

1 **MANHATTAN COMMUNITY BOARD 4**

2 June 5, 2013 Hotel trades Council Auditorium 305 west 44<sup>th</sup> Street

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4 **AGENDA**

5 Public Session: Christine Berthet

6 Adoption of Agenda: Corey Johnson

7 Adoption of Last Month's Minutes: Corey Johnson

8 Report of the Manhattan Borough President: David Czyzyk

9 Reports of Local Elected Officials: Various

10 Report of the District Manager: Robert J. Benfatto, Jr.

11 Report of the Chair: Corey Johnson

12 Committee Reports -- Letters & Resolutions

13 Adjournment

14 **Chair Corey Johnson called the meeting to order at 18:43**

15 **PUBLIC SESSION:**

16 MCB4 Chair Johnson introduced first Vice Chair Christine Berthet to run the public session.

17 1. **Suzanne Wasson** of 300 west 17<sup>th</sup> Street expressed concern over the placement of the CitiBikes on her  
18 block citing issues with Sanitation, Schools and Access-A-Ride users. She offered an alternative spot on the  
19 block which would mitigate many of the issues. *Co-Chair Christine Berthet informed Ms. Wasson this*  
20 *issue would be addressed in Item 21 to be voted on by the Board. The letter to DOT specifically requests*  
21 *the move of the station in question.*

22 2. **Miguel Acevedo** spoke about the actions of the Highline Hotel firing a number of employees following  
23 Super Storm Sandy with the promise they would have an opportunity to be rehired after reopening. Not a  
24 single former employee was rehired. He said this is indicative of the new gentrified Chelsea. This "new  
25 Chelsea" does not respect the Community. When he spoke directly with management of the Highline Hotel  
26 they explained the former employees did not meet the criteria for the positions available.

27 *Co-Chair Christine Berthet informed Mr. Acevedo the Board would be voting on a letter, Item 29*  
28 *that speaks directly to this concern.*

29 3. **Robert Minor** of the 50<sup>th</sup> /51<sup>st</sup> Block Association wanted to address several Items on the Agenda.

30 Item 10: Letter to SLA re VYNL – 756 Ninth Avenue (50/51) - wanted to see this go back to  
31 Committee to give the Block Association time to meet with the owners

32 Item 14: Letter to DOB re after hour variances – supportive of the letter as this has been a problem  
33 for a long time and would like to see a reduction of off hours work.

34 Item 24: Letter to DOT re change in parking regulations – 325 W. 52nd Street - Block Association  
35 is also supportive of this letter.

36 4. **Marshall Crutchfield** former Auditor at Highline Hotel now employed at another hotel passionately  
37 described the management of the Highline Hotel as liars because they told the Board they would be re-  
38 hiring these employees that worked through Super Storm Sandy in dangerous conditions showing their  
39 dedication. He stated there was no question these people were qualified for the jobs that they lost and it is  
40 unconscionable that an employer can lie to the community and these workers, He urged the Board to do  
41 whatever is in their power to do the "right thing".

42 5. **Patrice Sims** another former Highline Hotel employee had been told she would be rehired. They worked  
43 in filth and mold during Hurricane Sandy and their treatment is unacceptable and unfair.

44 6. **Katherine Cordona** worked in the Conference Center at the Highline Hotel for 5 years. Her team helped  
45 make the hotel what it is. Current clients of the hotel are the same in which her group serviced.

46 7. **Angel Cortes** also a former Highline Hotel employee started with the opening of the Hotel. Many of the  
47 former employees learned on the job what needed to be done to make the hotel great. There was a family  
48 culture at the Highline Hotel. He feels as if the management put up a "smoke screen" to say what they  
49 needed to say to get their liquor license.

50

51 8. **Shaunice Perrin**, manager of the 57<sup>th</sup> St Greenmarket informed the Board of Greenmarkets within  
52 MCB4:

53 *57<sup>th</sup> Street and 9<sup>th</sup> Avenue Wednesdays & Saturdays 8am to 5pm May through December*

54 *Port Authority Bus Terminal Thursdays 8am to 5pm Year-round*

55 *42<sup>nd</sup> Street and West Side Highway Saturdays 8am to 5pm – opening soon*

56 The Greenmarkets were established in 1976 and there are 54 markets throughout the city.

57 They accept EBT, Debit and Credit Cards

58 They have school and senior tours as well as cooking demonstrations and some locations accept  
59 compost.

60 Ms.Perrin urged everyone to support local farmers.

61 9. **Burt Lazarin** MCB4 member and Co-Chair along with Raul Larios of the Budget Task Force  
62 announced the Job Opportunities page on the MCB4 website. He explained the Board will ask businesses  
63 (this word was provided to him by the native French speaking Co-Chair Christine Berthet) to inform us of  
64 open positions that can be posted on the MCB4 website to give a greater opportunity for residents to apply  
65 for local jobs.

