



# THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

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Gigi Li, Board Chair

Susan Stetzer, District Manager

## February 2013 Full Board Minutes

Meeting of Community Board #3 held on Tuesday, February 26, 2013 at 6:30pm at PS 20, 166 Essex Street.

### Public Session:

Peter Santoro: (VP of LES Service Center) Described the programs of the center (such as HIV/AIDS work). Introduced how center began (when LES had many more substance abusers).

Joyce Mendelsohn: (Author and Founding Member of Friends of the Lower East Side) Speaking in favor of landmarking of Seward Park Library. Stated the library has always been an integral part of the community - cited 1913 report that over 400,000 books were read.

Tal Lev: Speaking in opposition against bar at 221 East Broadway. The bar was denied a full-liquor license but have re-applied for a Tavern license. Mr. Lev states it is a bar with a bar layout and is advertised as a bar. Funds were raised as a bar, and the owners are bar operators. He brought letter from Seward Park board asking to deny the license. Asked for stipulation limiting to 11:00PM or have guards after midnight. Also asked for having owners phone numbers on hand to alleviate concerns.

Shain Anderson (Center for Independence of the Disabled of New York): Fights for citizens with disabilities. Hurricane Sandy was especially devastating for those with disabilities. FEMA has extended their deadline for applications for relief based on property destruction to 3/29. If applicants are denied, they should go the center: 841 Broadway, Suite 301 (by Union Square). Gave phone number: 646-784-0664.

Susan Stetzer: Can CB3 reach out to CIDNY?

Anderson: Yes. It is a free state-funded service.

Jason Corey: (owner of wine bar called Immigrant) Wants to open another bar in the same building. Lives in the building.

### Public Officials:

Mayor Michael Bloomberg, Pauline Yu: Not in Attendance

Public Advocate Bill de Blasio, Phil Jones: Not in Attendance

Comptroller John Liu, Alice Cancel: Not in Attendance

Borough President Scott Stringer, David Czyzyk: Thanked everyone for putting together the LES community rally - 300 people walked down Ave. D to site of murder. Blueway project meeting will be happening soon. Lunar New Year celebration on 3/6 at 5:00PM.

Congressmember Carolyn Maloney, Victor Montesinos: Not in Attendance

Congressmember Nydia Velazquez, Iris Quinones: Not in Attendance

Assembly Speaker Sheldon Silver, Zach Bommer: Held hearing on problems businesses have had with insurance after Hurricane Sandy. Speaker signed onto letter from CB3 pushing for more details on NYCHA in-fill development proposals. Raised Assembly bill for minimum wage to \$9.00 and helped passed the Dream Act.

Assemblymember Deborah J. Glick, Sarah Malloy-Good: Introduced internship from Assemblymember's office.

Assemblymember Brian Kavanagh, Marcela Medina: Annual health fair is coming up.

State Senator Daniel L. Squadron, Mauricio Pazmino: Pier 42 will be open as a green space by May 4. Hester St. Collaborative will be hosting an event at the Pier. April 28th Senator Squadron will host a community convention at which people can come in and speak about community issues. Senator is in favor of a bill for marijuana reform (both Governor and Mayor support the bill). Senator will still push for a lunar new year school holiday.

State Senator Brad M. Hoylman, (spoke before Public Session): Introduced himself to CB3 and spoke about bill he introduced in the Senate that will require license parameters of each SLA permit holder be posted and available. Recently confirmed Jenny Rivera's appointment to NY Court of Appeals (who grew up in Baruch Houses). Hoping to raise the minimum wage to \$9.00 and adjusted annually based on inflation. Having

conversations with NYCHA on in-fill development - there is a huge back-log of maintenance issues.

Councilmember Margaret Chin, Patricia Olan: Thanked everyone for reaching out with housing problems.

Councilmember Rosie Mendez, Michele Burger: Following NYCHA in-fill. Councilmember signed onto letter asking for public input on the in-fill project.

Members Present at First Vote:

David Adams	[P]	Linda Jones	[P]	Ariel Palitz	[P]
Dominic P. Berg	[P]	Vaylateena Jones	[P]	Thomas Parker	[A]
Karen Blatt	[A]	Meghan Joye	[P]	Carolyn Ratcliffe	[P]
Jimmy Cheng	[P]	Lisa Kaplan	[P]	Joyce Ravitz	[P]
MyPhuong Chung	[P]	Carol Kostik	[P]	Carlina Rivera	[P]
David Conn	[P]	Ben Landy	[P]	Jamie Rogers	[P]
David Crane	[P]	John Leo	[P]	Richard F. Ropiak	[P]
Natasha Dillon	[A]	Ricky Leung	[P]	Susan Scheer	[P]
Harvey Epstein	[P]	Sam Leung	[P]	Nancy Sparrow-Bartow	[P]
Morris Fajtelewicz	[P]	Gigi Li	[P]	Gary Tai	[A]
Flora Ferng	[P]	William LoSasso	[P]	Wilson Tang	[A]
Rabbi Y. S. Ginzberg	[A]	Bernard Marti	[P]	Elinor Tatum	[A]
Gloria Goldenberg	[P]	David McWater	[A]	Rodney Washington	[P]
Jan Hanvik	[A]	Charlotte Miles	[A]	Jack Waters	[A]
Herman F. Hewitt	[P]	Alexandra Militano	[P]	Justin Yu	[A]
Anne K. Johnson	[P]	Chiun Ng	[A]	Thomas Yu	[A]

Minutes:

Minutes of December 2012 were approved, as is.

**34 YES 0 NO 1 ABS 0 PNV MOTION PASSED**

Board Chairperson's Report: No Announcements

Chairperson Gigi Li

District Manager's Report:

District Manager Susan Stetzer: FEMA has extended the application deadlines to March 29 for residences and businesses. All Fung Wah buses have been taken out of service for safety reasons. CB3 has created criteria for block associations that will ensure democratic representation. Block Associations must have posted public meetings to vote on supporting or not supporting a liquor license or creating stipulations. Block Associations must also meet at least once a year to be referred to film production companies.

