

MINUTES OF THE MONTHLY MEETING OF
ST. JOHN'S UNIVERSITY
101 MURRAY STREET
THURSDAY, SEPTEMBER 20, 2012

- Chairperson Catherine McVay Hughes called the meeting to order at 6:00 pm and stated that since the parliamentarian for CB1, Michael Connolly, was out of town, Jeff Galloway would be the parliamentarian for the meeting. The responsibilities of a Parliamentarian include resolving parliamentary issues and interpreting and enforcing Robert's Rules of Order.

Public Session

1. Paul Lazauskas (St. Johns University)
 - Welcomed CB1 to St. Johns University.
2. Madeline Wilcox (Dance New Amsterdam)
 - Meet and greet will take place at DNA on September 24, 2012 at 6:30 pm. Free classes will also be provided.
3. Hannah Friedman (Community Liaison, Borough President Scott Stringer)
 - Discussed amicus brief supporting the IPN Tenants Association appeal. BP Stringer believes the case will have an impact on the entire J-51 program. Complimented Independence Plaza Tenants Association Chair Diane Lapson on the We Are Tribeca fundraiser.
 - The BP issued a report on NYCHA that covers issues with the organization and board structure. His "Reforming NYCHA: Accountability for the Nation's Largest Housing Authority" is available on his website at <http://www.mbpo.org/uploads/fullnychareport.pdf>.
 - Events: Hispanic Heritage month event is planned for Sep 24 and on October 2 there is a domestic violence event at Times Square; The BP's borough-wide community board gala will be scheduled soon.
4. District Leader Jenifer Rajkumar

- Discussed Vote Downtown, which is an initiative to register residents of Lower Manhattan to vote.

5. Mary Cooley (Senator Daniel Squadron)

- Referenced 2 amicus briefs in support of the Independence Plaza Tenants Association's J-51 appeal; one by Borough President Scott Stringer and one by Senator Daniel Squadron, which was co-signed by Senator Tom Duane and Assemblymember Brian Kavanagh.
- Senator Squadron submitted testimony to the City Council to address fire code loopholes on state property.
- Released 4th annual guide for parents.

6. Paul Goldstein (Assembly Speaker Sheldon Silver)

- West Thames Street Bridge has been approved. LMDC approved the funding in 2010. The price has gone up, but the additional funds have been raised in partnership with LMDC and other partners. The City will build the bridge.
- The Peck Slip School opened at Tweed Courthouse. The Speaker's office is working with the school to increase play space. That should happen soon.
- Borough of Manhattan Community College's new Fiterman Hall opened this month. The process was long because the previous structure was contaminated by toxic materials from 9/11 and had to be deconstructed. There was a ceremony to celebrate the opening.
- Gateway Plaza tried to change the lease and add a rider restricting certain pets. The speaker wrote to the Lefrak Organization to challenge the rider. The issue has been resolved in a reasonable way.
- LMDC agreed to allocate more funding for pedestrian managers for 2012 and 2013.
- Quality of life issues: Construction on Ann and Nassau Street is starting later. The Speaker's office addressed illegal parking problem near Southbridge.
- There is a magnet available that provides contact information and promotes programs for children throughout the area.

7. Sarah Diaz (Assemblymember Deborah Glick)

- Bill to extend the tax abatement for coops and condos did not come up this session.
- A letter was written to Gov. Cuomo supporting prohibition of hydraulic fracturing (also known as Fracking).
- Pier 40 and Hudson River Park (HRP) update: the process should be more open to the public. Assemblymember Glick is opposed to residential development on the Pier.
- Commended CB1's Tribeca Committee for passing a resolution supporting LMDC funding for completion of Tribeca portion of HRP.

8. Paul Hovitz (CB1)

- Recommended looking at the back of the most recent Downtown Express on September 30, which includes details about the upcoming Taste of the Seaport. Contact Paul Hovitz at phov@aol.com for details.