66 Mr. Lazarin pointed out new listings recently posted.

67 10. **Dominic Comperatone** of 440 west 34<sup>th</sup> Street complained of noise from 11pm to 7am from several  
68 Trash Collection companies including GEM Sanitation and Royal Waste Management.

69 He has logged numerous complaints over the past year with 311 with no results save a letter from  
70 311 with poor grammar and mis-addressed.

71 *Co-Chair Christine Berthet directed Mr. Comperatone to the Quality of Life Committee Meeting*  
72 *on Monday, June 10<sup>th</sup> at the MCB4 office at 6:30pm*

73 11. **Kathleen Treat**, Chair of the Hell's Kitchen Neighborhood Association thanked the Community Board  
74 for its support of the Red Apple Market moving to the former Project Find location. Mrs. Treat stressed the  
75 need for a Senior and ADA friendly market. HKNA started a petition and had collected signatures in  
76 support of this move.

77  
78 **ADOPTION OF THE AGENDA AND THE MINUTES OF THE APRIL FULL BOARD MEETING:**

79 The June 5, 2013 agenda was adopted.

80 Following a brief inquiry regarding the reported fainting spell of the "Treasurer" last month in reaction to Item 23,  
81 the Board adopted the May 1, 2013 minutes, as respectfully submitted by Larry Roberts.

82 **REPORT OF MANHATTAN BOROUGH PRESIDENT SCOTT STRINGER:**

83 **David Czyzyk, representative of Borough President Stringer**, acknowledged Pride Month and reported the  
84 following to the Board:

- 85 • LGBTQ Pride Celebration & Changemakers Award Ceremony on **June 25<sup>th</sup>** sponsored by MBP, Macy's  
86 & The Men
- 87 • Community Board Training sessions available **this month** at two locations on the topics of Conflict of  
88 Interest, Land Use & ULURP and NYC Budget Process. New members are encouraged to sign up, but they  
89 are also great refreshers for all members.
- 90 • Plans for the East River Blueway have been released and brochures were available. The plan will bring  
91 residents right down to the water and ideas for cleaning up the waters and creating a beach are being  
92 explored.
- 93 • Finally and most importantly, Mr. Czyzyk happily told the Board of the new addition to the Stringer  
94 family, Miles Stringer. The youngest Stringer reportedly has 10 fingers and 10 toes.

95  
96 **REPORTS OF OTHER ELECTEDS:**

97 **Ellen Lewis representative of Brad Hoylman**, reported the following to the Board:

- 98 • The Senator remains concerned about the impending sale of the Bayview Correctional Institute building  
99 at 550 West 20<sup>th</sup> Street. He just recently arranged a tour for MCB4 to assess historical significance and  
100 possible community uses.

101 • Hoylman Bill, S.3077 passed committee. This bill will create transparency around Liquor Licensing. This  
102 will help the community at large as well as NYPD understand if an establishment is compliant with the  
103 license they have been issued.

104 • The Senator wrote a letter to the New York State Education Department about recent High-Stakes  
105 Standardized tests designed by Pearson. Holyman would like Pearson to release this past April's Exams in  
106 order to assess if the tests were graded correctly and covered material that actually was taught.

107 • Finally, Ms. Lewis conveyed that Hoylman is very saddened by the recent attacks on the LGBT  
108 Community. While he applauds the NYPD response, he has organized a Public Forum to assess the efficacy  
109 of New York State's Hate Crimes Law on **June 14<sup>th</sup>**.

110  
111 **Jeffrey LeFrancois, representative of State Assembly Member Dick Gottfried** wished everyone a Happy Pride  
112 Month and urged everyone to be careful and vigilant in light of the recent Hate Crimes against the LGBT  
113 Community and then reported the following to the Board:

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115 • A Medical Marijuana Bill passed the State Assembly and will now be sent to the State Senate.

