



CITY OF NEW YORK
MANHATTAN COMMUNITY
BOARD No. 4
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Meeting Date	October 4, 2017
Meeting Time	6:30PM
Meeting Location	Mount Sinai West 1000 Tenth Avenue 2nd Floor Conference Room

DELORES RUBIN
 Chair

JESSE R. BODINE
 District Manager

October 2017 Full Board Meeting Minutes

PUBLIC HEARING/ PRESENTATION	<p>BSA re PCE for Orangetheory Fitness at 313-321 W 37th Street.</p> <p>Board Chair Ms. Rubin explained the matter. No one signed up to speak. The hearing closed.</p>
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Public Session	
Brian Connell	<p>Mr. Connell is a co-owner of Jolly Monk (formerly) and (currently) Mom’s Kitchen & Bar at 701 Ninth Avenue. Mr. Connell requested for the Board to consider redrafting its proposed letter to the SLA re the alternation the owners performed in the restaurant’s space before they notified the CB and the SLA. Mr. Connell felt that the letter is “very critical and very harsh.” Mr. Connell admitted that “the timeline was messed up” but pointed out the letter doesn’t mention the community support the restaurant received in writing and at the BLP meeting from the block association and neighbors. Mr. Connell felt that his restaurant offers a better quality of life to his neighbors and would prefer a letter that put the restaurant in a better light.</p>
Alex Valentine and Jacqueline Smith	<p>Ms. Valentine and Ms. Smith spoke on behalf of Gay Men’s Health Crisis, located at 446 W 33rd Street, a leading HIV/AIDS advocacy NFP, to introduce the community to their new services. Ms. Smith runs an outpatient Article 31 mental health clinic, and Ms. Valentine runs an outpatient Article 32 substance abuse clinic. Both clinics are licensed by OMH and OASES respectively and treat individuals for many mental health and substance abuse issues regardless of their HIV status, sexual orientation, or gender identity. Some examples of the services they offer are: individual treatment, psychiatry, group treatment for substance abuse, and opioid overdose abuse prevention programs. The clinics currently accept Medicare and Medicaid, and will be slowly adding in Beacon plans for Medicaid shortly, and smaller insurance plans in the future.</p>
Maritza Carmona	<p>Ms. Carmona is the Government and Community Relations manager for Friends of the High Line. They are launching a number of new projects and initiatives this month. The Haunted Highline program on October 28 from 11am-3pm is geared towards families and children. Flyers available. Announcement of current job openings: a Custodian for immediate hire and a Community Initiatives Manager for immediate hire - looking for someone with a strong community engagement project planning background. For more information, please speak to the recruitment manager. The Highline Community Survey will go out sometime during the upcoming week to all CB4 members and anyone on the CB4 listserv. Everyone is encouraged to take part in the survey. The last time the survey was taken was in 2010. Many of the 18 current programs came as a result of the 2010 survey – feedback on the existing programs and new ideas are welcomed. The High Line will host a special edition of the Arriba Latin Dance Party on October 18 to support the Caribbean and Mexican recovery efforts.</p>

	This will be a fundraising effort and they will be accepting donations.
Silvia Tomesco	Ms. Tomesco is the architect on record for Item 9: 337 W 55 th Street. She pointed out two issues: the owner is only demo-ing the façade and not the whole building. Secondly, the owner feels like their anti-harassment certificates were properly delivered and they are available online to the public.
Tyrone Anthony	Mr. Anthony is the President of the Tenant Association at 300 W 46th Street. The Tenants Association and/or the tenants are not alerted when events (i.e. construction) happen in the community. The TA has written letters to CB4 and the AM's office but have no received any satisfactory responses. They have to call the DOB to find out if there is an existing permit, and sometimes they get no answer from the DOB. Mr. Anthony asked that tenants in his building be alerted when construction happens in our community, because it affects their daily lives.
David Glasser	Mr. Glasser lives at 11 th Avenue and W 23 rd Street and spoke against Item 12. Mr. Glasser, who is very well-informed on the issue, pointed out that the owners had lost at the initial level before HPD and they have come up with another proposal where they will keep the skin of the building, gut the interior, remove 2 of the 4 perimeter walls, and they will extend the rear and add 5 floors on top. In Mr. Glasser's opinion, his proposal would destroy what the block looks like. The demolition amendment was established to reduce development pressure on existing multiple dwellings – but this proposal is completely contradictory – it instead promotes development pressure and rewards the owners for their bad behavior. They purchased the building after the effective date of the amendment to the zoning resolution- the demolition restriction, and on top of that, there is a court order- a judgement of foreclosure. They purchased a mortgage that has a face value of \$10-12M for \$6.5M and then they foreclosed on it and purchased the deed at public auction for \$60K. These owners are bad actors. Only after starting the demolition, when they got caught, did they make the application to HPD.
Anita McDonagh	Ms. McDonagh is the President of the Tenant Association at 333 W 56 th Street. They are not made aware when a bar or restaurant decides to put in a sliding panel in the front of a bar or restaurant, such as Haru on W 56th Street and 9 th Avenue. Their wall is a sliding wall, which is not a problem for the neighborhood now, but if they sell and the new owners change the wall to glass, this can potentially become a problem.