9. John Ricker (Comptroller John Liu)

- Welcomes CB1 back from the August break.
- Please visit the comptroller's website at www.comptroller.nyc.gov.

10. Michael Ketring (Downtown Alliance)

- Adopt a Geranium day is on October 10, 2012.
- Fall Community Planting Event takes place on Saturday October 20 beginning at 10am.

11. Stephanie Marazzi (Counsel to 195 Hudson Street Condominium)

- Discussed concerns about 443 Greenwich Street development project.
- Would like CB1 to wait on a resolution until the owner has the chance to provide input.

12. Bonnie Taffer (CB1 Resident)

- Represents other residents concerned about 443 Greenwich Street. Reiterated concerns that were brought up at the September CB1 Tribeca Committee meeting.

- Local residents oppose a hotel on the site. Additionally, there is an alleyway issue that is being disputed.

13. Deirda Carson (Attorney Representing Applicant for 443 Greenwich Street)

- Addressed concerns from residents and provided information to CB1.

14. Jonathon Ettricks (New York City Districting Commission)

- The NYC Redistricting Commission will hold a public hearing on Thursday, October 4 from 5:30pm-9pm at the Schomburg Center. The plan will be reviewed by the City Council on November 26, 2012. Comments can be submitted by email to hearings@districting.nyc.gov.

15. Yume Kitasei (Councilmember Margaret Chin)

- Lots going on in CB2 and CB3 with affordable housing.
- Councilmember Chin is chairing a committee meeting on October 28, 2012 on tourism in Lower Manhattan.
- Councilmember Chin is pleased with legislation submitted by Senator Squadron regarding bus permitting and hopes it will help ease congestion.
- Extra funds have been allocated for a food pantry.
- Excited to see that NYC Department of Transportation issued a rules change calling for pedestrian managers at construction sites.

16. Cal Snyder

- Expressed concern regarding the land swap agreement between Port Authority and the 9/11 memorial. They believe there should be more transparency and an evaluation of potential conflicts of interest.

17. Sally Regenhart (9/11 Parents + Friends + Families of Firefighters + WTC Victims)

- Concerned about the swap of 8 acres of publicly owned land at the World Trade Center site. Reiterated Cal Snyder's concern about the lack of transparency in the process.

18. Timmy Acappella (Officer at Acappella Restaurant)

- Concerned about the creation of Bogardus Plaza in the area around Hudson and Chambers Streets. The business was adversely affected by the street closure that was implemented to create the Plaza.

19. Anne Beeder (Representing 181 Hudson Residents)

- Against a hotel at 443 Greenwich Street.

20. Rabbi Zalman Paris (Chabad of Tribeca)

- Solicited suggestions from CB1 for locations for a Sukkah for Chabad Tribeca. They have not been able to find a location yet for this year's Sukkot holiday.

21. Celine Mizrahi— (US Congressman Jerrold Nadler)

Occurred later in the meeting at 7:58 pm since she attended a 9/11 health event

- Sequestration of funds would impact the Zadroga Act on December 31. \$1.2 trillion must be cut from the budget over 10 years or sequestration takes effect on January 3, 2013. This would affect a broad array of federal services although there are exceptions for certain programs, such as Social Security and Medicare.

Business Session

Chairperson Catherine McVay Hughes

Adoption of July 2012 Minutes

- Addendum submitted by Adam Malitz, Secretary of CB1, regarding the Tribeca Committee Update.
 - *The submitted minutes stated:* “Bogardus Plaza Update: The committee is working with the Department of Transportation to see if they can make the plaza permanent.”
 - *The revised minutes stated:* “Bogardus Plaza – Report Bogardus Plaza has been permanently approved by the Department of

Transportation and Friends of Bogardus Garden are working on plans to further enhance the space.”

The minutes were adopted as amended.

