

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 18, 2007

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Proposed street activity permit application on Saturday, October 13, 2007,  
Warren Street between West Street and North End Avenue by the Tribeca  
Spiritual

BE IT  
RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit  
application submitted by the Tribeca Spiritual Center to close Warren  
Street between West Street and North End Avenue on Saturday, October  
13, 2007 during the hours of 10 AM – 5 PM. Event will take place during  
the hours of 10 AM to 5 PM.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 18, 2007

COMMITTEE OF ORIGIN: BATTERY PARK CITY

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

RE:                    Proposed street activity permit application on Friday, October 5, 2007,  
Warren Street between West Street and North End Avenue by the PS 89  
PTA

BE IT  
RESOLVED

THAT:                Community Board #1 does not oppose the proposed street activity permit  
application submitted by the PS 89 PTA to close Warren Street between  
West Street and North End Avenue on Friday, October 5, 2007 during the  
hours of 2 PM – 8 PM. Event will take place during the hours of 5:30 PM  
to 7:30 PM.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 18, 2007

COMMITTEES OF ORIGIN: LANDMARKS AND  
ARTS & ENTERTAINMENT TASK FORCE

Landmarks

COMMITTEE VOTE: 5 In Favor 0 Opposed 0 Abstained 0 Recused

Arts & Entertainment Task Force

COMMITTEE VOTE: 5 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 31 In Favor 3 Opposed 1 Abstained 0 Recused

RE: Proposed art work by James Garvey for the Wall Street station (#s 4 & 5)

WHEREAS: The successful art installation at 33<sup>rd</sup> Street station, by the same artist will be used as a basis for the art work at Wall Street, and

WHEREAS: The artist has modified the design at 33<sup>rd</sup> Street to use thinner more tapered bronze curls ,which spiral around the columns to connect to the ceiling and may also be used as seats, and

WHEREAS: There will be 15 pieces in total: 9 on the north bound platform and 6 on the south bound, and

WHEREAS: The proposed installation will be permanent and will be completed by late 2007 or early 2008, and

WHEREAS: The Committee members thought the work was very interesting and highly appropriate for the station, now

THEREFORE

BE IT

RESOLVED

THAT: CB#1 strongly recommends the Landmark Preservation Commission approve this application.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 18, 2007

COMMITTEES OF ORIGIN: LANDMARKS AND SEAPORT/CIVIC CENTER

Landmarks

COMMITTEE VOTE: 6 In Favor 0 Opposed 0 Abstained 0 Recused

Seaport/Civic Center

COMMITTEE VOTE: 5 In Favor 0 Opposed 0 Abstained 0 Recused

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

RE: Titanic Park Schematic Design Preliminary Review

WHEREAS: The revitalized park will be part of the Fulton Corridor Master Plan, which will note that the park is on the original high tide line for Manhattan, and

WHEREAS: The overall concept is to reflect a tidal marsh with shallow water washing through a section and plantings that mirror a coastline which once existed here, and

WHEREAS: The park will contain a variety of bluestone paving, with some in a wave pattern and some with granite bands to allow for signage in the stone, and

WHEREAS: Large boulders will be placed around the original Titanic memorial light house, which can also be used for seating, and

WHEREAS: The shade trees, which are old, will be replaced with new ones, and

WHEREAS: The Committee members thanked the Park Service and the design team for the interesting and much improved design, but there was concern that there be more greenery around the Titanic memorial and more benches than the present 20, and

WHEREAS: The committee members felt that the lighting scheme needed additional thought. Stressing the need for as much lighting as possible, and requested that consideration be given to lighting the tower of the Titanic memorial lighthouse, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB#1 recommends that the Landmark Preservation Commission approve the application having taken into account the noted modifications.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 18, 2007

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 6 In Favor    0 Opposed    1 Abstained    0 Recused  
BOARD VOTE:        34 In Favor    0 Opposed    0 Abstained    0 Recused

RE:                140 West Broadway, LPC application construction of new stair bulkhead and landing at the roof and new metal chimney on roof