Committee Reports:

**Executive Committee**

no vote necessary

**Economic Development**

1. Update on commercial lease negotiation pamphlet  
no vote necessary
2. Sandy: Lessons Learned  
no vote necessary
3. Review of 2012 goals and accomplishments/committee goals for 2013  
no vote necessary

**Transportation & Public Safety and Environment Committee**

1. DOT: Pedestrian Wayfinding Initiative in Chinatown  
no vote necessary
2. [Fung Wah request for bus stop in front of 139 Canal St](#) (click item for more info)  
referred back to committee
3. Sandy: Lessons Learned  
no vote necessary
4. [DOT: Better Parking Management on some blocks in area bounded by Forsythe, Delancey, Essex and Grand St---consistent hours and parking regulations](#) (click item for more info)  
no vote necessary
5. Review of 2012 goals and accomplishments/committee goals for 2013  
no vote necessary

## **SLA & DCA Licensing Committee**

### **Applications within Saturated Areas**

1. 1st Street Ventures Inc, 44A 1st St (wb)  
no vote necessary
2. The Cow Theater (Stephen & Tyler Productions LLC), 21A Clinton St (wb)  
no vote necessary
3. 154 Ludlow Bar LLC, 154 Ludlow St btwn Stanton & Rivinginton Sts (op)  
withdrawn
4. I Cipressi Restaurant (Lidoalberta LLC), 189 Ave A btwn E 11th & E 12th Sts (wb)  
**VOTE:** As this applicant has entered in a Memorandum of Understanding with the North Avenue A Neighborhood Association (attached hereto), Community Board #3 moves to deny the application for a beer wine license for Lidoalberta Corp., with a proposed business name of I Cipressi, for the premise located at 189 Avenue A, between East 11th and East 12th Streets, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that
  - 1) it will operate as a full-service Tuscan restaurant, with a kitchen open and serving food during all hours of operation,
  - 2) its hours of operation will be from 9:00 A.M. to 11:00 P.M. Sundays through Thursdays and 9:00 A.M. to 12:00 A.M. Fridays and Saturdays,
  - 3) it will close any façade doors and windows at 10:00 P.M. every night,
  - 4) it will play ambient recorded background music and will not have DJs, live music, promoted events, scheduled performances or any events at which a cover fee will be charged,
  - 5) it will not commercially operate any outdoor areas,
  - 6) it will not seek to change the class of its license to a full on-premise liquor license, and
  - 7) it will not have a stand up or service bar

Community Board 3 is approving this beer wine license although this is a location in an area with numerous licensed premises because 1) the modest scale and hours of this proposed Italian restaurant is consistent with the method of operation Community Board 3 has stated it would approve in such an area, 2) this applicant previously operated an Italian restaurant in the same area without known complaints from 1998 through 2012, and 3) this applicant has entered into a memorandum of understanding with the area neighborhood association in an effort to minimize any negative impacts of its business on its residential neighbors.

### **Alterations**

5. Peels Restaurant (Radley Realty Corp), 325 Bowery at E 2nd St (op/alt/extend bar counter "L" shape, add 5-6 seats)  
**VOTE:** To approve the application for an alteration of the full on-premise liquor license for Radley Realty Corp., doing business as Peels Restaurant, 325 Bowery, at East 2nd Street, to wit combining the existing sixteen (16) foot stand up bar and seventeen (17) foot coffee bar, both of which are situated against the north ground floor wall of this business, and create a twenty-seven (27) foot by seven (7) foot standup bar against the same wall and adding eight (8) stools to the new standup bar.
6. Cafe Katja (Graz Restaurant LLC), 75 Orchard St btwn Grand & Broome Sts (op/alt/license to adjoin current business at 77-79)  
**VOTE:** To deny the application for an alteration of the full on-premise liquor license to Graz Restaurant Corp., doing business as Café Katja, for the premise located at 77-79 Orchard Street, between Grand Street and Broome Street, to wit extending its business and its full on-premise liquor license into the adjacent storefront located at 75 Orchard Street, unless the applicant agrees before the SLA to incorporate as conditions of its license the following signed and notarized stipulation that
  - 1) it will operate as a full-service Austrian restaurant, serving food to within one (1) hour of closing,
  - 2) its hours of operation will be from 10:00 A.M. to 1:00 A.M. Sundays, 11:00 A.M. to 2:00 A.M. Mondays through Wednesdays and 11:00 A.M. to 3:00 A.M. Thursdays through Saturdays,
  - 3) it will close any façade doors and windows at 10:00 P.M. every night,
  - 4) it will play ambient recorded background music and will not have DJs, live music, promoted events, scheduled performances or any events at which a cover fee will be charged, and
  - 5) it will revisit its hours of operation with Community Board #3 if there are any noise complaints.
7. The General/Finale/Bow (Bakers Dozen Associates LLC), 199 Bowery at Spring St (op/alt/move dance space to back half of the ground floor)  
no vote necessary
8. SakaMai (SakaMai LLC), 157 Ludlow St btwn Stanton & Rivinginton Sts (op/alt/add stand up bar)  
**VOTE:** To approve the application for an alteration of the full on-premise liquor license for SakaMai LLC, doing business as SakaMai, 157 Ludlow Street, between Stanton Street and Rivinginton Street, to wit adding a ten (10) foot ten (1) inch stand up pour bar with no stools to the front north side of the business to provide sake and soju to customers.

### **New Liquor License Applications**

9. Sunshine Lounge (Cinema Beverages Holding Company LLC), 143 E Houston St (op)  
withdrawn

10. The Immigrant Tap Room, 341 E 9th St btwn 1st & 2nd Aves (wb)

**VOTE:** To deny the application for a beer wine license for The Immigrant Tap Room Inc., for the premise located at 341 East 9th Street, west storefront, between First and Second Avenues, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that

- 1) it will operate as a tavern, serving food during all hours of operation,
- 2) its hours of operation will be from 6:00 P.M. to 1:00 A.M. Sundays through Thursdays and 6:00 P.M. to 2:00 A.M. Fridays and Saturdays,
- 3) it will maintain a closed fixed facade,
- 4) it will play ambient recorded background music and will not have DJs, live music, promoted events, scheduled performances or any events at which a cover fee will be charged,
- 5) it will not participate in any pub crawls or entertain party buses,
- 6) it will not seek to change the class of its license to a full on-premise liquor license, and
- 7) it will install soundproofing.

11. Barzinho Inc, 48 Hester St at Ludlow St (wb)

**VOTE:** To deny the application for a beer wine license for Barzinho Inc., for the premise located at 48 Hester Street, at Ludlow Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that

- 1) it will operate as a full-service Brazilian restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be from 10:00 A.M. to 10:00 P.M. all days,
- 3) it will maintain a closed fixed facade,
- 4) it will play ambient recorded background music and will not have DJs, live music, promoted events, scheduled performances or any events at which a cover fee will be charged,
- 5) it will not participate in any pub crawls or entertain party buses,
- 6) it will not seek to change the class of its license to a full on-premise liquor license,
- 7) any happy hour will end by 8:00 P.M.,
- 8) it will not commercially operate any outdoor areas,
- 9) it will not seek to extend or alter its premise, and
- 10) it will designate an employee to oversee its sidewalk to monitor crowds and noise.

