

Community Board 12, Manhattan
Minutes of the February 23, 2016 General Meeting
Isabella Geriatric Center (515 Audubon Ave., NYC 10040)

Board Members Present: Richard Allman; Shahabuddeen Ally; Mary Anderson; Glennis Aquino; Anita Barberis; Wayne Benjamin; James Berlin; Isaiah "Obie" Bing; Manny de los Santos; Aldemar De Jesus Diaz; Katherine Diaz; Domingo Estevez; Barbara Frazier; Wanda Garcia; Mitchell Glenn; Yosef Kalinsky; Osi Kaminer; Andrea Kornbluth; Elizabeth Lehmann; Richard R. Lewis; Elizabeth Lorris Ritter; Jay Mazur; Isidro Medina; Priscilla Mota-Willis; Estevan Nembhard; Ayisha Ogilvie; Maurice Owen-Michaane; Pamela Palanque-North; Jonathan Reyes; Liliana Saneaux; Arlene Schulman; Steve Simon; Alyce Smith; Felipe Wytik Sanchez. **Board Members Excused:** Yahaira Alonzo; Fe Florimon; Maria Luna; **Board Members Absent:** David Mattera; Rud Morales; Terriell Peters; Angela Sanchez; Luis Tapia; Jason Tejada; Javier Trejo; Gloria Vanterpool. **Staff:** Ebenezer Smith, Debora Blow, Paola Garcia

7:13pm **Call to order & introductory remarks by the Chair;** quorum achieved. Thanks to Isabella and Betty Lehmann for continued hospitality.

7:15pm **Adoption of the agenda** (as amended): motion by Jonathan Reyes, second by Wayne Benjamin; approved unanimously by voice vote.

7:15pm **Minutes of December:** motion to adopt by J. Reyes, second by Isidro Medina; approved unanimously by voice vote.

7:16pm **Highlights of Chair's report,** the full text of which is included in members' packets:

- Thanks to Pamela Palanque-North for attending Borough Board; thanks to her and to Obie Bing for their support; thanks to the Committee Chairs and members for their hard work throughout the month in attending meetings and for timely submission of minutes.
- EDC meeting on March 5th has been moved to March 12th; more info to follow.
- Public hearing of Land Use for City Planning re proposed re-zoning of the property at Sherman/Broadway for a bulkier development
- Congrats to Traffic & Transportation Committee Chair Yahaira Alonzo on the recent birth of a healthy boy!

7:21pm **Special presentation by Cheryl Pahaham of NYS Comptroller's office,** Director of Planning / Division of Audits of NYC/NYS entities. Doing a survey of noise; gave links to survey in multiple languages. Asking all to take the survey. Q: Why would state comptroller do a survey on noise? A: We'd like to try our hand at participatory auditing, find a way to engage community in audit work in a way that doesn't violate audit standards. Survey is basically a risk assessment, a way of getting information from communities where noise is happening, and assessing the extent to which noise issues are being handled appropriately. The survey is available in English, Spanish, Chinese and Russian. For more information, email sgappdu@osc.state.ny.us Q: (W. Benjamin): is this being done just citywide, or all around state? Why only in NYC? A: The Comptroller has purview all over the state; it's a bigger problem here, and there's also a lot of data already through 311 for comparative purposes. Q: (Richard Lewis) does it take frequency/duration into account? A: Yes, there are free-form and multiple choice options in the survey tool.

7:24pm Presentation of Certificates of Achievement to members of the Community for their service

- Gloria Vanterpool, Chair, Concerns of the Aging Committee, for her Community Board service over the years. She is not reapplying to the Board, so we will be losing her at the end of March.
- Coach Dave Crenshaw, NY1 New Yorker of the Week

7:29pm **Report from Assembly member Guillermo Linares, 72nd AD**

- Congrats to Coach Dave
- Spoke about legislative agenda, especially with regard to housing, and legislation on childcare tax credit, to bring attention (and resources) to childcare and bring some relief to working families.
- Introduced a Resolution declaring February as Dominican heritage month in New York State.

- Announced event at 6pm 2/26 at PS132, Juan Pablo Duarte school, 1st public school named for a Dominican
- Spoke about Operation Exodus, a literacy and mentoring program in Washington Heights. For more information, visit operationexodus.org.