WHEREAS: This simple application calls for a new staircase bulkhead leading to the roof, and a metal fireplace chimney addition on the roof, of a richly detailed building fronting the southwest corner of West Broadway and Thomas Street, and

WHEREAS: The existing structure is a richly detailed and quintessential example of a Tribeca West Historic District warehouse, and

WHEREAS: The additions' heights range from 9-½ to 11.4 feet, and are somewhat visible, especially from West Broadway, and

WHEREAS: The Board asks the Landmarks Preservation Commission to examine options that would reduce the extension's bulk, and

WHEREAS: The chimney flue end walls will be of cedar, and the bulkhead will be primarily of glass, materials the Board thought appropriate in this particular context, and

WHEREAS: The applicant himself, Ken Maisler, is something of a community landmark, having lived at 140 West Broadway and owned a ship's supply store there for almost four decades, now

THEREFORE  
BE IT  
RESOLVED

THAT:             Community Board #1 recommends that the Landmarks Preservation Commission approve this application, with consideration given to reducing mass.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 18, 2007

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 8 In Favor    0 Opposed    0 Abstained    0 Recused  
BOARD VOTE:        34 In Favor    0 Opposed    0 Abstained    0 Recused

RE:                    127 Fulton Street, application for restoration of the Fulton Street storefront, redesigned storefront on Ann Street, removal of fire escape on Ann Street, and extension of an existing rooftop penthouse

WHEREAS: This magnificent building, built in 1892-3, is an individual landmark, and the applicant wishes to convert it into a residential condominium, and

WHEREAS: The Landmarks Committee of Community Board #1 endorses the restoration and alteration proposals for the Fulton Street façade, balcony and dormers, and

WHEREAS: The committee also approves of the removal of the fire escape on the Ann Street face of the building, and

WHEREAS: The committee believes the first floor of the Ann Street façade should be more symmetrical than proposed, in keeping with the symmetry of the rest of the building (that is, the windows and doors on either side of the renewed cast iron center column should be as balanced as possible), and

WHEREAS: While the committee has no objection to the massing of the proposed rooftop addition and extension, it does object to the proposal's lack of articulation, and the tackiness of the Galvalum finish, now

THEREFORE  
BE IT  
RESOLVED

THAT:                The Landmarks Committee of Community Board #1 recommends that the Landmarks Preservation Commission approve this application, with the exceptions noted.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 18, 2007

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 8 In Favor    0 Opposed    0 Abstained    0 Recused  
BOARD VOTE:        34 In Favor    0 Opposed    0 Abstained    0 Recused

RE:                99 Hudson Street between Franklin Street and Harrison Street, LPC  
application for approval of installation of awning

WHEREAS: This application calls for the installation of a new canopy over the main entrance to the so-called Maltz-Franklin Building, a 16-story tower on the southwest corner of Hudson and Franklin Streets in the Tribeca West Historic District, and

WHEREAS: This imposing Art Deco structure was finished in 1930, and has most of its simple “streamlined” façade details intact, and

WHEREAS: The current proposal asks for a new square-shaped, satin-finished bronze entrance canopy with a glass top, and

WHEREAS: Commendably, the building’s awful HVAC louvers would be reduced in size, and

WHEREAS: The canopy as designed looks too “brassy,” and is too garish for the building and the block, although the Board is open to a different canopy design, now

THEREFORE

BE IT

RESOLVED

THAT:             Community Board #1 recommends that the Landmarks Preservation Commission reject this application.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 18, 2007

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 8 In Favor    0 Opposed    0 Abstained    0 Recused  
BOARD VOTE:        34 In Favor    0 Opposed    0 Abstained    0 Recused

RE:                Installation of a Commemorative Plaque at 40 Worth Street by The  
Abyssinian Baptist Church

WHEREAS: The Abyssinian Baptist Church will celebrate its bicentennial anniversary  
in 2008, and

WHEREAS: As part of this celebration the church has planned a series of lectures,  
concerts and other community-wide events that will highlight the role The  
Abyssinian Baptist has played in New York City's history for nearly 200  
years, and

WHEREAS: The Abyssinian Baptist Church played a major role in the Civil Rights  
Movement in the Unites States during the Twentieth Century, and

