

CB 1 MONTHLY MEETING MINUTES
NOVEMBER 2012

DATE: Tuesday, November 27, 2012

TIME: 6:00 PM

PLACE: New York Law School
185 West Broadway

Chairperson Catherine McVay Hughes called the meeting to order at 6:00pm.

I. **Public Session**

1) Paul Hovitz (CB1)

- Discussed the John Street Post Office. The post office has been closed since Superstorm Sandy. He would like the post office to open as soon as possible.

2) Joseph Demane (Pier 17)

- Tenant and business owner on Pier 17.
- Was barred from entering his business after taking photos for insurance claims.
- Cannot get answers from the landlord.
- Catherine McVay Hughes suggested it be added to the Seaport Committee agenda.

3) Chris Van Nos (Pier 17)

- Owns a business at the pier.
- Would like to operate through the summer season before the pier closes for renovation. The extended schedule would be April – September 30, 2013.

4) Paul Goldstein (Assemblymember Sheldon Silver)

- Assembly Speaker Silver's office was shut down due to the storm.
- They rented an RV to act as a mobile office.
- Acknowledged areas of the district were hit hard by Sandy.
- A key to the recovery is federal funds. They will work hard to get the money that New York needs to recover.
- The speaker intervened with Con Edison. Was not pleased with the response effort by the utility company.
- 5,000 jobs will be available to help with recovery efforts. Visit Labor.ny.gov for more information. The pay is \$15 per hour.

- Intervened to advocate for Millennium High School where students were displaced due to the storm.
- Office allocated \$400k for the gym at the school. There is now an issue with cigar smoke entering the school from the adjacent cigar shop. The School Construction Authority is responsible for fixing this problem.
- Sponsoring a college fair at 350 Grand Street. December 9 at 11am.

5) John Ricker (Comptroller John C. Liu)

- The Comptroller hopes everyone enjoyed their Thanksgiving.
- Please visit www.comptroller.nyc.gov

6) Hannah Friedman (Borough President Scott Stringer)

- The BP has toured the areas of CB1 affected by Sandy.
- A report was released by BP Stringer, Rep. Nadler, and Rep. Maloney regarding consequences of the “fiscal cliff”. The City would lose roughly \$870 million.
- Mentioned the CB reception held on Tuesday, November 20, 2012.
- The Community Board (re)appointment process has begun.

7) Ann E. Dibble (New York Legal Assistance Group)

- Provide civil legal services throughout the City.
- Office was shut down by Sandy.
- A storm response unit has been established. Ms. Dibble is the director.
- Legal assistance helpline: 212.584.3365. Issues can be emailed to stormhelp@nylag.org.

8) Bob Townley (CB1)

- Spoke about the resolution regarding the Downtown Community Center.
- The Center suffered heavy damage from the storm.
- All of the water was removed by staff/volunteers.
- Thankful that no staff members were hurt during the storm.
- The main issue for recovery is money. Loans have been secured for repairs. Some of the money might be given back by FEMA, but the process will be slow.
- Still would welcome the opportunity to host the Community Board 1 Holiday Party.

9) Tammy Meltzer (PS 276)

- School is not fully open, but it is already overcrowded.
- There is a petition for an enrollment cap.
- Some students are eating lunch at 10:30am.
- This issue will be brought in front of the Youth and Education Committee.

10) Thomas Berton (Manhattan by Sail)

- Would like to return to Pier 17.
- They have 50 employees that rely on the business.
- Mr. Berton suggests that the timeline for construction be examined.
- He is hoping to return next year for the 2013 season.

11) Senator Daniel Squadron

- Thanked Mary Cooley and other people for their hard work during/after Sandy.
- Commended Community Board 1 helping individuals and businesses.
- The programs needed for recovery do not exist right now. This community and others have experienced these situations before. We need to target City, State, and Federal programs to address these needs.
- Downtown Alliance has stepped up in a big way.
- In Lower Manhattan there are many people in crisis. We are gathering information on available resources.
- A longer conversation is necessary about how we build the community back stronger for next time.
- Bob Townley (CB1): commented that the remarks were well said. Many residents have approached Bob on these issues.
- Jacques Capsouto (CB1): he is having problems with insurance for his business. Floods are not covered by insurance. Response: the legislature might be able to help.
- Catherine McVay Hughes: after 9/11 insurance companies tried to avoid payment because terrorist attacks were exempted. But the government forced the companies to pay for damage. Can they do that in this circumstance? Response: nothing is off of the table.
- Call Senator Squadron with issues 212.298.5565.
- Diane Lapon (CB1): 6 residents of IPN were told that copper-wired phones could not be repaired and that they need to get FiOS. Response: that is upselling and it is wrong. Let Senator Squadron know if you were billed for phone or utilities that were out of service.
- Tom Goodkind (CB1): Where should people who are displaced go for assistance? Response: it depends on their individual situation.