116 • The Ninth Avenue Parking Regulation changes extending metered parking to 11pm has created a hardship  
117 for many in the community that work in the theater or entertainment industry. Along with other electeds,  
118 Gottfried has sent a letter to DOT requesting the previous hours be re-instated.

119 • In light of NYCHA's plans to issue RFPs to develop on their sites to raise revenue, Assembly Member  
120 Gottfried has co-sponsored a bill with Assembly Member Keith Wright to require any development on  
121 NYCHA property to go through the ULURP process.

122  
123 **Jessie Bodine, representative of Council Member Gale Brewer**, reported the following to the Board:

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125 • Gale's Brewer's office hosted a meeting with Dewitt for the Community to discuss the Public Payphone  
126 RFPs. The meeting was very productive with many exciting possibilities for the spaces currently occupied  
127 by payphones. The Community made it very clear the main concern would be spacing and location. A  
128 formal RFP is expected mid to late summer.

129 • Council member Brewer also hosted a symposium on Senior Food Policy with UWS Senior Centers and  
130 organizations. This meeting focused on the Westside Senior Supported Agriculture Food Bag Program  
131 which provides fresh farm produce to seniors at a very affordable price.

132 • Brewer sent a letter to DOE Chancellor Walcott requesting information regarding the schedule of light  
133 fixture replacement for several UWS Schools. The current fixtures contain PCBs and are mandated to be  
134 changed. The lack of a set date for replacing is causing havoc on scheduling for school programs.

135 • Finally, Bodine reported to no one's surprise, Council member Brewer's opposition to a New York State  
136 bill proposing to use lever voting machines. Brewer did release an official statement expressing her  
137 opposition and she feels this would be a step backwards.

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139 **Paul Sawyer representative for State Assembly Member Linda Rosenthal**, reported the following to the Board:

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141 • PCB removal from schools will be completed within 3 ½ years instead of 10. The Assembly member is  
142 please dafter fighting for faster remediation.

143 • Rosenthal had introduced a bill to protect the public from exposure to radon. Acknowledging radon is  
144 naturally occurring, the concern is that the increase of “fracked” gas may bring higher levels of radon in  
145 our kitchens.

146 • The Assembly member is pleased the NYS Homes and Community Renewal has proposed new rent  
147 regulations. There will be a public hearing on **June 10, 2013 at 10 am at Bowling Green.**

148  
149 **Harriet Sedgewick, representing City Council Speaker Christine Quinn,** reported the following to the Board:

150 • The Speaker is very disturbed by the recent rise in Hate Crimes against the LBGT Community. In  
151 response she has announced a 5 point plan for keeping New Yorkers safe.

- 152 1. Increased Police Presence in LGBT Neighborhoods
- 153 2. Citywide Anti-Hate Crime Initiative in Schools
- 154 3. Friday Community Safety Nights Out
- 155 4. Hate Crime Public Awareness Campaign
- 156 5. Speak Out Against Hate Interfaith Weekend

157 • The Speaker in response to the recent attacks has announced another series of free Self-Defense classes  
158 throughout the city. For more information or to sign up for classes, residents can email  
159 [events@council.nyc.gov](mailto:events@council.nyc.gov) or call 212 788 5613.

160 • On May 17<sup>th</sup> lights were finally added under the scaffolding of 210 Seventh Avenue.

161 • Applications are now being accepted for 529 West 29<sup>th</sup> Street. This building includes 70% preference for  
162 performing artists and 30% preference for CB4 residents.

163 • Finally Ms. Sedgewick updated the Board on the Commuter Bus congestion on west 44<sup>th</sup> Street. The  
164 Speaker along with other elected officials wrote a letter to the Port Authority and they have received  
165 commitments from most of the bus operators to monitor and instruct their drivers.

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167 **Edgar Yu representing District Attorney Cy Vance** reported the following to the Board:

168 • The DA’s office cannot comment on current cases, but the office is actively working on the recent Hate  
169 Crimes cases.

170 • DA Vance participated in the Identity Theft and Consumer Fraud Forum hosted by State Senator  
171 Hoylman.

172 • The District Attorney has just formed a unit to investigate illegal financial activities. More information is  
173 available on their website.

174 • Finally, DA Vance’s office hosted a family day in East Harlem. This is a neighborhood that the DA  
175 successfully took out 3 gangs.