12. Guayoyo (Highseyko Corporation), 67 1st Ave at E 4th St (op/upgrade)

**VOTE:** WHEREAS, Highseyko Corporation, is seeking a change in class of its license to a full on-premise liquor license for its restaurant, doing business as Guayoyo, for the premise located at 67 First Avenue at the corner of East 4th Street; and

WHEREAS, the proposed application is for a Venezuelan restaurant, with a certificate of occupancy of fifty (50) people, twelve (12) tables and forty (40) seats, a sixteen (16) foot bar, a kitchen open all hours, no outdoor areas and recorded background music; and

WHEREAS, this applicant has operated a restaurant at this location without known complaint since 1989; now

THEREFORE, BE IT RESOLVED that Community Board #3 moves to deny the application for a change in class of its license to a full on-premise liquor license for Highseyko Corporation, doing business as Guayoyo, for the premise located at 67 First Avenue, at the corner of East 4th Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that

- 1) it will operate as a full-service Venezuelan restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be from 11:00 A.M. to 12:00 A.M. Sundays through Thursdays and 11:00 A.M. to 2:00 A.M. Fridays and Saturdays,
- 3) it will play ambient recorded background music and will not have DJs, live music, promoted events, scheduled performances or any events at which a cover fee will be charged,
- 4) it will not commercially operate any outdoor areas, and
- 5) it will close any façade doors and windows at 10:00 P.M. every night.

13. To be Determined, 266 Broome St btwn Allen & Orchard Sts (op)

**VOTE:** To deny the application for a full on-premise liquor license for XLR 8 LLC, currently doing business as Lolita Bar, for the premise located at 266 Broome Street, between Allen Street and Orchard Street, as this applicant has failed to sign a notarized stipulation which would become conditions of its license although applicant had agreed to stipulations at the committee meeting that

- 1) it will operate as a tavern, serving small plates during all hours of operation,
- 2) its hours of operation will be from 4:00 P.M. to 4:00 A.M. Mondays through Fridays and 1:00 P.M. to 4:00 A.M. Saturdays and Sundays,
- 3) it will play recorded music and have DJs Fridays and Saturdays, but will not have live music, promoted events, scheduled performances or any events at which a cover fee will be charged,

- 4) it will have no open facade doors or windows and will maintain a fixed facade, and
- 5) it will not commercially operate any outdoor areas.

And further as, since its hearing before Community Board 3, the existing business, Lolita Bar, has been the subject of a nuisance abatement and closing in part premised upon underage sales. Consequently, Community Board 3 would have to rehear this application with an opportunity to consider this additional information.

Chad Marlow offered amendment to deny application because of on-going NYC investigation of existing bar as well as non-existence of applicant as a legal entity.

Militano: CB3 did not receive stipulations.

Stetzer: We need to attach proof of NYC investigation, and we can't address the LLC issue.

Marlow: You can't have a bar do something wrong that makes them money and then cash out. We need to investigate further.

Dominic Barg: Would be better to further investigate.

Herman Hewitt: Has a problem with the new owner not even showing up.

Militano: Accepted Marlow's friendly amendment as written by Militano.

Joye: Bar owners don't receive notice of under-age violation until SLA sends you hearing

Amendment: See text above.

14. Retro Bar & Grill (Delancey Diner LLC), 148-150 Delancey St btwn Suffolk & Clinton Sts (op)

**VOTE:** To deny the application for a full on-premise liquor license for Delancey Diner LLC, with a proposed business name of Retro Bar & Grill, for the premise located at 148-150 Delancey Street, between Suffolk Street and Clinton Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that

- 1) it will operate as a full-service American restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be from 6:30 A.M. to 11:00 P.M. all days,
- 3) it will maintain a closed fixed facade, and
- 4) it will play ambient recorded background music and will not have DJs, live music, promoted events, scheduled performances or any events at which a cover fee will be charged.

15. Natori Saint Marks LLC, 58 St Marks Pl (wb)

no vote necessary

16. Long Xin Restaurant (Sunrise Restaurant 88 Inc), 50 Eldridge St btwn Hester & Canal Sts (b)

**VOTE:** To deny the application for a beer license for Sunrise Restaurant 88 Inc., doing business as Long Xin Restaurant, for the premise located at 50 Eldridge Street, between Hester Street and Canal Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that

- 1) it will operate as a full-service Chinese restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be from 11:00 A.M. to 12:00 A.M. all days,
- 3) it will maintain a closed fixed facade,
- 4) it will play ambient recorded background music and will not have DJs, live music, promoted events, scheduled performances or any events at which a cover fee will be charged, and
- 5) it will not commercially operate any outdoor areas.

17. Luzzo's (Luzzo's 211 LLC), 211 1st Ave (op)

no vote necessary

18. Azize Cafe & Lounge (45 First Ave Corp), 45 1st Ave (wb)

withdrawn

19. Pulperia on Essex Inc, 131 Essex St btwn Stanton & Rivington Sts (wb)

**VOTE:** To deny the application for a beer wine license for Pulperia On Essex Inc., for the premise located at 131 Essex Street, between Stanton Street and Rivington Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that

- 1) it will operate as a full-service restaurant, specifically an Argentine Spanish restaurant with some retail food sales, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 11:00 A.M. to 12:00 A.M. Sundays, 4:00 P.M. to 12:00 A.M. Mondays through Thursdays 4:00 P.M. to 2:00 A.M. Fridays and Saturdays,

- 3) it will play ambient recorded background music and will not have DJs, live music, promoted events, scheduled performances or any events at which a cover fee will be charged,
- 4) it will close any façade doors and windows at 10:00 P.M. every night,
- 5) it will not commercially operate any outdoor areas, and
- 6) it will not seek to change the class of its license to a full on-premise liquor license.

20. To be Determined, 138 Orchard St btwn Rivington & Delancey Sts (op)

**VOTE:** To deny the application for a full on-premise liquor license for a corporation to be determined, with principals Jeremiah L. Stone and Fabian Von Hauske, for the premise located at 138 Orchard Street, between Rivington Street and Delancey Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that

- 1) it will operate as a full-service restaurant, specifically a modern American restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 6:00 P.M. to 12:00 A.M. all days,
- 3) it will play ambient recorded background music and will not have DJs, live music, promoted events, scheduled performances or any events at which a cover fee will be charged,
- 4) it will have a closed fixed façade with no open doors or windows, and
- 5) it will not commercially operate any outdoor areas.

21. Mediterranean Grill and Tapas (Izagara Gourmet Inc.), 128 1st Ave btwn E 7th St & St Marks Pl (op/upgrade)

**VOTE:** WHEREAS, Izagara Gourmet Inc., doing business as Mediterranean Grill and Tapas and Efendi Hookah Lounge, is seeking an upgrade of its license class to a full on-premise liquor license for the premise located at 128 First Avenue, between East 7th Street and St. Marks Place, New York, New York, and said application has been heard by this community board in both January and February of 2013; and

WHEREAS, this applicant was denied a beer wine license for a restaurant with a proposed business name of "Mediterranean Grill" by Community Board #3 in February of 2012, unless it agreed before the SLA to make as conditions of its license a signed notarized stipulation to 1) operate as a full-service Mediterranean restaurant, serving food during all hours of operation, 2) play ambient background music only, consisting of recorded music, and not have DJs, live music, promoted events, scheduled performances or any event at which a cover fee will be charged, and 3) keep any facade doors and windows closed at all times and maintain a closed fixed facade; and

WHEREAS, in its beer wine application before this community board, this applicant stated this restaurant would function primarily as a takeout establishment with late night hours and this method of operation is inappropriate for the present full on-premise liquor license application; and

