be a meeting other than the regular monthly meeting and shall be called by the Board Chair:
    - 1) At the Board Chair's own volition.
    - 2) At the Borough President's request.
    - 3) Upon resolution adopted by the Board.
    - 4) Upon written request of at least one-third of the Board's membership presented to the Board Chair.
    - 5) Upon majority vote of the Executive Committee.
  - b. A special meeting may be called upon five days' notice in writing to all Board members and appropriate elected officials, setting forth the purpose of the meeting and the agenda for the meeting. Such meeting shall be governed by the same procedures as a regular Board meeting. The public shall be duly notified of such special meeting, which shall be open to the public unless covered by a permissible State or City legal exception that must be explained in the notification.
5. Attendance and excused absences
  - a. A Board member may be properly excused from Board or committee meetings for the following reasons: military service, jury duty, personal illness, illness or death in the family or household, attending to Board business at the request of the Chair, or any other reason approved by the Chair.
  - b. A Board member shall not be deemed present at a meeting unless such member is in attendance during substantially all of the meeting, which is defined as being present at the initial and final roll calls.

### **IV.D. Committee Meetings**

1. Standing committees shall be those that are more or less permanent and that continue from year to year. Standing committees shall meet monthly unless the Chair deems it unnecessary, except that there shall be one meeting for July and August as the Board Chair deems necessary.

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2. Task forces and sub-committees may be created from time to time by the Board Chair for the purpose of studying particular issues of concern to the district or the Board; task forces shall report directly to the Board Chair; sub-committees shall report to a standing committee.
  - a. Any task force or sub-committee will automatically dissolve one year from its creation in the absence of a Board or Executive Committee resolution to continue the task force for a specified period of time.
  - b. In the event that a sub-committee recommends Board action on its issue of concern, such recommendation shall be made through the relevant standing committee or through the Executive Committee.
3. Committee, sub-committee, and task force meetings shall be conducted under the same procedures as Board meetings, and a quorum shall be a majority of the membership of any committee, sub-committee or task force.
4. In cooperation with the Community Board office and to the extent feasible, each committee chair shall ensure that persons, businesses, organizations, and agencies are notified of items coming before his or her committee when such persons or entities may have an interest in or be affected by action on such items.
5. All Board members shall have the right to attend and participate in the deliberations of all committees of the Board, except as otherwise specified herein, but shall have the right to vote only in the committee(s) to which they have been appointed by the Chair.
6. Committees shall keep attendance records and shall propose and adopt resolutions. All resolutions adopted must be reported to the Board in writing, together with the number of members voting yes, no, abstaining and recusing.
7. The committee chair is responsible for overseeing all committee resolutions. The key elements of all resolutions must be written and approved in committee.
8. All Board members shall serve on a minimum of two standing committees.
9. All Board members, appropriate public officials, and the public shall be duly notified of any special or emergency meetings of Board committees, sub-committees or task forces, which shall be open to the public unless covered by a permissible State or City legal exception that must be explained in the notification.
10. Prior to committing the Community Board to any material course of action, the Board Chair, committee chair, sub-committee chair or task force chair, and/or Community Board staff shall request a vote on such matters by the appropriate committee, sub-committee or task force and subsequently by the full Board. In order to effectuate the foregoing, all relevant documents, reports, and agreements that are key to such Community Board decision making shall be made available by committee, sub-committee or task force chairs or by staff to committee, sub-committee or task force members at the earliest possible time. All material documents, reports, and agreements related to such Community Board decision making shall be made available at the Community Board office for any Board member to review.

11. The Board Chair, committee chairs, sub-committee chairs and task force chairs, and Community Board staff shall use their good faith efforts to apprise Board members of relevant outside meetings with respect to the foregoing, and of any related documents, reports, and agreements, in a timely manner. After each such meeting, the Board Chair, committee chair, sub-committee chair or task force chair, and staff shall report to the committee, sub-committee, task force, or full Board the details of what transpired at the meeting.

#### **IV.E. Executive Session**

1. Upon a majority vote of the Board, taken in an open meeting pursuant to a motion identifying the general area or areas of the subject or subjects to be considered, the Board may conduct an executive session for the below enumerated purposes only:
  - a. Matters which will imperil the public safety if disclosed;
  - b. Any matter which may disclose the identity of a law enforcement agent or informer;
  - c. Information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
  - d. Discussions regarding proposed, pending or current litigation;
  - e. The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
2. Attendance at an executive session of the full Board shall be permitted to any member of the Board and other persons the board determines necessary to resolve the matter before the Board.
3. Executive Session of a Committee:
  - a. Upon a majority vote of a committee of the Board taken in an open meeting pursuant to a motion identifying the general area or areas of the subject or subjects to be considered, the Board may conduct an executive session for purposes listed in this section.
  - b. Attendance at an executive session of a committee shall be permitted to any member of the committee and any other persons authorized by that committee to attend as necessary to conduct the business during such executive session.