WHEREAS: The Abyssinian Baptist Church has planned a bus tour to the church's  
three prior sites before it moved to Harlem in 1923, during which it wishes  
to install permanent commemorative plaques at each locations, and

WHEREAS: From 1908 until 1854 The Abyssinian Baptist Church occupied a building  
at 40 Worth Street between Church Street and West Broadway, and

WHEREAS: The Abyssinian Baptist Church would like to install a 12" by 18" brass  
plaque with raised letters that identifies 40 Worth Street as the site of the  
church from 1808 – 1854, now

THEREFORE  
BE IT  
RESOLVED

THAT:             Community Board #1 recommends approval of the request by The  
Abyssinian Baptist Church to install a commemorative plaque at 40 Worth  
Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 18, 2007

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	1 Opposed	1 Abstained	0 Recused
PUBLIC MEMBER VOTE:	1 In Favor	1 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	4 Opposed	0 Abstained	0 Recused

RE: Application for Renewal of Liquor License  
Radiante, LLC  
d/b/a City Hall Restaurant  
131 Duane Street between West Broadway and Church Street

WHEREAS: CB #1 has not received any complaints about this establishment, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 does not oppose the liquor license renewal application for City Hall  
Restaurant at 131 Duane Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 18, 2007

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	6 In Favor	3 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	1 Opposed	0 Abstained	0 Recused

RE: Application for Renewal of Liquor License  
Boule Consulting, LLC  
d/b/a Danube Restaurant  
30 Hudson Street between Duane and Reade Streets

WHEREAS: CB #1 has not received any complaints about this establishment, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 does not oppose the liquor license renewal application for Danube  
Restaurant at 30 Hudson Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 18, 2007

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Application for Renewal of Liquor License  
Burt's Deserts, Inc  
d/b/a Mai House  
186 Franklin Street between Greenwich and Hudson Streets

WHEREAS: CB #1 has not received any complaints about this establishment, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the liquor license renewal application for Mai House at 186 Franklin Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 18, 2007

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Application for Renewal of Liquor License  
59 Murray Street Enterprises Inc  
d/b/a New York Dolls  
59 Murray Street between West Broadway and Church Street

WHEREAS: CB #1 has not received any complaints about this establishment, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 does not oppose the liquor license renewal application for New York Dolls at 59 Murray Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 18, 2007

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Application for Renewal of Liquor License  
Jada Restaurant  
d/b/a Petite Abeille  
134 West Broadway between Duane and Thomas Streets

WHEREAS: CB #1 has not received any complaints about this establishment, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the liquor license renewal application for Petite Abeille at 134 West Broadway.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 18, 2007

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Application for Renewal of Liquor License  
Harrison Greenwich, LLC  
d/b/a The Harrison  
355 Greenwich Street at Harrison Street

WHEREAS: CB #1 has not received any complaints about this establishment, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 does not oppose the liquor license renewal application for the  
Harrison at 355 Greenwich Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 18, 2007

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Application for Renewal of Wine and Beer License  
Natsu Inc  
d/b/a Takahachi Tribeca Restaurant  
145 Duane Street at West Broadway

WHEREAS: CB #1 has not received any complaints about this establishment, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 does not oppose the wine and beer license renewal application for  
Takahachi Tribeca Restaurant at 145 Duane Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 18, 2007

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Application for Renewal of Liquor License  
Ristorante Arqua  
281 Church Street at White Street

WHEREAS: CB #1 has not received any complaints about this establishment, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the liquor license renewal application for  
Ristorante Arqua at 281 Church Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 18, 2007

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Application for Renewal of Liquor License  
Bancone LLC  
d/b/a Petrarca  
34 White Street at Church Street

WHEREAS: CB #1 has not received any complaints about this establishment, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 does not oppose the liquor license renewal application for Petrarca  
34 White Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 18, 2007

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Application for Renewal of Liquor License  
DL Restaurant Development LLC  
d/b/a Scalini Fedeli Restaurant  
165 Duane Street between Hudson and Greenwich Streets