WHEREAS, there has been a change in the method of operation of this location without notice to Community Board #3 in that the applicant has now stated that, while one (1) of its two (2) rooms continues to function as a cafeteria-style takeout restaurant with minimal seating, within the last three (3) months it has made its second room into a hookah lounge and, further, it provided this community board with photographs (copies of which are appended hereto) which show this room as having a separate entrance to the street and a neon street sign with a different business name of "Efendi Lounge" and show the interior of this room to consist of low couches and low tables; and

WHEREAS, as conceded by the applicant, there are currently at least twenty-four (24) full on-premise liquor licenses within five hundred (500) feet of this location; and

WHEREAS, while the applicant has demonstrated some community support by providing sixty-eight (68) signatures from members of the community, said signatures consist of both residential and commercial residents, the applicant was unable to provide the number of commercial residents who had signed its petitions and, consequently, the number of residents supporting this business is not clearly reflected in these signatures; now

THEREFORE, BE IT RESOLVED that Community Board #3 moves to deny the application to upgrade of its license class to a full on-premise liquor license for Izagara Gourmet Inc., doing business as Mediterranean Grill and Tapas and Efendi Hookah Lounge, for the premise located at 128 First Avenue, between East 7th Street and St. Marks Place.

22. 90 Third Avenue TC Restaurant LLC, 90 3rd Ave btwn E12th & E 13th Sts (op)

**VOTE:** WHEREAS, 90 Third Avenue TC Restaurant LLC, is seeking a full on-premise liquor license to operate a restaurant bar, with a proposed business name of Tres Carnes, which would be located at 90 Third Avenue, between East 12th Street and East 13th Street; and

WHEREAS, the proposed application is for a fast food service restaurant, in that its community board application reflects that it is seeking to operate a "quick-serve Mexican" restaurant, with a certificate of occupancy of seventy-four (74) people, two (2) communal tables, a seating ledge, four (4) tables

with a total of thirty-two (32) seats, a fifteen (15) foot bar with twelve (12) seats and closing times of 12:00 A.M. Sundays through Thursdays and 2:00 A.M. Fridays and Saturdays; and

WHEREAS, notwithstanding the approximate one hundred forty (140) resident signatures furnished by the applicant in support of its application and reduction of its hours, the business plan for this proposed restaurant as quick-serve Tex Mex at casual seating with liquor as an accompaniment is inappropriate in an area where there are numerous large and small scale establishments with full on-premise licenses within a small area which has had a substantial history of enforcement issues relating to the existing businesses, their patron population and alcohol consumption; and

WHEREAS, there are eight (8) full on-premise liquor licenses within two (2) blocks of this location which is well within five hundred (500) feet of this location; now

THEREFORE, BE IT RESOLVED that Community Board #3 moves to deny the application for a full on-premise liquor license for 90 Third Avenue TC Restaurant LLC, with a proposed business name of Tres Carnes, for the premise located at 90 Third Avenue, between East 12th Street and East 13th Street.

23. Bar Chevere (O & O Wine Corp), 181 Essex St btwn Houston & Stanton Sts (op)

no vote necessary

24. Ivrose B LLC, 137 1st Ave (wb)

no vote necessary

25. Eastwood (Sivandrew Inc), 200 Clinton St aka 221 E B'way (wb)

**VOTE:** To deny the application for a tavern wine license for Sivandrew Inc., for the premise located at 200 Clinton Street a/k/a 221 East Broadway, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that

- 1) it will operate as a tavern, serving small plates during all hours of operation,
- 2) its hours of operation will be 3:00 P.M. to 4:00 A.M. Mondays through Fridays and 10:00 A.M. to 4:00 A.M. Saturdays and Sundays,
- 3) it will close any façade doors and windows at 9:00 P.M. every night,
- 4) it will play ambient background music only, consisting of recorded music, and will not have DJs, live music, promoted events, scheduled performances or any events at which a cover fee will be charged,
- 5) it will employ at least one (1) security guard Thursdays through Saturdays at the door, from 10:00 P.M. to 4:00 A.M., and additional security, if needed, and
- 6) it will install soundproofing consistent with its attached plans,
- 7) it will not participate in any pub crawls or entertain party buses, and
- 8) it will post signs on its façade asking patrons to be quiet and move onto to Clinton Street if waiting outside or smoking.

26. Rivington 155 Parlor Inc, 155 Rivington St (op) (St Jerome's)

withdrawn

**36 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding SLA item 13)**

**35 YES 1 NO 0 ABS 0 PNV MOTION PASSED (SLA item 13)**

#### **Parks, Recreation, Cultural Affairs, Landmarks, & Waterfront Committee**

LES Ecology Center will be coordinate large tree-planting program around Con-Ed building using grant money that had been set aside for conversion from toxic heating fuels.

Hewitt: Would like to see buildings invited to convert their heating to less toxic heating fuels (from #4 and #6 fuels).

Crane: There have been no applications for conversion.

1. Columbus Park: Proposal for ornamental garden

**VOTE:** Whereas, Columbus Park is a heavily used open space in Chinatown and CB#3, and making full use of the park is a top priority;

Whereas, the pavilion space can accommodate more programming for the seniors and other park-goers;

Whereas, staff from Charles B Wang Health Center has identified interest from the community for gardening activities on the pavilion while still leaving open areas in the pavilion for free congregation, and has secured a grant for creating a garden;

Whereas, the local park manager at Columbus Park has offered to oversee the garden should it be created at the pavilion;

Therefore be it resolved, CB#3 supports the concept of an ornamental garden at the Columbus Park pavilion, pending design and final details in a final presentation from Charles B Wang staff in April 2013.

2. Sara Delano Roosevelt Park Coalition: park planning and concerns, including field turf repairs, parking in park, bathrooms, new and repairs, and rats

**VOTE:** Whereas, CB#3 has limited open space for its residents being in neighborhoods with high population densities;

Whereas, CB#3 in the past has indicated in resolutions that the full use of all open spaces and public buildings on NYC Parks property is a top priority;

Whereas, the volunteer SDR Park Coalition has come before CB#3 to highlight ongoing maintenance issues that do not require capital budget approval, such as:

- a) the Hester St bathroom in SDR Park being out of order for 6 months,
- b) the rodent infestation problem in the section of the park from Delancey to Grand Street,
- c) the parking of City vehicles at Hester Street plaza area,
- d) the need for more language access in park signage throughout SDR Park in English, Spanish and Chinese, and
- e) the presence of a large storage container holding items for use by Parks around the City in front of the SDR Park Stanton Street building;

Therefore be it resolved, that CB#3 strongly urges the NYC Parks Department to expeditiously address these ongoing issues in SDR Park;

And further be it resolved that CB#3 continues to advocate for the use of park buildings, particularly the ones located on SDR Park, and others around the community district, for community use.