#### **IV.F. Agendas**

1. An agenda shall be drafted by the Board Chair at least five days before each regular monthly meeting of the Board. This agenda, plus the notice of time and place of the meeting, shall be forwarded to each Board member at least three business days before the regular monthly meeting of the Board. Except in emergency situations, no matter of substantial public involvement shall be decided upon by the Board at a regular monthly meeting without that matter having been placed upon the agenda forwarded to the Board members. Committee agendas may be drafted by committee chairs or co-chairs in consultation with the Board Chair. An agenda item may be placed on a future committee agenda by a majority vote of committee members.
2. The Board meeting agenda shall consist of the following:

*(Approved 05/22/2018)*

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a. Opening of the meeting

b. Public Session

There shall be a Public Session at each regular monthly Board meeting. In the interest of affording the maximum opportunity to all citizens to be heard, each speaker shall be limited to a period of no more than three minutes, unless otherwise permitted by the Board Chair. However, the number of speakers on the same subject may be limited at the discretion of the Board Chair. The Public Session shall consist of the following:

- 1) Items Listed on the Agenda - Time shall be made available to members of the public as well as governmental agencies or representatives of public officials who have requested a place on the agenda to express themselves to the Board on agenda items.
- 2) Items not listed on the Agenda - Time shall be made available to an individual who has a residence, a business, or other significant interest in the district to bring to the attention of the Board any matter not listed on the agenda, which the speaker believes to be of general interest to the community and the Board.

c. Business Session

During the Business Session only members of the Board may debate and vote on the issues. However, the public is invited to be present as observers of the Board's proceedings. The committee chair or other proponent of a resolution shall give a brief statement explaining the resolution and may sum up at the end of the debate. The proponent of an issue before the Board or other person having relevant knowledge who is not a Board member may, upon request of the Board Chair, respond to questions in the Business Session. Business Session items on the agenda shall be limited to three minutes for each speaker except when otherwise permitted by the Board Chair. Board members may speak no more than twice on each issue, except with permission of the Board Chair.

The Business Session shall consist of the following items:

- 1) Adoption of the minutes.
- 2) The Borough President's report if he or she is present in person.
- 3) Oral reports from public officials who are present in person.
- 4) The District Manager's report.
- 5) The Community Board Chair's report.
- 6) Committee chairs' reports and resolutions.
- 7) Old Business. Items not completed at previous meetings.
- 8) New Business. Items that may properly come before the Board to be added to future Board agendas, which shall ordinarily be referred to the appropriate committee by the Board Chair.
- 9) Adjournment.

3. At the discretion of the Board Chair, the agenda for the Board meeting may reasonably vary from this list.
4. A roll call vote shall be taken on the first resolution after approval of the minutes and on the last resolution of the meeting.

**IV.G. Voting**

1. Voting shall be by roll call or by show of hands. A roll call vote shall be taken upon items mandated by law or appropriate regulations or upon the request of any member of the Board.
2. The total votes for and against an issue, as well as abstentions and recusals, shall be recorded and publicly announced after the conclusion of each vote.
3. If a matter before the Board requires further information or deliberation before a vote is taken, that matter may be tabled and referred back to the appropriate Board committee, sub-committee or task force for further deliberations.
4. All voting in Board meetings shall be in person only. No proxies will be accepted.

**IV H. Conflict of Interest**

1. A member is considered to have a conflict of interest with respect to a matter before the Board if:
  - a. The member has a direct or indirect financial interest in such matter;
  - b. The member serves as an officer, director, employee of, or has a professional interest with respect to, an organization which is directly affected by such matter;
  - c. The member is employed by a non-city government agency or entity and their position has policy- or rule-making jurisdiction with respect to such matter; or
  - d. The members is employed by a city government agency that the matter concerns the agency.
2. Members should exercise discretion in interacting with or accepting favors from applicants and persons with current or pending business before the Community Board.
3. A member with a conflict of interest must first disclose his or her conflict to the Board. He or she may then take part in discussion surrounding the issue but is prohibited from voting on that matter.
4. A member with a conflict of interest in a matter shall be counted as “recused.” This member shall still be present for quorum purposes.
5. No member having a conflict of interest as to any matter on the meeting agenda may chair the meeting.
6. Members who are uncertain whether they may have a conflict of interest are urged to contact the New York City Conflict of Interest Board for a consultation or advisory opinion.

**IV.I. Open Meetings Law**

1. Board, committee, sub-committee and taskforce meetings are subject to the New York State Open Meetings Law, codified in the Public Officers Law, Article 7, and as such:
  - a. All meetings shall be open to the public, with the exception of an executive session in accordance with Section IV.E. The public shall be duly notified of such meetings.
  - b. The Board shall make or cause to be made all reasonable efforts to ensure that meetings are held in facilities that permit barrier-free physical access to the physically

handicapped, as defined in subdivision 5 of Section fifty of the New York State Public Buildings Law.

- c. The Board shall make or cause to be made all reasonable efforts to ensure that meetings are held in an appropriate facility which can adequately accommodate all members of the public who wish to attend such meetings.
- d. All meetings, other than executive sessions, shall be open to being photographed, broadcast, webcast, or otherwise recorded and/or transmitted by audio or video means. The ability of members of the public or press to engage in such activities shall not be curtailed unless necessary to ensure the orderly conduct of the meetings.
- e. Any proposed resolution, correspondence, policy or any amendment thereto, that is scheduled to be the subject of discussion by the Board or a committee during an open meeting shall be made available, upon request therefore, to the extent practicable as determined by the Board, prior to or at the meeting during which such resolution, correspondence, policy or any amendment will be discussed.
- f. If the Board maintains a regularly and routinely updated website and utilizes a high speed internet connection, such documents shall be posted on the website to the extent practicable, prior to the meeting.

## **V. INTERNAL OPERATIONS AND DISTRICT MANAGER**

### **V.A. Internal Operations and Staff**

1. This Board may establish additional rules of its own as are not specifically covered by the language of these by-laws and the New York City Charter and which are not in contravention of these by-laws and the New York City Charter.
2. The Board shall appoint a District Manager subject to the New York City Charter, Chapter 70, Section 2800(f).
3. The District Manager and any staff shall serve at the pleasure of the Board.
4. The Board has the power to select and hire the District manager and any staff or consultants. It may assign the responsibilities of the selection of staff to the District Manager or to a designee, subject to final approval by vote of the Board.