7:34pm **Highlights of District Manager’s report**, the full text of which is included in members’ packets:

- Situation at 5030 Broadway with operation of United Cerebral Palsy. There is insufficient curbside frontage and often many buses, resulting in lots of emissions and traffic, as well as conflicts with the MTS bus route stop further down the block. The DM has reached out to DEP, which responded that these buses are exempt from the law. Possibly work with DoT for unloading on Tenth Ave. side.
- Manhattan DA’s office internship. Deadline is Friday, 3/25; visit manhattanda.org/high-school-internship.
- The 34th Precinct invites everyone to become community partners and to work with new officers that come to precinct to introduce them to the neighborhood. For more information, contact 34th Pct: 212-927-0576.
- Announced Councilmember Levine’s event on labor and employment at WeACT tomorrow, 2/24; also a Fortune Society event on immigration on March 5th.

7:41pm **Report from Athena Moore for the Office of Manhattan Borough President Gale A. Brewer**

- Echoed the DM’s comments re United Cerebral Palsy.
- There were 800+ applicants for Community Boards. The interview process, including interactive group interviews for new applicants, will begin shortly.
- Gave information regarding grants process for capital funding.
- Working with Principal of PS98 to resolve a traffic hazard (speeding cars) around the school.
- Working on youth initiatives, including a boro-wide Youth council; midnight, March 4th application deadline.
- SNAP food benefits & legal services available at MBPO 125th storefront office
- Delivered testimony before NYS standing committee on housing; testimony available. We need to preserve and expand Mitchell-Lamas and HDFCs.
- Announced Black History month & Dominican Heritage events throughout the borough
- Public hearing on 3/8 on school overcrowding. Participation of all encouraged.

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7:49pm **Public Session** (Chaired by Secretary, Elizabeth Lorris Ritter; time-keeping by Esteban Nembhard)

**Walter Rendon, School in the Square:** new charter school coming to the community. Looking to take the space of St. Spyridon. The school will start with the 6<sup>th</sup> grade and then add a grade per year. Currently looking for 5<sup>th</sup> graders, as well as for teachers. Referred to Youth & Education Committee.

**Maribel Ramirez, West Side Campaign Against Hunger (WSCAH)** Located on West End Avenue at 86<sup>th</sup> St. in the Church of St. Paul & St. Andrew. Free food for the community for those in need. Food pantry is “supermarket style”, i.e., participants select their own items, including shelf-stable food, frozen and refrigerated items, and produce. Accepting referrals through MBPO for people experiencing food insecurity; clients do not need to live on West Side.

**Joel Yoffie, community resident:** read a poem

**Aaron Simms, Inwood Film Festival** Founding producers of the inaugural Inwood Film Festival, happening next week, March 2<sup>nd</sup> & 3<sup>rd</sup>. Making a movie theatre at Cassandra Hall on 10<sup>th</sup> Ave. @ W. 214<sup>th</sup> St., where they will be premiering 26 short and long films made by Inwood filmmakers and/or about Inwood.

**Danita Nichols, NY Public Library:** Inwood, WH & FW libraries. Announcements about upcoming events. WH library never had the 3<sup>rd</sup> floor renovated, but in response to community demands the budget has been added. It will be renovated to be accessible, as a teen space and with classrooms for English study, and a quiet study room. Currently in the design phase. It will not be a long renovation; there may be brief closures, but mostly the library will remain open during renovation. Also, the Inwood branch is collaborating on new services for immigrants: legal appointments for immigrants preparing for citizenship, and other services.

**Kal Narvilas, The Uptown Garrison** Owner of Saggio, on W. 181 btw. Pinehurst/Cabrini; also looking to open a new café/bar at 823 W. 181 at Pinehurst Ave. They didn’t attend the February Licensing Committee meeting

in as the notice was sent to the proposed new place of business, of which he has not yet taken the lease, so he never received the notice. Urged all to vote against negative resolution later on the agenda as they plan to present at the March Licensing Committee.

**George Fernandez, community resident** after 8 years of service I am resigning from the Board. Not an easy decision to make. Filled with passion for community. Appreciates all of the work with CB colleagues. Resigned w/ heavy heart. Running for Assembly, 72<sup>nd</sup> AD. Wants to take CB12 agenda forward, to Albany.