Remarks from Elected Officials and Representatives

Assembly Member Dick Gottfried	A/M Gottfried spoke about the Port Authority Bus Terminal. The new plan proposed by the Port Authority will keep the existing terminal running while it builds 2 new levels on top. This is a better plan than moving the terminal to a new site and ends the discussions about eminent domain in Hell's Kitchen, which is a victory for the community. Last week, Congress failed to renew the authority for federal funding for the Child Health Plus program, but perhaps they will get around to doing it because it is important. Far bigger threat to NYS is the non-renewal of disproportionate shares for hospitals, which can cost NYS over \$1 billion/year and NYC public hospitals will be picking up the bill. The Governor announced that NYS has a \$4B budget deficit, and has taken the position that NYC has a \$4B surplus. He is saying that not only NYC, but Nassau County and other jurisdictions that have local public hospitals should have to pick up the cost of the loss of Federal funds, which could be horrendous for NYC. DOB has been a nightmare – they allow illegal demolition and try to reverse their decisions when the community makes noise. A/M Gottfried has occasionally mentioned this subject to Manhattan D.A. Cy Vance Jr. that it is a felony for building owners and architect applicants to file falsified papers. Perhaps prosecuting the owner and their architects may be a way to go to deter them from lying to DOB.
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<p>State Senator Brad Hoylman</p>	<p>Senator Hoylman started be stating that NYS has the toughest gun laws in the country. He has introduced a bill with A/M Brian Kavanagh that is law in 4 other states, which would allow courts to establish ERPO's (Extreme Risk Protection Orders) to take weapons away from people who are unwell and in danger of hurting themselves or others. Senator Hoylman introduced a bill today that would outlaw bump stocks (allow weapons to discharge a lot of bullets very quickly). They are currently illegal to use, but not illegal to possess in NYS. Legislation introduced today would make it a Class D felony to possess a bump stock. Senator Hoylman is also trying to get the State, which controls Route 9A, to make it safer. State DOT is willing to have discussions, which is a start. Also, the DOT will be covering the greenway, which is great news. Senator Hoylman also proposed new legislation to curb the use of LLC's to control real estate interests. Currently, many shell companies with P.O. Box address control lots of real estate in NYS. Tenants often don't know who their landlords are. This proposed bill will force owners to declare themselves with the Secretary of State. This will be a tough bill to pass through the legislature because real estate interests control NYC. Senator Hoylman's office will be giving flu shots on Thursday, October 26th. Senator Hoylman also thanked the CB and colleagues for the victory achieved in regard to the Port Authority Bus Terminal. The solution that the community proposed was rejected before but recently accepted by the Port Authority. This is the direct result of community solidarity. Regarding the voting age legislation to lower voting age in NYS, Senator Hoylman said the proposed bill has not moving yet in either house. Regarding the congested pricing plan, the community has not seen anything from the Governor yet. In the proposal, MTA revenue will be increased, which is a great idea.</p>
<p>Afraz Khan for BP Gale Brewer</p>	<p>Mr. Khan is the CB liaison for CB 3, 4, and 5 for the Manhattan BP Office. He just graduated from NYU. Regarding the Garment District, the MBP office thanked CB4 for its support to keep manufacturing jobs in that area. Mr. Khan mentioned that he attended a board stat event recently, which is a new initiative by BETA NYC, Microsoft & CB's where they are taking 311 data, mapping it, and trying to use it to analyze how they can apply that information into practical solutions. This is a part of BP Gale Brewer's push for open data. The issue of Gristedes accepting W.I.C checks is something the office is looking into. The office is drafting a letter to Gristedes and the Big Red Apple Group urging them to allow for the reacceptance of these benefits. The Office has also been in contact with the DOB re the demolishing of affordable housing units. The Office is handling several quality of life complaints re the Brookfield Development construction, and are hoping to set up a meeting with them to resolve some of those issues. Mr. Khan mentioned 2 upcoming events that may be of interest to the community. The Office is hosting an open house on October 14th at their office at 1 Centre Street, you can sign up on the website. The Office is also hosting a Better with Age exhibit, featuring artists over the age of 60, in their office from October 10th to November 1st.</p>
<p>David Leeds for Congress member Carolyn Maloney</p>	<p>Mr. Leeds mentioned that the tragic events this week in Las Vegas remind us that we need comprehensive gun control reform in Washington. Gun safety is a major issue for the C/M, she thinks that saving lives should not be a partisan issue, but a common sense issue. This legislative year alone, she has authored the Firearm Risk Protection Act, the Handgun Trigger Safety Act, the Gun Show Loophole Closing Act, and the Gun Trafficking Prevention Act. She has led her colleagues in pushing Congress to appropriate money to the CDC for the research and study of gun violence in order to gather data that can be used to save lives. The C/M also continues to lobby Republican colleagues to support reform. Yesterday the Municipal Finance Support Act passed in the House of Representatives. C/M Maloney was the original co-sponsor of the bill which would require banks and financial institutions to treat municipal bonds as liquid, similar to private bonds. It would make it easier for cities to float bonds to fund necessary infrastructure projects.</p>
<p>Michael Stinson for Comptroller Scott Stringer</p>	<p>Mr. Stinson is Comptroller Stringer's representative for CB's 1-8. The Office has a donation collection going on for PR, Texas, FL, and Mexico. Collection is on going until next Friday at 1 Centre Street, Room 512. The Office is hosting an Italian Community Breakfast on October 17th at 1 Centre Street at 8:30AM. The Comptroller issued a report recently re sex</p>