### **V.B. District Manager**

1. Within budgetary appropriations and in accordance with the New York City Charter, Personnel Policies of the City of New York, and other governing regulations and requirements, the Board shall appoint a District Manager.
2. The District Manager shall assume the following duties and responsibilities with wide latitude for independent judgment under the direction and oversight of the Board Chair:
  - a. Preside at meetings of the District Service Cabinet and, in conjunction with the District Service Cabinet, develop plans for improved service delivery and for facilitation and coordination of delivery of services at the district level.



## *Manhattan Community Board 1 By-Laws*

- b. Serve as liaison between the Community Board and governmental agencies and the community at large.
- c. Process service complaints and coordinate all service-related actions and operations within the Community Board District.
- d. Cooperate with, consult, assist, and advise any public officer, agency, local administrators of agencies, legislative bodies, or the Borough President in accordance with the Board's policies with respect to any matter relating to the welfare of the district or its residents.
- e. Maintain, administer, and manage the Community Board office.
  - 1) Select, hire, supervise, and terminate staff, in consultation with the Board Chair and following approval by the full Board of all hiring and termination decisions.
  - 2) Present to the Treasurer for his or her review the projected annual budget and prepare periodic financial and program reports on the activities of the Community Board office.
- f. Discharge any and all duties, functions, and procedures approved by the Board in compliance with Board policy.
- g. Assist the Board Chair and committee chairs in carrying out their responsibilities, including:
  - 1) Guiding the Board and its committees through the various phases of participation in the City's budget process, and preparing necessary testimony and other paperwork.
  - 2) Conducting research and developing policy recommendations as requested.
  - 3) Attending and reporting on hearings, meetings, and public functions relevant to the effective and efficient functioning of the Community Board office, including any such hearings, meetings, and public functions which the Board Chair, Executive Committee, or the Board shall direct the District Manager or other staff person to attend.
- h. Promptly direct all pertinent incoming communications or information to the Chair, Treasurer, or committee chair, or other appropriate Board member.
- i. Perform other duties as assigned by the Board Chair in accordance with the general powers and duties of the Chair.

## **VI. BY-LAWS AND REPORTING**

### **VI.A. By-laws**

1. Amendments to these by-laws may be initiated by the Board Chair, by a majority vote of the members present and voting at a Board meeting, or at the written request of the Borough President.
2. Amendments to these by-laws shall be adopted by a majority vote of the members present and voting at a Board meeting.

### **VI.B. Reporting**

1. On an annual basis, the Board Chair must publish a report on the expenditures of the past fiscal year. The Chair may enlist the District Manager and Board staff in the preparation of this report.
2. The Board, in accordance with the New York City Charter, shall:

*Manhattan Community Board 1 By-Laws*

- a. Submit an annual report to the Mayor, the City Council, and the Borough President within three months of the end of each year.
- b. Prepare comprehensive and special purpose plans for the growth, improvement and development of the community district.
- c. Submit an annual statement of needs, which includes a brief description of the district, the Board's assessment of its current and probable future needs, and the Board's recommendations for programs, projects or activities to meet those needs.
- d. Submit to the Mayor the capital budget priorities for the next fiscal year and the three succeeding fiscal years.
- e. Submit to the Mayor the expense budget priorities for the next fiscal year.
- f. Submit recommendations and priorities to the Mayor, the City Council, and the City Planning Commission on the allocation and use within the district of funds earmarked for community development activities.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2018

COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

COMMITTEE VOTE:	10 In Favor	0 Opposed	1 Abstained	1 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	0 Opposed	2 Abstained	1 Recused

RE: M1 Hotel Zoning Text Amendment  
N 180349 ZRY

WHEREAS: Light manufacturing zoning districts (M1 zones) have become areas of opportunity, presenting some of the city's last reservoirs of buildable land, and rules regulating land use and development in these districts have changed little since the city was comprehensively rezoned in 1961; and

WHEREAS: Hotels are currently permitted as-of-right in M1 districts, and hotel development in M1 districts has accelerated significantly since 2010. Citywide, 13 percent of existing hotel rooms are in M1 districts, whereas 30 percent of hotel rooms in the pipeline are slated to be developed in M1 districts; and

WHEREAS: The number of tourists visiting New York City is at an all-time high. While growth in tourism has been mostly positive for the City, with new jobs and support for industries such as restaurants, theaters and cultural institutions, it has also resulted in a number of land use conflicts, particularly in M1 districts; and

WHEREAS: In M1 districts that continue to retain string industrial characteristics, hotels are in conflict with existing businesses that generate noise, truck traffic, loading, pollution and other nuisance. This not only results in unsafe conditions, but may harm the effectiveness of these surrounding businesses due to complaints from hotel guests; and

WHEREAS: Hotels do not present the same direct land use conflicts in M1 districts that are more mixed-use in character, but they can potentially detract from other uses that could better serve the neighborhood and orient more towards tourists' needs than the ones of the community; and

WEHREAS: The City's 10-Point Industrial Action Plan, announced by Mayor de Blasio in 2015, aims to support industrial job growth in Industrial Business Zones (IBZs), the city's most active manufacturing zones. The Plan's proposal included the creation of a new special permit for hotels, among other recommendations; and

WHEREAS: The Department of City Planning (DCP) is proposing a zoning text amendment to require a City Planning Commission (CPC) special permit for new hotels in M1 districts citywide. The CPC special permit would be required for transient accommodations- including hotels, motels, and boatels, except for areas that are airport property or non-residential areas adjacent to airports; and

WHEREAS: By introducing a CPC special permit, DCP proposes a case-by-case, site-specific review process according the following findings:

- The proposed site plan includes elements that are necessary to address potential conflicts between the hotel and adjacent uses (ex. access, orientation or landscaping)
- The new hotel development will not cause undue vehicular or pedestrian congestion on local streets
- The proposed new hotel development will not impair the essential character or future use of the surrounding area