**Sally Fisher, Friends of Inwood Hill Park:** Green Neighborhoods/Inwood regarding restoration of IHP on March 12, and every 2<sup>nd</sup> Saturday. On 3/12, LES Ecology Center will be in IHP for e-recycling event, 10a-4p rain/shine. Earth Day 2016 is Fri 4/22: theme is “trees for the earth”; where better to do this than IHP?! Shout-out to Mark Levine for a bill that Edith Prentiss & I have been advocating for, and which has been signed into law: people with disabilities will get discount on services and memberships in parks. Shout out to Coach Dave: your New Yorker of the week is my New Yorker of the year!

**Caterina Rivera, City Harvest:** In-store event learning how to shop healthy, cook healthy, eat healthy. March 5<sup>th</sup> at C-Town Supermarket on Broadway & 207<sup>th</sup>.

**Katherine Diaz, Dominican Women’s Development Center:** Launching a mural project. 350 square-foot mural, specifically by and for women. Looking for 35 young women to help on this project. Launching on March 8<sup>th</sup>, International women’s day, through the Uptown Voices program.

**Isidro Medina, Washington Heights BID:** along with NYC Small Business Services is conducting a commercial district needs assessment (CDNA) to identify needs and problems of commercial establishments. Requesting assistance to get merchants to complete the questionnaire, especially if they need to remove graffiti; have problems with sidewalks; or have needs regarding security, sanitation, or marketing.

**Ramon Caba, Operation Program:** services for formerly incarcerated individuals; helps with reintegration and reduces recidivism. Work out of East Harlem. Looking to launch a program in WH as there is high need.

**Ms. Viera Solano, NYC Department of Health:** DoH is charged with informing all Community Boards about the Zika virus. If you don’t need to travel south of the US to the Caribbean/South America, don’t go. If you must go, use insect repellent, long-sleeved shirts, long pants; spray clothes. Also offering detailed presentation to the community at large. There are some imported cases, but no cases of Zika contracted in NYC.

**Betty Lehmann, Isabella Geriatric Center:** partnering with New York Presbyterian senior services in English and Spanish for caregivers of people with Alzheimer’s and dementia; will be expanded to those caregiving to those with other diseases and ailments. Event on March 8<sup>th</sup>. Also announced that there are two apartment openings in their senior housing (usually there’s a waiting list); and three opening in their early childhood education program (recently featured in Manhattan Times; terrific intergenerational programming.)

**Estban Nembhard, Communist Party:** 4<sup>th</sup> annual celebration of African-American History month. People coming together and standing against racism.

**Elizabeth Lorris Ritter, Hudson Heights Owners Coalition:** announced upcoming event on community resources at the Nagle Y on March 2<sup>nd</sup>; a 13<sup>th</sup> CD Congressional Debate co-sponsored by HHOC, the Obama Club and the People’s Theater Project on February 28<sup>th</sup>; and ongoing voter registration availability (see Osi Kamminer for forms if you need them).

8:28pm **5-minute recess for networking, personal needs**

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8:37+pm **Roll call for quorum and attendance:** those not present will not be considered present for the meeting. Quorum still present, albeit of different composition, more members having arrived, and two having left.

8:42pm Senator Adriano Espaillat: re liquor license (OPL) application for an establishment within the area covered by the proposed moratorium. Asked that we reject in the spirit of that moratorium even though it hasn’t gone into effect yet. This has already caught the attention of the SLA Chair: in a proceeding on another matter, he mentioned that the community has come together with the elected officials; since the SLA is listening, we must speak with a consistent voice. We have to stand for something as a community. There are other establishments

that have applied for OPLs elsewhere where there is not so much of a proliferation; we are not talking about restaurant/wine, or renewals, or transfers, just new licenses. Q (W. Benjamin): which item? A: Cinco, item #11. Q (Ariel Ferreira): it's a transfer, not a new license, based on a bill of sale.

