

MINUTES OF THE MONTHLY MEETING OF
COMMUNITY BOARD 1 - MANHATTAN
JANUARY 16, 2007
SOUTH BRIDGE TOWERS

Chairperson, Julie Menin, called the meeting to order at 5:00 PM.

SPECIAL EXECUTIVE SESSION (5 PM - 6 PM)

The Chair commenced this session by explaining the ground rules.

Presentation by the Office of the Mayor regarding the search for human remains around the World Trade Center site and the question of whether to call in the Joint POW/MIA Account Command (JPAC) to assist. Ed Skyler, Deputy Major, explained how the City stores and searches for human remains at and in the vicinity of the WTC site.

- 10.19.06: human remains were discovered in a Consolidated Edison manhole
- 10.26.06: Mayor announces plan for exploratory search
- Search is a \$30,000,000.00 project
- Exploratory project entails subterranean search of 760 manholes belonging to public and private entities
- Project is an interagency effort headed by Office of the Chief Medical Examiner in New York City (OCME)
- Conducting the search are OCME forensic anthropologists, archeologists and investigators.

Other considerations presented were cubic yardage estimates, WTC Haul Road activity, exploratory phases, and soil stratigraphy. Sifting operations are conducted at 11 Water Street in Brooklyn that victims' families and Community Board members toured. Deputy Mayor Skyler described the sifting operations as a high-tech archaeological operation containing a custom-built screening system.

Community Board Factual Questions and Comments

Q: In light of Dr. Adams' experience with JPAC, why did the City reject JPAC's involvement at no cost to the City?

A: Where the City can do the job itself, it would not be fair to drain JPAC's resources.

C: Given that the City's forensic expertise exceeds JPAC's, the City won't get a better operation than it will with resources and agencies currently involved.

C: Public Comments and Questions

Q: Why not have more experts working on the operation by including JPAC?

A: JPAC does not have the resources to help right now.

Q: Is there a written protocol for the operation? How is the search conducted? How are decisions made?

Comments:

- The City failed us over the last five years
- The current approach is the result of pressure from the families and the community
- There is a double standard with regard to Ground Zero -- an outside agency is involved in the Sean Bell murder
- Deputy Mayor Skyler is providing misinformation: in an October 20th letter to the mayor, JPAC stated that the Defense Department is willing to bring JPAC to the operation. (Copies of the same were provided to the Community Board.) Skyler is determined that JPAC is not available

Further Discussion with the Community Board Generated the Following Comments

- Demands for JPAC emotionally driven and are a major way of getting back at the City.
- Resistance by City generates mistrust.
- No evidence of harm in having JPAC.
- 9.11 was an act of war and the WTC site the battleground. There are 1,200 people MIA, and JPAC's mission is to find those MIA. JPAC should do in NYC what it did in Vietnam.
- Why ask a military entity to drain its resources doing something we can do?

By a Roll Call, the Board Did Not Pass a Motion in opposition to calling in the Joint POW/MIA Command 16 In Favor, 23 Against 0 Abstentions 0 Recusals:

By a Roll Call, The Board Passed the Motion to call in the Joint POW/MIA Account Command (JPAC) 23 In Favor 11 Against 5 Abstentions 0 Recusals:

PUBLIC SESSION

Ms. Alansio, Project Hire

This organization prepares young people for employment, offers pretrial services for youth charged with criminal offenses, and provides employers with tax credit opportunities. For more information, please call Ms. Alansio at 212.805.4115.

John Ricker, NYC Comptroller's Office
Noted items in the Comptroller's latest newsletter:
Plan to close 5 NYC emergency rooms;
NYC economy (215 billion dollar surplus);
Mr. Ricker may be reached at 212.669.3668.

Paul Goldstein, Assemblyman Sheldon Silver's Office
Spoke on the subject of new schools: Office is involved in effort to designate Women's Museum site as a free standing K-8 school (zoned), which would be one of the new schools in the City's capital plan.

Sayar Lonial, Council Member Alan Jay Gerson's Office
Supports CB1's resolution regarding JPAC, along with Representative Jerold Nadler and Senator Hilary Rodman Clinton. Joined Assemblyman Silver and Senator Conner in urging SLA to oppose liquor license application by Hersha Hotel: 01.18.07

The Council Member attended the opening of the NASA Aerospace Lab at 220 Henry Street, Aerospace Lab, featuring a science teacher, math and science activities

Mary Cooley, Manhattan Borough President's Office
Reappointment applications due 01.31.07
Office is conducting outreach to Chinatown Community to encourage interest in Community Board service because the area is not as engaged on civic affairs
02.07.07 between 6:30 PM and 8:30 PM Scott Stringer will host a Lower Manhattan Town Hall meeting. Mitchell Lama Conference scheduled for John Jay College
CERT meeting coming up.