WHEREAS: Within Community District 1, this zoning change would only apply to the few small areas zoned as M1. These areas are on Canal Street between Vestry Street and Hudson Street; Canal Street between Broadway, Walker Street and Baxter Street, and an area at the southern edge of Lower Manhattan between Whitehall Street and Battery Park. This zoning amendment does not imply or propose that hotels will be developed in these areas, only that if a hotel were to be proposed in these areas it would now be subject to a special permit review by CPC where it would have otherwise remained as-of-right; and

WHEREAS: The majority of CD1 is zoned such that hotel development is currently as-of-right and will remain so, except for the northern portion of the Special Tribeca Mixed Use District where hotels over 100 rooms are required to obtain a special permit; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 (CB1) does not oppose application N180349 ZRY for the M1 Hotel Zoning Text Amendment, with the following comments and requests:

- As hotel development will become more onerous in M1 districts that will now require a special permit, CB1 is concerned about the inadvertent impact of increased hotel development the amendment may have on the portions of our district where hotel development will remain as-of-right
- CB1 requests more detailed and specific language in the findings required for the grant of the special permit (i.e. define terms such as “undue vehicular or pedestrian congestion” and “impair the essential character or future use of the surrounding area”)
- Because many manufacturing districts are along the waterfront and in flood zones, CB1 requests that an additional condition be added to the findings required for the grant of the special permit requiring payment into a fund for resiliency infrastructure and protection from extreme weather events; and

BE IT  
FURTHER  
RESOLVED

THAT:

Because north-west Tribeca is increasingly mixed use with many residents, where as-of-right hotel development under 100 rooms continues to cause conflict and negatively impact neighborhood character, CB1 requests that DCP study the potential for expanding these proposed special permit requirements to areas A4, A5, A6 and A7 of the Special Tribeca Mixed Use District.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2018

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:       6 In Favor   0 Opposed   1 Abstained   0 Recused  
BOARD VOTE:           33 In Favor   0 Opposed   1 Abstained   0 Recused

RE:                    The Fulton Market Building, a.k.a 1-13 Fulton Street, 94-103 South Street, 200-209 Front Street and 141-153 Beekman Street, application for approval to modify the previously approved storefront infill, windows and signage master plans

WHEREAS: This application is for the modification of certain first floor non-original storefront infill, new transom signage, “blacked-out” windows and additional door/window decorations along the four-sided masonry market-style building, and

WHEREAS: The existing building was built in a post-modern style upon the early twentieth century 2-story masonry Fish Market building’s foundation and heavily altered in 2104 by the Howard Hughes Corporation after Superstorm Sandy, and

WHEREAS: The applicant proposes to rearrange two door locations and door configurations along South to better accommodate the current tenant’s building entry door requirements, and

WHEREAS: The majority of work is decorative and several different materials will be applied to the existing storefront doors, transoms and windows along Beekman, Fulton, Front and South Streets, and

WHEREAS: A wide variety of materials are being introduced including a hot-rolled steel door along Beekman street and various films, stained glass and metal grilles, corrugated metals, cement board and ceramic tiles (none of the above material samples were presented to the committee), and

WHEREAS: The committee requests that no additional windows and storefront be “blacked-out” or otherwise altered to create the appearance of windows with nothing behind them, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB 1 recommends that the Landmarks Preservation Commission approve the proposed alterations and decorations to the previously approved storefront infill and signage master plan, and

BE IT  
FURTHER  
RESOLVED

THAT: CB 1 request as many samples of the various materials be presented to the full board and especially the Landmarks Preservation Commission public hearing.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2018

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:        7 In Favor    0 Opposed    0 Abstained    0 Recused  
BOARD VOTE:            34 In Favor    0 Opposed    0 Abstained    0 Recused

RE:                    159 John Street, application for ADA compliant entrance

WHEREAS: This is a revised proposal to resolve the difficult task of installing an ADA compliant entrance to the very historic 159 John Street, which also occupies Front and Fulton Streets in the South Street Seaport Historic District, and

WHEREAS: The sidewalk in front of Schermerhorn Row will be regarded, eliminating some of our previous objections, and

WHEREAS: At 21-25 Fulton Street, a lift will be installed, with three vertical balustrades, and

WHEREAS: At 181-189 Front Street, no new door will be installed - which we requested not be installed - but an awful lift will be placed at the end of the building, and

WHEREAS: There seems to be no other resolution to this necessity, and

WHEREAS: The ADA compliant entrance takes up a third of the storefront on a narrow building, but it seems the best that can be done, now

THEREFORE  
BE IT  
RESOLVED

THAT:                CB1 recommends that the Landmarks Preservation Commission approve this application.



COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2018

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:       7 In Favor   0 Opposed   1 Abstained   0 Recused  
BOARD VOTE:           33 In Favor   0 Opposed   1 Abstained   0 Recused

RE:               80 White Street application to modify street-front bulkhead and enlarge existing window

WHEREAS: The application is to modify the existing ADA lift and bulkhead to allow ADA access to the storefront entrance which will be the home for Artist Space which has been located downtown since 1972, and

WHEREAS: The extension of the bulkhead will match the previously approved and installed ADA lift and bulkhead for the residential building, and

WHEREAS: A new door entrance will be installed in Courtlandt Alley by extending a window fenestration to the street level, and

WHEREAS: The existing window line will be maintained by installing a window transom – to match the existing window design - above the new painted steel double entrance doors, and

WHEREAS: The new door entrance will be recessed to allow for a tastefully designed wooden shutter to provide security in the Alley when the Gallery is closed, and

WHEREAS: There will be an hanging bracket Artist Space logo sign – which complies with LPC signage standards, and