8:46:pm **Committee Reports**

8:46pm **Richard Allman, Chair, By-Laws Task Force:** Section 10.04 is very specific and requires an exact sequence; suggest that the items be more general and that the Executive Committee set the agenda. This is for flexibility and to make the agenda responsive to the needs of the body. It is very unusual for the exact order of the meeting to be determined by the bylaws. These proposals seek that flexibility. This is presented now, but will not be voted on until next month. Q (Pamela Palanque North): shouldn't "two days" read "two business days"? PPN 2 days? A: we will make that correction. Q (Steve Simon): Agenda should be forwarded by email or sent by regular mail rather than "forwarded" so that people who don't have email still have a mechanism to receive such mail. A: that's the intent; "forwarded" should cover it. There was a fair amount of discussion on this point, and the exact wording to ensure that everyone gets the proper notification. Q (Anita Barberis): Electeds and representatives should speak at end so that they stay for the whole meeting. A: we would like to keep flexibility on this issue and have it be procedural, not in the bylaws. There was significant discussion on this point, but no resolution as the by-laws require that the vote be taken at a subsequent meeting.

9:05pm **Aldemar Diaz, Chair, Licensing:** There are 14 applications, of which the Committee recommended support for nine, and opposition of five. This high number was due to several no-shows. One business (a representative of which spoke earlier in the Public Session) didn't receive the meeting notice because they are not set up yet to receive mail at the place of proposed biz because it's new. We will now be soliciting the email addresses so that we can ensure businesses receive notification. #3, Majas Tapas, the Committee recommends opposing the application renewal due to noise complaints. They didn't appear before committee which we don't require, but 34th Precinct and the community had many noise issues.

There was a long discussion regarding the relative merits and/or detriments of selling alcohol on Sunday mornings (i.e., before noon), somewhat confused by a discrepancy in the numbering in the minutes and on the agenda of this and another procedural resolution which addressed an SLA matter regarding entrances. In particular it was noted that the prohibition of sales on Sunday mornings is rooted in antiquated "Blue Laws" which codify Sunday as a Day of Rest, and this is discriminatory against those who observe some other day as a Day of Rest, or who do not observe a Day of Rest at all. Several people questioned why the State should prohibit the sale of alcohol at Sunday brunch when it is permitted at Saturday brunch. The Chair also noted that some sports bars air events live from other time zones, so people watching them might want to drink while watching a game. With regard to Sunday morning sales, the SLA is offering two possible licenses, either a one-time Sunday permit, or an annual Sunday morning permit. Richard Allman moved to table; there was a second. In the ensuing discussion, several people noted that since it is time sensitive and the SLA requested our input for their meeting which will occur before our next meeting. The motion to table was defeated, 5-28-0-0, and discussion on the main motion continued.

S. Simon recommended to strike the clause in #16 (Sunday morning sales) about it being too much work for Precincts; sounds petty. Also the last whereas in #15 (entrances) doesn't make any sense about why people wouldn't support the bill. Why penalize people who sell liquor for off-premises consumption. Chair accepted this amendment as "friendly", as well as minor wording changes on #15 (separate ground floor entrance requirement). S. Simon moved and B. Lehmann seconded that #16 be a positive resolution (i.e., in favor, rather than opposing.) R. Lewis disagrees, stating that this is a dangerous precedent. Arlene Schulman wanted to add back in the language that was removed by the amendment that was accepted as friendly. As this motion was not accepted by the Chair as a "friendly" amendment and received no second, it was not considered by the body.

9:51pm **Report from Councilmember Ydanis Rodriguez, 10th CD**

- March 24th deadline approaching on funding requests, CB12 can also apply for funding for projects that we may be doing for programs. Also non-profits and schools can apply for capital funds.
- On March 12th there will be a meeting (venue TBD) on the summary findings of InwoodNYC. I support housing projects if there is a high percentage of affordable housing, using the CB12 (not Boro) median income of \$37.5k, I will only support it if there is 50% affordable housing. And we also must talk about the height. Also a percentage of the commercial space must be affordable to support local small businesses.
- The City Council's Health Committee will be meeting on Thursday to consider five bills relating to hookah, four proposed by me, including provisions requiring that you must be 21 to by hookah, and that if and establishment makes less than 50% revenue on hookah, they can't sell hookah at all, i.e., that it's only used/sold in hookah bars, not casual hookah sales.
- I also introduced a bill requiring that city agencies provide simultaneous translation.
- Car free day: first US city, following Bogota and France to have car-free days. Looking to close some blocks in this community for Earth Day, and also have there be a car-free day on Earth Day.
- Associated Supermarket update: conversation continuing in a good direction. The Associated and the Walgreens are in negotiations. Q (S. Simon): is there an opportunity for CB to co-sponsor earth day activities? A: there's a planning meeting at NYU on March 17th; will send details.
- Announced a free concert this Thursday at Aaron Davis Hall, 7pm. It will be a terrific event, with bachata, merengue, and other popular/folk music, played on classical instruments.