WHEREAS: CB #1 has not received any complaints about this establishment, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the liquor license renewal application for Scalini  
Fedeli Restaurant at 165 Duane Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 18, 2007

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Application for Renewal of Wine and Beer License  
Anotherroom, Inc  
Anotherroom  
249 West Broadway between Beach and N. Moore Streets

WHEREAS: CB #1 has not received any complaints about this establishment, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 does not oppose the wine and beer license renewal application for  
Anotherroom at 249 West Broadway.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 18, 2007

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Application for Renewal of Wine and Beer License  
Neighborhood Inc  
275 Church Street

WHEREAS: CB #1 has not received any complaints about this establishment, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 does not oppose the wine and beer license renewal application for  
Neighborhood at 275 Church Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 18, 2007

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Application for Renewal of an Unenclosed Sidewalk Cafe License  
Gloria Tribecamex, Inc.  
d/b/a/ Mary Ann's Mexican Restaurant  
107 West Broadway

WHEREAS: The applicant has applied for an unenclosed sidewalk cafe license for 15 tables and 38 seats, and

WHEREAS: The applicant agrees to operate the proposed sidewalk café no later than midnight, and

WHEREAS: The applicant agrees to maintain 8 feet clearance from the planters to the curb, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 approves the renewal of the unenclosed sidewalk café license for Mary Ann's Mexican Restaurant, at 107 West Broadway, for a period of two years subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 18, 2007

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Proposed street activity permit application on Friday, October 5, 2007,  
Murray Street between Broadway and Church Street by the Sons of Italy  
Petrosina Lodge

BE IT  
RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit  
application submitted by the Sons of Italy Petrosina Lodge to close  
Murray Street between Broadway and Church Street Avenue on Friday,  
October 5, 2007 during the hours of 9 AM – 7 PM. Event will take place  
during the hours of 11 AM to 6 PM.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 18, 2007

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Renovation of Ladder Company 08, 1014 N. Moore Street and placement of temporary structure on the south side of N. Moore Street plus side alley for fire company apparatus

WHEREAS: The Fire Department's fire house for Ladder Company 08 at 10 – 14 N. Moore Street will undergo renovation, and

WHEREAS: The fire house will remain in operation during the reconstruction period, and

WHEREAS: There is the necessity of locating a temporary structure on the south side of N. Moore Street for the fire house equipment, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 does not object to the construction of a temporary structure on the south side of N. Moors Street during the re-construction of Ladder Company 08's fire house at 10-14 N. Moore Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 18, 2007

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 90 Lafayette Street, request for 18-month extension of BSA variance to allow enlargement of New York City Rescue Mission

WHEREAS: The applicant received a BSA variance on May 30, 2000 to permit an enlargement of the existing shelter at 90 Lafayette Street, and

WHEREAS, A variance will automatically lapse if substantial construction in accordance with the approved plans has not been completed within four years of the date the variance was granted, and

WHEREAS, The Rescue Mission seeks an additional 18-month extension in order to reach substantial construction requirements at the site, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board One recommends that the Board of Standards and Appeals approve the request for an 18-month extension of the variance for 90 Lafayette Street to allow enlargement of the Rescue Mission.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 18, 2007

COMMITTEE OF ORIGIN: WTC REDEVELOPMENT

COMMITTEE VOTE:	9	In Favor	0	Opposed	0	Abstained	0	Recused
PUBLIC MEMBER VOTE:	0	In Favor	0	Opposed	0	Abstained	0	Recused
BOARD VOTE:	37	In Favor	0	Opposed	0	Abstained	0	Recused

RE: 130 Liberty Street (a/k/a Deutsche Bank Building)

WHEREAS: CB#1 expresses its deep and sincere condolences to the families of the two firefighters, Robert Beddia and Joe Graffagnino, who died needlessly on August 18, 2007, while fighting a major fire at 130 Liberty Street (Site) that would never have occurred if the government agencies and contractors overseeing the demolition of that building had performed their jobs adequately, and

WHEREAS: CB#1 also hopes for the complete and speedy recovery of the two firefighters who were seriously injured at the Site on August 23, 2007, when a worker for John Galt Corporation (Galt), the demolition subcontractor for the project, lost control of a pallet jack that fell from the 23<sup>rd</sup> floor, and