3. Sandy: Lessons Learned

no vote necessary

4. Review of 2012 goals and accomplishments/committee goals for 2013

no vote necessary

5. Report from Landmarks Subcommittee

**VOTE:** CB#3 approves the following resolutions:

- a) [Resolution regarding 117 2nd Avenue – East Village/Lower East Side Historic District \(13-9818 - Block 462, lot 23\)](#) (click item for more info)

An altered Greek Revival style rowhouse originally built c.1842-43, altered in the Queen Anne style in 1883, and further altered in 1910 with the installation of a two-story storefront. Application is to legalize the reconstruction of the second floor facade performed without Landmarks Preservation Commission permit(s).

WHEREAS, 117 2nd Ave was built in 1842 and altered in 1883, including the Queen Anne style cornice, and

WHEREAS, the two-story storefront was installed in 1920; and

WHEREAS, the building was originally brick but coated with cement and painted; and

WHEREAS, work was started with a DOB permit but without a LPC permit; and

WHEREAS, the resulting second story matches the rest of the building in materials and windows, so

THEREFORE BE IT RESOLVED, while Community Board 3 does not in general approve work begun without a permit, it finds the proposed alterations appropriate and approves this application.

- b) Resolution regarding 117 2nd Avenue – East Village/Lower East Side Historic District (13-8921 - Block 462, lot 23)

An altered Greek Revival style rowhouse originally built c.1842-43, altered in the Queen Anne style in 1883, and further altered in 1910 with the installation of a two-story storefront. Application is to replace storefront infill.

WHEREAS, the proposed storefront is a distinct improvement over that which existed at the time of designation, and



WHEREAS, wood and glass will be used on the doors, paneling, and windows; and

WHEREAS, the piers will be black painted steel with small wooden inserts that align with paneling on the doors; and

WHEREAS, goose neck lighting will be installed on the piers; and

WHEREAS, a small amount of existing historic brick will be retained, so

THEREFORE BE IT RESOLVED, Community Board 3 approves the application.

- c) [Resolution regarding a Certificate of Appropriateness application by the Middle Collegiate Church, 112 2nd Avenue, aka 50 East 7th Street – East Village/Lower East Side Historic District](#) (click item for more info)

A Romanesque Revival style building, designed by Samuel B. Reed, and built in 1891/92. Application is alter the facade.

WHEREAS, the Middle Collegiate Church was built in 1891 (architect Samuel B. Reed); and

WHEREAS, the purpose of the extensive changes proposed is to provide handicapped accessibility throughout the entire building; and

WHEREAS, plans for the façade alterations were approved by the Department of Buildings in May, 2012, followed by a change of contractors in October, 2012, and

WHEREAS, although work began in mid-November after the Historic District was designated, the approved plans were not acted on by the Landmarks Preservation Commission during the 40-day waiting period; and

WHEREAS, windows are to be replicated in wood with insulated glass and stained glass windows are to be restored and reinstalled; and

WHEREAS, the sills on the second floor are to be lowered two feet, the windows lengthened accordingly, and the profiles of the wood pilasters are to be replicated; and

WHEREAS, the windows on the first floor will be replaced with painted metal doors matching the bluestone base to provide egress in the case of fire and a keystone header will be inserted above the doors ; and

WHEREAS, the stoop is to be removed and the wood doors are to be replaced with brass and glass doors reflective of the entrance on Second Avenue; and

WHEREAS, a stone belt course is to be added under the second floor windows; so

THEREFORE BE IT RESOLVED, based upon recommendations incorporated above, Community Board 3 approves the application.

- d) Resolution in support of landmarks designation of the Seward Park Branch, New York Public Library, 192 East Broadway.

WHEREAS, the Seward Park library was built in 1909; the architects were Babb, Cook & Welch, an eminent firm that designed Andrew Carnegie's mansion on East 91st Street; and

WHEREAS, the library was restored in 2002-04; the architects were Kevin Horn & Andrew Goldman; and

WHEREAS, the library is one of 67 Carnegie Library branches of the New York Public Library; and

WHEREAS, the current library replaced a small free library funded by the Aguilar Free Library Society in 1890; and

WHEREAS, it is one of the largest branch libraries in the city, serving a diverse Lower East Side population with its collections in Hebrew, Yiddish, Chinese, Spanish, and English; and

WHEREAS, the five-story renaissance-revival building complements the other monumental structures representing the Jewish History of the Lower East Side along East Broadway—the Jarmulowsky Bank, the Jewish Forward Building, and the Bialystoker Center and Home; so

THEREFORE BE IT RESOLVED, Community Board 3 enthusiastically supports landmarks designation of the Seward Park Branch, New York Public Library.

**Block Party and Street Events**

6. 8th Taste of Chinatown, 4/21, Mott St (Canal & Worth Sts)  
withdrawn
7. 9th Taste of Chinatown, 10/20, Bayard St (Mulberry St & Bowery)  
withdrawn
8. St Teresa's 150th Anniversary, 6/15, Henry St (Pike St & Rutgers St)  
**VOTE:** CB#3 approves the block party application for St Teresa's 150th Anniversary, 6/15, Henry St (Pike St & Rutgers St).
9. Weekend Walks Chinatown-Paint the Town, 5/26 & 6/2, Mott St (Canal St & Chatham Sq)  
no vote necessary

**36 YES 0 NO 0 ABS 0 PNV MOTION PASSED**

**Con Edison Task Force** from January 24th meeting

1. Follow up as needed on previously-approved projects  
no vote necessary
2. Review Proposals for Spring 2013 funding cycle -- Accelerated Greening Program  
no vote necessary
3. Review Proposals for Spring 2013 funding cycle -- LESEC EcoBiz/Street Trees Program  
no vote necessary

**Con Edison Task Force** from February 20th meeting

1. Follow up as needed on previously-approved projects  
**VOTE:** WHEREAS in November 2010, by Resolution of Community Board Three, the Lower East Side Ecology Center (LESEC) was awarded \$15,000 to pay a portion of the cost of a new van to support the activities of the LESEC, including the EcoBiz and Street Tree Stewardship programs also funded from the Con Ed Settlement Fund, and

WHEREAS the \$15,000 was provided to LESEC, but was required to be held by LESEC as Restricted Funds until LESEC had identified funds for the remaining costs of the van, and

WHEREAS, while LESEC had initially intended to acquire a biodiesel van, their subsequent research and analysis determined that biodiesel was not suitable for the short-haul work their programs entail, and further that an electric van was cost-prohibitive, and

WHEREAS the LESEC has provided satisfactory evidence to the Con Ed Settlement Task Force that it has funds needed, together with the \$15,000 Settlement Funds, to complete the acquisition of the new van,

THEREFORE the Resolution of Community Board Three passed on November \_\_\_\_, 2010 is hereby amended to authorize the LESEC to release the \$15,000 from its Restricted status for the purpose of acquiring a conventionally-powered new van, and is further directed to report to the Task Force when the van is acquired.