176  
177 **REPORT OF DISTRICT MANAGER ROBERT J. BENFATTO:**

178 MCB4 District Manager Bob Benfatto updated the Board on the Bowery Residents Committee. The BRC runs a 325  
179 bed shelter at 127 west 25<sup>th</sup> Street. The BRC had been sued by a community coalition to reduce the number of  
180 shelter beds from 325 to under 200. A lower court ruled in favor of the BRC and just recently the BRC also won on  
181 appeal so they will continue to operate with 325 beds.

182 DM Benfatto also announced the summer schedule for the Board. **The next Full Board meeting will be the last**  
183 **Wednesday in July, July 31<sup>st</sup>.** DM Benfatto reminded members that not all committees may have meetings in the  
184 summer and advised the Board to check the schedule on the MCB4 website. In July the C/HKLU Committee will  
185 meet on July 24<sup>th</sup> and the Hudson Yards BID proposal will be on the agenda.

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187 **REPORT OF MCB 4 CHAIR COREY JOHNSON:**

188 Chair Johnson urged new members to take advantage of the training sessions offered by the MBP’s office explaining  
189 they are very helpful.

190 Chair Johnson also reported that Evangeline Gomez is pregnant and has resigned from the Board leaving the post of  
191 Co-Secretary vacant. Yours truly, Delores Rubin agreed to take on the role. The Chair categorized the position as  
192 “glamorous and sexy”. *(Larry Roberts already embodies that characteristic of Board Secretary, but I will do my best*  
193 *to be an amble back-up.)*

194

195 **COMMENT FROM MCB 4 VICE CHAIR CHRISTINE BERTHET**

196 Vice Chair Berthert wanted to follow up on Gale Brewer’s representative Jesse Bodine report on the Public  
197 Payphone RFP. Ms Berthert re-iterated the possibility of almost continuous wi-fi and she characterized the prospect  
198 as very exciting.

199

200 **COMMITTEE LETTERS AND RESOLUTIONS:**

201 **Business Licenses and Permits Committee (BLP)**

202 *Presented by BLP Co-Chair Lisa Daglian*

203 The following items were bundled: 3, 4, 5, 8 & 9 / 6 & 7 / 11 & 12

204 Item 1: Letter to SLA re GW Market LLC – 550 W. 45th Street (APPROVED)

205 *Committee Chairs explained the establishment will be a food court with multiple vendors.*

206 *Concerns are around security issues and ensuring sufficient availability of produce for sale*

207 Item 2: Letter to SLA re XL Dance Bar – 512 W. 42nd Street (APPROVED WITH AMENDMENTS)

208 *Request to strengthen language on concerns about current operation*

209 Item 3: Letter to SLA re Wichcraft – 62 Chelsea Piers (APPROVED)

210 Item 4: Letter to SLA re CAP Restaurant – 301 W. 48th Street (APPROVED)

211 Item 5: Letter to SLA re Atlantic Theater Co. – 336 W. 20th Street (APPROVED)

212 Item 6: Letter to SLA re Pillars 37 - 517 W. 37th Street (APPROVED)

213 Item 7: Letter to SLA re Pillars 38 – 518 W. 38th Street (APPROVED)

214 Item 8: Letter to SLA re Studio 450 LLC – 450 W. 31st Street (APPROVED)

215 Item 9: Letter to SLA re The Diner – 210 Tenth Avenue (22/23) (APPROVED)

216 Item 10: Letter to SLA re VYNL – 756 Ninth Avenue (50/51) (SENT BACK TO COMMITTEE)

217 *50<sup>th</sup> /51<sup>st</sup> Street Block Association concerns prompted a request to send back to committee*

218 Item 11: Letter to SLA re Forty Four Acres – 58-60 Ninth Avenue (14/15) (APPROVED)

219 Item 12: Letter to DCA re Pastai – 186 Ninth Avenue (20/21) (APPROVED)

220

221

222 **Landmarks Committee (LAND)**

223 *Presented by BLP Co-Chair Pamela Wolff*

224 Item 13: Letter to LPC re 239-241 Eleventh Avenue (26) - storefront (APPROVED)

225

226 **Quality of Life: ACES Committee (QoL)**

227 *Presented by BLP Co-Chair David Pincus*

228 Item 14: Letter to DOB re after hour variances (APPROVED WITH AMENDMENTS)

229 *Added to the letter a request for a meeting with DOB and moving lines 97/98 up to around line 26*

230 **Footnotes provided by Christine Berthert were acknowledged with appreciation**