Chairperson’s Report

- CB1 signed on to Borough President Scott Stringer’s amicus brief in support of the Independence Plaza Tenants Association’s appeal in the J-51 case and spoke at the BP’s press conference (08/16/12).
- On September 19, 2012, CB1 joined with Senator Squadron to call on the State and City to implement the recommendations of the Report of the NYC NYS Task Force on Building and Fire Safety, which was produced by a Task Force created by legislation passed by Senator Squadron
- Attended Fiterman Hall’s opening (September 19th).
- Mitch Frohman is now a full member of CB1.
- Diana Switaj’s fellowship has been extended through October and the office is planning to issue a Solicitation for a renewable 6 month position that she could apply for.
- Attended WTC Memorial Community Evening (Sunday, September 9th) at sunset. The event was well attended and received very positively. Asked the WTC Memorial if it can be organized again for next year.
- Attended NY Downtown Hospital Emergency Preparedness Symposium (09/14/12). Bob Schneck, CB1 Member was also there. Encouraged those interested to attend next year.
- Testified on Civic Center disposition plan with our Urban Planner Michael Levine at the City Planning Commission (08/07/12)
- Special Update from Michael Levine on Civic Center Plan: City Planning Commission approved of the disposition of the 3 buildings. All but one member of the commission voted to support the plan. CB1 did its job and the next step is the City Council and Borough Presidents Office.
- Pier 17 Update from Michael Levine: There are two actions coming up; October 11, 2012 Howard Hughes Corporation is coming back to present on signage for Pier 17. The ULURP was received on September 13. CB1 has 60 days from the date of receiving it to make a recommendation. There will be a joint meeting of the Seaport/Civic Center, Planning, Waterfront, and Landmarks committee on October 4, 2012 (This will take place at 250 Broadway) to discuss the project. The entire Pier 17 approval process will be addressed at the full CB1 board meeting on October 23,

2012. There are 8 separate actions. A PDF of the plan will be posted on CBI's website.

- Special Guest: Sheila Birnbaum, Special Master, the September 11th Victim Compensation Fund.
 - Working on 9/11 Compensation Issues. To find out more information and get updates, please visit www.vcf.gov (contains an information hotline number).
 - They have legal assistance for people who are filling out an application. There is an infrastructure in place to allow them to review claims as they are filed. They have had 70k hits on the website so far. They have had 5000 calls on their helpline. There are 3 parts to the process.
 - There are only 600 eligibility claims. Only 250 claims have been completed to date. Roughly 80% of the claims are in the hands of lawyers. The lawyers are currently in the process of gathering information.
 - On September 10, 2012 the National Institute for Occupational Safety and Health (NIOSH) added 54 cancers to those eligible for World Trade Center-related cancer claims. People have two years from onset of any illness to file a claim.
 - Financial concerns have arisen because funds are limited. There is only \$885 million that can be used within the first 5 years. There will be an announcement in the near future about the plan for distributing those funds.
 - Bob Townley (CB1): asked if the children of those who died on 9/11 are eligible for funds. Response: The estates can make claims for the funds.
 - Jacques Capsouto (CB1): is brain cancer included? *Response:* No—it may be considered in the future.
 - Carl Glassman (Tribeca Tribune): How is fraud being combated? *Response:* the FBI is involved to investigate any issues of fraud. They are looking for patterns that may indicate fraud. They will prosecute fraud.

District Manager's Report (N. Pfefferblit)

- Budget: OMB has stated the CB budgets will be cut by 5% in 2013 and then 9% for the following year. In the past, budget cuts have been proposed and then repealed however this proposed cut is significant.

- Michael Levine introduced the new CB1 Planning Fellow: Arielle Goldberg.