2. Final review of Proposals for funding in Spring 2013 funding cycle

**VOTE (1) Resolution for LESEC Tree Stewardship and Ecobiz:**

WHEREAS The Con Edison Settlement Fund (the "Fund") was established as an outcome of the Article X East River Power Plant Repowering Project, and

WHEREAS the Supplemental Joint Stipulation dated March 13, 2002 (the "Stipulations") establishing the Fund provided for monies to be used to write down the cost of fuel-switching for certain generators during the winter months, within certain price parameters and at the direction of Manhattan Community Board #3 ("CB3"), and separately to subsidize the cost of conversions to steam heat, if feasible conversions can be identified, and separately, other items of work that do not pertain to this Resolution, and

WHEREAS the Stipulations also provided for CB3 to recommend alternative uses for the Fund for "alternative air quality improvements in the general neighborhood of the East River Complex" [stipulation #7], and for alternative community benefit projects, except no such projects may be funded, "unless they assist the local

community in the development and implementation of projects such as local air quality improvement, health improvement, or amenities programs in the general vicinity of the East River Complex," and

WHEREAS in each case of an alternative proposal, it must be identified by CB3 and the City of New York and approved by Con Edison as "prudent expenditures" [stipulation #8], and

WHEREAS CB3 has created the Con Edison Task Force to administer the process of reviewing potential alternative uses and recommending them to the full CB3 for a vote, and

WHEREAS application guidelines were initially adopted by the Task Force in 2009, and revised periodically, most recently in November 2012, and in each case posted on the CB3 web site and publicized at multiple CB3 meetings, and

WHEREAS this proposal review process was established so that the process was fully transparent; dates and criteria were clearly identified; the process was fully public and decisive and applied equally to all proposals; and all activities of the Task Force complied with Open Meetings law, and

WHEREAS the current application cycle began with a January 7, 2013 application deadline, and two applications were received before the deadline, with a total funding request of \$252,781, and one such application was from the Lower East Side Ecology Center ("LESEC"), a neighborhood-based 501(c)3 non-profit, for \$102,781 and

WHEREAS according to records of the Con Ed Task Force, \$1.2 million remains to be available to spend of the Fuel Switching and Steam Boiler Conversion funds provided under the Stipulations, assuming funding of previously approved projects still under review by the New York City Law Department and/or Con Edison, so there are sufficient funds for this proposal, and

WHEREAS the Task Force met on January 24, 2013 and conducted an initial review of the LESEC application, identifying additional information needed from the applicant, and the applicant was requested to submit the supplementary materials by February 7th for the February 20, 2013 Task Force meeting, and did so, and

WHEREAS this application requests continuing funding of two LESEC programs previously funded by the Con Ed Settlement Fund, (1) EcoBiz, which works with local businesses to reduce energy consumption, air pollution contribution, waste and operating costs, and (2) Street Tree Stewardship, which works with the City Parks Department to plant and maintain street trees in the immediate vicinity of the Con Ed plant, and

WHEREAS the Task Force finds that both programs have been implemented by LESEC in accordance with prior funding conditions and that there is continued air quality, health and quality of life benefits to community in further funding of each program, and

WHEREAS the LESEC is committing its Street Tree Stewardship to close integration with the New York City Parks Department/Tree Trust initiative also being recommended separately for funding on this date, which will plant every available street tree location within one-half mile of the Con Ed plant, among other work, and

WHEREAS the LESEC is funding \$15,920 of the total program costs of \$118,701 through in-kind contributions of staff and materials, and

WHEREAS the LESEC proposal is found to be fully consistent with the Stipulations and the CB3 Guidelines,

THEREFORE CB3 requests that \$102,781 be awarded to Lower East Side Ecology Center to implement the continuing EcoBiz and Street Tree Stewardship programs as detailed in its final, revised proposal submitted on February 7, 2013.

**VOTE (2) Resolution for New York City Tree Trust/NYC Parks:**

WHEREAS The Con Edison Settlement Fund (the "Fund") was established as an outcome of the Article X East River Power Plant Repowering Project, and

WHEREAS the Supplemental Joint Stipulation dated March 13, 2002 (the "Stipulations") establishing the Fund provided for monies to be used to write down the cost of fuel-switching for certain generators during the winter months, within certain price parameters and at the direction of Manhattan Community Board #3 ("CB3"), and separately to subsidize the cost of conversions to steam heat, if feasible conversions can be identified, and separately, other items of work that do not pertain to this Resolution, and

WHEREAS the Stipulations also provided for CB3 to recommend alternative uses for the Fund for "alternative air quality improvements in the general neighborhood of the East River Complex" [stipulation #7], and for alternative community benefit projects, except no such projects may be funded, "unless they assist the local community in the development and implementation of projects such as local air quality improvement, health improvement, or amenities programs in the general vicinity of the East River Complex," and

WHEREAS in each case of an alternative proposal, it must be identified by CB3 and the City of New York and approved by Con Edison as "prudent expenditures" [stipulation #8], and

WHEREAS CB3 has created the Con Edison Task Force to administer the process of reviewing potential alternative uses and recommending them to the full CB3 for a vote, and

WHEREAS application guidelines were initially adopted by the Task Force in 2009, and revised periodically, most recently in November 2012, and in each case posted on the CB3 web site and publicized at multiple CB3 meetings, and

WHEREAS this proposal review process was established so that the process was fully transparent; dates and criteria were clearly identified; the process was fully public and decisive and applied equally to all proposals; and all activities of the Task Force complied with Open Meetings law, and

WHEREAS the current application cycle began with a January 7, 2013 application deadline, and two applications were received before the deadline, with a total funding request of \$252,781, and one such application was from the New York City Tree Trust ("Tree Trust"), program of the City Parks Foundation, a 501(c)3 non-profit affiliated with the New York City Parks Department, for \$150,000 and

WHEREAS according to records of the Con Ed Task Force, \$1.2 million remains to available to spend of the Fuel Switching and Steam Boiler Conversion funds provided under the Stipulations, assuming funding of previously approved projects still under review by the New York City Law Department and/or Con Edison, so there are sufficient funds for this proposal, and

WHEREAS the Task Force met on January 24, 2013 and conducted an initial review of the Tree Trust application, identifying questions and additional information needed from the applicant, and the applicant was requested to submit the supplementary materials by February 7th for the February 20, 2013 Task Force meeting, and did so, and

WHEREAS this application requests \$150,000 of a total cost of \$300,000 to fund a comprehensive street tree planting and tree pit enhancement program for the area within one-half mile of the Con Ed plant, an area that reaches east to Avenue A and south to 5th Street, and that while technically including much of Stuyvesant Town the initiative would not have significant application north of 14th Street, and

WHEREAS the funding of the other half of the \$300,000 cost by the New York City Parks Department would, together with the use of Settlement Funds, accelerate planting and provide additional enhancements to new and existing tree pits in an area of Manhattan otherwise not slated for priority scheduling due to its relatively greater (though still insufficient) tree cover based on the City's program for intensive street tree planting, and