231 Item 15: Letter to SAPO re Green/Farmer’s Market (APPROVED)

232

233 **Housing Health and Human Services Committee (HH&HS)**

234 *Presented by BLP Co-Chair Joe Restuccia*

235 Item 16: Letter to HPD re LIHA – 515 Tenth Avenue (40/41) (APPROVED)

236 *Request to strengthen language around the section of Apartment Distribution*

237 *Added in the Jobs section, ‘Development and Operation Jobs*

238 *Will include a request for feedback on the Community Center*

239 *Will address Sidewalk Space & Trees*

239 **Waterfront Parks and Environment Committee (WATER)**

240 *Presented by BLP Co-Chair John Doswell*

241 The following items were bundled: 17 & 18

242 Item 17: Letter to Manhattan Borough President re Clinton Cove Park (APPROVED)

243 Item 18: Letter to Council Member Gale Brewer re Clinton Cove Park (APPROVED)

244 *Corrected letter recipient*

245 Item 19: Letter to DPR re Ramon Aponte (APPROVED WITH AMENDMENTS)

246 *Requested to add specifics on water usage*

247

248 **Transportation Planning Committees (TRANS)**

249 *Presented by TRANS Co-Chair Christine Berthet*

250 The following items were bundled: 21,22, 23 & 24

251 Item 20: Letter to DOT re guidelines in the placement of Long Distance Bus Stops (APPROVED WITH AMENDMENTS)

252 *Adding a request for a Sidewalk Study and clarifying the term “terminal”*

253 Item 21: Letter to DOT re: Citibike Stations (Ratification) (APPROVED WITH AMENDMENTS)

254 *Added request to urge education of riders*

255

256

**Board Chair Johnson took the time to acknowledge the great work done by Vice Chair Berthet to help facilitate a smoother launch of the CitiBikes program in the MCB4 area.**

257 Item 22: Letter to DOT re: bicycle and motorcycle parking (APPROVED)

258 Item 23: Letter to PANYNJ re motorcycle parking (APPROVED)

259 *For Items 22 & 23: Requested stronger language about spaces & address “daylighting” issue*

260 Item 24: Letter to DOT re change in parking regulations – 325 W. 52nd Street (APPROVED)

261 Item 25: Letter to DCA re Newsstand - NW corner of 10th Avenue and West 54th Street (APPROVED WITH AMENDMENT)

262 *Letter corrected to indicate SE corner*

263

264

265 **Clinton/Hell’s Kitchen Land Use Committee (C/HKLU)**

266 *Presented by C/HKLU Co-Chair Jean-Daniel Noland*

267 Item 26: Letter to PANYNJ re Big Apple Supermarket (APPROVED WITH AMENDMENTS)

268 Request to “Western” Beef up the language to make a stronger plea

269 It was called to question the appropriateness of advocating for a specific tenant. The Big Apple Supermarket has been a long time asset to the community providing a low price quality supermarket for the community.

270 When asked if the Board should write a letter at all, C/HKLU Co-Chair JD responded with the question of whether the Board would want to ‘take food out of the mouths of orphans’. Clearly no one would advocate for that.

271 Item 27: Letter to DCP re text amendment on second floor commercial use – N130232 ZRM (APPROVED)

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273

274 **Chelsea Land Use Committee (CLU)**

275 No items to report

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277

278 **New Business (NewBus)**

279 *Presented by LAND Public Member David Holowka*

280 Item 28: Letter to LPC re designation for former Seaman’s YMCA – 555 W. 20th Street (APPROVED WITH AMENDMENTS)

281 *Request to mention the loss to be suffered by the Community following 30 years as a site of service.*

282 There was a debate as to mention possible good re-use of the building if it is Landmarked, but this may be out of the realm of guidelines, so it was suggested to send a separate letter to electeds regarding all the concerns that would not necessarily be addressed by Landmark Commission. Joe Restuccia informed the Board this issue would also come before the Housing, Health & Human Services Committee.

283

284 *Presented by BLP Co-Chair Paul Seres*

285 Item 29: Letter to Highline Hotel re failure adhere to written commitments (APPROVED WITH AMENDMENTS)

286 *Request to address the letter directly to the Principal instead of the Attorneys*

287 *Request to add testimony of the workers that worked through Super Storm Sandy*

288

293 *Will Copy electeds*  
294 *Request to add a line conveying that the Highline Hotel never acted in Good Faith*  
295  
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297 **The meeting was adjourned at 21:05**  
298 Scribed by Delores Rubin

299

DRAFT