WHEREAS: The Committee thanked the landlord for allowing Artist Space to lease the space for 20 years – maintaining the long tradition for the Artist Space to be located downtown, now

THEREFORE  
BE IT  
RESOLVED

THAT:           CB1 recommends the Landmarks Preservation Commission approve the application

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2018

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:        7 In Favor    0 Opposed    1 Abstained    0 Recused  
BOARD VOTE:            34 In Favor    0 Opposed    0 Abstained    0 Recused

RE:                    Appointment of new Landmarks Preservation Chair

WHEREAS: The Community is pleased to see the opportunity for the appointment of a new Landmarks Preservation Commission Chair, and

WHEREAS: The new Chair should be someone who is qualified not only by experience in the preservation world but also someone who has had long and successful experience in working collaboratively with all stakeholders: preservation community, community boards, New York City architectural community, New York City historical community, Municipal Art Society, Historic Districts Council, and the real estate community, and

WHEREAS: The Chair must be of exceptional skill and exceed – in all areas – the Standards of the Federal Department of the Interior, and

WHEREAS: Above all the new Chair must value the preservation of New York’s rich and important history, and

WHEREAS: The Community Board understands the need for the Landmarks Preservation Commission to work efficiently but not to the loss of transparency and the value of community input to improve decision making, and

WHEREAS: The Community Board requests that the Mayor select a candidate that is from a community centered background - and reflects the values of such people as Jane Jacobs, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB 1 encourages the Mayor to appoint a community centered highly experienced preservationist to chair to the Landmarks Preservation Commission.

COMMUNITY BOARD #1 –MANHATTAN  
RESOLUTION

DATE: MAY 22, 2018

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	9 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 452 Washington Street, application for unenclosed sidewalk café for Greca

WHEREAS: The applicant, Greca, has applied for an unenclosed small sidewalk café license for 11 tables and 22 seats on its Washington Street side; and

WHEREAS: The applicant has agreed to distribute the tables along its commercial frontage in a single file row to limit the unenclosed sidewalk café's impact on the sidewalk and street trees; and

WHEREAS: The applicant has represented that the hours of the sidewalk café will be 8:00AM to 10:00PM Monday to Friday and 10 AM – 11 PM on Saturday and Sunday; now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 does not oppose this application for a small sidewalk cafe at 452 Washington Street for Greca as long as the applicant adheres to the limitations and conditions set forth above.

COMMUNITY BOARD #1 –MANHATTAN  
RESOLUTION

DATE: MAY 22, 2018

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	9 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	33 In Favor	1 Opposed	0 Abstained	0 Recused

RE: 62 Thomas Street application for a liquor license for Elmwood Ventures for Buddha Bar and Assunte Madre

WHEREAS: The applicant, Elmwood Ventures is applying for a liquor license at 62 Thomas Street; and

WHEREAS: The hours of operation will be 11:30AM to 11:30PM from Sunday – Thursday and 10AM to 12AM Friday and Saturday; and

WHEREAS: The establishment is 2 restaurants with a total capacity of 291 persons and 3,800 square feet including a dining area of 3,378 square feet with 70 tables and 218 seats and a bar area of 1500 square feet with 14 barstools and a sushi food counter with 14 seats; and

WHEREAS: The applicant has represented that there will be recorded background-only music, usually programmed by a DJ on a computer in the form of Buddha Bar-produced CD's intended as background "trance" music, played from speakers hung from the ceiling with no subwoofers, and that there will be no live music, or promoted events and no non-musical entertainment; and

WHEREAS: The applicant does not intend to apply for a sidewalk café license; and

WHEREAS: The applicant stated that there will not be dancing; and

WHEREAS: The applicant has represented that there are no buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The applicant agreed to adhere to the previous stipulations imposed by the SLA and also agreed to by the Buddha Bar; and

WHEREAS: The applicant has signed and notarized a new stipulations sheet in addition to the stipulations mentioned above; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 opposes the granting of a liquor license to Elmwood Venture for Buddha Bar at 62 Thomas Street unless the applicant complies with the limitations and 77conditions set forth above.

COMMUNITY BOARD #1 –MANHATTAN  
RESOLUTION

DATE: MAY 22, 2018

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	10 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	1 Opposed	0 Abstained	0 Recused
BOARD VOTE:	33 In Favor	1 Opposed	0 Abstained	0 Recused

RE: 285 West Broadway, application for a liquor license for St Helier Parish LLC

WHEREAS: The applicant, St Helier Parish LLC is applying for a liquor license at 285 West Broadway; and

WHEREAS: The hours of operation will be 12:00PM to 2:00AM, Sunday to Wednesday and 12 PM to 4 AM Thursday to Saturday; and

WHEREAS: The establishment is a bar with a total capacity of 299 persons and 4,200 square feet and a bar area of 1,750 square feet with 20 tables and 79 seats and 3,000 square feet in the basement; and

WHEREAS: The applicant has represented that there will be live musical entertainment and recorded music with subwoofers utilizing existing speakers and that there will be independent DJ's and security personnel; and

WHEREAS: All music will be at background sound levels such that it will not be heard outside or by neighbors; and

WHEREAS: The applicant intends to apply for a sidewalk café license; and

WHEREAS: The applicant stated that there will not be a dance floor and they will not promote dancing; and

WHEREAS: The applicant stated that the entrance will be at the corner of West Broadway and Canal Street; and

WHEREAS: The applicant stated that he is employing 4 security guards from All Star Security; and

WHEREAS: The applicant stated the windows and doors will be closed; and

WHEREAS: The applicant has represented that there are no buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 *opposes* the granting of a liquor license to St Heliar Parish LLC at 285 West Broadway *unless* the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 –MANHATTAN  
RESOLUTION