	ed in middle schools. The STI rates among teenagers have increased over the years, and the Comptroller wanted to confirm that the DOE is teaching middle school students health education. The study found that only 57% of 8 th grade students have completed the NYS mandated requirement of 1 semester of Health Education, and only 7.6% of all health instructors in schools are receiving any professional development related to sexual health education over the last 2 years. 43% of students are not getting any sex education. The Comptroller is calling on the DOE to implement a Chancellor's Regulation guaranteeing sex education for all middle and high school students.
Gabriel Greenstein for PA Letitia James	Mr. Greenstein representing PA James spoke about three items. The PA Office released a report today re standing with workers on forced arbitration cases. The study discovered that there has been a steep rise in the number of terms and conditions contracts for workers that say if you ever have a dispute with employer, you will resolve it through forced arbitration. When arbitration is forced, it significantly decreases the chance of a positive result for the worker, and these workers are signing away their rights to go against their employer for wage disputes, sexual harassment disputes, and wrongful termination disputes. The PA is looking at ways the City can influence that and stop doing business with companies that are mandating this type of mandated arbitration. Secondly, the Office is looking at an OSHA report that found that many construction workers are not receiving the training they need to safely complete their tasks. Many of the trainings are not performed in any languages other than English, and many of the cards that the workers hold have are fake. The Office is exploring ways to expand resources for construction workers. Thirdly, the PA Office is proud to announce that that there is now free universal lunch for all students in the NYC public school system, which is a priority the PA had been advocating for.

Board Reports & Business	
Adoption of Agenda and Minutes	September minutes were approved unanimously. Agenda was adopted unanimously. Item 6 is postponed. Items 18 and 19 are being sent to Hell's Kitchen Land Use Committee. Adopted a new Item 21 – CB4 acknowledgement and support of the Puerto Rican Relief Effort.
District Manager Report	<p>Highlights of events the District Manager or Staff attended on behalf of the board and upcoming events:</p> <ul style="list-style-type: none"> · CB4 and HYHK Alliance along with NYC Business Solutions is hosting a training on how to negotiate commercial leases and navigate government agencies for Small Businesses. The training will be held on Thursday, November 2nd, at 11:00am, at HYHK Alliance BID Office 412 West 42nd Street. · October will be the last month before CB4 submits its Statement of District Needs and Budget Priorities for Fiscal Year 2019. The Committee should be voting on their budget priorities and sending them to the office for the Budget Task Force to review. The Budget Task Force is scheduled to meet on Tuesday, October 24th at 5:00PM at the Board office- 330 W 42nd Street, 26th floor. · Mr. Bodine coordinated and attended the Manhattan Borough Budget Consultation meetings this year. Those are 3 different dates where almost every agency comes and speaks with representatives of the Board re borough-wide budget consultations. · Mr. Bodine attending the opening the GMHC Substance Abuse Service Center at 446 West 33rd Street.