WHEREAS: The members of the Board of Directors of the Lower Manhattan Development Corporation (LMDC), which owns the Site and has the primary overall responsibility for the safe and efficient decontamination and demolition of this WTC-contaminated building, are directly appointed by Governor Spitzer and Mayor Bloomberg, and

WHEREAS: CB1 appreciates that Governor Spitzer recently met with New York State Assembly Speaker Sheldon Silver, U.S. Representative Jerrold Nadler, Manhattan Borough President Scott Stringer, New York State Senator Martin Connor, New York City Council Member Alan J. Gerson, and members of CB#1 to discuss how to move forward constructively, and we hope that this signifies a much better line of communication with the current management of LMDC than existed under the prior administration, and

WHEREAS: CB1 appreciates the meetings that Speaker Silver has organized with the community, elected officials and LMDC on these issues, as well as the efforts of Borough President Stringer, Congressman Nadler, Senator Connor, Councilman Gerson and Assembly Member Glick, and

- WHEREAS: CB#1 unanimously passed a resolution on April 18, 2006, expressing its serious concerns about Galt's lack of relevant experience and the poor safety record and questionable business integrity of Safeway Environmental – a company with close ties to Galt – and calling on the LMDC only to use companies with appropriate qualifications and experience to safely and effectively conduct abatement and demolition at the Site, and
- WHEREAS: CB#1 unanimously passed a resolution on July 27, 2004, emphasizing that the safety and well-being of local residents and workers must be given the utmost consideration during the lengthy demolition process; calling for full and open consultation among all interested parties; requesting that the demolition of the building “be undertaken in an open and transparent manner insuring that all applicable City, State and federal health, safety, environmental, and counterterrorism laws are fully observed and enforced,” and recommending that “contingency plans ... be developed and enforced in conjunction with the Fire Department of New York, the New York City Police Department, and any other relevant emergency management agencies in the event that any emergency arises, such as fire, on-site injury, contaminant release, or other disaster,” and
- WHEREAS: CB#1 unanimously passed a resolution in December 2005 urging LMDC to appoint Julie Menin, the sitting Chairperson of CB#1, to sit on the Board of Directors of the LMDC. That request went unheeded and the Chairperson of CB#1 was not appointed until June 2007, and
- WHEREAS: Through both written and verbal communication (including directly with prior LMDC officials), CB#1 repeatedly urged the adoption of a codified emergency and community notification plan, such as expressed in the letter from Julie Menin, Chairperson of CB#1 dated October 27, 2005, to the then LMDC President Stefan Pryor, which included a series of very specific suggestions including phone trees, e-mail blasts, two-way hand-held radios and building captains, and
- WHEREAS: For reasons that we cannot begin to understand but that we hope will be publicly revealed through one or more thorough and competent investigations, LMDC and/or its general contractor, Bovis Corporation (Bovis), in a process totally lacking in transparency, selected Galt as the demolition subcontractor for the project over other qualified bidders including North American Site Developers, LVI Services Inc. and Bedroc Contracting (New York Times, August 30, 2007), completely ignoring the unequivocal and insistent warnings from CB#1 and other concerned groups and individuals in the local community regarding Galt's lack of qualifications and other serious concerns with respect to the demolition project, and

WHEREAS: Many other red flags were ignored including: numerous safety violations; a 10-page letter from the Department of Investigations dated January 2006 (according to the New York Times, August 25, 2007); multiple reports of debris falling from the Site including a 22-foot pipe that fell into the fire engine house immediately across the street last May; an incident wherein a worker fell 40 feet from the building scaffolding in March, 2006; an earlier fire that according to WABC occurred at the Site in July, 2007 but was not reported; and prominent media coverage, and

WHEREAS: An investigation of the fire is currently being carried out by the Manhattan District Attorney's Office, and is reportedly focusing not only on the firefighters' deaths, but also on the actions of several contractors and government agencies, and

WHEREAS: There was minimal community notification on the day of the fire, August 18, 2007, and