DATE: MAY 22, 2018

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:           8 In Favor   0 Opposed   0 Abstained   0 Recused  
PUBLIC VOTE:             2 In Favor   1 Opposed   0 Abstained   0 Recused  
BOARD VOTE:             TABLED

RE:                   Murray Street Exponents Festival sponsored by Exponents Inc. street activity permit application for its single block festival on Friday, September 21, 2018

WHEREAS: Exponents Inc. has applied for a street activity permit for a street festival on Park Place between Broadway and Church Street on Friday, September 21, 2018 from 10:00 AM to 6:00 PM, and

WHEREAS: Friday is a bad day for a street fair due to rush hour vehicular traffic, therefore the applicant has agreed to keep the stalls in the parking lanes only, and the sidewalks clear, now

THEREFORE

BE IT

RESOLVED

THAT:                CB 1 does not oppose the application submitted by Exponents Inc. for a street activity permit for Friday, September 21, 2018.

COMMUNITY BOARD #1 –MANHATTAN  
RESOLUTION

DATE: MAY 22, 2018

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 70 Pine Street, Ground Floor, application for a liquor license for EBNB 70 Pine Street Restaurant LLC

WHEREAS: The applicant, EBNB 70 Pine Street Restaurant, is applying for a liquor license; and

WHEREAS: The hours of operation will be 10:00AM to 2:00AM from Sunday – Saturday; and

WHEREAS: The establishment is a restaurant with a total of 10,000 square feet including a dining area of 4,800 square feet with 60 tables and 95 seats and a bar area of 514 square feet with nine tables and 28 seats and a bar area of 1,000 square feet with seven tables and 16 seats; and

WHEREAS: The applicant has represented that there will be live, recorded and DJ background music from speakers with no subwoofers and no promoted events or non-musical entertainment; and

WHEREAS: The applicant does not intend to apply for a sidewalk café license; and

WHEREAS: The applicant stated there will no dancing; and

WHEREAS: The applicant will have 2 events a year with a DJ and live music; and

WHEREAS: The applicant has represented that there are no buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 opposes the granting of a liquor license to EBNB 70 Pine Street Restaurant at 70 Pine Street Ground Floor unless the applicant complies with the limitations and conditions set forth above.



COMMUNITY BOARD #1 –MANHATTAN  
RESOLUTION

DATE: MAY 22, 2018

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	9 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 70 Pine Street, 62, 63, 64 and 66<sup>th</sup> floors, application for a liquor license for EBNY 70 Pine Street Restaurant

WHEREAS: The applicant, EBNB 70 Pine Street Restaurant is applying for a liquor license; and

WHEREAS: The hours of operation will be 10:00AM to 2:00AM from Sunday – Saturday; and

WHEREAS: The establishment is a restaurant with a dining area of 1,200 square feet including a bar area of 500 square feet with 15 tables on the 62nd floor, and 3,500 square feet including a 2,900 square foot dining area with 38 tables and 128 seats and a bar area of 100 square feet on the 63<sup>rd</sup> floor, and a dining area of 794 square feet with 11 tables and 28 seats and a bar area of 1,000 square feet with 40 tables and 90 seats on the 64<sup>th</sup> floor, and a dining area 745 square feet with 10 tables and 20 seats on the 64<sup>th</sup> floor; and

WHEREAS: The applicant has represented that there will be live, recorded and DJ background music from speakers with no subwoofers and no promoted events or non-musical entertainment; and

WHEREAS: The applicant does not intend to apply for a sidewalk café license; and

WHEREAS: The applicant stated that there will no dancing; and

WHEREAS: The applicant stated all music on the 3 terraces and the roof will be background only, as defined in the stipulations; and

WHEREAS: The applicant will have 2 events a year with a DJ and live music; and

WHEREAS: The applicant has represented that there are no buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a liquor license to EBNB 70 Pine Street Restaurant at 70 Pine Street 62, 63, 64 and 66<sup>th</sup> Floors unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 –MANHATTAN  
RESOLUTION

DATE: MAY 22, 2018

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 83 Pearl Street, application for alteration of existing liquor license for Mad Dog and Beans to expand its pedestrian mall to 53 Stone Street

WHEREAS: The applicant, 55 Stone Rest, Inc. is applying for alteration of an existing liquor license at 83 Pearl Street for Mad Dog and Beans; and

WHEREAS: The hours of operation will be 10 AM to 11 PM every day; and

WHEREAS: The establishment is a restaurant with a total of 3,200 square feet and a restaurant area of 2,300 square feet and 40 tables with 80 seats and one standup bar; and

WHEREAS: The applicant has represented that there will be recorded background music only with no subwoofers; and

WHEREAS: The applicant does not intend to apply for a sidewalk café license; and

WHEREAS: The applicant stated that there will not be dancing; and

WHEREAS: Will employ and doorman/security personnel on Friday, Saturday and Sunday; and

WHEREAS: The applicant has represented that there are no buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 *opposes* the granting of an alteration to an existing liquor license for Mad Dog and Beans at 83 Pearl Street to expand its pedestrian mall to 53 Stone Street *unless* the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 –MANHATTAN  
RESOLUTION

DATE: MAY 22, 2018

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	1 Abstained	0 Recused

RE: 200 West Street ground floor application for a liquor license by Aramark Services, Inc.