WHEREAS the applicant's survey of the area indicates 55 available sites for street tree planting, as well as 120 existing planted tree pits that can receive ground cover/bulb planting and a tree guard to optimize growing conditions, some of which can be expanded to further benefit the trees and reduce storm water run-off, and

WHEREAS the Tree Trust is working with LESEC's Street Tree Stewardship program to engage businesses and residents in the tree pit planting and care activities, among other work, which will be in addition to the contractually obligated two years of initial tree care by the contractor that plants the tree, and

WHEREAS, data provided by the Tree Trust asserts that street trees consistently provide environmental benefits, including reduction of pollutants that can trigger asthma and other respiratory ailments, as well as enhance quality of life, and

WHEREAS the New York City Parks Department has confirmed in writing that the \$150,000 funding it is committing to the project has been reserved under existing City contract MG-111MR, so that the promised matching funds are available, and

WHEREAS the Tree Trust proposal is found to be fully consistent with the Stipulations and the CB3 Guidelines,

THEREFORE CB3 requests that \$150,000 be awarded to the City Park Foundation's Tree Trust program for its Accelerated Greening program as detailed in its final, revised proposal of February 7, 2013.

3. Review and planning for balance of 2013

no vote necessary

4. Review of 2012 goals and accomplishments/committee goals for 2013

**VOTE:** The Task Force resolved that the foregoing was its evaluation of 2012 and goals for 2013.

**35 YES 0 NO 0 ABS 1 PNV MOTION PASSED**

### **Land Use, Zoning, Public & Private Housing Committee**

Linda Jones: CB3 has no authority to speak on NYCHA in-fill issues.

1. NYCHA Land Disposition: process and possibilities

**VOTE:** WHEREAS, Community Board 3 has become aware of New York Housing Authority (NYCHA) plans to dispose of land within housing projects in Community Board 3 for market-rate development; and

WHEREAS, the Housing and Urban Development (HUD) process for such disposition known as Section 8 does not require Community Board participation; and

WHEREAS, our entire community will be affected by population increase, school overcrowding, environmental, economic, and infrastructure issues; and

WHEREAS, the tenants of the affected NYCHA projects will need legal, technical and political support in order to negotiate with NYCHA; so

THEREFORE BE IT RESOLVED that Community Board 3 adopts the following set of principles:

#### CB3 NYCHA disposition principles

1. There must be transparent outreach (trilingual). Such outreach should provide a clear outline of the section 18 process.
2. The disposition process should be slowed down to a pace that gives residents time to respond.
3. The RFP process should be suspended until there is a public process that includes meaningful resident participation and community input.
4. Independent technical and legal resources must be provided and should be funded by the Tenant Participation Activities (TPA) fund.
5. Disposition should be considered from a comprehensive perspective, taking into account environmental, schools, economic, transportation, and infrastructure impacts.
6. No development plans should be acted upon without agreed satisfactory benefits for the current residents.
7. NYCHA should include the relevant community boards in the process.

2. Lowline—initial planning study core findings

no vote necessary

3. [Inclusionary Housing Program application for 327-331 E Houston St \(B345, L15-17,19\)](#) (click item for more info)

**VOTE:** WHEREAS, the building to be developed at 327-331 East Houston Street includes 16 affordable units in compliance with the inclusionary housing program; and

WHEREAS, the development complies with the inclusionary housing requirements included in the Lower East Side Rezoning plan; so

THEREFORE BE IT RESOLVED that Community Board 3 approves the Inclusionary Housing Program application for 327-331 East Houston Street.

4. 421A application for 21 E 1st St/9-17 2nd Ave (B456, L27)

**VOTE:** Community Board 3 denies the 421A application for 21 East First Street/9-17 Second Avenue, based upon the long-standing CB3 position against granting 421A tax exemptions to developments which only provide market-rate housing.

5. Sandy: Lessons Learned  
no vote necessary
6. Review of 2012 goals and accomplishments/committee goals for 2013  
no vote necessary

**36 YES 0 NO 0 ABS 0 PNV MOTION PASSED**

**Human Services, Health, Disability, & Seniors / Youth & Education**

1. Urban Fellow Project: Assessing social service needs for seniors in CB 3  
no vote necessary
2. Assess Sandy's impact for human service providers  
no vote necessary
3. Safety net program: Addresses social and healthcare needs of the older Jewish population  
withdrawn
4. [Request for support for Early Voting legislation](#) (click item for more info)

**VOTE: MANHATTAN BOROUGH BOARD RESOLUTION REGARDING EARLY VOTING, SAME-DAY REGISTRATION, AND NO-EXCUSE ABSENTEE VOTING IN NEW YORK CITY**

WHEREAS, in the November 2010 elections, turnout in the city was significantly lower (28 percent) than in the rest of the state (53 percent) and nation (46 percent); and

WHEREAS, New York City also had lower voter turnout in the presidential elections in 2008 than any other major U.S. city; and

WHEREAS, according to preliminary data from the New York City Board of Elections, the number of ballots cast for President in 2012 decreased by 14 percent from 2008;

WHEREAS, 32 other states already offer early voting, which allows citizens to exercise their right to vote from 4 to 45 days prior to Election Day; and

WHEREAS, New York closes voter registration nearly a month before primary and general elections, while 10 states plus the District of Columbia offer same-day registration, allowing citizens to register to vote when they cast their ballot; and

WHEREAS, New York continues to require an excuse to access an absentee ballot, despite the fact that 27 other states permit no-excuse absentee voting; and

WHEREAS, New York law does not allow citizens who are either displaced by natural disasters, cannot afford to take time off work to wait in line to vote, or find it difficult to get to the polling place on Election Day; to secure absentee ballots; and

WHEREAS, voters on the Upper East Side reported waiting over three hours to cast a ballot on East 74th Street, in part because election officials were not sufficiently prepared to process people efficiently; and

WHEREAS, voters at a polling site near Gramercy Park were told that the electronic ballot scanners were all broken and that the site did not have an emergency ballot box; and

WHEREAS, all three scanners jammed at Riverside Church in Manhattan not long after voting began at 6 A.M.; and

WHEREAS, on the Upper West Side, voters at Public School 163 spent over an hour navigating four lines — to determine which election district they lived in, to get a ballot, to fill out the ballot, and to get the ballot scanned; and

WHEREAS, voters waited in line for one hour at P.S. 234 Independence School on Greenwich Street, only to be turned away because the site had run out of ballots. Voters were then directed to 111 Centre St., only to have that polling run out of provisional ballots around 8 p.m., an hour before polls closed; and

WHEREAS, the Asian American Legal Defense and Education Fund told the *New York Times* that election workers in Chinatown and elsewhere had refused to give out affidavit ballots in accordance with Governor Cuomo's Executive Order; and

WHEREAS, early voting and no-excuse absentee voting would have abated these problems by reducing the number of people at polling sites on Election Day; and

WHEREAS, states that combine early voting with same-day registration—such as Vermont and North Carolina—have enjoyed turnout 5-6 points higher than the national average; and

WHEREAS, studies, like that published by the American Political Science Association, have shown that no-excuse absentee voting has a positive effect on voter turnout;

THEREFORE BE IT RESOLVED that the State of New York should pass legislation embracing early voting for the 2014 elections, like Senate Bill S1556-2011 introduced by Senator Joseph Addabbo and co-sponsored by his colleagues Senators Dilan, Hassell, Thompson, Krueger, Montgomery, Oppenheimer, and Stavisky; and Assembly Bill A293-2011, sponsored by Assemblymember Rory Lancman and co-sponsored by his colleagues Assemblymembers Glick, Magee, Weisenberg, Brennan, Hooper, Pheffer, Lupardo, Gottfried, Perry, Lifton, Reilly, Jacobs, Paulin, Lavine, and Kellner.