WHEREAS: CB#1 has now had three emergency meetings (August 22, August 28, and September 5, 2007) concerning the recent events at the Site but there remain many unanswered questions (including the process by which the contractors and subcontractors for the work were selected, and the division of regulatory and oversight responsibilities at the Site among the agencies involved), and

WHEREAS: In response to some of the expressed concerns of CB#1 and the public, assurances were given at numerous meetings regarding remedial actions being taken including:

- The development of an Emergency Action Plan including firefighting at a September 14, 2004 meeting (minutes at [http://www.renewnyc.com/content/pdfs/130liberty/advisory\\_committee\\_mtg\\_transcript\\_9-14-04.pdf](http://www.renewnyc.com/content/pdfs/130liberty/advisory_committee_mtg_transcript_9-14-04.pdf)),
- Steps including the following, taken by Bovis as described by Mr. Abruzzo to the Community Advisory Committee of 130 Liberty Street on March 28, 2007, in response to questions about an emergency plan and the issue of emergency first responders (minutes at [http://www.lowermanhattan.info/extras/pdf/032807\\_130LibertyStreetAdvCommittee01.pdf](http://www.lowermanhattan.info/extras/pdf/032807_130LibertyStreetAdvCommittee01.pdf))
  - Orientation training for all construction workers on the Site,
  - A public address system being established and a PA system for workers on and around the site,

- An Emergency Plan developed in conjunction with the unions, the public sectors and private sectors,
- Direct communication with the NYC Office of Emergency Management,
- Trained professions providers on call,
- Four (4) Bovis Safety Engineers on jobsite full-time,
- Additional supervision by URS and the BEST Squad, and

WHEREAS: Subsequent to the fire, including in letters addressed to LMDC dated August 29, 2007 ([http://www.epa.gov/wtc/lmdc\\_letter\\_epa\\_concerns.pdf](http://www.epa.gov/wtc/lmdc_letter_epa_concerns.pdf)) and September 7, 2007 ([http://www.epa.gov/wtc/demolish\\_deconstruct/130liberty\\_streetletter910.pdf](http://www.epa.gov/wtc/demolish_deconstruct/130liberty_streetletter910.pdf)), EPA expressed concern that LMDC would consider leaving the building at 130 Liberty Street unsealed and concern that LMDC would engage in a new sampling plan to gather new data for the building and revisit abatement procedures with the objective of supporting an LMDC decision to leave the building unsealed, and

WHEREAS: In these same letters to LMDC, EPA has expressed its strongly held position that the building at 130 Liberty Street be resealed as quickly as possible and has further stated that “EPA has participated, and continues to participate, in meetings to understand the concerns of the FDNY and to address them expeditiously” with respect to the fire safety the building. In addition, “on August 27 and August 28, 2007, dioxin was detected at levels below the established target and trigger levels for this project. Dioxin was not detected in any of the existing ambient air monitoring stations at 130 Liberty Street before the fire and the subsequent work with the building. Such detections are a reasonable indicator of the ongoing potential for release of contaminants to the outdoor environment during periods of activity within the building. This can be mitigated by resealing the numerous breaches in the building’s façade,” and

WHEREAS: EPA further stated that “our primary environmental concern at this time is the need for LMDC to implement all necessary measures to seal the building to control potential releases of contaminants into the environment,” and

WHEREAS: CB1 acknowledges that LMDC entered into an agreement last week with the relevant agencies to seal the perimeter openings as part of the preliminary work required to prepare for the restart of decontamination and deconstruction of 130 Liberty Street (as per TRC's letters to the New York State Department of Labor dated and approved September 12 & 14,

2007). We understand that this process will begin tomorrow and take approximately three weeks and it will be done simultaneously with the construction of the two fire-safe staircases, and ([http://www.lowermanhattan.info/extras/pdf/091207\\_Approvedvariancereopening.pdf](http://www.lowermanhattan.info/extras/pdf/091207_Approvedvariancereopening.pdf) & [http://www.lowermanhattan.info/extras/pdf/091407\\_05-0427-reopeningapproval.pdf](http://www.lowermanhattan.info/extras/pdf/091407_05-0427-reopeningapproval.pdf)), and