12) Matt Viggiano (Councilmember Margaret Chin)

- Building owners must apply for the NYC Rapid Repair Program. Call 212.788.7259 if your building is without heat, hot water, or power.
- There is a grant program for small businesses operated by the Downtown Alliance. The Manhattan Chamber of Commerce has grants available. Applications are due by December 31.
- The Councilmember's newsletter offers lots of resources. NYS Department of Labor offers assistance. Call 888.209.8124 for more information. Call the Councilmember if the number does not work.
- There are insurance resources. NYS Department of Financial Services. 8am-8pm weekdays. 9am-4pm on weekends.
- FEMA application is critical. Call 800.621.3362 for more information.
- Spoke to FEMA about setting up a disaster recovery center in the Seaport. Waiting for a final location to be determined.

- People should patronize local businesses that have been impacted by the storm.
- Coastal planning needs to be considered in the future. Encouraged the planning committee to take this issue up.
- John Fratta (CB1): The Manhattan Chamber of Commerce grant is for a maximum of \$500? Response: Yes.

13) Sarah Diaz (Assemblymember Deborah Glick)

- Echoed the comments made by other elected officials.
- A lot of the issues are not individual ones, but systemic.
- A lot of small business issues have come up.
- Please shop local and shop with cash because a lot of credit card machines are down.
- Testified at the hearing on the proposal to sell city-owned buildings in the Civic Center.
- Assemblymember Glick is a staunch opponent of hydrofracking. SUNY Buffalo was going to start a hydrofracking institute, but it was shut down.

14) Celine Mizrahi (Congressperson Jerry Nadler)

- Representative Nadler is in DC working on the possibility of the “Fiscal Cliff.” Will do everything he can to stop cuts to vital items.
- They will not need a fiscal offset for Sandy Recovery funds.
- The storm impact feels very similar to 9/11.
- FEMA regulates the National Flood Insurance Program. They are working with FEMA to make sure people get the resources they need.
- They are examining the environmental impact of the storm. They have contacted OSHA to look into this issue and EPA to do testing.
- Gave an update on the status of the John Street Post Office. A mobile post office was supposed to be stationed in front of the post office building while it was out of service.
- Paul Hovitz (CB1): The mobile post office is not there. They have asked the post office to use a box truck for packages, but the response has been that there are limited mobile units.
- There is no heat in the John Street building, which means employees cannot work there. It is expected to be open again in two weeks.
- Bob Townley (CB1): After 9/11 there was a grant program run by the federal government that looked at payroll tax returns and gave back 25% of what had been paid in previous years. It took 10 or 11 months to get the program established after 9/11.
- Tom Goodkind (CB1): The health of volunteers needs to be protected because they are working in areas that are filled with toxins.

15) Jacques and Samuel Capsouto (Capsouto Fairies)

- Want the Community Board to consider a resolution about insurance. The NYS legislature should do something about this.
- Everyone wants to give them loans, but they need grants.

16) George Calderaro (CB1)

- Discussed a resource handbook produced by Morrison Foerster (a law firm) about insurance.
- The handbooks are being distributed at the New York Bar Association.

17) Terese Loeb Kreuzer (NYC Reconnects)

- NYC Reconnects: a new newspaper has been created to cover the aftermath of Sandy.
- Terese is the editor. teres@nycreconnects.com.
- The paper discusses everything related to Sandy and the recovery efforts.

II. **Business Session**

The Business Session started at 7:08pm.

Adoption of October 2012 minutes

The minutes were adopted unanimously.