10:04pm **Licensing <continued>**: Q (E. Lorris Ritter): since a representative from the establishment under consideration in item 12 is on the agenda for March, what is effect of passing negative reso, and why not make it a neutral resolution? A: We can pass another resolution after the business presents in March which would supersede this resolution, but a negative resolution lets the SLA know that we do not support it in case they make a decision before our next meeting. E. Lorris Ritter moved that resolutions 8, 12 & 13 be amended to include an additional Whereas: "Whereas this item is scheduled for consideration at the March Licensing Committee meeting; and" and amend the Be It Resolved to read as follows: "...recommends that the State Liquor Authority take no action on this application until after March 23, 2016." The motion was seconded, and passed 26-1-2-0.

10:15pm **Wanda Garcia, Assistant Chair, Traffic & Transportation**: refer to minutes.

10:15pm **Wayne Benjamin, Chair, Land Use**: please come to public hearing on 3/2 on a zoning matter related to the proposed development at Sherman & Broadway. Also: today the Landmark Preservation Commission voted to keep the United Palace Theatre on the docket for consideration to landmark, per CB12 & MBPO support.

10:17pm **Steve Simon, Chair, Health & Environment**: highest street cleaning ratings. 2 of 4 sectors were at 100%. So we'll keep reduction in ASP. EMS response times continue to be among best in city, better than most of the rest of Manhattan and the rest of the city, 5.1minutes. we're also #1 in noise complaints. 4

10:20pm **Youth & Education**: Refer to minutes. (Chair out sick.)

10:23pm **Ayisha Ogilvie, Chair, Housing & Human Services**: refer to minutes.

10:24pm **Liliana Saneaux, Chair, Concerns of the Aging**: Inaugural meeting as Chair; it is a pleasure to serve. We welcome all participants. Please refer to minutes.

10:24pm **Maurice Owen-Michaane, Chair, Business Development**, great public hearing on February 2nd regarding the Associate Supermarket. Good things happening. Associated has a green light to just keep ordering inventory, but other than that no one can say what's going on in negotiations which are subject to non-disclosure.

10:26pm **Elizabeth Lorris Ritter, Chair, Parks & Cultural Affairs**: Refer to minutes. Thanks to Assistant Chair, Osi Kaminer for chairing the Committee meeting so I could attend the Business Development Public Hearing, and

March meeting when I am away on business. Next month’s meeting will include a presentation by the Parks Department on their conceptual plans for the renovation of the Javits Playground, long overdue for a renovation. Funds have been allocated by the Councilmember, MBP and the Fort Tryon Park Trust.

10:27pm **Roll Call on 16 Licensing resolutions** (table includes 4 previously taken procedural votes, items A-D)