WHEREAS: The applicant, Aramark Services, Inc., is applying for a liquor license at 200 West Street, Auditorium and Mezzanine; and

WHEREAS: The hours of operation will be 5:00 PM to 9:00 PM Sunday – Saturday; and

WHEREAS: The establishment is a catering establishment with 34,517 square feet with a dining area of 3,864 square feet; and

WHEREAS: The applicant has represented that there will be recorded background music from speakers with no subwoofers and that there will be no live music, no DJ's or promoted events and no non-musical entertainment; and

WHEREAS: The applicant does not intend to apply for a sidewalk café license; and

WHEREAS: The applicant stated that there would not be dancing; and

WHEREAS: The applicant stated that they will employ personnel for traffic control; and

WHEREAS: The applicant has represented that there are no buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are 3 or more establishments with on-premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 *opposes* the granting of a liquor license to Aramark Services at 200 West Street Auditorium and Mezzanine *unless* the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 –MANHATTAN  
RESOLUTION

DATE: MAY 22, 2018

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	33 In Favor	0 Opposed	1 Abstained	0 Recused

RE: 200 West Street 11<sup>th</sup> and 12<sup>th</sup> Floors application for a liquor license by Aramark Services for a Catering establishment, Inc.

WHEREAS: The applicant, Aramark Services, Inc., is applying for a liquor license at 200 West Street 11<sup>th</sup> and 12<sup>th</sup> Floors; and

WHEREAS: The hours of operation will be 5 PM to 9 PM Sunday – Saturday; and

WHEREAS: The establishment is a catering establishment with 70,595 square feet and a dining area of 21,302 square feet; and

WHEREAS: The applicant has represented that there will be recorded background music from speakers with no subwoofers and that there will be no live music, no DJ's or promoted events and no non-musical entertainment; and

WHEREAS: The applicant does not intend to apply for a sidewalk café license; and

WHEREAS: The applicant stated that there would not be dancing; and

WHEREAS: The applicant stated that they will employ personnel for traffic control; and

WHEREAS: The applicant has represented that there are no buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are 3 or more establishments with on-premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a liquor license to Aramark Services at 200 West Street 11<sup>th</sup> and 2<sup>th</sup> Floors unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 –MANHATTAN  
RESOLUTION

DATE: MAY 22, 2018

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	33 In Favor	0 Opposed	1 Abstained	0 Recused

RE: 200 West Street, 42<sup>nd</sup> and 43<sup>rd</sup> Floors, application for a liquor license by Aramark Services, Inc. for a Catering establishment

WHEREAS: The applicant, Aramark Services, Inc., is applying for a liquor license at 200 West Street, 42<sup>nd</sup> and 43<sup>rd</sup> Floors; and

WHEREAS: The hours of operation will be 5 PM to 9 PM Sunday –Saturday; and

WHEREAS: The establishment is a catering establishment with 38,394 square feet and a dining area of 15,974 square feet; and

WHEREAS: The applicant has represented that there will be recorded background music from speakers with no subwoofers and that there will be no live music, no DJ's or promoted events and no non-musical entertainment; and

WHEREAS: The applicant does not intend to apply for a sidewalk café license; and

WHEREAS: The applicant stated that there would not be dancing; and

WHEREAS: The applicant stated that they will employ personnel for traffic control; and

WHEREAS: The applicant has represented that there are no buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are 3 or more establishments with on-premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 opposes the granting of a liquor license to Aramark Services at 200 West Street 42<sup>nd</sup> and 43<sup>rd</sup> Floors unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 –MANHATTAN  
RESOLUTION

DATE: MAY 22, 2018

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	6 In Favor	2 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Deepavali Festival 2018 street activity permit application for its 31<sup>st</sup> annual street festival on Sunday, October 7, 2018

WHEREAS: The Association of Indians in America has applied for a street activity permit for a street festival on Water Street between Fulton Street and Fletcher Street; John Street between Front Street and Water Street on Sunday, October 7, 2018 from 10:00 AM to 6:00 PM, and

WHEREAS: Deepavali has held this street festival at this location for many years and at the South Street Seaport for 31 years and has agreed once again to be responsible for cleanup and for full compliance with all rules and regulations for traffic and safety concern, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB 1 does not oppose this application submitted by the Association of Indians in America for a street activity permit for Sunday, October 7, 2018.

COMMUNITY BOARD #1 –MANHATTAN  
RESOLUTION

DATE: MAY 22, 2018

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	8 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	33 In Favor	1 Opposed	0 Abstained	0 Recused

RE: Pier 15, request for one-time alteration of alcohol service hours for Watermark

WHEREAS: The applicant, Lisa Cannistraci on behalf of Marriage Equality USA, has requested a one-time alteration that would enable Watermark to operate and serve liquor until 4:00AM on Saturday, June 23, 2018; and

WHEREAS: The one-time alteration is for a charitable event; and

WHEREAS: CB 1 has approved this alteration for the past 6 years, for the Beekman Beach Club in 2012 & 2013 and the Watermark in 2014, 2015, 2016 and 2017. CB1 has not received any complaints about these events; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 has no objection to the granting of a one-time change in the method of operation to allow Watermark to operate and serve liquor until 4:00AM on Saturday, June 23, 2018.



COMMUNITY BOARD #1 –MANHATTAN  
RESOLUTION

DATE: MAY 22, 2018

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 In Favor	0 Opposed	2 Abstained	0 Recused

RE: 1 Fulton Street application for a liquor license for HHC Fulton Retail LLC

WHEREAS: The applicant, HHC Fulton Retail LLC, is applying for a liquor license at 1 Fulton Street; and

WHEREAS: The hours of operation will be 8:00AM to 2:00AM from Monday – Saturday and 10 AM – 1 AM Sunday; and

WHEREAS: The establishment is a restaurant with a total of 6,111 square feet including a dining area of 3,378 square feet with 50 tables and 133 seats and a bar area of 565 square feet with three tables and 19 seats and 1 standup bar; and

WHEREAS: The applicant has represented that there will be recorded background music from speakers with no subwoofers and that there will be no live music, no DJ's or promoted events and no non-musical entertainment; and

WHEREAS: There will be 2 events a year with live music, and

WHEREAS: The applicant does not intend to apply for a sidewalk café license; and

WHEREAS: The applicant stated there will not be dancing; and

WHEREAS: There will be Seaport 24 hour security, and

WHEREAS: The applicant will return in 6 months to review; and

WHEREAS: The applicant has represented that there are no buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 *opposes* the granting of a liquor license to HHC Fulton Retail LLC at 1  
Fulton Street *unless* the applicant complies with the limitations and conditions set  
forth above.