BE IT FURTHER RESOLVED that the State of New York should pass legislation like Senate Bill S1978-2011, introduced by State Senator Michael Gianaris and Assembly Bill A1686-2011, sponsored by Assemblymember Brian Kavanaugh and cosponsored by Assemblymembers Boyland, Brennan, Cahill, Clark, Cook, Dinowitz, Glick, Lifton, Lupardo, Markey, Perry, Scarborough, Thiele, Englebright, Farrell, Galef, Gottfried, Kellner, Meng, Oritz, Paulin, Rivera (P.), and Quart, to eliminate the 10-day advance voter registration requirement in Article II, Section 5 of the State Constitution.

BE IT FURTHER RESOLVED that the State of New York should pass legislation allowing same day voter registration, which would apply not only on Election Day, but on any day eligible voters could cast a ballot.

BE IT FURTHER RESOLVED that the State of New York should take immediate steps—including a possible constitutional amendment to Article II, Section 2 of the New York State Constitution—to enact no-excuse absentee voting.

5. [Request for support for Restructuring NYC's Animal Care and Control](#) (click item for more info)

**VOTE: MANHATTAN BOROUGH BOARD RESOLUTION IN SUPPORT OF RESTRUCTURING NEW YORK CITY'S ANIMAL CARE AND CONTROL**

WHEREAS Since 1995, the non-profit corporation Animal Care and Control ("AC&C") has been under contract with the New York City Department of Health and Mental Hygiene ("DOHMH") for rescuing, caring for and finding loving homes for the city's homeless and abandoned animals; and

WHEREAS Manhattan Borough President Scott M. Stringer recently released a report entitled "Led Astray: Reforming New York City's Animal Care and Control", that examines how AC&C's performance falls short of its stated mission and proposes a new financial model to transform AC&C into a thriving public-private partnership, modeled after the successful Central Park Conservancy; and

WHEREAS "Led Astray" found that adoptions have declined 37 percent over the past six years while placements, which enable AC&C to pass the responsibility of caring for an animal onto a rescue group, have increased by 70 percent; and

WHEREAS in testimony submitted to the City Council in September 2011, the ASPCA's Director of Medicine for its Adoption Center testified that there is a nearly "100 percent outbreak rate of infection" among the animals they receive from AC&C shelters; and

WHEREAS "Led Astray" notes that AC&C has had a long history of managerial dysfunction, with eleven Executive Directors since its inception in 1995, including eight in the last ten years, and has been without a Full-Time Medical Director on staff since February 2010; and

WHEREAS New York City's dog licensing has declined three straight years, with compliance now at only 10%, as compared to the 90% rate of model cities like Calgary, Alberta, Canada. Additionally, Calgary has pioneered an incentive-based approach to licensing that allows the city to fund its entire \$5.9 million shelter budget through licensing fees, through a "rewards" program that grants licensed pet owners discounts at participating businesses, including pet care stores; and

WHEREAS AC&C's board lacks the independence and expertise to fundraise effectively and reported a mere \$56,000 in 2010 – a stark contrast to money brought in by outside animal care organizations, such as Stray from the Heart, which raised over \$156,000 from private funds during that same time

period; and

WHEREAS New York has no full-service shelters in the Bronx and Queens, which contributes to severe overcrowding and generally deplorable conditions at overburdened shelters in Manhattan and Brooklyn; and

WHEREAS New York is home to a passionate philanthropic community as well as thousands of animal lovers and volunteers, who are willing to do their part to create a world-class shelter system; and

WHEREAS in the late 1970s when Central Park was in a state of disrepair, a group of dedicated civic and philanthropic leaders established the non-profit Central Park Conservancy, which brought together a diverse board of stakeholders to restore and enhance the park; and

WHEREAS the Central Park Conservancy and its dedicated board raised approximately \$38.9 million in 2011; and

WHEREAS New York City has both a legal and moral obligation to care for its stray animal population;

THEREFORE LET IT BE RESOLVED that the Manhattan Borough Board endorses Borough President Stringer's proposal to restructure AC&C into an independent non-profit modeled after the Central Park Conservancy that includes individuals with philanthropic and animal care expertise; work with State legislators to substantially increase revenue by aggressively promoting dog licensing compliance; and commit to building full service shelters in the Bronx and Queens. Any policy proposals that are developed around this proposal to restructure Animal Care and Control should ensure that a City agency with appropriate affinity retains ultimate policy control, and that the private contributions will not constrain policy decisions.

6. Review of 2012 goals and accomplishments/committee goals for 2013  
no vote necessary

**36 YES 0 NO 0 ABS 0 PNV MOTION PASSED**

Members Present at Last Vote:

David Adams	[P]	Linda Jones	[P]	Ariel Palitz	[P]
Dominic P. Berg	[P]	Vaylateena Jones	[P]	Thomas Parker	[A]
Karen Blatt	[A]	Meghan Joye	[P]	Carolyn Ratcliffe	[P]
Jimmy Cheng	[P]	Lisa Kaplan	[P]	Joyce Ravitz	[P]
MyPhuong Chung	[P]	Carol Kostik	[P]	Carlina Rivera	[P]
David Conn	[P]	Ben Landy	[P]	Jamie Rogers	[P]
David Crane	[P]	John Leo	[P]	Richard F. Ropiak	[P]
Natasha Dillon	[A]	Ricky Leung	[P]	Susan Scheer	[P]
Harvey Epstein	[P]	Sam Leung	[P]	Nancy Sparrow-Bartow	[P]
Morris Fajtelewicz	[P]	Gigi Li	[P]	Gary Tai	[P]
Flora Ferng	[P]	William LoSasso	[P]	Wilson Tang	[A]
Rabbi Y. S. Ginzberg	[A]	Bernard Marti	[P]	Elinor Tatum	[A]
Gloria Goldenberg	[P]	David McWater	[A]	Rodney Washington	[P]
Jan Hanvik	[A]	Charlotte Miles	[A]	Jack Waters	[A]
Herman F. Hewitt	[P]	Alexandra Militano	[P]	Justin Yu	[A]
Anne K. Johnson	[P]	Chiun Ng	[A]	Thomas Yu	[A]

Meeting Adjourned