Item #	Resolution	Yes-No-Abstain Not Voting	<i>Passed or Failed</i>
A.	Motion to table SLA procedural resolutions.	5-28-0-0	<i>failed</i>
B.	Amend SLA resolution regarding sale of liquor on Sunday mornings be amended to read “supports” (not “opposes”)	8-12-12-0	<i>failed</i>
C.	Amend the SLA resolution regarding the sale of liquor on Sunday mornings be amended to read “takes no action” (not “opposes”)	13-9-8-0	<i>failed</i>
D.	Amend resolutions 8, 12 & 13 to include an additional Whereas: “Whereas this item is scheduled for consideration at the March Licensing Committee meeting; and” and the Be It Resolved be amended to read as follows: “...recommends that the State Liquor Authority take no action on this application until after March 23, 2016.”	26-1-2-0	<i>passed</i>
1.	Resolution to recommend the SLA grant a Renewal of its On-Premises Liquor License to Trustees of Columbia University in the City of NY dba Faculty Club – 630 W. 168 th St., (bet. Broadway & Ft. Washington Ave.)	25-1-1-2	<i>passed</i>
2.	Resolution to recommend the SLA grant a Renewal of its On-Premises Liquor License to La Rueda Restaurant Inc. dba Tu Sabor Latino Restaurant – 3862-3864 Broadway, (at the corner of W. 161 st St.)	26-2-1-0	<i>passed</i>
3.	Resolution to not recommend the SLA grant a Renewal of its On-Premises Liquor License to Maja’s Tapas Restaurant Bar Inc. – 229 Dyckman St., (bet. Broadway & Seaman Ave.)	29-0-0-0	<i>passed</i>
4.	Resolution to recommend the SLA grant a Renewal of its On-Premises Liquor License to Sports Zone Café Inc. dba Mimosa Café – 253-271 Sherman Ave., (at the corner of Isham St.)	25-2-2-0	<i>passed</i>
5.	Resolution to recommend the SLA grant a Renewal of its Restaurant Wine License to Las Palmas Restaurant Inc. – 3891 B’way, (corner of W. 163 rd St.)	26-2-1-0	<i>passed</i>
6.	Resolution to recommend the SLA to grant a Renewal of its Tavern Wine License to D’ Tony Sport Corp. dba Nagle Sports Associates – 258 Nagle Ave., (corner of W. 204 th St.)	26-2-1-0	<i>passed</i>
7.	Resolution to recommend the SLA grant a Change in the Method of Operation to 151 Dyckman Corp. dba Lotus Café – 151 Dyckman St., (corner of Sherman Ave.)	26-2-1-0	<i>passed</i>
8.	Resolution to recommend the SLA take no action on a New On-Premises Liquor License to Blue Mountain Heights, LLC. – 499 W. 158 th St., (corner of Amsterdam Ave.) until after our March recommendation.	27-1-1-0	<i>passed</i>
9.	Resolution to recommend the SLA grant a New On-Premises Liquor License to Marisco Caribeno Inc. – 1490 St. Nicholas Ave., (corner of W. 185 th St.)	23-5-1-0	<i>passed</i>
10.	Resolution to not recommend the SLA to grant a New On-Premises Liquor License to Yudy Restaurant Inc. dba Lulo Restaurant – 1626 St. Nicholas Avenue, (bet. W. 191 st & W. 192 nd Streets.)	29-0-0-0	<i>passed</i>
11.	Resolution to recommend the SLA grant a New On-Premises Liquor License to CINCO Inc. – 5025 Broadway, store #3&4, (bet. W. 214 th / 215 th)	10-12-7-0	<i>failed</i>
12.	Resolution to recommend the SLA take no action on a New On-Premises Liquor License to The Uptown Garrison Inc. – 823 W. 181 st St., (corner of Pinehurst Ave.) until after our March recommendation.	27-1-1-0	<i>passed</i>

13.	Resolution to recommend the SLA take no action on a New Restaurant Wine License to Tampopo LLC. dba Tampopo Ramen – 1 Bennett Avenue, (bet. W. 181 st & W. 182 nd Sts.) until after our March recommendation.	27-1-1-0	<i>passed</i>
14.	Resolution to recommend the DCA grant a New Unenclosed Sidewalk Café License to Humberto’s Rice and Beans LLC. – 1318 St. Nicholas Ave., (corner of W. 176 th St.)	24-4-1-0	<i>passed</i>
15.	Resolution Regarding Legislative Proposals (to be submitted to the SLA’s ABC Law Revision Working Group) Opposition to NYS Bill A05423/S01922 (Regarding Street Level Entrance Requirement)	20-5-4-0	<i>passed</i>
16.	Resolution Regarding Legislative Proposals (to be submitted to the SLA’s ABC Law Revision Working Group) Opposition to NYS Bill A08617/S06307 (Regarding Sunday Morning Liquor Sales)	19-6-4-0	<i>passed</i>

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 10:39pm **Manny Belliard from the Office of NYC Councilmember Mark Levine’s office** announced then-upcoming events; refer to written report.

10:40pm **Mariel de la Cruz from NYC Comptroller Scott Stringer’s office** announced then-upcoming events; refer to written report.

10:44pm **Motion to adjourn** was made, seconded, and approved by acclamation.

Respectfully submitted: Elizabeth Lorris Ritter, Secretary