COMMUNITY BOARD #1 –MANHATTAN  
RESOLUTION

DATE: MAY 22, 2018

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	30 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Corporate Change to existing OP license; 78 South Street, Pier 15 Esplanade.

WHEREAS: The previous applicant, Hornblower New York LLC d/b/a Great Point, will be replaced by a new entity named Crest View Advisors for a sightseeing vessel; and

WHEREAS: The hours for alcohol service will vary depending on the event, but will take place between 9:00AM – 1:00AM Monday - Saturday and 10:00AM – 1:00AM on Sunday; and

WHEREAS: The establishment is a total of 10,974 square feet including a dining area of 2,926 square feet with 64 tables and 454 seats; a bar area of 7,195 square feet with 406 seats; and a kitchen area of 768 square feet; and

WHEREAS: The applicant does intend to have dancing; and

WHEREAS: The applicant does not intend to apply for a sidewalk café license; and

WHEREAS: The applicant has represented that there are no buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500 feet of this establishment; and

WHEREAS: CB 1 has received ongoing complaints about music from Hornblower's ships. The applicant has agreed to turn off music within 500ft of the dock when arriving and departing; and

WHEREAS: The applicant has signed a stipulations sheet; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 *opposes* the granting of a liquor license to Hornblower New York LLC d/b/a Great Point *unless* the applicant complies with the limitations and conditions set forth above, and

BE IT  
FURTHER  
RESOLVED

THAT: That Crest View Advisors will adhere to the current stipulations of October, 2017.

COMMUNITY BOARD #1 –MANHATTAN  
RESOLUTION

DATE: MAY 22, 2018

COMMITTEE OF ORIGIN: WATERFRONT, PARKS & RESILIENCY

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	1 Opposed	0 Abstained	0 Recused

RE: Peck Slip Park Redesign

WHEREAS: The Lower Manhattan Development Corporation (LMDC) has allocated \$4.3 million for the creation of a new park at Peck Slip. The original plan was approved by Community Board 1 (CB1) and all the City and State agencies during the years 2006-2008 but the project was delayed for several years because of needed Department of Environmental Protection repairs at this site; and

WHEREAS: In the ensuing years, the surrounding neighborhood has changed with many new residents and the opening of new local schools. The area was also heavily impacted by Superstorm Sandy in 2012 and resiliency has become an elevated priority; and

WHEREAS: There are few parks east of Broadway in CB 1 to accommodate the fast growing residential community and this new park at Peck Slip will help to address this urgent need; and

WHEREAS: This space has undergone some interim improvements that have created open flexible spaces embraced by the community; and

WHEREAS: Over the past few years a growing number of voices in the community have sought some revisions to the original design of this park and both the Department of Parks and Recreation (DPR) and LMDC expressed a willingness to entertain changes; and

WHEREAS: On September 25<sup>th</sup>, 2017 CB1 sponsored a well-attended Town Hall meeting to seek community input regarding the types of changes and new park they would like to see on Peck Slip. A consensus emerged regarding the types of changes most people wish to see at Peck Slip, including removal of the sculpture from the previously proposed plan; balance between active and passive recreation space, and relocation of the Citi Bike racks to nearby South Street; and

WHEREAS: In May 2018, DPR returned to the CB1 Waterfront, Parks & Resiliency Committee to present on the revised plan based on the input they received from the community; and

WHEREAS: Under the revised proposal for Peck Slip Park, Front Street would be closed to allow for a contiguous park between Water Street and South Street. The majority of the park would be open, unobstructed space with various granite paving. There will be planted areas on the periphery of the park along the north-east boundary and the north-west and south-west boundaries. The planted areas will include various trees, grasses and other plantings, and benches will be provided along the edges. A drinking fountain will be placed in the park; and

WHEREAS: Bollards are proposed to be installed on the east and west edges of the park, and also on the north and south edge where the park meets Front Street; and

WHEREAS: The May 2018 meeting was well attended by the community. The plan received an overall positive response and thanks from the community. However, the Committee heard concerns that: trees would block views to the surrounding area and in particular the Brooklyn Bridge and the mural by Richard Haas; the closure of Front Street will disrupt vehicular circulation and impede delivery to nearby business; and that the fluid boundary on the east end of the park presents a safety issue as there is no way to block children and balls from running into South Street; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 thanks both DPR and LMDC for their efforts to redesign the park and applauds DPR in particular for devising a truly community-driven proposal for the new Peck Slip Park; and

BE IT  
FURTHER  
RESOLVED

THAT: CB1 believes the closure of Front Street is necessary to provide a contiguous park. However, we request that the Department of Transportation (DOT) propose additional traffic modifications around Peck Slip to better enable efficient traffic flow and delivery to the many nearby businesses and share their recommendations with the Community Board; and

BE IT  
FURTHER  
RESOLVED

THAT: CB1 maintains that the new proposal establishes a good balance between active and passive recreation space and believes the trees are important in providing needed shade to the park and will not significantly obstruct views; and

BE IT  
FURTHER  
RESOLVED

THAT: CB1 requests that DPR include an elevated stepped area on the east end of the park that would create a buffer between the park and South Street and also provide additional seating; and

BE IT  
FURTHER  
RESOLVED

THAT: Finally, CB1 emphasizes the importance of adequate maintenance, in perpetuity, for this new park.