	<p>The catch basin at 42nd Street and 9th Avenue has been repaired.</p> <p>October Committee Updates:</p> <p>Arts, Culture, Education, and Street Life Committee will not be meeting on its regular scheduled day due to the Columbus Day Holiday, and will be rescheduled to Tuesday, Oct 17th at 6:30PM at the Hotel Trades Council at 305 W 44th Street, 2nd Floor</p> <p>As always, Mr. Bodine thanked Nelly Gonzalez and Janine Pretente for keeping the board running smoothly.</p>
Board Chair Report	<p>Small Meeting Report for September:</p> <p>9/7 - The Chairs of TRANS were briefed by the owners of 615 10th Avenue, XIN Development and Target to discuss the future commercial deliveries on West 44th Street. Of particular concern is student and resident safety on West 44th Street.</p> <p>9/11 – Chairs of CLU and HHHS continued to meet with the owners of 500 West 22nd Street regarding the halted demolition of the building and next steps. – There is a letter on this month’s agenda regarding the site.</p> <p>9/12 – The Chairs of TRANS had a follow up meeting with NYC Dept. of Design and Construction in response to the Boards letters regarding the multiple water tunnel and sewer project taking place in our district.</p> <p>9/18 – CLU leadership met with representatives from the Starrett Lehigh Building regarding potential future changes to their ground floor uses and the expansion of the Special West Chelsea District.</p> <p>9/26 – BLP Leadership met with Representatives of the Manhattan West Project and Hudson Yards Project to review proposed Bar, restaurants and hotels in both developments.</p>

Action Items	Motions, Amendments, & Comments	Result
Business License and Permits Committee (BLP)		
Item 1: Letter to SLA re 701 9th Avenue (48/49) – The Jolly Monk	BLP Chair proposed a modification (tone down harshness of letter as drafted based on community input)	Passed Unanimously
Item 2: Letter to SLA re 618 W 46th Street (11/12) – Mekka Nightclub LLC		33 Voted in Favor; 1 PNE
Item 3: Letter to SLA re 267 W 23rd Street (7/8) – 267 W LLC d/b/a Bonchon	Bundled 3,4,5,7,8	Passed Unanimously

Item 4: Letter to SLA re 862 9th Avenue (55/56)– FT 862 LLC d/b/a Bar Veloce	Bundled 3,4,5,7,8	Passed Unanimously
Item 5: Letter to SLA re 496 9th Avenue (37/38) – Porky’s Salvation Corp.	Bundled 3,4,5,7,8	Passed Unanimously
Item 6: Letter to SLA re 191 7th Avenue (21/22) – Todd English Enterprises LLC – WITHDRAWN	-	-
Item 7: Letter to SLA re 75 9th Avenue (15/16) - Black Barn Kitchen	Bundled 3,4,5,7,8	33 Voted in Favor; 1 PNE
Item 8: Letter to SLA re 317 W 46th Street (8/9) – Latto 317 LLC	Bundled 3,4,5,7,8	Passed Unanimously
Clinton/Hell’s Kitchen Land Use Committee (C/HKLU)		
Item 9: Letter to DOB re Demolition at 335-337 W. 55th Street		Passed Unanimously
Item 10: Letter to BSA re PCE for Orangetheory Fitness Gym at 313-321 W. 37th Street		Passed Unanimously
Waterfront, Parks & Environment Committee (WPE)		
Item 11: Letter to HRPT re Concerns for New Food Concession at Pier 84 (West 44 th St)	Amendments accepted	Passed Unanimously
Chelsea Land Use Committee (CLU)		
Item 12: Letter to DOB and HPD re 500 West 22 nd Street proposal	Amendments accepted	Passed Unanimously
Transportation Committee (TRANS)		
Item 13: Letter to DOT re 11th Avenue Safety Improvements	Bundled 13,14 Amendments accepted	Passed Unanimously
Item 14: Letter to DOT re HYHK BID Request for Support (West 37/38 St)	Bundled 13,14 Amendments accepted	Passed Unanimously
Item 15: Letter to Councilmember Corey Johnson re Street Renaming at 46th Street (9/10 Aves)	Amendments accepted	33 Voted in Favor; 1 Abstain
Housing Health & Human Services Committee (HHHS)		
Item 16: Letter to Letter to Midtown Community Court re support for programming – Deferred Back to Committee	-	-
Item 17: Letter re Gristedes Supermarket not accepting W.I.C. benefit vouchers	Amendments accepted	Passed Unanimously

New Business		
Item 18: Letter to MBPO re Garment District Steering Committee – Deferred Back to Committee	-	-
Item 19: Letter to Garment District Alliance re Garment District Steering Committee – Deferred Back to Committee	-	-
Item 20: Letter to HYHK Alliance re Response to Amazon Campus RFEI		30 Voted in Favor; 4 PNE
Item 21: CB4 Acknowledgement and Support U.S. Virgin Islands and Puerto Rican Relief Effort	Amendments accepted	Passed Unanimously

Meeting Resolution	
Adjournment	9 PM Meeting Adjourned
Next Meeting Date and Location	November 1, 2017 Hudson Guild Elliott Center 441 West 26 th Street 9/10 Dan Carpenter Room A/B

As recorded by Lily Fan