Committee Reports

NOTE: IF YOU WISH TO OBTAIN A COPY OF A RESOLUTION SUMMARIZED IN THE MINUTES, PLEASE VISIT OUR WEBSITE AT WWW.NYC.GOV/HTML/MANCB1

Executive Committee

- 1) Community Liaison position
 - Resolution in favor of hiring Evan Lacher as Community Liaison adopted
 - BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused
- 2) Upcoming City Council hearing on The Effect of Increased Tourism in Lower Manhattan
 - Resolution in favor of comments on Tourism adopted
 - BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused
- 3) WTC Update: 9/11 Memorial Museum and Performing Arts Center Status
 - Resolution in favor of memorandum of understanding that was reached between the National September 11 Memorial and Museum and the Port Authority of New York and New Jersey (PANYNJ) adopted
 - BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused

Youth & Education Committee

- 1) Report on class sizes
 - Committee spoke with principals from Spruce Street and PS 276. CB1 is 4 sections over capacity. There is no solution for PS 276, which will be overburdened by fall 2013. Asking DOE to site another school.
 - Kimberly Flynn (see above) came from NIOSH. Asking for 1/11 of the funding to study WTC effects on children and adolescents.
- 2) School Busing for Special Education Students
 - Borough Board Resolution Supporting School Busing Improvements for Special Education Students adopted

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

- 3) WTC pediatric study proposal “Early Identification of WTC Conditions in Adolescents”

– Resolution to strongly urge NIOSH to fund “Early Identification of World Trade Center Conditions in Adolescents” adopted

BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused

- 4) Taste of the Seaport event: September 30.

Tribeca Committee

- 1) The Rescue Mission, application for a Street Activity Permit on Monday, November 19, 2012 on Lafayette Street between White and Walker Streets. Closure of streets from 7:00 AM to 8:00 PM; event to be held from 11:00 AM to 7:00 PM

– Resolution in favor of street permit with conditions adopted

BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused

- 2) The CityKids Foundation, application for a Street Activity Permit on Saturday, October 20, 2012 on Leonard Street between West Broadway and Church Street from 10:00 am to 6:00 PM

– Resolution in favor street permit with conditions adopted

BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused

- 3) 443 – 453 Greenwich Street, application for renewal of a Section 74-711 Special Permit for residential, transient hotel and health club use for existing seven story building with proposed one-story addition

– Resolution in favor of renewal of special permit with conditions adopted

BOARD VOTE: 35 In Favor 1 Opposed 0 Abstained 0 Recused

- 4) 1 York Street, application for Board of Standards and Appeals Special Permit for physical culture establishment

– Resolution in favor of a special permit for a physical culture establishment with conditions adopted

BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

- 5) Newsstand application for the SWC West Broadway and Leonard Street

– Resolution Laid Over

6) 88 Reade Street, application for restaurant wine and beer license for Tribeca Hummus, Inc. d/b/a TBD

– Resolution in favor of liquor license with conditions adopted

BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

7) 178 Church Street, application for wine and beer license for Church Street Food Corp.

– Resolution in favor of wine and beer license with conditions adopted

BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

8) 135 West Broadway, application for alteration of liquor license for Tiny's

– Resolution against grant of alteration in license adopted

BOARD VOTE: 38 In Favor 3 Opposed 4 Abstained 0 Recused

9) 71 No. Moore Street, application for alteration of liquor license for Smith & Mills

– Resolution against grant of alteration in license adopted

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

10) 281 West Broadway, application for renewal of sidewalk café license for Pepolino's

– Resolution in favor of sidewalk café license with conditions approved

BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

11) Completion of Hudson River Park Trust in CB1 with Lower Manhattan Development Corporation Funds

– *Resolution Comment: These funds may not be available. There needs to be an accounting of what funds are really there.*

– Resolution in favor of allocation of LMDC funds for completion of Segment Three of Hudson River Park south of Canal Street

BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

Seaport/Civic Center Committee

1) City Hall Park Update – Report.