B) Chairperson's Report – C. McVay Hughes

- Presented Lucy Acevedo with a gift from CB1.
- Thanked Evan Lacher, CB1 Community Liaison, for working remotely non-stop after power was lost downtown. Sandy revealed that CB1 needs to be better prepared for emergencies and be able to work remotely. CB1 had no power for the first week, and heat only came on 11 days later -- and the phone service still does not function. In addition, there were several government holidays.
- Surveyed damage at small businesses with BP Stringer and Downtown Alliance's Liz Berger (10/31/12).
- Held CB1 Emergency Executive Meeting at Trinity Church; recalled April 2012 testimony before the NYC Committee on Environmental Protection on the need for NYC to prepare for adverse climate change impacts on NYC's critical infrastructure and vulnerable citizens and the request for the Army Corp. of Engineers to expeditiously conduct a study about the feasibility of installing storm surge barriers to protect NYC; Council Member Chin and Assemblymember Glick came as well as representatives of other elected officials (Sunday, 11/04/12).
- Small Business Briefing at City Hall with Councilmember Chin, Senator Squadron, small businesses and representatives from the offices of the Mayor, Speaker Quinn and Speaker Silver (11/05/12).
- Invited Deputy Commissioner of NYC Small Business Services to Manhattan Youth Concert at Whole Foods in Tribeca (11/05/12).
- Surveyed with BP Stringer South Bridge Towers that still was without steam (heat and hot water) with residents and South Street Seaport with small businesses owners (11/08/12).

- Created Superstorm Sandy Relief Small Business Taskforce with Chair Ro Sheffe and Co-chair Liz Lamere which held first meeting with NYC Small Business Services, NYC Economic Development Corporation, Downtown Alliance, Empire State Development Corporation (11/08/12).
- CB1 Co-sponsored Emergency Relief Workshop with Councilmember Chin, Congresswoman Velazquez, Senator Squadron and other elected officials in conjunction with some federal, state and local government agencies, Chinatown Partnership (11/09/12).
- Supported NYC Hurricane Relief Concert for New York to Benefit the Mayor's Fund to Advance NYC at Trinity Church, Bach's Mass in B Minor (Saturday, 11/10/12).
- Testified before NYC Council on Civic Center Plan with Michael Levine, Tricia Joyce and Eric Greenleaf. They unexpectedly heard from two City Council members about a potential museum and educational complex associated with the African Burial Ground Memorial which is next door at 22 Reade Street. (11/13/12).
- Met with the new Battery Park City Authority (BPCA) leadership including Chair, Denis Mehiel and Chief Operating Officer, Demetrios Boutris with Anthony Notaro and Jeff Galloway. BPCA could not provide any time frame for when the Community Center or the Ball fields will be opened, nor how delayed Pier A will be. They are still in the assessment process. They followed the same communication strategy as with Hurricane Irene. (11/15/12)

Discussion of the Civic Center Disposition Plan

- Michael Levine: the Civic Center Plan went through the full ULRP process. CB1 supported the consolidation of City Agencies, but opposed the disposition of the buildings for private development. It was surprising to see that several City Council Members objected to the sale of 22 Reade Street. The City Council rejected the sale of 22 Reade and would like to see an African-American Heritage Museum located there. The Mayor vetoed the plan, but the City Council Overrode the veto. 22 Reade Street is out of the Civic Center Plan.
- Matt V.: The City Council severed the application and excluded 22 Reade. They received a call last night at 9pm informing them that a solution had been reached. The Council was not given enough time to consider the proposed deal. Adam Malitz asked why the severance of 22 Reade Street was not discussed at the Committee meeting.

The following comments are part of the Chairperson's Update, which was submitted as testimony because the meeting had to continue on schedule:

- Spoke at Downtown Alliance's press conference announcing their small business grants program and the need to support local retail and businesses (11/19/12).
- Served at Thanksgiving Dinner at Rescue Mission (11/19/12).
- Moderated CB1 Town Hall Meeting at South Bridge Towers – representatives from over 10 City and Federal Agencies and utilities including: FEMA, NYC's DOB, EDC, DSBS, Parks and Recreation, HPD, DSNY, Con Edison, Verizon, and Director of Community

Recovery for Manhattan Matthew Mahoney, Associate Commissioner of the Department of Environmental Protection, and Pauline Yu of the Mayor's Community Assistance Unit. Speaker Silver, BP Stringer, Council Member Chin, Assembly member Glick, and representatives from Senator Squadron's office were there in addition to Liz Berger, Downtown Alliance President and Citizens Committee for NYC. (11/19/12).