Deborah Morris, Downtown Alliance
Downtown Alliance is once again holding its Third Thursday Lecture series -- registration information available on the Downtown Alliance website.

Melissa Schwerner, New York Public Library
Thanked CB1 for its continued support by making libraries a budget priority. The community reaffirmed that support with applause.

BUSINESS SESSION

Adoption of Minutes
The Board adopted the 12.19.06 minutes with one abstention and the following modifications:
Item L: Waterfront Committee Report is missing "is."
Passed resolutions should include count
Item E: Role call votes should be part of the minutes

Chairperson's Report J. Menin

Fourth grade class at PS 89 is the fourth largest class in the City. Prompted a well attended town hall meeting to discuss the possibility of an annex for the school.

Delivered testimony at a City Council hearing at Alan Gerson's Lower Manhattan

Redevelopment Committee regarding new EPA plan for air testing.

BPO facilitated meeting with DOT regarding proposal for left-turn on West Street at Warren Street.

Committee Changes:

Rick Landman to chair 197A Zoning Task Force

Quality of Life Committee renamed Quality of Life and Affordable Housing Committee – will receive an initial presentation on affordable housing by a representative from the Borough President's Office

Carole DeSaram and Andy Neale named the new Chair and Co-chair, respectively, of the Tribeca Committee

Janiece Brown Spitzmueller accepted a new statewide appointment and is stepping down from full board membership

District Manager's Report

N. Pfefferbilt

He and Michael Levine met with the First Precinct's Community Affairs Officers and the MTA. They are searching for a community liaison and expect to run several inexpensive ads later this week.

Sent out memorandum to CB1 email list from DOT regarding locations for automatic public toilets.

Went to the WTC Health Registry Community Advisory Board regarding input on how to expand makeup of Board.

Attended meeting with Community Assistance Unit regarding initiative being developed by the Mayor to address 9/11 related health issues. Report is expected by 02.05.07, and presentation will be arranged before the WTC Redevelopment Committee.

Treasurer's Report

J. Kopel

Status of Paul Goldstein's pending payment in compensation for owed time

Three staff members at the Board: M. Levine, N. Pfefferbilt, L. Acevedo; Funds remaining from grant received from Friends of Community Board 1

Third and fourth quarter -- more concise report

Friends of Community Board 1 funding another position; Jeff Galloway will finalize details with Madelyn Wils.

Postage same amount as last year, in the past taken from street fair revenues.

NOTE: IF YOU WISH TO RECEIVE A COPY OF A RESOLUTION SUMMARIZED IN THE MINUTES, PLEASE CONTACT THE CB 1 OFFICE AT 212 442-5050

COMMITTEE REPORTS

Financial District Committee

R. O'Keefe

The Board Unanimously Passed the Following Resolutions:

1. Liquor license application by Lackmann Management at Queens, Inc., d/b/a New York Stock Exchange services for 11 Wall Street

Youth and Education and
Battery Park City Committees

P. Hovitz
J. Galloway

1. Possible use of Battery Park City Center as PS 89 Annex - Report
The School Construction Authority is set to resolve issues regarding capital budget for 7 new schools in Lower Manhattan. SCA's definition of "downtown" is not clear. Rebecca Skinner attended CEC meeting to present CB1 priority to alleviate overcrowding at PS 234 and address population growth and recommended Women's Museum site.
LB Joint meeting was held to get a sense of what parents want, including an annex in or out of the community center. Other possibilities are to do away with the school yard and put it on the roof of an extension. The resolution approves the concept of an annex and goes back to Committee for discussion.

Attendees don't want band-aid plan, they want to vigorously pressure for new schools. Need both new seats and new schools.

Quality of Life & Affordable Housing Committee

P. Moore

1. Reminded members to bring in baby photos for the Board's post-holiday party.
2. Intro 19, Traffic Information Relief Bill
The City Council will hold a hearing on the Bill, but the committee members were concerned about the lack of particulars in the bill as presented by a representative from Transportation Alternatives.