WHEREAS: In a resolution passed at a meeting on June 20, 2006, CB#1 urged the Mayor and the Department of Education to permit the principals of individual schools to fashion their own policies regarding cell phones, and opposed any blanket ban on cell phones in the New York public schools; and

WHEREAS: CB#1 in this resolution supported Intro 351, which was passed recently by the City Council, amending the Administrative Code of the City of New York to permit school children to carry cell phones in school, and City Council Resolution (Resolution 342) calling on the Department of Education to place a moratorium on the confiscation of students' cell phones, now

THEREFORE  
BE IT  
RESOLVED

THAT: LMDC must adopt and enforce a completely open and transparent process, including competitive bidding, for the selection of any additional subcontractors in connection with future work on the Site, and

BE IT  
FURTHER  
RESOLVED

THAT: To ensure that community concerns and safety are of paramount importance and are given the consideration that they require, we expect Governor Spitzer and Mayor Bloomberg to use their authority to ensure that the LMDC creates a workable mechanism whereby resolutions, letters and other written or oral communications directed to the LMDC by CB#1, as the principal voice of the broader downtown community on public issues, are responded to in a timely manner and not simply ignored or even treated with disdain, as has happened too often in the past, and

BE IT  
FURTHER  
RESOLVED

THAT: CB#1 agrees with EPA's position that the 130 Liberty Street building should "be sealed as soon as practicable to protect public health and the environment" as expressed by Pat Evangelista at the CB#1 public meeting on August 21, 2007, and that LMDC's "preliminary position" is unacceptable, as stated by Mr. Evangelista at the CB#1 public meeting on August 28, 2007 meeting, and with which "a representative of the NYCDEP concurred" ([http://www.epa.gov/wtc/lmdc\\_letter\\_epa\\_concerns.pdf](http://www.epa.gov/wtc/lmdc_letter_epa_concerns.pdf)), and

BE IT  
FURTHER  
RESOLVED

THAT: CB#1 supports the EPA working cooperatively with the FDNY, NYSDOL, NYCDEP, OSHA, NYCDOB and other agencies and make necessary "modifications to some plans ... to address concerns expressed by city emergency responders" (as stated by Alan Steinberg, EPA Regional Director, as reported in the New York Times, September 1, 2007), and

BE IT  
FURTHER  
RESOLVED

THAT: Both an updated and approved Health and Safety Plan and an Emergency Notification and Evacuation Plan must be rapidly developed and put in place before decontamination and demolition can proceed, and such plans must be shared with the public in a public meeting and posted on-line and approved by all the relevant agencies, and

BE IT  
FURTHER  
RESOLVED

THAT: The community should not have to choose between safety and speed and CB#1 calls on both Governor Spitzer and Mayor Bloomberg to make certain that the proper oversight, accountability and transparency are in place to guarantee that 130 Liberty Street is taken down safely and efficiently, and

BE IT  
FURTHER  
RESOLVED

THAT: All contracts and subcontracts entered into by LMDC should be available to the public and should not include provisions permitting a contractor or subcontractor to invoke confidentiality or other restrictive provisions to avoid answering legitimate questions posed by CB#1 and other members of the community whose health and safety depend on the quality of the work done by that contractor or subcontractor, and

BE IT  
FURTHER  
RESOLVED

THAT: No government agency should hinder in any way the investigation currently being carried out by the Manhattan District Attorney's Office, and

BE IT  
FURTHER  
RESOLVED

THAT: The lessons learned from the tragedy at the Site must be implemented going forward, at that location and also at Fiterman Hall, 130 Cedar Street, and any other relevant site(s), and

BE IT  
FURTHER  
RESOLVED

THAT: CB#1 recommends that the government and private entities responsible for emergency community notification protocol at the time of the 130 Liberty fire, be immediately reassigned, and

BE IT  
FURTHER  
RESOLVED

THAT: If the City implements a procedure whereby parents are notified of emergencies via cell phone, it would be entirely consistent with this procedure to permit parents to use cell phones to remain in contact with their children during emergencies as well, and