- Surveyed NYC small business affected by Sandy with SBA Administrator Mills and Congressman Nadler, BP Stringer, Senator Squadron, and Speaker Silver at South Street Seaport (11/20/12).

C) District Manager's Report – N. Pfefferblit

- CB1 offices were without power for a week. The phone system is still not working properly.

D) Treasurer's Report – J. Fratta

- First Quarter: \$206,000 left in the budget, CB1 spent \$46,000 on salaries and telephone. The next Quarter's report will have a lot more expenses because new technology is being purchased for the office.

III. **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

A) **Executive Committee**

- 1) Recovery in the aftermath of Sandy – Discussion, City Agencies and FEMA

See above.

- 2) Hurricane Sandy – Resolution urging Senator Charles Schumer, Senator Kirsten Gillibrand and Congressman Jerrold Nadler to include all parts of Lower Manhattan including small businesses, commercial interests, residents, property owners and non-profit organizations in any federal recovery and relief package designated for victims of Hurricane Sandy and the storm surge associated with it - Adopted

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

B) **Executive, Planning, Seaport/Civic Center, Waterfront, Landmarks Committees and Arts and Entertainment Task Force**

- Michael Levine: We are not finished with the Pier 17 ULRP. We are at the point after the 60 day community board review. All 24 of the joint committee members voted to approve the ULURP with conditions. The deadlines were extended one week due to the

storm. The City Planning Commission public hearing will be on December 19, 2012 at 10am at 22 Reade Street. The recommendations then go to the City Council.

- Paul Hovitz thanked Jeff Galloway, Michael Levine, and others for their hard work.
- Michael Connolly: this was the result of a lot of meetings. Tonight we are voting to ratify the resolution. A minor modification was made to include support for extending the timeframe to after the summer season. HHC said that they are doing a post-event inspection before they can make any determination of what can happen.

1) South Street Seaport Pier 17 Land Use Review application - Resolution approving the ULURP application with modifications – Adopted

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

C) Hurricane Relief Small Business Taskforce

- Grants not loans are needed for small businesses. The area has been devastated. The Mayor’s Fund for NYC has a grant program, but it is tied to the loan program. The taskforce would like the two to be separated because some people cannot afford loans. The rebuilding process needs to be expedited. All grants must be free of taxes. LMDC may have money left in its coffers.
- Celine (Congressperson Nadler): they are trying to figure out how to get federal money allocated properly.
- Bob Townley spoke again regarding the tax refund program he mentioned earlier. New Amsterdam Market has created the New Amsterdam small business funds. Other grant programs were discussed. Thanked the taskforce for all of their hard work. Thanked Catherine McVay Hughes for her hard work during/after the storm.

1) Emergency aid for District 1 small businesses affected by Hurricane Sandy – Resolution urging immediate and substantial re-funding of the LMDC's Small Firm Assistance Program, revised eligibility rules for the Mayor’s Fund to Advance New York City to make emergency grants available to all affected small businesses, extension of “Rapid Repairs” program to small businesses, that disaster-relief funds received by distressed local merchants be exempt from federal and state taxation, and encouraging the initiatives of local, state and federal representatives in efforts to support small businesses affected by Superstorm Sandy – Adopted

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

Quality of Life Committee

1) Open discussion on quality of life issues in the aftermath of Sandy – Report

- Addressing the issues that everyone has been talking about. Diane Lapson brought up IPN problems. On February 21, 2013 at 6pm the Committee is organizing a first aid

forum. They are looking at localized ways of helping during an emergency. They are also looking at ways to get landlords to communicate with tenants during emergencies.