Battery Park City Committee

L. Belfer

1. Procedures for Changing Hours on Work Schedules for NYC DOT Projects - Report
The proposed changes should have Community Board 1 input because they can potentially could interfere with the lives of those living in Battery Park City
CB1 has to take a strong position regarding overnight permits
Quality of Life issue: CB1 passed a resolution several months ago which originated in the Financial District calling for agencies to reach out to the board regarding permits. The board should make sure agencies are aware of our strong position in this matter.
2. Rules of Behavior in Battery Park City Parks and Public Areas and Enforcement by the PEPS of Those Rules - Report
Improved training for PEPs to discourage congregating together rather than circulating around
Improved signage regarding rules of behavior
Hudson River Park has same issue with errant PEPs

3. The Board Unanimously Passed the Following Resolution:
NYS DOT Interim Plans for Parking Lot and Increasing Size of Great Lawn

Battery Park City Committee
Youth and Education Committee

L. Belfer
P. Hovitz

1. The Board Unanimously Passed the Following Resolution with the amendment Noted Below:

Possible Use of BPC Community Center for PS 89 Annex
Amendment: First BE IT FURTHER RESOLVED
“Community Board One...discussion, and letter to the Community Center Task Force, and

Landmarks Committee

R. Byrom

1. The Board Passed the Following Resolution with 38 In Favor, 1 Opposed 0 Abstentions, 0 Recused:

55 Warren Street / 55 Murray Street. Application to construct rooftop addition and exterior restoration

2. The Board Passed the Following Resolution with 38 In Favor, 1 Opposed 0 Abstentions, 0 Recused:

46/50 Hudson Street, application to construct rooftop addition and alter ground floor

G. WTC Redevelopment Committee

C. McVay Hughes

1. World Trade Center Redevelopment - Report

At the Lower Manhattan Construction Command Center which meets biweekly, the Board raised the issue of the two year gap between the opening of the Memorial and the development of a permanent vehicular security center where buses will park. Charlie Maikish said the Center is examining this issue and a plan will be developed in coming months.

Work has begun on the bathtub at the WTC site.

2. Proposal to Move WTC Green Market to area Adjacent to 7 WTC - Report
Approval from Silverstein Properties is pending for this proposal.

3. 9.11 Related Worker's Compensation and Upcoming Deadline to Register to File a Future Claim - Report

14 August 2007 is the deadline when initial filing must be made with the Worker's Compensation Board in order to make a claim in the future.

The Board Unanimously Passed the Following Resolutions:

4. EPA Proposal for First Onboard Diagnostic Systems for New Large Trucks and Buses - Clean Diesel Truck and Bus Program

5. Funding for Medical Treatment and Monitoring of 9.11 Residents, Students, Workers and First Responders in Fiscal Year 2008 Budget

Before presenting its resolutions to the full Board, Mr. Fratta announced that General Growth Properties will make a presentation at the next Committee meeting regarding planning and recreational activities at the South Street Seaport.

The Board Unanimously Passed the Following Resolutions with Noted Amendments:

1. 22 Peck Slip. Application for an Unenclosed Sidewalk Café for Meade's Restaurant
Amendments:
THEREFORE BE IT RESOLVED: Full service in the sidewalk café
THEREFORE BE IT FURTHER RESOLVED: CB#1 Approves the license for a period of two years.
2. Lucky Horse (NY) Corp. D/b/a Fulton Chef, 64 Fulton Street beer and wine license renewal application
3. Fletcher Street Café Ltd. D/b/a Best of New York Food, 150 Water Street liquor license renewal application

Tribeca Committee

C. DeSaram

The Board Passed the Following Resolutions:

1. 225 West Broadway, liquor license application for Kouen Corporation
37 In Favor 0 Opposed 1 Abstention 0 Recused
2. 21 West Broadway, liquor license application for 200 Water Group LLC
37 In Favor 0 Opposed 1 Abstention 0 Recused

The Board Unanimously Passed the Following Resolutions:

1. Liquor License Renewal Applications:
157 Duane Street for Duane Park Café
365 Greenwich Street for Pig N' Whistle
323 Greenwich Street for Gigino, Inc.
 2. 377 Greenwich Street, hotel liquor license for 377 Greenwich LLC
 3. 377 Greenwich Street, liquor license application for AGO NY LLC
 4. 41 Murray Street, liquor license application for Seamus O'Toole
- By a Roll Call, The Board Unanimously Passed the Following Resolution
5. 50-52 Laight Street, BSA variance application for a use and bulk variance

Reports:

1. Bubby's Pie Co., Inc., review of DCA approval of sidewalk café renewal request
CB#1 is against approval because of the establishment's failure to keep the sidewalk free of grease
2. 415 Washington Street, BSA variance application
Hearing on this matter is pending
3. Consolidated sanitation garage for Manhattan districts 1, 2 and 5 - Review of draft scoping document CEQR 07-DOS-003M
Scoping Session scheduled for January 31st.

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

There being no old or new business, the Chair adjourned this meeting at 8:00 PM.

Respectfully submitted,

Janiece Brown Spitzmueller - Secretary