BE IT  
FURTHER  
RESOLVED

THAT: The specific next steps to assure that the 130 Liberty Street building is taken down in a manner that is safe for the workers, the first responders and the people who live and work nearby should include the following:

- Secure the fire-damaged, World Trade Center-contaminated building so that debris will not fall out and injure someone,
- Determine why the fire occurred and put in place a plan so that it will never happen again, such as enforcement of basic safety construction codes. Such a plan should mandate that the water main and standpipe that supply water to the building and various floors would be functioning during the remainder of this difficult project,
- Develop an Emergency Action Plan with a contingency plan for various emergencies – including fighting fires – and make sure that as work proceeds in this building the response team is given the floor plans as they change. Make sure that all the relevant agencies (including FDNY, OSHA, and OEM) meet regularly and address these plans and that dates and results of inspections and reports by FDNY, OSHA, OEM and other agencies are publicly posted,
- Clearly specify and publicly post the role and responsibilities of LMCCC in relation to overseeing activities at the Site,
- Create an Emergency Notification and Evacuation Plan – an effective communication plan from city agencies to neighborhood residents and businesses – consider reverse 911, text messaging, a phone tree, televised announcements, sirens coupled with loudspeaker or emergency frequency radio announcements and e-mail blasts in real time. Such communications should include guidance as to whether residents/workers should evacuate or stay in their homes or at work, whether they need emergency breathing apparatus and if a building is in danger of collapse,
- Determine whether the fire re-contaminated previously decontaminated areas at the Site and require any contaminated areas to be re-cleaned and re-inspected prior to demolition,
- Review the impact of water damage from putting out the fire to ensure that mold does not become an issue again,
- Test residential and workplace areas in the immediate neighborhood for contaminants that may have been released during the fire and require any contaminated areas to be cleaned,
- Hire a responsible subcontractor to replace Galt – one that, as required by the Procurement Policy Board Rules of the City of New York, is capable “in all respects to perform the contract

- Develop a timetable and share it with the public to ensure that work is done in a safe and expeditious manner,
- In order to make the process more transparent as possible, LMDC must continuously update its website ([www.renewnyc.com](http://www.renewnyc.com)) with all relevant information and documents. We note there appear to be gaps in the information currently on the website relating to the period 2005 and 2006 ([http://www.renewnyc.com/plan\\_des\\_dev/130liberty/public\\_documents\\_chrono.asp](http://www.renewnyc.com/plan_des_dev/130liberty/public_documents_chrono.asp)),
- Create a Whistle Blower Protection Program that works. The LMCCC Fraud Prevention Program and other layers of accountability and integrity that were in place to report safety violations and abuses did not work,
- Require LMDC/LMCCC to work with each of the regulatory agencies, including EPA, FDNY and OEM, to make sure that all safety measures are in place, and to establish and make public clear lines of accountability for contractors and staff working at the Site,
- Disclose details relating to the supervisory role of United Research Services (URS) so that the public knows what their responsibilities are in general and in particular in relation to Bovis. A recent New York Sun article (August 27, 2007), stated, “a construction firm [URS] involved in the demolition of the former Deutsche Bank building is the same company that assured Minnesota officials a highway bridge was safe before it collapsed this summer;”
- Implement tests of the various types of Emergency Notification and Evacuation Plans as described by Deputy Mayor Skyler before and after demolition begins again, and perform such tests on the regular basis during the demolition process,
- Include appropriate information and actions for special needs, disabled, and deaf persons in the Emergency Notification and Evacuation Plan,
- As Deputy Mayor Skyler noted in his opening statement that Civilian Emergency Response Teams (CERT) will play an important role in responding to future emergencies, take steps to ensure that funding for CERT is included in the City’s annual budget instead of being dependent upon yearly grants, and

- Require vigilant enforcement of city building, construction, safety, and fire codes and regulations – including enforcing a smoke-free, drug-free and alcohol-free policy at the construction site, and
- Post a sign outside the Site stating on each day how many prior days have passed without an accident at the Site, and
- Implement a process to properly vet all workers at the Site, including those employed by all involved contractors and subcontractors.