2) Statue of Abraham DePeyster, Twentieth Mayor of New York City in Thomas Paine Park

– Resolution in favor of placement of statue in Thomas Paine Park adopted

BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused

- 3) City Hall Park Bike Path Update –Report
- 4) Brooklyn Bridge Walkway Congestion legislation introduced by Council Member Chin and others
– Resolution in favor of immediate DOT study into potential pedestrian and cyclist expansion adopted
BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused
- 4) South Street Seaport Museum – Report
- 5) New Amsterdam Market Progress – Report
- 6) 111 Fulton Street, application for restaurant wine and beer license for Fulton Quality Foods LLC, d/b/a Grk Fresh
– Resolution in favor of wine and beer license with conditions adopted
BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused

Battery Park City Committee

- 1) Route 9A Status Update
 - New York State Department of Transportation presented. They will give an update on construction in October. A resolution is required for the medians.
- 2) Car Accident at Irish Hunger Memorial
 - Someone crashed a car into the memorial. It is being repaired. There will be an update at the October meeting.
- 3) Pier A – Battery Park City Authority
 - Revised Plaza: included input from design and city planning commissions. Concern was raised about water uses; there is potential for congestion at the pier. There should be plans presented in October for the interior.
- 4) Asphalt Green
 - Battery Park City Authority (BPCA) came to update on the status of Asphalt Green (AG). There are delays involving paperwork and permits. Committee will work with the Borough President Office on finding a

solution. There are contractual differences between BPCA and AG. A resolution may be needed from CB1 to express concern.

- Gayle Horowitz resigned as head of the BPCA.

Financial District Committee

- 1) New York Stock Exchange security on Broad Street and rotating bollards
 - A security vehicle accidentally killed a person in front of the Lehman School. An update is tentatively scheduled for October.
- 2) Impact of prolonged repairs to Nassau Street
 - Resolution urging DDC to expedite construction and enact measures where possible to accommodate residents and pedestrians adopted
 - BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused
- 3) 76 Nassau Street, application for restaurant wine and beer license for 76 Nassau Street Corp., d/b/a Sabor de Mexico
 - Resolution in favor of wine and beer license with conditions adopted
 - BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused
- 4) Community Access, application for a Street Activity Permit on Saturday, October 13, 2012 on Washington Street between Morris Street and Battery Place from 9:00 am to 7:00 PM
 - Resolution in favor of street permit with conditions adopted
 - BOARD VOTE: 25 In Favor 7 Opposed 3 Abstained 0 Recused

Planning Committee

- 1) Civic Center Plan Update – See Michael Levine’s comments.
- 2) New York City Public Payphone Contract
 - Resolution on approval of resolution presented by Manhattan Borough President adopted
 - BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused
- 3) Location of the World Trade Center Sphere
 - A spirited discussion was held. The issue has been deferred to the meeting on the first Thursday in November.

- 4) LMDC Remaining Funds
– Resolution urging LMDC to provide greater transparency on available funds adopted
BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused

Landmarks Committee

- 1) 93 Reade Street, application for rooftop addition and façade restoration
– Resolution in favor of restoration application with conditions adopted
BOARD VOTE: 33 In Favor 0 Opposed 0 Abstained 0 Recused
- 2) 60 Hudson Street application for modifications to the existing flue
– Resolution in favor of application for modification with conditions adopted
BOARD VOTE: 33 In Favor 0 Opposed 0 Abstained 0 Recused

Housing Committee

- 1) Smoke Free Housing Policy
– Resolution in support of the City Council bill that endorses requiring the disclosure of a building’s smoking policy adopted
BOARD VOTE: 24 In Favor 5 Opposed 4 Abstained 0 Recused
- 2) Lower Manhattan Seniors
- Seeking seed money for project.
- 3) Southbridge Affordability
- Last year 30 new tenants moved into Southbridge.
- 4) CB1 Unit Owners
- The committee wants to hear from owners about their experiences living/owning in CB1.

Old Business

No old business to report.

New Business

No new business to report.

VI. **Adjournment**

Meeting was adjourned at 8:40 PM.

Respectfully submitted by: Adam Malitz, Secretary