- 2) Good Jobs and Responsible Development – Borough Board Resolution supporting the a resolution regarding Good Jobs and Responsible Development set forth by the Manhattan Borough Presidents Office - Adopted

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

D) **Landmarks Committee**

- 1) 66 Reade Street, application for rooftop addition and storefront renovation – Resolution recommending the Landmarks Preservation Commission approve the application on the condition that the elevator bulkhead be no more than 9’ 7” in eight and that the Committee make a site visit to view the mock up - Adopted

BOARD VOTE: 32 In Favor 1 Opposed 1 Abstained 0 Recused

- 2) 134 Duane Street, application for open roof deck – Resolution commending the Landmarks Preservation Commission for approving the application - Adopted

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

- 3) 127 Hudson Street, application for signage and logo – Resolution recommending the Landmarks Preservation Commission approve the application - Adopted

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

- 4) 78 Reade Street, application for fire escape – Resolution recommending the Landmarks Preservation Commission approves the application and legalization of the bracket material - Adopted

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

- 5) 302 Canal Street, application for ADA ramp – Resolution recommending the Landmarks Preservation Commission approve the application -Adopted

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

- 6) 105 Chambers Street, application for staircase bulkhead – Resolution recommending the Landmarks Preservation Commission approve the application on the basis that the HVAC equipment is vented through the Church Street side wall - Adopted

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

E) **Youth & Education Committee**

1) Post-Sandy youth and education issues – Report

- Discussion surrounded the lack of information/communication for families during the storm. The middle and high school notifications were not clear. It was unclear which schools were still being used as shelters while the children went back to school. Notify NYC worked well to update people and it should be used by the DOE as well. FEMA had still not responded to many families as of the committee meeting. Notifications need to take into account that people have lost power and internet. Paul Hovitz wished everyone a happy Chanukah.
- 2) Department of Education Communication and Preparedness in Emergency Situations – Resolution urging DOE to study the shortcomings in their emergency response in the aftermath of Superstorm Sandy and to work with PAs and students to properly plan for future emergency situations- Adopted

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

- 3) Downtown Community Center – Resolution calling upon funding agencies to help Manhattan Youth, and expediently; in particular: the Battery Park City Authority, FEMA, Department of Youth & Community Development, and State and local agencies. Friendly amendment: LMDC funds have not been distributed yet and should be – Adopted

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

- 4) Status of the Ball Fields – Resolution requesting that Hudson River Park Trust and the Battery Park City Authority continue to work to restore and reopen these critical sports fields, while assisting community sports providers with temporary “bridge” permits to keep programs running while fields are repaired; and that Hudson River Park Trust, the New York City Parks Department and the Battery Park City Authority consider soil-testing formerly flooded playground areas to verify the safety of these heavily used areas; and continued transparency, communication, and coordination during the repair and cleanup period to support community planning and minimize program disruption – Adopted

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

- 5) Millennium High School, Cigar Fumes – Resolution urging the Department of Education (DOE) and School Construction Authority to immediately remedy this ongoing health issue - Adopted

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

F) **Tribeca Committee**

- 1) Peter Braus is hosting a fundraiser for a playground at Hudson River Park. A board member of HRP is pledging up to \$100,000. Peter would like to raise an additional \$100,000.
- 2) Issues in Tribeca related to Hurricane Sandy – Report
 - Residents of 67 Vestry are still not allowed back in their apartments.
 - Rapid Repair is coming. The building is registered as a loft building. This enabled some issues there to fall through the cracks of regulation.
- 3) 1 WTC Spire and the route through Tribeca – Report
 - The spire was built in Canada. It will be brought in on a barge over water. For several weeks they will be slowly transporting the spire at night piece-by-piece (18 total). It is a complex operation.
 - 50 Varick Spring Studios liquor license application was laid over in the committee meeting. Committee members have been invited to take a tour of the building.
- 4) Taste of Tribeca Street Activity Permit application for Duane Street between Greenwich Street and Hudson Street and Greenwich Street between Reade Street and Jay Street, Saturday May 18, 2013, 6:00 am to 6:00 pm – Resolution that does not oppose the proposed extension of a street activity permit submitted by Taste of Tribeca for Saturday, May 18, 2013 11:00 am to 3:00 pm, subject to conditions – Adopted

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

G) **Personnel Committee**

- 1) Selection of Land Use Consultant – Resolution recommending that CB1 contracts with Diana Switaj for the position - Adopted

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

IV. **Old Business**

No business conducted

V. **New Business**

No business conducted

VI. **Adjournment**

There being no further business, the meeting was adjourned at 8:34 pm, EST.

Respectfully submitted by: Adam Malitz, Secretary